
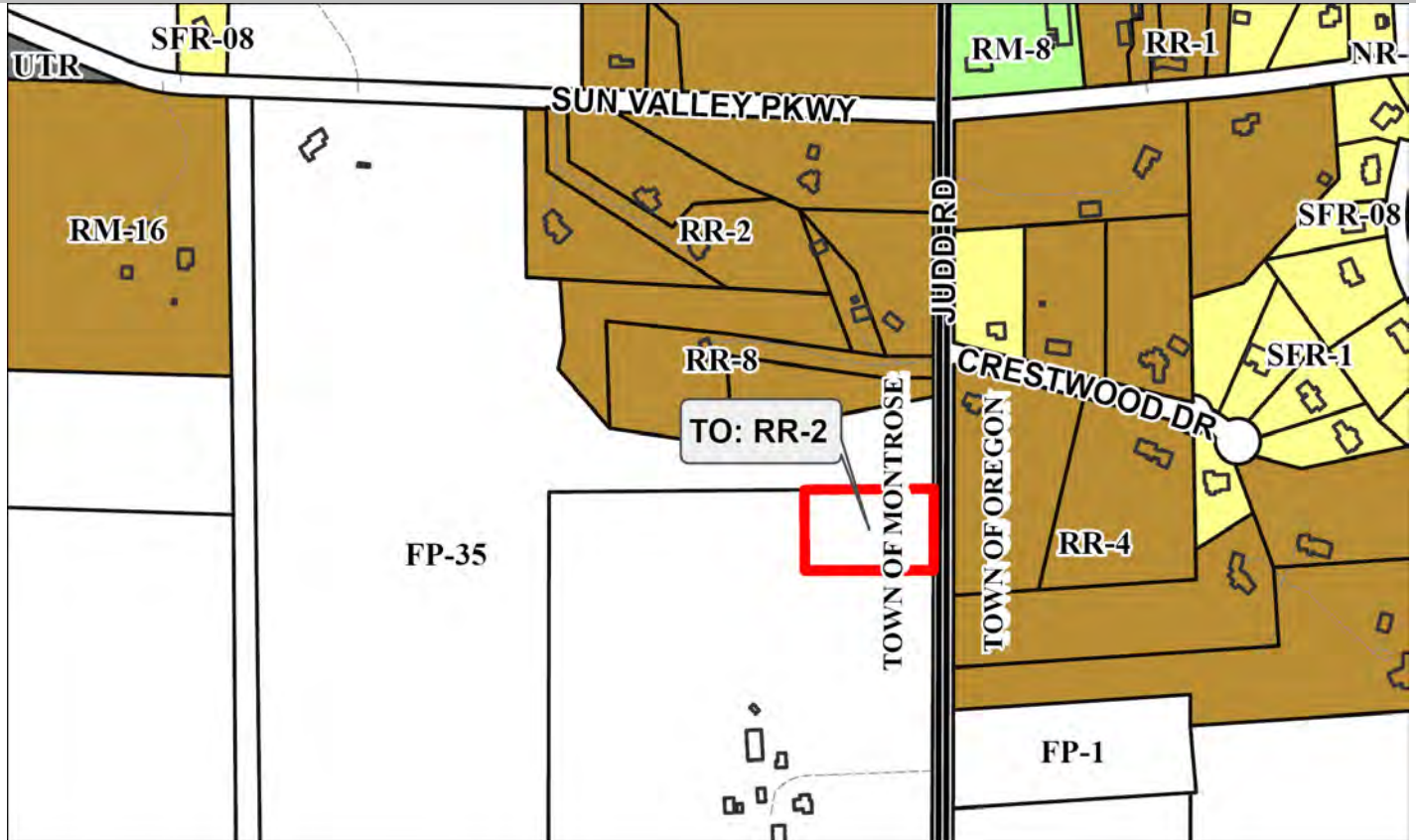


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> May 28, 2024		Petition 12031
	<i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO RR-2 Rural Residential District		<i>Town/Section:</i> MONTROSE, Section 12
	<i>Size:</i> 2.25 Acres	<i>Survey Required:</i> Yes	
	<i>Reason for the request:</i> Creating one residential lot		<i>Applicant:</i> RANDALL AND ANGELA MUSSEHL
			<i>Address:</i> 1273 JUDD RD



DESCRIPTION: Applicant Randy Mussehl proposes to create one new 2.25-acre residential lot from the 96.5-acre farm.

OBSERVATIONS: The property is on Judd Road which is the border between the towns of Montrose and Oregon. The proposed residential lot meets the requirements of the RR-2 zoning district and county ordinances. The remaining farm land will remain zoned FP-35 and will meet requirements of that zoning district. The proposed lot is located on an existing certified survey map lot that is 37.27 acres in size that was created in 2007; the farm land adjacent to the south is un-platted land.

The property is subject to the City of Fitchburg’s extraterritorial review for land divisions.

COMPREHENSIVE PLAN: Property is within a Farmland Preservation Area under the [Town of Montrose / Dane County Comprehensive Plan](#). Residential development is capped at a maximum density of one unit per 35 acres owned as of September 11, 1978. If approved, Petition 12031 will **exhaust** the development potential of the original farm. The balance of the property remaining in Farmland Preservation zoning should be deed restricted to prohibit future nonfarm development. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or standing@countyofdane.com)

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property.

TOWN ACTION: On January 2, 2024 the Town Board recommended approval of the rezone, conditioned on the two houses remaining on FP-35 land on one parcel which may not be separated; no further splits are allowed.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the rezone subject to the applicant recording the certified survey map for the new lot boundaries, and the following conditions:

1. A deed restriction shall be recorded on tax parcels 0508-121-9503-0, 0508-124-8600-0 and 0508-124-8440-7 stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Selmer A. Judd Jr. farm have been exhausted per the Town Comprehensive Plan density policies.

2. A deed restriction shall be recorded on proposed Lot 2 (current tax parcel 0508-121-9503-0) stating the following:

The two homes on this farmland preservation lot shall remain together on one lot and may not be subdivided onto separate lots. No further land divisions are allowed per the Town Comprehensive Plan density policies.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@countyofdane.com