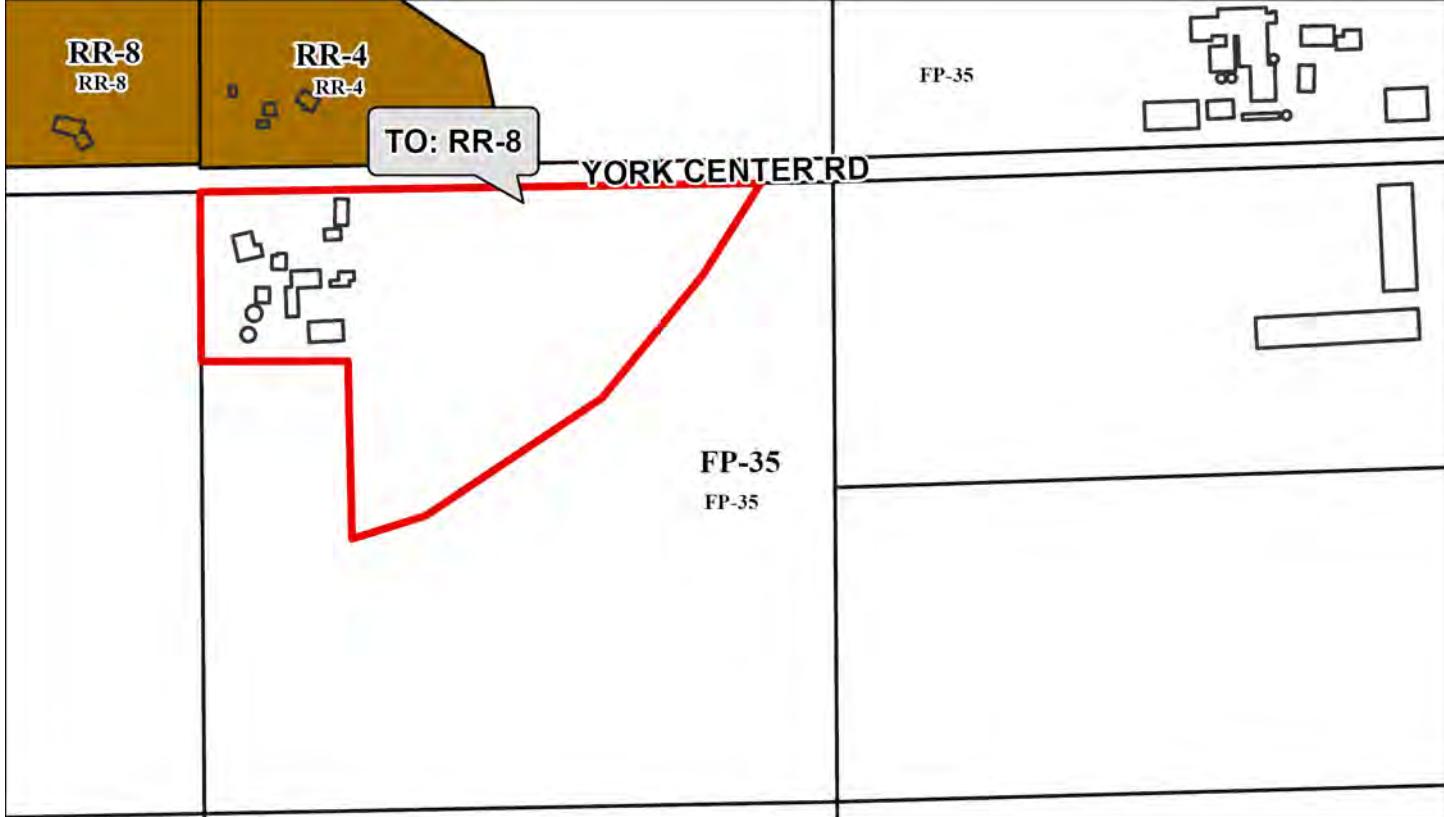


Staff Report  Zoning & Land Regulation Committee	Public Hearing: January 27, 2026 <u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-8 Rural Residential District <u>Size:</u> 11.5 Acres <u>Survey Required:</u> Yes <u>Reason for the request:</u> Separating existing residence from farmland	Petition 12236 <u>Town, Section:</u> YORK, Section 21 <u>Applicant:</u> TERESA SCHERNECKER <u>Address:</u> 983 YORK CENTER ROAD



DESCRIPTION: Teresa Schernecker requests rezone to split the existing home and accessory farm buildings off from the rest of the farm, on a new 11.5-acre lot with RR-8 zoning. The lot is configured to include wet meadow / pasture land and to fit the existing buildings, septic system, and minimum building setbacks.

OBSERVATIONS: The proposed lot appears to meet county ordinance requirements for the RR-8 zoning, including building setbacks from lot lines.

COMPREHENSIVE PLAN: This land is in the town's agricultural preservation area. The Town's Comprehensive Plan states that "separation of residences built prior to August 28, 1980 shall not count as a split". Based on historical orthophoto data, the house at 983 York Center Road existed before 1980; thus this land division would not count as a "split". As stated in the density report, if this petition is approved, one density unit will remain available.

No new development is proposed with this land division, but part of the lot would fall within the Town's Environmental & Resource Protection area, where development is generally discouraged. If development is proposed within this District, it should comply with the town's policies and siting standards. Additionally, this area appears to follow the County's wetland setback layer, so the County would also enforce development regulations here as well.

The Town Plan "encourages the creation of small lots ranging in size from 1 to 3 acres on less productive soils". Since this land division encompasses existing development, the lot lines seem reasonable. Additionally, as mentioned above, there are environmental siting regulations that affect a large portion of this proposed lot, so in reality, less than 3 acres

are likely developable, essentially making this lot fall below that acreage range. This proposal appears to be consistent with Town Density Policy and the goals, objectives, and policies related to the agricultural preservation district.

For questions about the town plan, contact Senior Planner Ben Kollenbroich at (608) 266-9108 or Kollenbroich.Benjamin@danecounty.gov.

RESOURCE PROTECTION: The eastern portion of the proposed lot contains an un-cropped area of land included in the Wisconsin Wetland Inventory and consists of hydric soils. No new development is proposed at this time; however, any future development in close proximity to the wetlands and hydric soils may be subject to wetland zoning requirements including a minimum 75-foot setback from the wetlands boundary to all structures.

TOWN ACTION: The Town Board recommended approval with no special conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, Staff recommends approval of the rezone subject to the applicant recording the CSM.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.