



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
Farmland Preservation Program
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DATCP Date Entered

DATCP #

Notice of Rezoning or Conditional Use/Special Exception in the Exclusive Agricultural Use District (EAZ) (Farmland Preservation Law, Ch. 91, Wis. Stats.)

Please send us this form when rezones from or CUPs/SEPs in the Exclusive Agricultural District are approved or when EAZ lands are annexed.

1. Town/Village/City of: County:

2. This Notice is for: Rezoning [ ] (From: To: ) CUP/SEP [ ] Both [ ]

3a. Owner's name at time of Petition:

phone number: ( )

Address (city, state, zip code)

3b. Person, business or government initiating petition (if different than 3a)

phone number: ( )

Address (city, state, zip code)

3c. If the land is being annexed, fill out items 5, 7, 8 and 9. Municipality annexing:

4. Location of the Property granted rezoned or CUP/SEP

1/4 1/4 sect 1/4 sect Section Town Range 1/4 1/4 sect 1/4 sect Section Town Range
N E / W (circle) N E / W (circle)
N E / W (circle) N E / W (circle)

Parcel Number(s) before rezoning/CUP (parcels involved)

5. Land Area and Improvements

Total Acreage: In farm before rezoned: In parcel before rezoned:

In original parcel and in Exclusive Ag. District:

How many acres were rezoned out of exclusive agricultural district or granted CUP/SEP?

How many acres were rezoned into exclusive agricultural district?

Were there improvements on the original parcel? yes / no

If yes, what percentage of the improvements were rezoned or granted a CUP/SEP?

6. Type of and Findings for Conditional Use / Special Exceptions in EAZ District (please check)

What is the type of CUP/SEP? (these are the only types allowed by statute)

- a. [ ] Agricultural (specify: ) g. [ ] Farm family business (specify: )
b. [ ] Agricultural-related (specify: ) h. [ ] Farm consolidation (farm land added to another farm)
c. [ ] Institutional (specify: ) i. [ ] Non-metallic mineral extraction
d. [ ] Governmental ( ) j. [ ] Lease for oil/gas exploration/extraction
e. [ ] Religious k. [ ] Easement for ice age trail uses
f. [ ] Gas/Electric Utility ( ) l. [ ] Other utility
m. residential uses allowed as conditional use / special exception: (specify)
[ ] residence for owner of farm parcel (s. 91.75(2)(b)1.) [ ] residence for parent/child of farmer (s. 91.75(2)(b)3.)
[ ] residence for farmer / farm worker (s. 91.75(2)(b)2.) [ ] parent or child of resident retired farmer (s. 91.75(2)(b)4.)

Please confirm that findings were made that CUP/SEP are "consistent with agricultural use." (s. 91.01(10)).

- [ ] The activity will not convert land that has been devoted primarily to agricultural use.
[ ] The activity will not limit the surrounding land's potential for agricultural use.
[ ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.
[ ] The activity will not conflict with agricultural operations on other properties.

If land was not rezoned or annexed skip to Question 9.

**7. Reason for Rezoning Out of Exclusive Agricultural Use (please check reason a - k)**

General information required (for all rezones):

Miles from city or village boundary: \_\_\_\_\_  
 Is the land served by public sewer? **yes / no**  
 Is the land served by public water? **yes / no**

Miles from existing residential subdivision: \_\_\_\_\_  
 Is the land within a sanitary district? **yes / no**  
 Is the land in transition area on the farmland preservation plan? **yes / no**

**REASON for Rezoning:** (If land was rezoned into more than one type of use, please specify the acres for each use.)

- a.  Develop land for **non-Agricultural residential use**  
 If more than 1 lot was developed: Number of lots \_\_\_\_\_ Average lot size (acres) \_\_\_\_\_
- b.  Farm-related Residence (**farmer or parent / child / retirement** (circle) of farm owner-operator)
- c.  **Farm consolidation** (farmland added to another farm)
- d.  Existing **buildings sold off** (no farm consolidation)
- e.  **Pre-existing use** (specify: \_\_\_\_\_)
- f.  Sub-35 acre, **Legal nonconforming** parcel of record
- g.  Develop for **Industrial** use
- h.  Develop for **Commercial** use
- i.  Develop for **Recreational** use
- j.  Rezone for **Conservancy** use
- k.  **Other** (please specify) \_\_\_\_\_

**8. Soils and Land Use/Cover Information**

**a. Land Capability Classification** in parcel rezoned out of exclusive agricultural district (approximate percentage of land from soil survey).

% of land in Capability Classes I-II \_\_\_\_\_ % of land in Capability Class IV \_\_\_\_\_  
 % of land in Capability Class III \_\_\_\_\_ % of land in Capability Classes V – VIII \_\_\_\_\_

**b. Type of land use/cover** in parcel rezoned out of exclusive agricultural district (approximate)

% of land in cropland \_\_\_\_\_ % of land in woodland \_\_\_\_\_  
 % of land in pasture \_\_\_\_\_ % of land in other (specify) \_\_\_\_\_

**9. Certification History**

Have any zoning certificates been issued for the property rezoned or granted the non-agricultural CUP/SEP in the last 10 years? **Yes / No**

If **YES**, you must attach:

- copies of any zoning certificates** issued for the property during the last 10 years AND
- a written legal description** of the property removed, such as a warranty deed, land contract, certified survey map or subdivision plat.

**10. Findings for Rezoning**

**Please confirm** rezoning was approved only after findings were made based on consideration of the following as required by s. 91.77(1):

- Adequate public facilities to accommodate the development either exist or will be provided within a reasonable time.
- Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
- The land is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion, or have an unreasonably adverse effect on rare or irreplaceable natural areas.

Is the rezone consistent with the certified County Agricultural Preservation plan? **Yes / No**

**11. Official Authorization and Documentation**

Signature of Zoning Authority	Title	Date of Signature	Local Approval Date	Effective Date
_____	_____	_____	_____	_____