

Plan Commission Minutes

V&B Buildings, LLC, 875 US Highway 51, petition number 10944 to rezone parcel from B-1 Local Business District to C-2 Commercial District for use compliance. Mr. Hammis was not in attendance. Falligant stated the Town has received a petition from the County which has been filed by Jim Hammis to rezone 875 US Highway 51 to rezone parcel from B-1 Local Business District to C-2 Commercial District. Falligant stated that Mr. Hammis is in contempt of court for not cleaning up his property pursuant to Dane County ordinances. Falligant further believes the taxes are in arrears. Mr. Hammis has not displayed interest to abide by current zoning and C-2 zoning would allow for additional permitted uses. B-1 zoning allows for retail sales but you are not allowed to work on automotive. Storage of concrete forms are not permitted. B-1 is compatible and appropriate for a business that is surrounded by a residential district. Falligant received an email from Roger Lane at Dane County that agrees with the Falligant that the C-2 zoning would not be compatible for this parcel and that it is the duty of the Town and County to advise as such. Delehanty stated the C-2 zoning would not be compatible with the Comprehensive Plan. There were over 10 residents who live in the area around this property and all of them agree he is not a good neighbor and they had noise and burning complaints. Falligant stated a motion to recommend to the Town Board the denial of petition number 10944 for the purpose of rezoning parcel from B-1 to C-2. The Plan Commission finds the C-2 zoning is incompatible with the Land Use Plan and the adjacent residential properties. Delehanty seconded. Motion carried 5-0. Falligant advised this matter will be placed on the Town Board agenda for Monday, January 18, 2016 and then February 23, 2016 is the Dane County public hearing.

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a. V&B Buildings, LLC, 875 US Highway 51, petition number 10944 to rezone parcel from B-1 Local Business District to C-2 Commercial District for use compliance. Petitioner James Hammis was in attendance. He wishes to rezone his property at 875 US Highway 51 from B-1 to C-2. Kent Falligant stated there was a big showing from the neighbors at the Planning Commission meeting who expressed significant concern in expanding the zoning. The Plan Commission feels B-1 zoning is appropriate given the proximity to single family homes surrounding the property. They also felt the C-2 zoning was not consistent with the Land Use Plan. The Planning Commission unanimously recommended denial of the petition. Mr. Hammis indicated he took over the property four years ago. He stated he has spent \$25,000.00 cleaning up the property and believes the property is much cleaner than when the former owners had it. Mr. Hammis stated he was sued by the County and was forced to submit the rezone petition. He is disappointed that the Town is not going to allow the construction business to continue. He believes the B-1 zoning is extremely restrictive to his business operations. Supervisor Quam stated a motion to deny petition 10944. Motion was seconded by Supervisor Olson. Motion carried 3-0.