



Department of Planning & Community & Economic Development
Planning Division

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July 16, 2015

Mr. Patrick Miles, Chair
Dane County Zoning & Land Regulation Committee
Dane County Zoning Division
City-County Building, Room 116
210 Martin Luther King, Jr. Blvd.
Madison, Wisconsin 53703

RE: Rezone 10862 & CUP 2321 Town of Burke

Dear Mr. Miles,

I'm writing to comment on the proposed rezone of property at 5337 Reiner Road from A-1 Agriculture District to C-2 Commercial District and a request for a conditional use permit allowing an existing residence to be used by a caretaker or watchmen.

The applicant requests C-2 zoning to allow construction of an accessory building on the property for storage equipment/vehicles involved in the operation of Burke Truck and Equipment, and a snow removal and equipment dealer located on adjoining C-2-zoned property. A conditional use permit for a residence for the watchman or caretaker of the business is also requested to provide zoning compliance for the business owner's existing single family residence on the property.

The property is subject to the provisions of the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan (2007). The cooperative plan defines "develop" or "development" as division of land, or construction of more than one principal structure on a parcel of land, or rezoning a parcel from a residential or agricultural classification to a non-residential classification. The proposed rezone meets the definition of development.

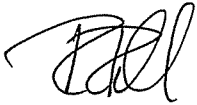
The Cooperative Plan includes the following provision: 11 B. (1) Any development in the Town shall, in addition to Town requirements, be subject to approval by DeForest, Madison or Sun Prairie; depending upon which municipality the subject territory will eventually be attached to, in accordance with the respective Village or City Development Requirements. In the Protected Areas, the full range of urban services may or may not be required, in the sole discretion of the respective Village or City. In areas outside of the Protected Areas, the full range of urban services, including Village or City public water and sewer service, and attachment to the Village or City may or may not be required, in the sole discretion of the respective Village or City. The Town shall not grant any development approvals inconsistent with this paragraph. Further, the Cooperative Plan includes the following: 6. B. "Madison Development Requirements" means Madison's adopted ordinances, plans, policies, standards and procedures and include, but are not limited to, all adopted neighborhood development plans, land use or comprehensive plans, the Land Subdivision Regulations Ordinance (Sec. 16.23, Madison General Ordinances ("MGO")), Impact Fee

Ordinance (Chapter 20, MGO), Zoning Code (Chapter 28, MGO), and the Public Stormwater System Including Erosion Control Ordinance (Chapter 37, MGO), as any of the foregoing may be amended from time to time. All new or replacement signs, billboards or street graphics in the BAA-M area of the Town shall comply with the restrictions of the Madison Street Graphics Control Ordinance (Chapter 31, MGO) and with the applicable Dane County sign regulations. In the event of a conflict between the Madison and Dane County sign regulations, the more restrictive regulations shall apply.

After discussing this application with the applicant, Town of Burke and Dane County Planning staff, the City of Madison Planning Division will not oppose the proposed rezone and conditional use permit if permanent deed restrictions are placed on the subject property limiting development to the existing residence and a new, non-commercial accessory structure that replaces the existing structure, provided these would be the only uses and/or structures allowed on the site. Further, no billboards would be allowed on the site.

We appreciate the opportunity to comment on the proposed rezoning. If you have any questions, please do not hesitate to contact me at 267-8732 or rroll@cityofmadison.com.

Sincerely,



Rick Roll
Planner IV
City of Madison Planning Division

- c: Roger Lane, Zoning Administrator, Dane County
- Majid Allan, Senior Planner, Dane County Department of Planning & Development
- Katherine Cornwell, Director Planning Division
- Kevin Viney, Chair, Town of Burke
- Brenda Ayers, Clerk/Treasurer, Town of Burke
- Paul Soglin, Mayor City of Madison