



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, July 8, 2014

7:00 PM

City - County Building, ROOM 351
210 Martin Luther King Jr. Blvd., Madison

A. Call to Order

Chair Miles called the meeting to order at 7:05pm in Room 351.

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and BOB SALOV

B. Public comment for any item not listed on the agenda

No comments were made by the public.

C. Consideration of Minutes

[2014
MIN-057](#)

Minutes of the June 10, 2014 Zoning and Land Regulation Committee

Attachments: [06-10-14 ZLR minutes.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, that the Minutes of the June 10th meeting be approved. The motion carried by a voice vote.

[2014
MIN-175](#)

Minutes of the June 24, 2014 Zoning and Land Regulation Committee

Attachments: [06-24-14 ZLR minutes.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, that the Minutes of the June 24th meeting be approved. The motion carried by a voice vote.

D. Zoning Map Amendments and Conditional Use Permits from previous meetings

[10672](#)

PETITION: REZONE 10672
APPLICANT: STOUGHTON FARMS INC
LOCATION: 3768 OLD STAGE ROAD, SECTION 34, TOWN OF
RUTLAND
CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture
District
REASON: creation of a 15-acre A-2(8) parcel

Attachments: [10672-2270 staff rpt update coverpage.pdf](#)
[Town board action \(5-28-14\).pdf](#)
[Town board action \(6-12-14\).pdf](#)
[Corp Counsel opinion on town action and state statutes.pdf](#)
[Staff report UPDATE Petition 10672 - CUP 2270 \(FM Radio tower,
sec 34 Rutland\).pdf](#)
[10672 CUP 2270 map 1.pdf](#)
[10672 CUP 2270 map 2.pdf](#)
[10672 Engineering Report.pdf](#)
[10672 letters of support \(as of 7-2-14\).pdf](#)
[10672 Letters in opposition \(as of 7-2-14\).pdf](#)
[10672 CUP 2270 app.pdf](#)
[10672 FAA and FCC Documents.pdf](#)

A motion was made by Kolar, seconded by Matano to recommend denial of zoning petition 10672. The motion carried by a voice vote.

The committee action was based on the town of Rutland's disapproval being submitted within 30 days of the public hearing as specified in sec. 59.69(5)(e)3 Wis. Stats.

[10688](#)

PETITION: REZONE 10688
APPLICANT: RODNEY NELSON
LOCATION: 5361 & 5359 MAHOCKER RD, SECTION 19, TOWN OF
BLACK EARTH
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes
District, A-1EX Agriculture District TO A-4 Agriculture District, A-1EX
Agriculture District TO RH-1 Rural Homes District
REASON: creating two residential lots for existing residences and
creating one agricultural lot

Attachments: [10688 Staff update.pdf](#)
[10688 Town.pdf](#)
[10688 map.pdf](#)
[10688densitystudy.pdf](#)
[10688 APP.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.
1. A deed restriction shall be placed on the A-4 parcel (Lot 2) to prohibit residential development on the parcel.

[10699](#)

PETITION: REZONE 10699
APPLICANT: ROMAN E HAAS
LOCATION: JUST NORTH OF 7807 FISH LAKE ROAD, SECTION 4,
TOWN OF ROXBURY
CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District
REASON: creating one residential lot

Attachments: [10699 Staff update.pdf](#)
[10699 town action.pdf](#)
[10699 revised petition.pdf](#)
[10699 Alternative option.pdf](#)
[10699map2.pdf](#)
[RX10699\(Haas farm sec 4\)2014.pdf](#)
[10699 APP.pdf](#)

A motion was made by KOLAR, seconded by SALOV, that this Zoning Petition be recommended for approval as amended. The motion carried by 4-1 vote.
1. The zoning district boundary shall be shifted approximately 1000 feet to the south to create a 2.5-acre parcel as presented. The zoning district classification shall be amended to RH-1.

Ayes: 4 - BOLLIG,KOLAR,MILESandSALOV

Noes: 1 - MATANO

[10700](#)

PETITION: REZONE 10700
APPLICANT: DAVID R MERTENS
LOCATION: 6427 COUNTY HIGHWAY A, SECTION 13, TOWN OF MONTROSE
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District, A-1EX Agriculture District TO A-2(8) Agriculture District
REASON: shifting of property lines between adjacent land owners

Attachments: [10700 staff update.pdf](#)
[10700 Town.pdf](#)
[10700densitystudy.pdf](#)
[10700 map.pdf](#)
[10700 app.pdf](#)

A motion was made by SALOV, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.
1. A deed restriction shall be placed on the A-2(8) parcel (11.7 acres) to prohibit residential development.

[10702](#)

PETITION: REZONE 10702
APPLICANT: MAXWELL FAMILY LLC
LOCATION: 7711 MIDTOWN ROAD, SECTION 6, TOWN OF VERONA
CHANGE FROM: A-2 Agriculture District TO A-3 Agriculture District, A-1EX Agriculture District TO A-3 Agriculture District, RH-2 Rural Homes District TO A-3 Agriculture District, A-2 Agriculture District TO RH-2 Rural Homes District, A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: reconfiguring two residential lots and creating two agricultural lots for farm educational facility

Attachments: [10702 CUP 2276 Staff update.pdf](#)
[10702 town action FINAL \(rezone only\).pdf](#)
[10702 map.pdf](#)
[10702 CUP 2276 APP.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Zoning Petition be recommended for approval. The motion carried by a voice vote.

[CUP 2276](#)

PETITION: CUP 2276

APPLICANT: MAXWELL FAMILY LLC

LOCATION: 7711 MIDTOWN ROAD, SECTION 6, TOWN OF VERONA

CUP DESCRIPTION: farm educational facility

Attachments: [10702 CUP 2276 Staff update.pdf](#)

[CUP 2276 Town.pdf](#)

[CUP 2276 App.pdf](#)

[CUP 2276 Map.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that Conditional Use Permit #2276 be approved with 9 conditions. The motion carried by a voice vote.

1. Hours of Operation:
 - a. Educational activities shall be limited from 7:00am to 9:00pm for those arriving by car. Bus activity shall be limited from 8:00am to 9:00pm.
 - b. Fund raising activities shall be limited to no more than five events per year and would start no earlier than 8:00am and end by 10:00pm. All activities (clean up) shall end at 11:00pm. Events with 50 or fewer people may occur throughout the year with the same time limitations as stated.
 - c. Supervision of animals would take place as needed throughout a 24-hour period.
2. For purposes of assisting staff on a regular basis, the number of volunteers will be limited to 20 (present on property at one time) with the number not to exceed 40 for special events and work days.
3. Pigs will be kept a minimum of 35 feet away from the neighboring property at 7715 Midtown Road.
4. Outdoor loudspeakers are prohibited.
5. Outdoor lighting shall be limited to what is necessary for safety. The lighting shall be designed to shield adjacent properties from glow.
6. Parking shall be limited to 30 cars on a daily basis in a good gravel area with overflow parking for no more than 60 additional cars for special events.
7. Drive access shall be modified in accordance with the driveway requirements of the Town of Verona.
8. Permanent restrooms will be added in whatever number is required by the commercial building code.
9. If ownership of the operation changes, this Conditional Use Permit will be subject to review by the Town of Verona and the County for potential amendments.

[10703](#) PETITION: REZONE 10703
APPLICANT: JAMES J SKALITZKY
LOCATION: JUST WEST OF STATE HIGHWAY 19 AND TOWN HALL
ROAD, SECTION 3, TOWN OF SUN PRAIRIE
CHANGE FROM: A-2 (1) Agriculture District TO C-2 Commercial District
REASON: rezoning for mini-warehouses.

Attachments: [10703 Staff update.pdf](#)
[10703 town action report.pdf](#)
[10703 map.pdf](#)
[10703 Sun Prairie.pdf](#)
[10703 APP.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be recommended for denial. The motion carried by a voice vote.
Reason: The committee concurred with the Town's action.

[CUP 2262](#) PETITION: CUP 2262
APPLICANT: OAK PARK QUARRY LLC
LOCATION: 3522 OAK PARK ROAD, SECTION 29, TOWN OF
DEERFIELD
CUP DESCRIPTION: mineral extraction

Attachments: [CUP 2262 Staff Update.pdf](#)
[CUP 2262 Town update.pdf](#)
[CUP 2262 town.pdf](#)
[CUP 2262 village.pdf](#)
[CUP 2262 burial mounds.pdf](#)
[CUP 2262 app.pdf](#)

A motion was made by MATANO, seconded by SALOV, that Conditional Use Permit #2262 be denied. The motion carried by a voice vote.
Reason: The Committee concurred with the Town's action.

E. Plats and Certified Survey Maps

[2014 LD-017](#) Final Plat - Sugar Maple, City of Madison
(49 lots) (application deadline 7/10/14)
Staff recommends certification of non-objection.

Attachments: [aerial layout.pdf](#)
[27261 Sugar Maple_0001.PDF](#)

Motion by Bollig, seconded by Matano to certify the final plat with no objections.
Approved 5-0, YG: 2-0

[2014 LD-021](#) Final Plat - Quarry Vista, City of Fitchburg
(81 lots) (application deadline 7/21/2014)
Staff recommends certification of non-objection

Attachments: [27263 Quarry Vista_0001.PDF](#)
[27263 Quarry Vista_0002.PDF](#)
[27263 Quarry Vista_0003.PDF](#)
[27263 Quarry Vista_0004.PDF](#)
[27263 Quarry Vista_0005.PDF](#)
[aerial layout.pdf](#)

**Motion by Bollig, seconded by Kolar to certify the final plat with no objections.
Approved 5-0, YG: 2-0**

[2014 LD-019](#) Properties on Fish Lake, LLC 2-lot Certified Survey Map
Town of Roxbury, Section 3

Attachments: [aerial layout.pdf](#)
[street view.docx](#)
[2014FishLakeCSM9617.pdf](#)
[revised_heppola_csm.pdf](#)

**Motion by Kolar, seconded by Bollig to approve the 2-lot Certified Survey Map as
presented. Approved by 3-2 vote.**

Ayes: 3 - BOLLIG,KOLARandSALOV

Noes: 2 - MATANOandMILES

[2014 LD-015](#) Rod Nelson, proposed 2-lot Certified Survey Map
Town of Black Earth, Section 19
Waiver request for proposed lots 1 and 2 of a 3-lot CSM from the public
highway frontage requirements as per S. 75.19(6)(b)

Attachments: [aerial.pdf](#)
[waiver content.pdf](#)

**Motion by Bollig, seconded by Kolar to approve the land division waiver request
to allow lot's 1 and 2 to have no public road frontage as proposed. Approved 5-0.
Fact of finding is based upon the residences are pre-existing and the land
division brings the property into compliance. Rezone petition 10688 is
associated with this request.**

F. Resolutions

G. Ordinance Amendment

[2014
OA-023](#)

AMENDING CHAPTER 76 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ISSUANCE OF BUILDING NUMBERS FOR PARCELS WITHOUT A BUILDING.

Sponsors: Supervisor DOWNING, Supervisor BOLLIG, Supervisor MATANO, Supervisor MILES, Supervisor SALOV and Supervisor WUEST

Attachments: [2014 OA-016 BUILDING NUMBERS.pdf](#)
[Staff report on OA 23.pdf](#)

A motion was made by BOLLIG, seconded by SALOV, that the Ordinance be recommended for denial. The motion carried by a voice vote.

H. Reports to Committee

[2014
RPT-184](#)

Approved Certified Survey Maps

Attachments: [7.08.14.pdf](#)

No action taken

I. Other Business Authorized by Law

Zoning Administrator Lane distributed a letter from the Town of Vermont dated June 5th regarding resource protection areas.

J. Adjourn

A motion was made by BOLLIG, seconded by SALOV, to adjourn the meeting at 8:55pm. The motion carried unanimously.

NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.