



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, March 22, 2016

7:00 PM

City - County Building, ROOM 201
210 Martin Luther King Jr. Blvd., Madison

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A. Call to Order

Chair Miles called the meeting of the ZLR Committee to order at 7:02pm in Room 201 of the City-County Building.

Staff present: Lane, Kodl, and Violante

Youth Governance Members: None

Supervisor Matano arrived at 7:16pm.

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 made by the public.

[2015](#)
[RPT-874](#)

Registrants at the March 22, 2016 ZLR Committee meeting

Attachments: [March 22nd Registrants](#)

C. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments

[10948](#)

PETITION: REZONE 10948
APPLICANT: KATHLEEN D CORRELL
LOCATION: NORTH OF 788 HILLSIDE ROAD, SECTION 14, TOWN
OF ALBION
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
REASON: creating one residential lot

Attachments: [10948 Staff](#)
[10948 Town](#)
[10948 Density](#)
[10948 Ord Amend](#)

In Favor: Jeff Schuetz
Opposition: None

A motion was made by SALOV, seconded by BOLLIG, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

1. A deed notice shall be recorded on the property to identify that there is a 57-acre registered non-conforming mineral extraction site on the adjacent property to the south.

Ayes: 4 - BOLLIG,KOLAR,MILESandSALOV

Excused: 1 - MATANO

[10949](#)

PETITION: REZONE 10949
APPLICANT: THOMAS R BUCHANAN
LOCATION: 399 CANAL ROAD, SECTION 11, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO A-2 (1) Agriculture
District
REASON: separating existing residence from farmland

Attachments: [10949 Staff](#)
[10949 Town](#)
[10949 Density](#)
[10949 Ord Amend](#)

In Favor: Aaron Buchanan
Opposed: None

A motion was made by SALOV, seconded by KOLAR, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

1. A deed restriction shall be recorded on parcels 0812-112-9510-9, 0812-112-8010-6, 0812-112-8000-8, 0812-111-8620-9, and 0812-111-8590-6 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

2. A deed restriction shall be recorded on the proposed lot to identify the Town of Medina's animal unit restrictions.

Ayes: 4 - BOLLIG,KOLAR,MILESandSALOV

Excused: 1 - MATANO

[10950](#)

PETITION: REZONE 10950
APPLICANT: JOSEPH C DISALVO
LOCATION: 7079 FRENCHTOWN ROAD, SECTION 22, TOWN OF MONTROSE
CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District, A-1EX Agriculture District TO R-1A Residence District
REASON: shifting of property lines between adjacent land owners

Attachments: [10950 Staff](#)

[10950 Town](#)

[10950 Ord Amend](#)

In Favor: Ed Short

Opposition: None

A motion was made by BOLLIG, seconded by KOLAR, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MILESandSALOV

Excused: 1 - MATANO

[10952](#)

PETITION: REZONE 10952
APPLICANT: ROCKY HILL FARM LLC
LOCATION: 6494 COUNTY HIGHWAY KP, SECTION 34, TOWN OF ROXBURY
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, RH-2 Rural Homes District, and A-4 Agriculture District
REASON: creating three residential lots

Attachments: [10952 Staff](#)

[10952 Town](#)

[10952 Density](#)

[10952 Ord Amend](#)

In Favor: Russ Ballweg

Opposition: None

A motion was made by SALOV, seconded by BOLLIG, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-1.

1. A shared driveway agreement shall be recorded on the properties pursuant to Dane County Code of Ordinance Section 75.19(8).

2. The remaining A-1 Exclusive zoned lands shall be transferred to the adjacent landowner (Jerome & Russel Ballweg) within 180 days of approval.

Ayes: 4 - BOLLIG,KOLAR,MILESandSALOV

Noes: 1 - MATANO

[10953](#)

PETITION: REZONE 10953
APPLICANT: DON WAHLIN (DCW INVESTMENTS LLC)
LOCATION: NORTH OF 3524 OLD STAGE ROAD, SECTION 35,
TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District
REASON: create a small agriculture lot for hunting

Attachments: [10953 Staff](#)

[10953 Density](#)

[10953 Map](#)

[10953 App](#)

In Favor: Richard Raymond

Opposition: None

A motion was made by SALOV, seconded by KOLAR, that this Zoning Petition be postponed until a town action report is received from the Town of Rutland. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[10954](#)

PETITION: REZONE 10954
APPLICANT: THOMAS O VEUM
LOCATION: SOUTH OF 3415 US HIGHWAY 138, SECTION 12,
TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes
District
REASON: creating one residential lot

Attachments: [10954 Staff](#)

[10954 Town](#)

[10954 Density](#)

[10954 Ord Amend](#)

In Favor: Jean Nordlie

Opposition: None

A motion was made by SALOV, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on parcel 0510-122-8500-1 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[10955](#)

PETITION: REZONE 10955
APPLICANT: DALE E BONESS
LOCATION: 2292 COUNTY HIGHWAY Z, SECTION 19, TOWN OF
BLUE MOUNDS
CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture
District
REASON: separating existing residence from farmland

Attachments: [10955 Staff](#)
[10955 Town](#)
[10955 Density](#)
[10955 Ord Amend](#)

In Favor: Chris Rosborough
Opposition: None

A motion was made by KOLAR, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[10956](#)

PETITION: REZONE 10956
APPLICANT: MARK A STROHMENGER
LOCATION: 1785 STROHMENGER LANE, SECTION 1, TOWN OF
SUN PRAIRIE
CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture
District
REASON: separating existing residence from farmland

Attachments: [10956 Staff](#)
[10956 Map](#)
[10956 App](#)

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be postponed until a town action report is received from the Town of Sun Prairie. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[CUP 2334](#)

PETITION: CUP 02334
APPLICANT: WINGRA REAL ESTATE LLC
LOCATION: 201 COUNTY HIGHWAY MM, SECTION 36, TOWN OF OREGON
CUP DESCRIPTION: expand existing mineral extraction site

Attachments: [CUP 2334 Staff](#)

[CUP 2334 Town](#)

[CUP 2334 Map](#)

[Tab 1 - Application and Legal Description](#)

[Tab 2 - Submittal Requirements](#)

[Tab 3 - Reclamation Plan Details](#)

[Tab 4 - Supplemental Information](#)

[Tab 5 - Proposed Conditions](#)

[Tab 6 - Six Standards of a CUP](#)

[Tab 7 - Operations & Reclamation Plan](#)

[Tab 8 - Gravel Potential Map and Deposit Registration](#)

[Tab 9 - Well Protection - Fugitive Dust Plan - SPCC Plan](#)

[Village of Brooklyn comments](#)

[P&D Response to the Village of Brooklyn Letter 3-17-16](#)

*In Favor: Bill Buglass, Clint Weninger, Spencer Johnson, and Town Chair Wayne Ace
Opposition: Dale Arndt*

A motion was made by MATANO, seconded by KOLAR, that this Conditional Use Permit be postponed to the May 10th ZLR Committee meeting due to public opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[CUP 2335](#) PETITION: CUP 02335
APPLICANT: COUNTRY VIEW ENTERPRISES LLC
LOCATION: 1350 SOUTH FISH HATCHERY ROAD, SECTION 9,
TOWN OF OREGON
CUP DESCRIPTION: amending existing CUP for a kennel operation to
allow an outdoor play area and pasturing of large animals

Attachments: [CUP 2335 Staff](#)
[Vet Clinic Site Maps](#)
[CUP 2335 Map](#)
[2335 CUP App](#)

In Favor: Judy Batker, Emily Leuthner
Opposition: Dan Piorier, Ginny Owens, Sue Weber, Samuel Monroe, Jim Weber. The public expressed concerns of the excessive noise generated due to barking dogs.

A motion was made by BOLLIG, seconded by KOLAR, that this Conditional Use Permit be postponed due to public opposition and no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[2015](#)
[OA-036](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF
ORDINANCES, INCORPORATING THE TOWN OF BLACK EARTH
COMPREHENSIVE PLAN INTO THE DANE COUNTY
COMPREHENSIVE PLAN

Sponsors: JONES, DOWNING and MILES

Attachments: [OA36 2015 Staff memo](#)
[BlackEarthPH_Memo](#)
[2015 OA-036](#)
[Comp plan final version 6-2015](#)
[2015 OA-036 Fiscal Note](#)
[Comp plan final version 6-2015](#)

A motion was made by KOLAR, seconded by BOLLIG, that this Ordinance be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

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

[10931](#)

PETITION: REZONE 10931
APPLICANT: STEPHEN D CHAMPAGNE
LOCATION: 2059 RINDEN ROAD, SECTION 11, TOWN OF PLEASANT SPRINGS
CHANGE FROM: A-1EX Agriculture District TO A-2 (1) Agriculture District
REASON: creating two residential lots

- Attachments:** [10931 Staff Update](#)
[Town meeting minutes](#)
[Petitioner response to staff suggestions](#)
[Agent response](#)
[Sanitarian report](#)
[10931 Site Inspection](#)
[10931 Town](#)
[10931 Density](#)
[10931 Map](#)
[10931 App](#)

A motion was made by KOLAR, seconded by SALOV, that this Zoning Petition be postponed until such time as the second floor of the two-story building (constructed in 2006) is removed as determined by the Town of Pleasant Springs. Specifically, all construction above the second floor line shall be removed including the stairway that permits access to the second floor. All plumbing shall be removed from the building. As an alternative, the entire building could be demolished. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[CUP 2103](#) REVIEW AND POSSIBLE REVOCATION OF CUP #2103
Landowner: Oak Park Quarry, LLC
Location: 3522 Oak Park Road, Section 29, Town of Deerfield
Reason: compliance with conditions of approval and standards found
in Dane County Code of Ordinances Section 10.255(2)(h)

Attachments: [Staff Update](#)
[Staff Report on the Oak Park Quarry](#)
[Updates from Town of Deerfield](#)
[Letters of opposition as of 3-22-16](#)
[Letters from landowner](#)
[Letter from Town Attorney to ZLR](#)
[Letters from Endpoint](#)
[Letters from State agencies](#)
[CUP #2103](#)
[CUP #2103 Boundaries](#)

There were 25 members of the public registered in support of the revocation of CUP #2103.

There were 4 persons registered in opposition to the revocation of CUP #2103.

A motion was made by KOLAR, seconded by BOLLIG, that the possible revocation of Conditional Use Permit #2103 be postponed to the May 10, 2016 ZLR Committee meeting. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG, KOLAR, MATANO, MILES and SALOV

E. Plats and Certified Survey Maps

[2015 LD-066](#) Final Plat - West Prairie Village, Main Street South Addition
City of Sun Prairie
Staff recommends a certification of non-objection with regards to Ch.
75.08 and S. 236.12(2)(b).

Attachments: [aerial](#)
[27479 West Prairie Village Main St. S. Addn_0001](#)
[27479 West Prairie Village Main St. S. Addn_0002](#)
[27479 West Prairie Village Main St. S. Addn_0003](#)

A motion was made by BOLLIG, seconded by MATANO to certify the final plat of West Prairie Village, Main Street south Addition with no objections in regards to the provisions of Ch. 236.12. The motion carried by a voice vote: 5-0.

[2015 LD-065](#) Land Division Waiver - Rocky Hill Farm 4-lot CSM
Town of Roxbury, Section 34
Applicant is seeking a waiver from Ch. 75.19(6)(b) to allow proposed lots
2 and 3 to have less and no frontage on a public street.

Attachments: [aerial](#)

[20160315141645](#)

A motion was made by BOLLIG, seconded by KOLAR, to approve the land
division waiver allowing lot 2 to have less than 66' of required public road
frontage and lot 3 to have no public road frontage. The motion carried by the
following vote: 5-0.

Finding of fact: Lots will be served via a shared access easement that meet the
requirements as per the Dane County Land Division ordinance. In addition, Dane
County Highway Department has restricted access in this area to one driveway.

[2015 LD-059](#) Don Wahlin Certified Survey Map - Land Division Waiver
Town of Rutland, Section 35
Applicant is seeking a waiver from Ch. 75.19(6)(b) to allow proposed lot
to have no frontage on a public street.

Attachments: [20160212133636](#)

[2014_aerial](#)

A motion was made by KOLAR, seconded by BOLLIG, that this Land Division
waiver be postponed. The motion carried by the following vote: 5-0.

F. Resolutions

G. Ordinance Amendment

[2015](#)
[OA-036](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF
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Sponsors: JONES, DOWNING and MILES

Attachments: [OA36 2015 Staff memo](#)

[BlackEarthPH Memo](#)

[2015 OA-036](#)

[Comp plan final version 6-2015](#)

[2015 OA-036 Fiscal Note](#)

[Comp plan final version 6-2015](#)

See motion above.

H. Reports to Committee

I. Other Business Authorized by Law

J. Adjourn

A motion was made by KOLAR, seconded by MATANO, to adjourn the Zoning and Land Regulation Committee meeting at 8:51pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266, lane.roger@countyofdane.com

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.