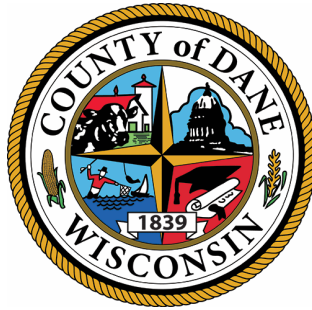


# **Dane County**



## **Minutes**

**Tuesday, March 22, 2016**

**7:00 PM**

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

**Zoning & Land Regulation Committee**

## 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

## 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

*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

*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

*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

*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

*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

*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

*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

**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

*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

*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

**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

**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)

*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,MILESandSALOV

#### **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).

**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.

**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.

**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  
ORDINANCES, INCORPORATING THE TOWN OF BLACK EARTH  
COMPREHENSIVE PLAN INTO THE DANE COUNTY  
COMPREHENSIVE PLAN

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](mailto:lane.roger@countyofdane.com)*