



# Dane County

## Minutes - Final Unless Amended by Committee

### Zoning & Land Regulation Committee

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Monday, November 7, 2016

6:30 PM

City - County Building, ROOM 354  
210 Martin Luther King Jr. Blvd., Madison

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#### A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Everson, Lane, and Violante

Youth Governance Members: Harry Joseph Finkelmeyer. Garrett Stolen was excused.

**Present** 4 - JERRY BOLLIG, MARY KOLAR, AL MATANO, and DENNIS O'LOUGHLIN

**Excused** 1 - PATRICK MILES

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

No comments made by the public.

[2016  
RPT-476](#)

Registrants at the November 7, 2016 Zoning & Land Regulation Committee

**Attachments:** [November 7th Registrants](#)

#### C. Consideration of Minutes

[2016  
MIN-353](#)

Minutes of the October 10, 2016 Zoning and Land Regulation Committee meeting

**Attachments:** [10-10-16 ZLR work meeting minutes](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the minutes of the October 10, 2016 Zoning and Land Regulation Committee meeting be approved. The motion carried by a voice vote.

[2016  
MIN-354](#)

Minutes of the October 25, 2016 Zoning and Land Regulation Committee meeting

**Attachments:** [10-25-16 ZLR Public Hearing minutes](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the minutes of the October 25, 2016 Zoning and Land Regulation Committee meeting be approved. The motion carried by a voice vote.

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

[11020](#)

PETITION: REZONE 11020  
APPLICANT: JEFFREY R NATVIG  
LOCATION: 3505 VILAS ROAD, SECTION 29, TOWN OF COTTAGE GROVE  
CHANGE FROM: RH-3 Rural Homes District TO RH-2 Rural Homes District, RH-3 Rural Homes District TO RH-4 Rural Homes District  
REASON: shifting of property lines between adjacent land owners

- Attachments:** [11020 Staff Update](#)  
[11020 Town](#)  
[11020 amended map](#)  
[11020 Current zoning map](#)  
[11020 Density](#)  
[11020 App](#)

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

1. All right-of-way along Vilas Road and Sims Road shall be dedicated to the public.
2. The petition shall be amended to assign the zoning district classification of RH-1 to the 3.4-acre Ward property; assign the zoning district classification of RH-2 to the 7.2-acre Natvig property; assign the zoning classification of RH-4 to the newly configured 16.2-acre Hulburt property.

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11048](#)

PETITION: REZONE 11048  
APPLICANT: ELIZABETH LIGHTFOOT  
LOCATION: 3055 SIGGLEKOW ROAD, SECTION 31, TOWN OF  
COTTAGE GROVE  
CHANGE FROM: A-1EX Agriculture District TO A-B Ag-Business  
District, A-1EX Agriculture District TO C-1 Commercial District  
REASON: zoning compliance for existing landscaping business

**Attachments:** [11048 Staff Update](#)

[11048 Town](#)

[11048 Density](#)

[11048 Ord Amend](#)

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

1. The deed restriction as required under Zoning Petition #8623 shall be revised to limit the following land uses within the A-B Agri-Business and the C-1 Commercial Zoning District boundaries: retail sales limited to nursery stock produced on the property, bagged soil, compost, and fertilizer; operation of landscape and gardening business.

2. The private drive shall be improved by adding two bump outs (driveway widening) as specified on the plans and resurfacing the driveway with crushed asphalt. The improvements shall be installed within one year (November 2017).

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

## E. Plats and Certified Survey Maps

[2016 LD-040](#)

Final Plat - West Prairie Village Second Addition  
City of Sun Prairie  
Staff recommends a certification of non-objection with regards to Ch.  
75.08 and S. 236.12(12(2)(b)).

**Attachments:** [aerial](#)

[27581 West Prairie Village 2nd Addn](#)

A motion was made by BOLLIG, seconded by MATANO, to certify the final plat with no objections. The motion carried by a voice vote.

[2016 LD-041](#) 4th Addition to Nine Springs  
City of Fitchburg  
Staff recommends a certification of non-objection with regards to Ch.  
75.08 and S. 236.12(12)(2)(b).

**Attachments:** [aerial](#)

[27582 4th Addn Nine Springs](#)

**A motion was made by O'LOUGHLIN, seconded by BOLLIG, to certify the final plat with no objections. The motion carried by a voice vote.**

[2016 LD-042](#) Final Plat - Viney's Addition to Sky High  
Town of Cottage Grove, Section 21  
Staff recommends conditional approval.

**Attachments:** [11\\_7\\_conditional](#)  
[160062-Final Plat \(10-12-16\)](#)  
[16-20](#)  
[CG Vineys addition to Sky High 09 2016](#)  
[2014\\_aerial](#)

A motion was made by BOLLIG, seconded by MATANO, that the Land Division be approved subject to the following conditions. The motion carried by a voice vote.

1. Compliance with the Dane County Comprehensive Plan is to be established.
2. Rezone Petition #10992 is to become effective and all conditions established are to be satisfied no later than September 7, 2018.
  - a. An approved Plat Map shall be recorded with the Dane County Register of Deeds Office.
  - b. The zoning is conditioned upon a maximum 15-lot/1-outlot subdivision plat being approved and recorded.
  - c. A transfer of development right document shall be recorded on the Dahl Farm, Section 26, and the Wood Farm, Section 35, identifying that 2 housing density rights have been used for the creation of the residential subdivision.
3. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
  - The developer will be paying park fees to the Town of Cottage Grove.
4. All public land dedications are to be clearly designated "dedicated to the public."
  - Outlot 1 will be dedicated to the public for storm water pond/management.
5. All streets shall be noted as dedicated to the public.
  - Bass Road is being extended to the east and Viney's Trail is a new road to the north serving lot 1.
6. A suitable turn around shall be installed at the end of VINEYS TRAIL that meets the specifications or requirements of the town of Cottage Grove.
7. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Cottage Grove.
8. Comments from the Dane County Highway department are to be satisfied:
  - CTH N is a controlled access highway.
  - Access to remain to serve outlot maintenance only.
  - Access to be gated at all times.
  - Right of way appears to be correct.
9. Utility easements are to be provided.
10. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
  - Dane County Surveyor approval has been obtained for Vineys Trail.
11. The required approval certificates are to be satisfied.
  - Town of Cottage Grove
  - Village of Cottage Grove
12. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established

prior to the start of construction.  
13. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established prior to the start of construction.

## F. Resolutions

## G. Ordinance Amendment

## H. Reports to Committee

[2016 RPT-465](#) Complaint received regarding the Oak Park Quarry, 3522 Oak Park Road, Town of Deerfield

**Attachments:** [Complaint on Oak Park Quarry](#)  
[Berninger Email](#)  
[CUP #2103](#)

Zoning Administrator Lane explained that a complaint was lodged with the Zoning Division and an inspection of the potential violation was performed according. The Committee found the actions to be appropriate.

[2016 RPT-464](#) Report of approved CSM's

**Attachments:** [Nov 2016](#)

No comments made by the Committee.

## I. Other Business Authorized by Law

[2016 DISC-022](#) Discussion and possible action on a proposed ordinance amendment for Conditional Use Permit Appeals

**Attachments:** [Memo regarding CUP appeal process](#)  
[Ordinance Amendment for CUP appeal](#)

Zoning Administrator Lane informed the Committee that the Dane County Towns Association had an opportunity to review the proposed ordinance amendment change. The Association suggested that an appeal of a conditional use permit should go to the Board of Adjustment rather than directly to circuit court. The ZLR Committee agreed. The ordinance amendment will be forwarded to Corporation Counsel in preparation for the ordinance amendment to be introduced in the near future.

[2016](#)  
[DISC-024](#)

Discussion and possible action of how informational material is received as part of public input regarding zoning petitions and conditional use permits

**Attachments:** [official record for petitions](#)  
[Keeping of the official record](#)

The ZLR Committee review potential changes in the way information is introduced to the Committee to create a formal official record. Supervisor Matano stated that the language in section 2f would need some wordsmithing. He noted that language should be added to show a clear process on taking additional testimony after the public hearing. He also would like to see a way that parties, in support / in opposition, have an equal opportunity for rebuttal on changes that occur through the process.

## J. Adjourn

A motion was made by BOLLIG, seconded by MATANO, to adjourn the meeting of the Zoning and Land Regulation Committee at 7:30pm. The motion carried unanimously.

*Questions? Contact Roger Lane, Planning and Development Department, 266-4266, [lane.roger@countyofdane.com](mailto:lane.roger@countyofdane.com)*