

Dane County



Minutes

Tuesday, July 22, 2014

7:00 PM

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 to order at 7:03pm in Room 201.

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.

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

10705

PETITION: REZONE 10705

APPLICANT: ERIC O GROVER

LOCATION: 4612 BLUE MOUNDS TRAIL, SECTION 3, TOWN OF VERMONT

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: separating existing residence from farmland

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

1. The southerly property line shall be shifted to the south in order to obtain 15% impervious surface within the Shoreland District affecting the property.

10706

PETITION: REZONE 10706

APPLICANT: BRIAN R DROESSLER

LOCATION: 2694 COUNTY HIGHWAY F, SECTION 18, TOWN OF BLUE MOUNDS

CHANGE FROM: RH-2 Rural Homes District TO LC-1 Limited Commercial District

REASON: zoning to allow for a limited family business

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

10707

PETITION: REZONE 10707

APPLICANT: TOWN OF SUN PRAIRIE

LOCATION: TOWN OF SUN PRAIRIE

CHANGE FROM: A-1EX Agriculture District to various zoning districts

REASON: compliance with the adopted Dane County farmland preservation plan per ss 91.38

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

10709

PETITION: REZONE 10709

APPLICANT: ROLAND REIN

LOCATION: NORTH OF 2395 COUNTY HIGHWAY B, SECTION 21, TOWN OF PLEASANT SPRINGS

CHANGE FROM: A-1EX Agriculture District TO A-2 (1) Agriculture District

REASON: creating one residential lot

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

10710

PETITION: REZONE 10710

APPLICANT: RODNEY J WEISENSEL

LOCATION: SOUTH OF 7224 RUSSET ROAD, SECTION 14, TOWN OF BRISTOL

CHANGE FROM: A-1 Agriculture District TO A-2 (1) Agriculture District

REASON: combining 2 lots into one residential lot

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

10711

PETITION: REZONE 10711

APPLICANT: ANDREW J VEUM

LOCATION: SOUTH OF PLEASANT DRIVE AT HOOPEN ROAD, SECTION 36, TOWN OF CHRISTIANA

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: shifting of property lines between adjacent land owners

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

10712

PETITION: REZONE 10712

APPLICANT: JAMES G BELDA

LOCATION: 3840 COUNTY HIGHWAY V, SECTION 3, TOWN OF WINDSOR

CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District

REASON: add additional land to an existing residential lot

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 recorded on Lot 1 to identify one housing density right remaining on the original farm.**
- 2. A deed restriction shall be recorded on Lot 2 to prohibit further land division of the property.**
- 3. The driveway access agreement and shared well agreement shall be revised to reflect the new CSM lots.**
- 4. A deed restriction shall be recorded on the property to identify the payment of fees in lieu of parkland per the Town of Windsor requirements.**

10713 **PETITION: REZONE 10713**
APPLICANT: TOWN OF VERONA
LOCATION: TOWN OF VERONA
CHANGE FROM: A-1EX Agriculture District TO Various Zoning Districts
REASON: compliance with the adopted Dane County farmland preservation plan, as required by s. 91.38

A motion was made by SALOV, seconded by MATANO, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 9/9/2014. The motion carried by a voice vote.

Public comment:

Harry Temkin stated that parcel number 0608-132-8790-0 should be rezoned to C-2 Commercial as part of this petition.

Jim Berkner would like to see his property at Black Cherry Court be rezoned to RH-2 Rural Homes to facilitate the development of the property.

Manfred Enburg, Town Supervisor, stated that the Town Plan Commission would like to see 4 properties be rezoned as part of this petition to facilitate the development of the parcels.

10714 **PETITION: REZONE 10714**
APPLICANT: DEBRA L BARSNESS
LOCATION: 5507 COUNTY HIGHWAY J, SECTION 26, TOWN OF VERMONT
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District
REASON: add additional land to an existing residential lot

A motion was made by MATANO, seconded by BOLLIG, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 8/12/2014. The motion carried by a voice vote.

10715 **PETITION: REZONE 10715**
APPLICANT: TOWN OF BLUE MOUNDS
LOCATION: TOWN OF BLUE MOUNDS
CHANGE FROM: A-1 Exclusive to Various Zoning Districts
REASON: compliance with the adopted Dane County farmland preservation plan per ss 91.38

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

10716 **PETITION: REZONE 10716**
APPLICANT: TOWN OF DUNKIRK
LOCATION: TOWN OF DUNKIRK
CHANGE FROM: A-1EX Agriculture District To Various Zoning Districts
REASON: compliance with the adopted Dane County farmland preservation plan per ss 91.38

A motion was made by SALOV, seconded by MATANO, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 8/12/2014. The motion carried by a voice vote.

10717 **PETITION: REZONE 10717**
APPLICANT: TOWN OF DEERFIELD
LOCATION: TOWN OF DEERFIELD
CHANGE FROM: A-1EX Agriculture District To Various Zoning Districts
REASON: compliance with the adopted Dane County farmland preservation plan per ss 91.38

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

10718 **PETITION: REZONE 10718**
APPLICANT: SHAWN HILLESTAD
LOCATION: WEST OF 4126 OLD STAGE ROAD, SECTION 28, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

A motion was made by BOLLIG, seconded by MATANO, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.
1. A deed restriction shall be recorded on parcels 051028280010, 051028283206, 051028295006, 051028380010, and 051028395010 to prohibit further residential development on the remaining A-1 Exclusive zoned lands. The housing density rights have been exhausted on the original farms.

10719 **PETITION: REZONE 10719**
APPLICANT: PAULI REV LIVING TR, DONALD F & MARIE M
LOCATION: NORTH OF 1070 OBSERVATORY HILL ROAD, SECTION 9, TOWN OF MONTROSE
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: creating three residential lots

A motion was made by KOLAR, seconded by MATANO, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.
1. A deed restriction shall be recorded on parcels 050809380010, 050809395000, 050809490020, and 050809495010 to prohibit further residential development on the remaining A-1 Exclusive zoned lands. The housing density rights have been exhausted on the original farm.
2. The Certified Survey Map shall depict a "no build area" on the easterly 550 feet of Lot 1, the easterly 750 feet of Lot 2, and the easterly 850 feet of Lot 3. A note shall be added to the Certified Survey Map stating that, Buildings are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #10719".

10720 **PETITION: REZONE 10720**
APPLICANT: KARL R DETTMANN
LOCATION: EAST OF 4204 COUNTY HIGHWAY P, SECTION 15, TOWN OF CROSS PLAINS
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating three residential lots plus one lot for an existing residence

A motion was made by MATANO, seconded by BOLLIG, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 8/12/2014. The motion carried by a voice vote.

10721

PETITION: REZONE 10721

APPLICANT: CHAD THOMAS PETERSEN

LOCATION: 616 RAYGEN ROAD, SECTION 34, TOWN OF MEDINA

CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture District

REASON: rezone to a district that allows for a less restrictive side yard for buildings housing livestock

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

1. A deed restriction shall be recorded on the property to identify the Town of Medinas animal restrictions.

10725

PETITION: REZONE 10725

APPLICANT: KEVIN L KLAHN

LOCATION: 4562 HIGHWAY 92, SECTION 31, TOWN OF RUTLAND

CHANGE FROM: Wetland District to Non-wetland District

REASON: reclassification of small wetland area to allow filling

A motion was made by KOLAR, seconded by MATANO, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 8/12/2014. The motion carried by a voice vote.

Public Comment:

In Favor: Kevin Klahn, Eric Grover

In Opposition: Karen Smith, William Brockman, Lyle Wanless, Attorney Cynthia Fiene representing William Brockman, James Seymour, and JoAnn Seymour
The opposition expressed concerns regarding flooding, transfer of stormwater to adjacent properties, increased noise levels, and increased traffic.

**2014
OA-040**

AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF ORDINANCES, FLOOD INSURANCE RATE MAP AND ORDINANCE TEXT UPDATE

A motion was made by MILES, seconded by MATANO, that the Ordinance Amendment 2014 OA-040 with Substitute 1 be recommended for approval as amended. The motion carried by a voice vote.

Supervisor Salov would like confirmation that the Dane County Towns Association and the Villages and Cities Association have reviewed the model ordinance and are in agreement with the change.

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

CUP 2274

PETITION: CUP 2274

APPLICANT: JOSEPH G PASKUS

LOCATION: 6515 SEYBOLD ROAD, SECTION 25, TOWN OF MIDDLETON

CUP DESCRIPTION: allow car wash

A motion was made by SALOV, seconded by BOLLIG, that Conditional Use Permit 2274 be approved with 8 conditions. The motion carried by a voice vote.

1. The car wash shall be limited to servicing dealer inventory and customers of the auto dealership located at 6624 Seybold Road. The car wash shall not be open to the general public.
2. The car wash shall only be operated during the following times:
 - Monday — Thursday: 7:30 a.m. to 8:00 p.m.
 - Friday: 7:30 a.m. to 6:00 p.m.
 - Saturday: 9:00 a.m. to 5:00 p.m.
 - Sunday: Closed
3. The existing business sign which lies partially within the Seybold Road right-of-way shall be removed prior to the operation of a car wash on the property and all additional exterior signage shall comply with the Dane County Code of Ordinances, Town of Middleton Ordinances and be approved by the Town Board.
4. Outside loudspeakers are prohibited.
5. No mechanical dryers shall be used in connection with the car wash.
6. If a mechanical car wash system other than the Hercules 3000 System is utilized on the property and such other system generates noise in excess of 70 dB as measured from the property boundary, following written notice from the Town, the overhead door(s) to the car wash shall be closed while the car wash is in operation.
7. Access to the car wash shall be provided by one of the existing overhead doors on the building or the proposed overhead doors per the Site Plan dated April 10, 2014.
8. The applicant acknowledges that the parking spaces in Town right-of-way may be removed in the future at the Town's discretion without compensation.

E. Plats and Certified Survey Maps

2014 LD-022 Final Plat - Aspen Grove, City of Madison
(9 lots, 2.1 acres) (application deadline 7/23/14)
Staff recommends certification of non-objection.

**Motion by Bollig, seconded by Kolar to certify the final plat with no objections.
Motion carried 5-0**

2014 LD-023 Final Plat - Prairie Grass Addition to Alpine Meadows, Village of Oregon
(17 lots, 4.99 acres) (application deadline 7/28/14)
Staff recommends certification of non-objection

**Motion by Bollig, seconded by Kolar to certify the final plat with no objections.
Motion carried 5-0.**

F. Resolutions

G. Ordinance Amendment

**2014
OA-040** **AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF
ORDINANCES, FLOOD INSURANCE RATE MAP AND ORDINANCE TEXT
UPDATE**

See motion above.

H. Items Requiring Committee Action

**2014
ACT-115** Annual Renewal of Salvage Yard Licences

Motion by Kolar, seconded by Bollig to approve the Salvage Yard licences.
Motion carried 5-0.

I. Reports to Committee

**2014
RPT-203** Information on the Zoning Administrator determination regarding the permitted
use in the C-1 Commercial Zoning District at 1490 Martin Street, Town of
Madison

Zoning Administrator Lane distributed the formal permitted use determination
letter dated June 24, 2014 to the committee.

J. Other Business Authorized by Law

**2014
PRES-055** Informational public hearing regarding a reclamation plan submitted by Yahara
Materials for a mineral extraction site.
Town of Mazomanie, Section 10
(137 acres, sand & gravel operation)

Comments and questions were taken from members of the public and additional
information was received from the operator, Yahara Materials. The public
hearing was for informational purposes only. No action was taken on this item.

K. Adjourn

A motion was made by BOLLIG, seconded by MATANO, to adjourn the meeting
at 9:50pm. 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 hhub ua hauj lwm ua ntej yuav tuaj sib tham.*