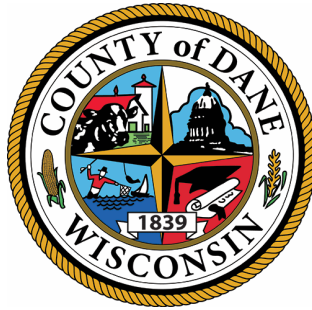


# Dane County



## Minutes

Tuesday, July 24, 2018

6:30 PM

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

## Zoning & Land Regulation Committee

*Consider:*

*Who benefits? Who is burdened?*

*Who does not have a voice at the table?*

*How can policymakers mitigate unintended consequences?*

## 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

Present 5 - MARY KOLAR, JERRY BOLLIG, JASON KNOLL, STEVEN PETERS, and HEIDI WEGLEITNER

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

No comments made by the public.

[2018](#)  
[RPT-153](#)

July 24th ZLR meeting registrants

## C. Consideration of Minutes

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

[11302](#)

PETITION: REZONE 11302  
APPLICANT: ERICA J MAKAR  
LOCATION: 6621 SUNSET DRIVE, SECTION 36, TOWN OF VERONA  
CHANGE FROM: RH-1 Rural Homes District TO RH-2 Rural Homes District, RH-1 Rural Homes District TO RH-4 Rural Homes District  
REASON: creating 3 residential lots

*In favor: Andrew Schmidt*

*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11303](#)

PETITION: REZONE 11303  
APPLICANT: THOMAS L SCHALLER  
LOCATION: 7676 SCHALLER ROAD, SECTION 6, TOWN OF MONTROSE  
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District  
REASON: creating one residential lot

*In favor:Thomas Schaller*

*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11304](#)

PETITION: REZONE 11304  
APPLICANT: CHAD D & JENNIE KADERABEK  
LOCATION: 690 CRAIG ROAD, SECTION 15, TOWN OF ALBION  
CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture District  
REASON: zoning to allow for a limited family business

*In favor: Jennie Kaderabek*  
*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[02425](#)

PETITION: CUP 02425  
APPLICANT: CHAD D & JENNIE KADERABEK  
LOCATION: 690 CRAIG ROAD, SECTION 15, TOWN OF ALBION  
CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture District  
CUP DESCRIPTION: PIPE FITTINGS DIRECT BUSINESS

*In favor: Jennie Kaderabek*  
*Opposed: None*

**A motion was made by BOLLIG, seconded by PETERS, that this Conditional Use Permit be approved with 4 conditions contingent upon the A-2 zoning becoming effective. The motion carried by the following vote: 5-0.**

- 1. This conditional use permit shall be for a direct mail order business.**
- 2. Outside storage of materials shall be prohibited.**
- 3. Outside loudspeakers are prohibited.**
- 4. The conditional use permit shall expire with the sale of the property**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11305](#)

PETITION: REZONE 11305  
APPLICANT: GREGORY M SHAW  
LOCATION: WEST OF 694 TAYLOR ROAD, SECTION 20, TOWN OF DUNKIRK  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District  
REASON: creating one residential lot

*In favor: Greg Shaw*  
*Opposed: None*

**A motion was made by KNOLL, seconded by WEGLEITNER, 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 0511-201-9620-0 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 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11306](#)

PETITION: REZONE 11306  
APPLICANT: STEVEN C ACE  
LOCATION: SOUTH OF 996 STORYTOWN ROAD, SECTION 17, TOWN OF OREGON  
CHANGE FROM: A-4 Agriculture District TO A-2 Rural Homes District  
REASON: creating one residential Lot by transferring development right

*In favor: Ed Short*  
*Opposed: None*

**A motion was made by BOLLIG, seconded by PETERS, 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 0509-173-9500-1 prohibiting additional residential development.**
- 2. A notice document shall be recorded on the sending farm property (parcels 0509-174-9000-5 and 0509-173-9500-1) indicating that one possible density unit / split remains available to the property.**
- 3. A notice document shall be recorded on the receiving parcel 0509-174-8500-2 (subject property) indicating that the property received a development right pursuant to approval of rezoning petition #11306.**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11307](#)

PETITION: REZONE 11307  
APPLICANT: GERALD L GEHIN  
LOCATION: WEST OF 7112 KARL AVENUE, SECTION 28, TOWN OF MONTROSE  
CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture District  
REASON: creating one residential lot

*In favor: Ed Short*  
*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11309](#)

PETITION: REZONE 11309  
APPLICANT: KIRK K EILENFELDT  
LOCATION: NORTH OF 2298 US HIGHWAY 12 & 18, SECTION 27, TOWN OF COTTAGE GROVE  
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District  
REASON: compliance for existing structures and/or land uses of remaining lands from sale of property

*In favor: Kirk Eienfeldt*  
*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11310](#)

PETITION: REZONE 11310  
APPLICANT: BRADY C GOMEZ  
LOCATION: 313 COUNTY HIGHWAY 78, SECTION 32, TOWN OF PERRY  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District  
REASON: creating one residential lot

*In favor: John Halverson*  
*Opposed: None*

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

- 1. A deed notice shall be recorded on parcel 0506-322-8050-3 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land.**
- 2. A shared driveway agreement shall be recorded with the Register of Deeds for the benefit of the new lot and existing residence.**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11311](#)

PETITION: REZONE 11311  
APPLICANT: WISCONSIN POWER & LIGHT CO  
LOCATION: WEST AND SOUTH OF 449 LAKE DRIVE ROAD, SECTION 35, TOWN OF ALBION  
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District  
REASON: to allow the construction of a WP&L substation

*In favor: Jerry Lund and Dan Andrews*  
*Opposed: None*

**A motion was made by KNOLL, seconded by BOLLIG, that this Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[02428](#)

PETITION: CUP 02428  
APPLICANT: WISCONSIN POWER & LIGHT CO  
LOCATION: WEST AND SOUTH OF 449 LAKE DRIVE ROAD, SECTION 35, TOWN OF ALBION  
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District  
CUP DESCRIPTION: To allow the construction of a WP&L substation

*In favor: Jerry Lund and Dan Andrews*  
*Opposed: None*

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

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11313](#)

PETITION: REZONE 11313  
APPLICANT: DIANE E ERB  
LOCATION: 1646 LEWIS ROAD, SECTION 6, TOWN OF PRIMROSE  
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District  
REASON: separating existing residence from farmland

*In favor: Diane Erb*  
*Opposed: None*

**A motion was made by BOLLIG, seconded by PETERS, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.**  
**1. The mound system shall be designated on the certified survey map. The southerly property line shall be a minimum of 5 feet away from the foot of the mound system.**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[02426](#)

PETITION: CUP 02426  
APPLICANT: WILLIAM H HASTINGS  
LOCATION: 6890 PAOLI ROAD, SECTION 3, TOWN OF MONTROSE  
CUP DESCRIPTION: outdoor entertainment activity, tavern and bed & breakfast

*In favor: Bill Hastings*  
*Opposed: None*

**A motion was made by KNOLL, seconded by PETERS, that this Conditional Use Permit be postponed at the petitioner's request. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[02427](#)

PETITION: CUP 02427  
APPLICANT: RYAN DONALD DOESCHER  
LOCATION: 5140 MICKELSON ROAD, SECTION 29, TOWN OF BLACK EARTH  
CUP DESCRIPTION: dependency living arrangement

*In favor: Ryan Doescher*  
*Opposed: None*

**A motion was made by PETERS, seconded by KNOLL, that this Conditional Use Permit be approved with 6 conditions. The motion carried by the following vote: 5-0.**

- 1. The dependency living area shall have a common wall. Only the landowner and family members shall reside in the building.**
- 2. The dependency living area shall be no larger than 800 square feet.**
- 3. The living area may contain a bath, limited kitchen facilities, and no more than two (2) bedrooms.**
- 4. The dependency living area shall have a separate entrance.**
- 5. The dependency living area shall be occupied by a parent(s) of the principle of the dwelling unit.**
- 6. The dependency living area is prohibited from being rented out as separate living unit.**

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

## E. Zoning Map Amendments and Conditional Use Permits from previous meetings

[11292](#)

PETITION: REZONE 11292  
APPLICANT: HOWARD E SCHWARTZ  
LOCATION: WEST OF 7815 CRYSTAL LAKE ROAD, SECTION 6, TOWN OF DANE  
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 PETERS, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.**

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

## F. Plats and Certified Survey Maps

[2018 LD-016](#)

Final Plat - Village at Autumn Lake Replat No. 3  
City of Madison  
Staff recommends a certification of non-objection.

**A motion was made by WEGLEITNER, seconded by KNOLL, that the final plat be certified with no objections. The motion carried by a voice vote, 5-0.**

## G. Resolutions

## H. Ordinance Amendment

## I. Items Requiring Committee Action

## J. Reports to Committee

[2018  
RPT-128](#)

Annual review of the following Salvage Recycling Center Licenses pursuant to Dane County Code of Ordinances, Section 10.20(3):

Rowley, John, 1748 Springrose Road, Verona WI 53593  
Diehl, Richard, 5466 Norway Grove School Road, Deforest WI 53532  
Outhouse, Brian, 665 Dead End Road, Mt Horeb WI 53572  
Suter, Steven, 3317 Femrite Drive, Madison WI 53704  
Mullarkey, John, 936 Glenway Road, Oregon WI 53575  
Cutrano, Michael, 300 United States Highway 12 & 18, Cambridge WI 53523  
Every, Thayer, 298 STH 138, Stoughton, WI 53589

**A motion was made by KNOLL, seconded by BOLLIG, that the Salvage Recycle licenses be renewed. The motion carried by a voice vote, 5-0.**

## K. Other Business Authorized by Law

Next ZLR Committee meeting: Monday, August 13th

**L. Adjourn**

A motion was made by KNOLL, seconded by PETERS, to adjourn the July 24, 2018 Zoning and Land Regulation Committee meeting at 7:07pm. The motion carried unanimously.

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