

Dane County



Minutes

Tuesday, November 25, 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 7:05pm in Room 357.

Staff present: Everson, Lane, and Violante

Youth Governance Members present: Boyce and Wilke.

Present 4 - JERRY BOLLIG, MARY KOLAR, AL MATANO, and PATRICK MILES

Excused 1 - 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

10768

PETITION: REZONE 10768

APPLICANT: JANICE T SUNDBY

LOCATION: 2438 SKAALLEN ROAD, SECTION 33, TOWN OF PLEASANT SPRINGS

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

REASON: zoning to allow for a limited family business

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

YGP: 2-0.

Spoke in favor: Janice Sundby

CUP 2292

PETITION: CUP 2292

APPLICANT: JANICE T SUNDBY

LOCATION: 2438 SKAALLEN ROAD, SECTION 33, TOWN OF PLEASANT SPRINGS

CUP DESCRIPTION: Limited Family Business: product distribution

A motion was made by BOLLIG, seconded by MATANO, that the Conditional Use Permit be approved with 9 conditions. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: Janice Sundby

1. The limited family business shall be limited to the promotional product business named "Janice T Sundby DBA Prizepromos".
2. The business shall be conducted within the existing 2500 square foot accessory building. The building shall not be expanded.
3. There shall be no retail/display facilities added to the business operation.
4. The hours of operation shall be from 8am to 5pm, Monday through Friday.
5. Outside loudspeakers are prohibited.
6. Signs shall comply with Dane County Code of Ordinances.
7. The business owner shall reside on the property.
8. All employees, except one or one full-time equivalent, shall be a member of the family residing on the property.
9. The conditional use permit shall become null and void upon the sale of the property to an unrelated 3rd party.

10769

PETITION: REZONE 10769

APPLICANT: THE STEVEN AND LAUREL BROWN FOUNDATION

LOCATION: 4136 RUTLAND-DUNN TOWNLINE ROAD, SECTION 33, TOWN OF DUNN

CHANGE FROM: B-1 Local Business District TO B-1 Local Business District

REASON: amend deed restrictions to allow residential use

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

YGP: 2-0.

Spoke in favor: Shane Fry representing the Steven and Laurel Brown Foundation

1. The current deed restriction shall be amended to limit the land uses on the property to a retreat center. The building may only be used for temporary overnight stays associated with the Foundation. The buildings may not be expanded past their current footprint. Full-time residential use of the property is prohibited.

CUP 2293

PETITION: CUP 2293

APPLICANT: THE STEVEN AND LAUREL BROWN FOUNDATION

LOCATION: 4136 RUTLAND-DUNN TOWNLINE ROAD, SECTION 33, TOWN OF DUNN

CUP DESCRIPTION: residential use

A motion was made by MILES, seconded by MATANO, that the Conditional Use Permit be approved with 2 conditions. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: Shane Fry representing Steven and Laurel Brown Foundation

1. Residential use of the property is limited to temporary overnight stays associated with the retreat center.

2. Full time residential use of the property is prohibited.

10770

PETITION: REZONE 10770

APPLICANT: JAMES P GARFOOT

LOCATION: 9234 JIM GARFOOT CIRCLE, SECTION 17, TOWN OF CROSS PLAINS

CHANGE FROM: RH-2 Rural Homes District TO RH-1 Rural Homes District

REASON: creation of one residential lot

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be postponed. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: James Garfoot

The Committee was concerned that the Town Board did not act on the petition.

Staff was directed to contact the Town and obtain Town Board input.

10771

PETITION: REZONE 10771

APPLICANT: JAMES W BERKNER

LOCATION: 1751 LITTLETON ROAD, SECTION 35, TOWN OF VERONA

CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District

REASON: separation of existing residence from farmland and creation of three additional residential lots

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.

YGP: 2-0.

Spoke in favor: James Berkner

1. The Certified Survey Map shall depict a "no build area" on the steep slopes over 20% grade as shown on the presented map. 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 #10771".

10772

PETITION: REZONE 10772

APPLICANT: STORMS REV TR, GERALD J & ARLENE B

LOCATION: SOUTH AND WEST OF 3592 JENSON LANE, SECTION 28, TOWN OF DEERFIELD

CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District

REASON: division of family farm among family members

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

YGP: 2-0.

Spoke in favor: David Dinkel representing Storms Trust

10773

PETITION: REZONE 10773

APPLICANT: WILLIAM B ATKINSON

LOCATION: 3788 HALVERSON ROAD, SECTION 27, TOWN OF DUNN

CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District and A-2 Agriculture District

REASON: creation of one residential lot

A motion was made by BOLLIG, seconded by MATANO, that the Zoning Petition be postponed until Town Action is received. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: William Atkinson.

10774 **PETITION: REZONE 10774**
APPLICANT: THOMAS J BOBEK
LOCATION: 6925 ELDER LANE, SECTION 22, TOWN OF BRISTOL
CHANGE FROM: B-1 Local Business District TO C-1 Commercial District
REASON: zoning to allow a supper club/banquet facility

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be postponed to allow the applicant to address concerns regarding the on-site private septic system. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: Thomas Bobek

CUP 2295 **PETITION: CUP 2295**
APPLICANT: THOMAS J BOBEK
LOCATION: 6925 ELDER LANE, SECTION 22, TOWN OF BRISTOL
CUP DESCRIPTION: Tavern

A motion was made by BOLLIG, seconded by KOLAR, that the Conditional Use Permit be postponed. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: Thomas Bobek

10775 **PETITION: REZONE 10775**
APPLICANT: PARK STREET ASSOCIATES
LOCATION: 824 DANE STREET, SECTION 35, TOWN OF MADISON
CHANGE FROM: R-3 Residence District TO C-1 Commercial District
REASON: creation of parking lot for an adjacent business

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be postponed to allow time for staff to work with the applicant to identify a list of limited uses for the property. The motion carried by a voice vote.

YGP: 2-0.

Spoke in favor: Chris Laurent representing Wisconsin Management

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

10754 **PETITION: REZONE 10754**
APPLICANT: BEAR TREE FARMS INC
LOCATION: SOUTH OF 4083 WINDSOR ROAD, SECTION 28, TOWN OF WINDSOR
CHANGE FROM: A-3 Agriculture District TO R-2 Residence District, A-1EX Agriculture District TO R-2 Residence District, A-2 Agriculture District TO R-2 Residence District, A-1EX Agriculture District TO B-1 Local Business District, A-3 Agriculture District TO RE-1 Recreational District
REASON: Creating a 340-lot residential subdivision

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

YGP: 2-0.

1. The landowner shall comply with all the provisions as found under Town of Windsor Town Board Resolution 2014-51.

10763

PETITION: REZONE 10763

APPLICANT: RONALD J JOSEPHSON

LOCATION: 9835 COUNTY HIGHWAY A, SECTION 23, TOWN OF PERRY

CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District , A-2 (8) Agriculture District, and A-4 Agriculture District

REASON: creating three agricultural lots and one lot for an existing residence

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.

YGP: 2-0.

- 1. The petition shall be amended to change the zoning classification on proposed lots 1 and 4 to A-4 Small Lot Agriculture Zoning District.**
- 2. A deed restriction shall be recorded on the proposed Lot 3 (28.5 acres) to prohibit residential development.**

CUP 2290

PETITION: CUP 2290

APPLICANT: RICHARD M STORY

LOCATION: 5291 FELLAND ROAD, SECTION 23, TOWN OF BURKE

CUP DESCRIPTION: residential use in C-1 Commercial Zoning District and Drive-in Establishment

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

YGP: 2-0.

- 1. Hours of operation shall be 6:00 a.m. to 12:00 a.m. (midnight)**
- 2. There shall be no outdoor storage.**
- 3. Outdoor activity will be limited to a small outdoor patio associated with the restaurant.**
- 4. Outdoor lighting is restricted to parking lot & security lighting as designated on the submitted lighting plan.**
- 5. There shall be no outdoor loudspeakers/music.**
- 6. Signage must be in conformance with Dane County and City of Madison ordinance requirements.**
- 7. A septic tank maintenance agreement shall be recorded in a format accepted by the Town of Burke and Dane County Department of Health.**
- 8. The three parcels must be combined into a single lot through the Certified Survey Map process.**

E. Plats and Certified Survey Maps

2014 LD-046

Susan and Jim Fiore - 2 lot Certified Survey map

3526 Timber Lane, Town of Middleton, Section 31

Applicant is seeking a variance of 14.85 feet from Ch. 75.19(6)(b) for proposed lot 2 having less than the minimum of 66 feet of public road frontage.

A motion was made by MATANO, seconded by KOLAR, to approve the waiver request. The motion carried by a voice vote.

F. Resolutions

NONE.

G. Ordinance Amendment

**2014
OA-054** AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF
ORDINANCES, REGARDING PROCEDURE FOR CONDITIONAL USE
PERMIT APPEALS

A motion was made by MATANO, seconded by BOLLIG, that the Ordinance be postponed to the Zoning & Land Regulation Committee, due back by 12/9/2014. The motion carried by a voice vote.
YGP: 2-0.

H. Reports to Committee

NONE.

I. Other Business Authorized by Law

NONE.

J. Adjourn

A motion was made by MATANO, seconded by BOLLIG, to adjourn the meeting at 8:30pm. 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 hnuv ua hauj lwm ua ntej yuav tuaj sib tham.