



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, April 28, 2015

7:00 PM

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

A. Call to Order

Chair Miles called the meeting to order at 7:00pm in Room 201.

Staff present: Allan, Everson, and Violante.

Youth Governance Members present: Boyce. Excused: Wilke and Wilson.

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

Excused 1 - BOB SALOV

2015 Public registrants
RPT-085

Attachments: April 28th Public Registrants.pdf

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

No comment made by the public.

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

10821 PETITION: REZONE 10821
APPLICANT: WINDSOR REAL ESTATE LLC
LOCATION: NORTH OF 4506 OF LAKE CIRCLE, SECTION 31,
TOWN OF WINDSOR
CHANGE FROM: C-2 Commercial District TO C-1 Commercial District
REASON: shifting of property lines between adjacent land owners

Attachments: [10821 CUP 2307 Staff.pdf](#)
[CSM 02314.pdf](#)
[10821 CUP 2307 Map.pdf](#)
[10821 & 2307 App.pdf](#)

The petition was withdrawn by the applicant. No action taken by the Committee.
The petition has been rendered null and void.

[CUP 2307](#) PETITION: CUP 2307
APPLICANT: WINDSOR REAL ESTATE LLC
LOCATION: NORTH OF 4506 OF LAKE CIRCLE, SECTION 31,
TOWN OF WINDSOR
CUP DESCRIPTION: single family residences watchman/caretaker

Attachments: [10821 CUP 2307 Staff.pdf](#)
[CUP 1487.pdf](#)
[10821 & 2307 App.pdf](#)
[10821 CUP 2307 Map.pdf](#)

The petition was withdrawn by the applicant. No action taken by the Committee.
The petition has been rendered null and void.

[10823](#) PETITION: REZONE 10823
APPLICANT: RANDALL & AMY THOMPSON
LOCATION: NORTH 10086 COUNTY HIGHWAY ID, SECTION 10,
TOWN OF BLUE MOUNDS
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
REASON: shifting of property lines between adjacent land owners

Attachments: [10823 Staff.pdf](#)
[10823 Town.pdf](#)
[10823 Density.pdf](#)
[10823 Ord Amend.pdf](#)

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

Spoke in Favor: Larry Jenkins
Opposed: None

[10824](#) PETITION: REZONE 10824
APPLICANT: SCHULTZ REV TR, RONALD A & JOANNE B
LOCATION: 2305 W RIDGE ROAD, SECTION 10, TOWN OF
COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District
REASON: adding lands to existing residential lot

Attachments: [10824 Staff.pdf](#)
[10824 Town.pdf](#)
[10824 Ord Amend.pdf](#)

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

Spoke in Favor: Steven Schultz
Opposed: None

[10826](#)

PETITION: REZONE 10826
APPLICANT: BRADLEY T BREUNIG
LOCATION: 9103 COUNTY ROAD Y, SECTION 20, TOWN OF ROXBURY
CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District
REASON: separating existing residence from farmland

Attachments: [10826 Staff.pdf](#)
[10826 Town.pdf](#)
[10826 Density.pdf](#)
[10826 Ord Amend.pdf](#)

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 zoning district shall be amended to R-2 Residence.
2. The lot boundaries shall be reconfigured to contain the on-site septic system.
3. A deed restriction shall be recorded on parcel number 0907-202-8000-8 to prohibit residential development on the A-1 Exclusive Agriculture zoned land. The housing density rights have been exhausted on the original farm.

Spoke in Favor: Patsy Breunig
Opposed: None

[10827](#)

PETITION: REZONE 10827
APPLICANT: JONATHAN MATTHEW PHILLIPS
LOCATION: 3979 MAHONEY ROAD, SECTION 16, TOWN OF DUNN
CHANGE FROM: R-1 Residence District TO A-2 (1) Agriculture District
REASON: zoning to allow additional accessory buildings

Attachments: [10827 Staff.pdf](#)
[10827 Town.pdf](#)
[10827 Ord Amend.pdf](#)

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

Spoke in Favor: Jon Phillips
Opposed: None

[10828](#)

PETITION: REZONE 10828
APPLICANT: EUGENE F WILCENSKI
LOCATION: 5422 LANGER ROAD, SECTION 20, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture
District
REASON: creating one residential lot

Attachments: [10828 Staff.pdf](#)
[10828 Town.pdf](#)
[10828 Density.pdf](#)
[10828 Ord Amend.pdf](#)

A motion was made by MATANO, 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 placed on the property regarding the Town of Medina's animal unit restrictions.

Spoke in Favor: Tony Kasper
Opposed: None

[10829](#)

PETITION: REZONE 10829
APPLICANT: GREG R KUKER
LOCATION: 10841 SPRING CREEK ROAD, SECTION 7, TOWN OF PERRY
CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes
District, RH-1 Rural Homes District TO RH-3 Rural Homes District
REASON: separating existing residence from farmland

Attachments: [10829 Staff.pdf](#)
[10829 Density.pdf](#)
[10829 Revised CSM.pdf](#)
[10829 Map.pdf](#)
[10829 App.pdf](#)

A motion was made by KOLAR, seconded by MATANO, to postpone until a Town Action Report is received. The motion carried by a voice vote.

Spoke in Favor: Greg Kuker
Opposed: None

[10830](#)

PETITION: REZONE 10830
APPLICANT: WILLIAM K GARFOOT / JAMES NICHOLSON
LOCATION: WEST OF 8593 DAVIS STREET, SECTION 34, TOWN OF
SPRINGDALE
CHANGE FROM: A-1 Agriculture District TO R-3 Residence District,
R-3A Residence District TO R-3 Residence District, R-2 Residence
District TO A-1 Agriculture District
REASON: shifting of property lines between adjacent land owners

Attachments: [10830 CUP 2312 Staff.pdf](#)
[10830 CUP 2312 Map.pdf](#)
[10830 App.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, to postpone action until a
Town Action Report is received. The motion carried by a voice vote.

Spoke in Favor: Bill Garfoot
Opposed: None

[CUP 2312](#)

PETITION: CUP 2312
APPLICANT: JAMES NICHOLSON
LOCATION: WEST OF 8593 DAVIS STREET, SECTION 34, TOWN OF
SPRINGDALE
CUP DESCRIPTION: Limited Family Business - landscaping

Attachments: [10830 CUP 2312 Staff.pdf](#)
[10830 CUP 2312 Map.pdf](#)
[CUP 2312 App.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, to postpone action until a
Town Action Report is received. The motion carried by a voice vote.

Spoke in Favor: James Nickolson
Opposed: None

[10831](#)

PETITION: REZONE 10831
APPLICANT: SCOTT LEE
LOCATION: WEST OF 9421 UNION VALLEY ROAD, SECTION 7,
TOWN OF CROSS PLAINS
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District
REASON: creating one residential lot

Attachments: [10831 Staff.pdf](#)
[10831 Town.pdf](#)
[10831 Density.pdf](#)
[10831 Map.pdf](#)
[CrossPlainsPlanEnviro.pdf](#)
[10831 App.pdf](#)

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

Spoke in Favor: Scott Lee
Opposed: None

[10832](#)

PETITION: REZONE 10832
APPLICANT: RICHARD A EBERLE
LOCATION: 6354 COUNTY HIGHWAY DM, SECTION 12, TOWN OF
DANE
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District
REASON: creating one residential lot

Attachments: [10832 Staff.pdf](#)
[10832 Density.pdf](#)
[10832 Town plan map.pdf](#)
[10832 Map.pdf](#)
[Staff suggested layout.pdf](#)
[10832 App.pdf](#)

A motion was made by MATANO, seconded by BOLLIG, to postpone due to public opposition and no Town Action. The motion carried by a voice vote.

Spoke in Favor: Richard Eberle
Opposed: Craig Kopp stated that the property has flooded in the past and questioned whether or not a housing density right exists to support an additional residential lot.

[10833](#)

PETITION: REZONE 10833
APPLICANT: AFFELDT FAMILY TR
LOCATION: PROPERTY IS EAST AND WEST OF 1174 PRIMROSE
CENTER ROAD, SECTION 10, TOWN OF PRIMROSE
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District,
A-1EX Agriculture District TO A-2 Agriculture District
REASON: creating one residential lot and two agricultural lots

Attachments: [10833 Staff.pdf](#)
[10833 Town.pdf](#)
[10833 Density.pdf](#)
[10833 Ord Amend.pdf](#)

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. One housing density right is assigned to the A-2 (25 acres) parcel and no housing density rights have been assigned to the A-4 parcels (21 and 32 acres). The remaining A-1EX Exclusive Agriculture zoned property has 2 housing density rights available.
2. A deed notice shall be recorded on the A-2 parcel to identify that one housing density right is associated with the property.

Spoke in Favor: Richard Pretzel
In opposition: None

[10834](#)

PETITION: REZONE 10834
APPLICANT: DUSHACK REV TR, ELINOR G
LOCATION: 4846 COUNTY HIGHWAY N, SECTION 33, TOWN OF
SUN PRAIRIE
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture
District
REASON: separating existing residence from farmland

Attachments: [10834 Staff.pdf](#)
[10834 Map.pdf](#)
[10834 App.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, to postpone until a Town Action Report is received. The motion carried by a voice vote.

Spoke in Favor: Tony Kasper
Opposed: None

[10835](#)

PETITION: REZONE 10835
APPLICANT: PAUL A BOWER
LOCATION: 76 FAIR OAK ROAD, SECTION 24, TOWN OF DEERFIELD
CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District, A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: creation of four residential lots

Attachments: [10835 Staff.pdf](#)
[10835 Town.pdf](#)
[10835 Density.pdf](#)
[10835 Ord Amend.pdf](#)

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 parcel numbers 0712-244-9500-4, 0712-244-9000-9, 0712-244-8500-6, 0712-244-8000-1 to prohibit residential development on the A-1EX Exclusive Agriculture zoned land. The housing density rights have been exhausted on the original farm.

Spoke in Favor: David Dinkel
Opposed: None

[CUP 2309](#)

PETITION: CUP 2309
APPLICANT: JERRY S NELSON
LOCATION: 1313 SCHADEL ROAD, SECTION 32, TOWN OF DEERFIELD
CUP DESCRIPTION: limited family business - vehicle repair and welding

Attachments: [CUP 2309 Staff.pdf](#)
[CUP 2309 Town.pdf](#)
[CUP #2309.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Conditional Use Permit be approved with 5 conditions. The motion carried by a voice vote.

1. The number of trailers stored on the property shall be limited to no more than 20.
2. Signage for the business is prohibited.
3. Outdoor lighting for the business shall be limited to down-shrouded security lighting.
4. Storage of trailers and other materials utilized in the operation of the business shall be located behind existing buildings or otherwise screened from public view.
5. Conditional Use Permit shall expire in 5 years of approval date.

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

[10781](#) PETITION: REZONE 10781
APPLICANT: GNEWUCH REV TR, JAMES H
LOCATION: WEST OF 4232 OLD STAGE ROAD, SECTION 29,
TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District
REASON: creating one residential lot

Attachments: [10781 Staff Update.pdf](#)
[10781 Town 2.pdf](#)
[10781Density.pdf](#)
[10781 Ord Amend.pdf](#)

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. Two residential lot shall be created. The proposed 11.9-acre lot shall be assigned the zoning district classification of RH-3 Rural Homes. The proposed 7-acre lot shall be assigned the zoning district classification of RH-2 Rural Homes.

E. Plats and Certified Survey Maps

[2015 LD-003](#) Final Plat - University Research Park - Pioneer 1st Addition
City of Madison
Staff recommends a certification of non-objection.

Attachments: [aerial.pdf](#)
[27352 University Research Park Pioneer 1st Addn_0001.PDF](#)
[27352 University Research Park Pioneer 1st Addn_0002.PDF](#)
[27352 University Research Park Pioneer 1st Addn_0003.PDF](#)

Motion was made by KOLAR and seconded by BOLLIG to certify the final plat with no objections. Motion carried 3-1.

Ayes: 3 - BOLLIG, KOLAR and MILES

Noes: 1 - MATANO

[2015 LD-004](#) Final Plat - The Vineyards at Cambridge
Village of Cambridge
Staff recommends a certification of non-objection.

Attachments: [aerial.pdf](#)

[27349 The Vineyards at Cambridge_0001.PDF](#)

Motion was made by BOLIG and seconded by KOLAR to certify the final plat with no objections. Motion carried 4-0.

[2015 LD-006](#) Final Plat - Fox Point
City of Sun Prairie
Staff recommends a certification of non-objection.

Attachments: [aerial.pdf](#)

[27357 Fox Point_0001.PDF](#)

[27357 Fox Point_0002.PDF](#)

[27357 Fox Point_0003.PDF](#)

Motion was made by BOLIG and seconded by KOLAR to certify the final plat with no objections. Motion carried 4-0.

[2015 LD-005](#) Final Plat - Bella Vista
Town of Springdale, Sections 10 & 11
9 lots and 2 outlots
Staff recommends conditional approval.

Attachments: [April letter to ZLR.pdf](#)
[2015-03-25 Final Plat.pdf](#)
[Standing_review.pdf](#)
[aerial.pdf](#)

Motion was made by KOLAR and seconded by BOLLIG to approve the final plat subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
 - Recording of a Deed Restriction prohibiting development on Outlots 1 and 2.
2. The final document shall show the intermittent stream and label it as such.
3. The distances to the centerline of Grimstad Road right-of-way is to be shown.
4. The radius of the Bella Vista Ridge cul-de-sac shall be dimensioned.
5. Comments from the Dane County Highway Department are to be satisfied:
 - No new access to CTH PD will be permitted.
 - Existing town road should be entered onto CTH PD at a 90 degree angle.
 - The intersection should be reconstructed to a type C intersection standards.
 - Dedication of right-of-way to 50 feet along the frontage of outlot 1 and remaining frontage.
6. The public park land appropriation requirement is to be satisfied.
 - The committee shall require the dedication of land or monies in lieu of land for public recreation purposes. (Private park land does not satisfy this requirement)
7. All public land dedications are to be clearly designated "dedicated to the public."
 - The only lands being dedicated to the public is additional right-of-way along CTH PD.
8. Utility easements are to be provided.
9. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
10. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
11. Town of Springdale approval is to be obtained.

Motion carried 4-0.

F. Other Business Authorized by Law

G. Adjourn

Motion by KOLAR, seconded by MATANO to adjourn the meeting at 7:44pm. The motion carried by a voice vote.

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.