



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, October 25, 2016

6:30 PM

City - County Building, ROOM 201
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 201 of the City-County Building.

Staff present: Lane, Standing, and Violante

Youth Governance Members: Harry Joseph Finkelmeyer and Garrett Stolen

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

Excused 1 - DENNIS O'LOUGHLIN

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

No comments made by the public.

[2016](#)
[RPT-455](#) Registrants at the October 25, 2016 Zoning & Land Regulation
Committee Public Hearing

Attachments: [October 25th ZLR Registrants](#)

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

[11042](#)

PETITION: REZONE 11042
APPLICANT: LARRY G FARNSWORTH
LOCATION: SOUTH OF 160 BIGLOW ROAD, SECTION 32, TOWN
OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes
District
REASON: zoning compliance for existing land uses

- Attachments:** [11042 Staff](#)
[11042 Town](#)
[11042 Density](#)
[11042 Ord Amend](#)

In Favor: Eric Grover
Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0.

Miles arrived at 6:36pm.

- Ayes:** 3 - BOLLIG,KOLARandMATANO
Excused: 1 - O'LOUGHLIN
Absent: 1 - MILES

[11043](#)

PETITION: REZONE 11043
APPLICANT: VARIOUS PARCELS AND OWNERS
LOCATION: VARIOUS LOCATIONS; SECTIONS 7, 26, 27; TOWN OF
SPRINGFIELD
CHANGE FROM: VARIOUS ZONING DISTRICTS TO A-1EX
REASON: blanket rezoning associated with county farmland
preservation plan

- Attachments:** [11043 Staff](#)
[11043 Town](#)
[11043 Ord Amend](#)

In Favor: Brian Standing representing the Town of Springfield
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

- Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES
Excused: 1 - O'LOUGHLIN

[11044](#) PETITION: REZONE 11044
APPLICANT: HAAG LIVING TR
LOCATION: 1640 US HIGHWAY 12 & 18, SECTION 36, TOWN OF
COTTAGE GROVE
CHANGE FROM: A-2 Agriculture District TO A-2 (4) Agriculture District
REASON: separating existing residence from farmland

Attachments: [11044 Staff](#)
[11044 Town](#)
[11044 Density](#)
[11044 Ord Amend](#)

In Favor: Brent Jolma
Opposed: None

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

1. The zoning of remaining lands shall be rezoned to A-4 to identify that the housing density rights have been exhausted on the land.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11045](#) PETITION: REZONE 11045
APPLICANT: KILLERLAIN AND FOX
LOCATION: 4724 AND 4754 SCHNEIDER DRIVE, SECTION 19,
TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District,
A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: zoning compliance for neighboring properties

Attachments: [11045 Staff](#)
[11045 Town](#)
[11045 Density](#)
[11045 Ord Amend](#)

In Favor: Robert Pultz representing Killerlain Trust, Barry Fox
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11046](#)

PETITION: REZONE 11046
APPLICANT: HEARTLAND FARM SANCTUARY INC
LOCATION: 11713 MID TOWN ROAD, SECTION 6, TOWN OF
VERONA
CHANGE FROM: A-3 Agriculture District TO A-4 Agriculture District
REASON: reducing the size of an existing agricultural lot

Attachments: [11046 Staff](#)
[11046 Town](#)
[11046 Ord Amend](#)

In Favor: Dana Barre
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11047](#)

PETITION: REZONE 11047
APPLICANT: THOMAS M ANDERSON
LOCATION: 3393 COUNTY HIGHWAY MN, SECTION 1, TOWN OF
DUNN
CHANGE FROM: RH-1 Rural Homes District TO A-4 Agriculture District,
A-1EX Agriculture District TO A-4 Agriculture District, RH-1 Rural Homes
District TO RH-2 Rural Homes District
REASON: zoning compliance for existing uses

Attachments: [11047 Staff](#)
[11047 Density](#)
[11047 Map](#)
[11047 App](#)
[property inspection report](#)
[revised CSM](#)
[review letter](#)

In Favor: Thomas Anderson
Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be postponed until a Town Action Report is received. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[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](#)
[11048 Town](#)
[11048 Density](#)
[11048 Avant_Map](#)
[11048 Map](#)
[11048 App](#)

*In Favor: Liza Lightfoot, Becky Kielstrup, and Daniel Schmitt.
Opposed: Tom Payne and Randi Payne. The Paynes expressed concerns regarding
stormwater management, access for emergency vehicles, and activities regarding retail
sales.*

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition
be postponed due to public opposition. The motion carried by the following vote:
4-0.**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11049](#)

PETITION: REZONE 11049
APPLICANT: RENELLE CHAMPAGNE
LOCATION: 2822 N HILL ROAD, SECTION 10, TOWN OF PLEASANT
SPRINGS
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture
District
REASON: separating existing residence from farmland

- Attachments:** [11049 Staff](#)
[11049 Town](#)
[11049 Density](#)
[11049 Map](#)
[11049 App](#)

In Favor: Paul Hynek representing Renele Champagne
Opposed: None

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

- 1. The Certified Survey Map must show the driveway for the lot and also the field access route to the 46.3 acres to the east.**
- 2. Language shall be added to the proposed CSM for Town approval.**
- 3. A deed restriction shall be recorded on parcels 0611-102-9000-4 and 0611-103-8500-0 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: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11050](#) PETITION: REZONE 11050
APPLICANT: SUTTER LIVING TR
LOCATION: EAST OF 10123 FERTILE RIDGE ROAD, SECTION 22,
TOWN OF BLUE MOUNDS
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District
REASON: shifting of property lines between adjacent land owners

Attachments: [11050 Staff](#)
[11050 Town](#)
[11050 Density](#)
[11050 Ord Amend](#)

In Favor: Dennis Bruner
Opposed: None

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition
be recommended for approval. The motion carried by the following vote: 4-0**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11051](#) PETITION: REZONE 11051
APPLICANT: HEINEMANN RENTALS & INVESTMENTS LLC
LOCATION: 4587 COUNTY HIGHWAY TT, SECTION 33, TOWN OF
SUN PRAIRIE
CHANGE FROM: A-1EX Agriculture District TO C-1 Commercial District
REASON: shifting of property lines between adjacent land owners

Attachments: [11051 Staff](#)
[11051 Map](#)
[11051 App](#)

In Favor: Bob Heinemann
Opposed: None

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition
be postponed until a Town Action Report is received. The motion carried by the
following vote: 4-0**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11052](#)

PETITION: REZONE 11052
APPLICANT: PHILIP L MARX
LOCATION: NORTHEAST OF 7772 INAMA ROAD, SECTION 5,
TOWN OF ROXBURY
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes
District
REASON: creating one residential lot

- Attachments:** [11052 Staff](#)
[11052 Town](#)
[11052 Density](#)
[11052 Ord Amend](#)

In Favor: Teyanna Loether
Opposed: None
Supervisor Matano expressed concerns with the lot configuration.

A motion was made by BOLLIG, seconded by MILES, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 3-1.

Ayes: 3 - BOLLIG,KOLARandMILES

Noes: 1 - MATANO

Excused: 1 - O'LOUGHLIN

[11060](#)

PETITION: REZONE 11060
APPLICANT: TERRY L PARISI
LOCATION: SECTION 27, TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO A-1EX Agriculture
District
REASON: termination of deed restriction for a shared driveway

- Attachments:** [11060 Staff](#)
[11060 Town](#)
[11060 Ord Amend](#)

In Favor: Zoning Administrator Lane representing the Town of Dunn
Opposed: None

A motion was made by MILES, seconded by BOLLIG, to recommend approval of the termination of the deed restriction. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[CUP 2358](#) PETITION: CUP 2358
APPLICANT: FRED L MCINTOSH
LOCATION: 6472 BREUNIG ROAD, SECTION 35, TOWN OF
ROXBURY
CUP DESCRIPTION: bed and breakfast

Attachments: [CUP 2358 Staff](#)
[CUP 2358 Town](#)
[CUP 2358 Map](#)
[CUP 2358 App](#)
[CUP #2358](#)

In Favor: Karen Mcintosh
Opposed: None

A motion was made by BOLLIG, seconded by MILES, that this Conditional Use Permit be approved with 1 condition. The motion carried by the following vote: 4-0.

1.The establishment shall comply with the regulations found under Wisconsin Administrative Code ATCP 73 for Tourist Rooming Houses and Bed and Breakfast Establishments.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[CUP 2360](#) PETITION: CUP 2360
APPLICANT: HAROLD W SPAHN
LOCATION: 4996 ENCHANTED VALLEY ROAD, SECTION 31, TOWN
OF SPRINGFIELD
CUP DESCRIPTION: unlimited livestock 3 - 16 acres

Attachments: [CUP 2360 Staff](#)
[CUP 2360 Map](#)
[CUP 2360 App](#)

In Favor: Joe Spahn
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be postponed until a Town Action Report is received. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2015
OA-034](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF
ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD
Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE
PLAN

Sponsors: RIPP

Attachments: [PublicHearing_Memo](#)

[2015 OA-034](#)

[OA 34 2015 memoFINAL](#)

[2015 OA-034 FISCAL NOTE](#)

[Map 7_Future Land Use_10.2.15](#)

*Senior Planner Standing explained the changes to the Town of Springfield
Comprehensive Plan.*

**A motion was made by BOLLIG, seconded by MATANO, that this Ordinance be
recommended for approval. The motion carried by the following vote: 4-0**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016
OA-029](#) INCORPORATING THE Town of COTTAGE GROVE Comprehensive
Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: WILLIAMS

Attachments: [16-82 \[Town of Cottage Grove\]080916](#)

[2016 OA staff memo CG](#)

[Ordinance 2016-04 Amending the Town of Cottage Grove
Comprehensive Plan](#)

[Plan Commission Resolution 2016-02 Recommending Amendments
to the Comprehensive Plan](#)

[Exhibit A Future Land Use Map Amendments 7.20.16](#)

[Exhibit B Draft Plan Text Amendments 7.20.16](#)

*Senior Planner Standing explained the changes to the Town of Cottage Grove
Comprehensive Plan.*

**A motion was made by MILES, seconded by BOLLIG, that this Ordinance be
recommended for approval. The motion carried by the following vote: 4-0.**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016](#)
[OA-030](#) INCORPORATING THE TOWN OF ALBION COMPREHENSIVE PLAN
INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: SALOV, de FELICE and O'LOUGHLIN

Attachments: [2016 OA staff memo Albion](#)
[16-82 \[Town of Albion\]080916](#)
[Town Resolution](#)

[Plan Maps AS TOWN APPROVED 9-6-2016-2](#)

[Albion Commercial Development policies AS TOWN APPROVE
D 9-6-2016-3](#)

Senior Planner Standing explained the changes to the Town of Albion Comprehensive Plan.

A motion was made by MILES, seconded by MATANO, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016](#)
[OA-028](#) AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

Sponsors: KOLAR, BOLLIG, MATANO and O'LOUGHLIN

Attachments: [FPP Amendment Cover letter Dane County 2016](#)
[16-82 \[Farmland Preservation\]080916](#)
[2016 FPP Amendments MAP REVISED 8-24-2016](#)
[FPP 10 Farmland Preservation Plan Map 2016](#)
[CoverLetter](#)
[Order Signed](#)

Senior Planner Standing explained the changes to the Dane County Farmland Preservation Plan.

A motion was made by MILES, seconded by MATANO, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

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

E. Budget Discussion and Amendments

[2016
ACT-352](#) ZONING AND LAND REGULATION COMMITTEE AMENDMENTS TO
THE PROPOSED 2017 OPERATING BUDGET (2016 RES-269)

Attachments: [2016 RES-269](#)

Supervisor Miles stated that he will be introducing an amendment to increase the expenditures by \$30,000 to fund the Better Infill Land Development (BUILD) Program. The amendment will be introduced at the Personnel and Finance Committee meeting.

[2016
ACT-351](#) ZONING AND LAND REGULATION COMMITTEE AMENDMENTS TO
THE PROPOSED 2017 CAPITAL BUDGET (2016 RES-270)

Attachments: [2016 RES-270](#)

No comments made by the Committee.

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

[2015
OA-034](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF
ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD
Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE
PLAN

Sponsors: RIPP

Attachments: [PublicHearing_Memo](#)
[2015 OA-034](#)
[OA 34 2015 memoFINAL](#)
[2015 OA-034 FISCAL NOTE](#)
[Map 7_Future Land Use_10.2.15](#)

See action above.

[2016
OA-029](#) INCORPORATING THE Town of COTTAGE GROVE Comprehensive
Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: WILLIAMS

Attachments: [16-82 \[Town of Cottage Grove\]080916](#)
[2016 OA staff memo CG](#)
[Ordinance 2016-04 Amending the Town of Cottage Grove
Comprehensive Plan](#)
[Plan Commission Resolution 2016-02 Recommending Amendments
to the Comprehensive Plan](#)
[Exhibit A Future Land Use Map Amendments 7.20.16](#)
[Exhibit B Draft Plan Text Amendments 7.20.16](#)

See action above.

[2016
OA-030](#) INCORPORATING THE TOWN OF ALBION COMPREHENSIVE PLAN
INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: SALOV, de FELICE and O'LOUGHLIN

Attachments: [2016 OA staff memo Albion](#)
[16-82 \[Town of Albion\]080916](#)
[Town Resolution](#)
[Plan Maps AS TOWN APPROVED 9-6-2016-2](#)
[Albion Commercial Development policies AS TOWN APPROVE
D 9-6-2016-3](#)

See action above.

[2016
OA-028](#) AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

Sponsors: KOLAR, BOLLIG, MATANO and O'LOUGHLIN

Attachments: [FPP Amendment Cover letter Dane County 2016](#)
[16-82 \[Farmland Preservation\]080916](#)
[2016 FPP Amendments MAP REVISED 8-24-2016](#)
[FPP 10 Farmland Preservation Plan Map 2016](#)
[CoverLetter](#)
[Order Signed](#)

See action above.

I. Reports to Committee

[2016](#)
[RPT-445](#) Report of the October 19th DCTA meeting

Attachments: [Report on October 19th DCTA Meeting](#)

Zoning Administrator Land provided a summary report of the October 19th Dane County Towns Association Meeting to the Committee.

J. Other Business Authorized by Law

[2016](#)
[RPT-447](#) Change the December ZLR Public Hearing date from December 27th to December 13th

The Committee concurred with the change of the December public hearing date from December 27th to December 13th.

[2016](#)
[RPT-444](#) Review and approval of the 2017 Zoning and Land Regulation Committee meeting schedule

Attachments: [2017 ZLR calendar](#)

The Committee approved the 2017 ZLR Committee meeting schedule. It was decided to hold the December public hearing date on December 11, 2017 rather than December 26th.

K. Adjourn

A motion was made by MILES, seconded by MATANO, to adjourn the Zoning and Land Regulation Committee meeting at 8:25pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266, lane.roger@countyofdane.com