

Dane County



Minutes

Tuesday, May 26, 2020

6:30 PM

Remote Meeting: Call 1 866 899 4679 Access Code: 600-071-461

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?

The May 26th Zoning and Land Regulation Committee meeting is being held remotely in accordance with public health requirements to protect our community from the COVID-19 pandemic. The public can access the meeting in the following manner:

Call: 1-866-899-4679 Use Access Code: 600-071-461

Note: You will be placed on hold until the Host joins.

If you would like to speak on an agenda item, you must PRE-REGISTER in ADVANCE by calling 1-608-266-9078. Registrants must provide their full name, 10-digit phone number, and the agenda item they wish to speak about. Anyone wishing to speak is strongly encouraged to pre-register as soon as possible.

Registrations will be accepted until 30 minutes prior to the meeting. Staff will then call you into the meeting when the item is before the committee using the number provided.

If you have any questions regarding an agenda item, please contact the Zoning Administrator by phone at 1-608-266-9078, or by email at lane.roger@countyofdane.com.

A. Call to Order

Supervisor Bollig called the remote meeting of the May 26, 2020 Zoning and Land Regulation Committee to order at 6:30pm.

Staff present: Allan, Everson, Lane, and Violante

Present 5 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, TIM KIEFER, and SARAH SMITH

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

No comments made by the public.

[2020](#)
[RPT-045](#)

May 26th ZLR Committee meeting registrants

C. Consideration of Minutes

[2020](#)
[MIN-024](#)

Minutes of the May 12, 2020 Zoning and Land Regulation Committee meeting

A motion was made by PETERS, seconded by KIEFER, to approve the minutes of the May 12, 2020 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

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

[11541](#)

PETITION: REZONE 11541
APPLICANT: VINEY ACRES LLC
LOCATION: 3186 KINNEY ROAD, SECTION 35, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 General Farmland Preservation District and SFR-1 Single Family Residential District TO RR-2 Rural Residential District and FP-1 Small Lot Farmland Preservation District
REASON: shifting of property lines between adjacent land owners

In favor: Chris Miller and Don Viney
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11542](#)

PETITION: REZONE 11542
APPLICANT: LUND REV LIVING TR, ELDON O & DORIS A
LOCATION: WEST OF 1110 COUNTY HIGHWAY B, SECTION 20, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-1 Rural Residential District
REASON: creating one residential lot

In favor: Ron Combs

A motion was made by PETERS, seconded by KIEFER, to postpone action until Town Action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11543](#)

PETITION: REZONE 11543
APPLICANT: PATRICIA A ROBERTS
LOCATION: WEST OF 4012 COUNTY HIGHWAY JJ, SECTION 22, TOWN OF VERMONT
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating two residential lots

In favor: Patricia Roberts
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11544](#)

PETITION: REZONE 11544
APPLICANT: PHILLIP J VAN KAMPEN
LOCATION: 5418 HONEYSUCKLE LANE, SECTION 3, TOWN OF OREGON
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District and FP-1 Small Lot Farmland Preservation District
REASON: creating one residential lot

In favor: Phil Van Kampen

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11545](#)

PETITION: REZONE 11545
APPLICANT: DOWNS LIVING TR, JOSEPH & ELIZABETH
LOCATION: 7857 SCHALLER ROAD, SECTION 6, TOWN OF MONTROSE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural Mixed-Use District and FP-35 General Farmland Preservation District, FP-1 Small Lot Farmland Preservation District TO FP-35 General Farmland Preservation District
REASON: selling 11.6 acres to an adjacent landowner

In favor: Joseph Downs

Opposed: None

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

1. A deed restriction shall be recorded on parcels 0508-063-8620-0, 0508-063-8720-0, 0508-063-9220-0, and 08-062-9210-0 to prohibit non-farm development on the FP-35 zoned lands. A housing density right is not associated with the property.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11546](#)

PETITION: REZONE 11546
APPLICANT: DIANNE DETRA
LOCATION: 1907 HAWKINSON ROAD, SECTION 28, TOWN OF DUNN
CHANGE FROM: FP-35 General Farmland Preservation District TO NR-C Natural Resource - Conservation District
REASON: selling land to be preserved as wildlife habitat

In favor: Jim Welch

Opposed: None

A motion was made by SMITH, seconded by KIEFER, to postpone action until Town Action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11547](#)

PETITION: REZONE 11547
APPLICANT: GENE R LAUBER
LOCATION: WEST OF 3828 GAROOT ROAD, SECTION 19, TOWN OF CROSS PLAINS
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating one residential lot

In favor: Andrew Lauber

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11548](#)

PETITION: REZONE 11548
APPLICANT: DOUGLAS G MILLIN
LOCATION: EAST OF 357 COUNTY HIGHWAY TV, SECTION 35, TOWN OF YORK
CHANGE FROM: FP-35 General Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: creating one residential lot

In favor: Doug and Steven Millin

Opposed: None

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

- 1. The petition shall be amended to rezone approximately 1.5 acres to RR-1 Rural Residential, and approximately 24.4 acres to FP-1 Farmland Preservation to create a two lot Certified Survey Map.**
- 2. Applicant shall record a deed restriction on the balance of ~75 acres remaining in farmland preservation zoning prohibiting non-farm development or division on tax parcels 091235185010 and 091235190005.**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11549](#)

PETITION: REZONE 11549
APPLICANT: KRUEGER TR, JOHN L & JOSEPHINE A
LOCATION: 7425 HIGHWAY 69, SECTION 32, TOWN OF MONTROSE
CHANGE FROM: FP-35 General Farmland Preservation District TO SFR-08 Single Family Residential District
REASON: shifting of property lines between adjacent land owners

In favor: Walter Steele

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11550](#)

PETITION: REZONE 11550
APPLICANT: RODERICK K SKINDRUD
LOCATION: NORTH OF 3006 TOWN HALL ROAD, SECTION 5, TOWN OF SPRINGDALE
CHANGE FROM: RR-1 Rural Residential District TO RR-4 Rural Residential District
REASON: consolidating parcels into a single lot

In favor: Rod Skindrud
Opposed: None

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

1. A deed restriction shall be recorded on the proposed lot to prohibit further land division of the property.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11551](#)

PETITION: REZONE 11551
APPLICANT: TALLARD FARMS & LAND LLC
LOCATION: NORTH OF 7585 COREY LANE, SECTION 36, TOWN OF CROSS PLAINS
CHANGE FROM: RR-2 Rural Residential District TO FP-35 General Farmland Preservation District, FP-35 General Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating two residential lots

In favor: Ron Klaas
Opposed: None

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

1. A deed restriction shall be recorded on parcels 0707-364-9500-0 and 0707-364-9000-5 to prohibit further residential development on the remaining FP-35 Farmland Preservation zoned land. The housing density rights for the original farm have been exhausted.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11552](#)

PETITION: REZONE 11552
APPLICANT: JON O BALDOCK
LOCATION: 6394 GRANDVIEW ROAD, SECTION 13, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO RR-2 Rural Residential District, RR-1 Rural Residential District TO RR-2 Rural Residential District
REASON: creating one residential lot

In favor: Jon Baldock
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11553](#)

PETITION: REZONE 11553
APPLICANT: STEVEN C ACE
LOCATION: EAST OF 965-967 STORYTOWN ROAD, SECTION 17, TOWN OF OREGON
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural Mixed-Use District and RR-2 Rural Residential District
REASON: creating two residential lots

In favor: Steve Ace

Opposed: None

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

1. A deed restriction shall be recorded on parcels 0509-174-9000-5 and 0509-173-9500-1 to prohibit further residential development on the remaining FP-35 Farmland Preservation zoned land. The housing density rights for the original farm have been exhausted.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11554](#)

PETITION: REZONE 11554
APPLICANT: MARY JO JOHNSON
LOCATION: SOUTH OF 1552 COUNTY HIGHWAY A, SECTION 18, TOWN OF ALBION
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In favor: Mary Jo Johnson and Mark Hazelbaker

Opposed: Perrin and Carrie Sanderson

A motion was made by PETERS, seconded by KIEFER, that the Zoning Petition be postponed until Town Action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11555](#)

PETITION: REZONE 11555
APPLICANT: ROBERT J SCHWISTER
LOCATION: 2000 FEET EAST OF 7388 COUNTY HIGHWAY Y, SECTION 5, TOWN OF DANE
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In favor: Ron Klaas

Opposed: None

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

1. A deed restriction shall be recorded on parcels 0908-053-8001-0 and 0908-054-8501-0 to prohibit further residential development on the remaining FP-35 Farmland Preservation zoned land. The housing density rights for the original farm have been exhausted.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11556](#)

PETITION: REZONE 11556
APPLICANT: ROBERT HEFTY
LOCATION: 7790 RIVERSIDE ROAD, SECTION 30, TOWN OF VERONA
CHANGE FROM: RM-8 Rural Mixed-Use District TO RR-2 Rural Residential District and FP-35
General Farmland Preservation District, RR-2 Rural Residential District TO FP-35 General
Farmland Preservation District
REASON: reconfiguring lots on existing residential development

In favor: Robert Hefty
Opposed: None

A motion was made by DOOLAN, seconded by KIEFER, that the Zoning Petition be postponed until Town Action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11557](#)

PETITION: REZONE 11557
APPLICANT: KRENZ LIVING TR
LOCATION: 9 SHADY WILLOW ROAD, SECTION 35, TOWN OF RUTLAND
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District
REASON: dividing an existing residential lot to create an additional lot

In favor: Robert Krentz and William Nelson
Opposed: None

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be postponed until Town Action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

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

[11530](#)

PETITION: REZONE 11530
APPLICANT: PETERSON TR, PHILIP L & CAROL L
LOCATION: LANDS WEST OF 5900 COUNTY HIGHWAY D, SECTION 5, TOWN OF OREGON
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential District AND LC Limited Commercial District
REASON: creating one residential lot and separating buildings/woods from farmland

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

- 1. A joint driveway agreement shall be recorded with the Register of Deeds for the benefit of both lots.**
- 2. The west driveway shall be improved, at the applicant's expense, to meet Type C intersection standards, as specified by the Dane County Highway and Transportation Department. The applicant must obtain all necessary permits from the Dane County Highway and Transportation Department.**
- 3. A deed restriction shall be recorded with the Register of Deeds to place the following limitations on the property:**
 - a. Outdoor lighting shall be limited to no more than 6 lights, with lights directed downward, as shown on the submitted site plan.**
 - b. Burning of debris shall be prohibited on the property.**
 - c. Signs on the property shall be limited to one freestanding sign that will be unlit and in accordance with Dane County Sign Ordinances.**
 - d. Hours of operation shall be limited to 6:30am -7:00pm Monday to Friday; 8:00am – 12:00pm (noon) Saturday. Winter hours will be dependent on weather.**
 - e. Business employees shall be limited to no more than 13 employees, including 10 operational employees and an additional 3 on-site office staff.**
 - f. Permanent fuel storage shall be prohibited on the property. Two mobile fuel transfer tanks shall be permitted. Mobile tanks must meet all spill containment standards required by the Division of Environmental Health.**
 - g. Loudspeakers shall be prohibited on the property.**
 - h. Employee parking shall be located on the west side of the shop as depicted on the submitted site plan.**
 - i. On-site equipment and vehicles shall be equipped with squawker/white sound reversing alarms to reduce potential noise-nuisance.**
 - j. No retail sales or other on-site transactions with final customers permitted.**
 - k. Vegetative screening, to meet all requirements of s. 10.101(12) shall be maintained along the eastern and western boundaries of the LC parcel.**
 - l. No tri-axel, quad-axel equipment shall be permitted in the operation of the LC use.**
 - m. Operator will comply with all weight restrictions on town roads imposed by the Town of Oregon.**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by KIEFER, seconded by DOOLAN, to adjourn the May 26, 2020 Zoning and Land Regulation Committee meeting at 7:36pm. The motion carried by unanimously.

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