



Dane County

Minutes - Final Unless Amended by Committee

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?

Tuesday, July 24, 2018

6:30 PM

City - County Building, ROOM 354
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 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](#) July 24th ZLR meeting registrants
[RPT-153](#)

Attachments: [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

Attachments: [11302 Ord Amend](#)

[11302 Staff](#)

[11302 Town](#)

[11302 Map](#)

[11302 APP](#)

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

Attachments: [11303 Ord Amend](#)

[11303 Staff](#)

[11303 Town](#)

[11303 Density](#)

[11303 Map](#)

[11303 APP](#)

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

Attachments: [11304 Ord Amend](#)
[11304 Staff](#)
[11304 Town](#)
[11304 Map](#)
[11304 APP](#)

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

Attachments: [CUP 2425 Staff - 11304](#)
[CUP 2425 Town](#)
[CUP 2425 Map](#)
[CUP 02425 APP](#)
[CUP #2425](#)

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

Attachments: [11305 Ord Amend](#)

[11305 Staff](#)

[11305 Town](#)

[11305 Density](#)

[11305 Map](#)

[11305 APP](#)

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

Attachments: [11306 Ord Amend](#)
[11306 Staff](#)
[11306 Town](#)
[11306 Density \(receiving property\)](#)
[11306 Density \(sending property\)](#)
[11306 Map](#)
[11306 APP](#)

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

Attachments: [11307 Ord Amend](#)

[11307 Staff](#)

[11307 Town](#)

[11307 Density](#)

[11307 APP](#)

[11307 Map](#)

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

Attachments: [11309 Ord Amend](#)

[11309 Staff](#)

[11309 Town](#)

[11309 Density](#)

[11309 APP](#)

[11309 Map](#)

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

Attachments: [11310 Ord Amend](#)
[11310 Town](#)
[11310 Staff](#)
[11310 Density](#)
[11310 Map](#)
[11310 APP](#)

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

Attachments: [11311 Staff](#)
[11311 Density](#)
[11311 Map](#)
[11311 APP](#)

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

Attachments: [CUP 2428 Staff - 11311](#)

[CUP 2428 Map](#)

[CUP 02428 APP](#)

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

Attachments: [11313 Ord Amend](#)

[11313 Staff](#)

[11313 Town](#)

[11313 Density](#)

[11313 Map](#)

[11313 APP](#)

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

Attachments: [CUP 2426 Staff](#)
[CUP 2426 Town](#)
[CUP 2426 map](#)
[CUP 2426 APP](#)

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

Attachments: [CUP#2427 Staff](#)
[CUP 2427 Town](#)
[House plans](#)
[CUP 2427 Map](#)
[CUP 2427 APP](#)
[CUP #2427](#)

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

Attachments: [11292 Ord Amend](#)
[11292 Staff Update](#)
[11292 Town](#)
[11292 Density](#)
[11292 Map](#)
[11292 APP](#)

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.

Attachments: [Untitled](#)
[27872 VILLAGE AT AUTUMN LAKE REPLAT NO. 3](#)

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

Attachments: [Salvage Yards](#)

[2018](#)

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