



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, December 8, 2015

7:00 PM

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison

A. Call to Order

Chair Miles called the meeting of the Zoning and Land Regulation Committee to order at 7:04pm in Room 354 of the City-County Building.

Staff present: Allan, Everson, and Lane

Youth Governance present: Gustav Heiden

Present 4 - MARY KOLAR, AL MATANO, PATRICK MILES, and BOB SALOV

Excused 1 - JERRY BOLLIG

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

No comments made by the public.

[2015](#)
[RPT-617](#)

Registrants at the December 8th ZLR Committee meeting

Attachments: [Dec 8th ZLR registrants](#)

C. Consideration of Minutes

[2015](#)
[MIN-478](#)

Minutes of the November 10, 2015 Zoning and Land Regulation Committee meeting

Attachments: [11-10-15 ZLR work meeting minutes](#)

A motion was made by MATANO, seconded by KOLAR, to approve the minutes of the November 10, 2015 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

[2015](#)
[MIN-479](#)

Minutes of the November 24, 2015 Zoning and Land Regulation Committee meeting

Attachments: [11-24-15 ZLR Public Hearing minutes](#)

A motion was made by MATANO, seconded by KOLAR, to approve the minutes of the November 24, 2015 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

A motion was made by KOLAR, seconded by MATANO, to suspend the ZLR Committee rules to take up items listed in agenda section E prior to the item in agenda section D. The motion carried by the following vote: 4-0.

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

CUP 2103

REVIEW AND POSSIBLE REVOCATION OF CUP #2103

Landowner: Oak Park Quarry, LLC

Location: 3522 Oak Park Road, Section 29, Town of Deerfield

Reason: compliance with conditions of approval and standards found in Dane County Code of Ordinances Section 10.255(2)(h)

Attachments: [Staff Report on the Oak Park Quarry](#)

[Letter from Town Attorney to ZLR](#)

[Status of Town license](#)

[Information from Halverson](#)

[Letters from State agencies](#)

[CUP #2103](#)

[CUP #2103 Boundaries](#)

[Complaint letters](#)

[Information request letters](#)

Spoke in opposition of the revocation of CUP #2103: Buck Sweeney, Jon Halverson, Tim Roehl, Lynn Kido, Carie Nelson, and Zach Schroeder.

Registered in opposition: Ryan Dedph, Rachael Halverson, Douglas Nelson, Ashlie Nelson, Austin Nelson, Robert Palls, Beverly Kennedy, Kylie Nelson, Jodi White, Danial Kido, Jeff Furseth, Joe Snell, Ben Halverson, Ryan Cashore, Gerry Linnerud Eric Zee, Donny Swangsh, Larry Burcalow, Renee Burcalow, Gary Rupnow, Mike Humberg, Mark Schroeder, Alisha Schroeder, Sam Willing, Vince Treinen, James Lescher, Rod Willy, Kyle Zee, Sean Lentz, Dalton Willing, Jennifer Vohs, Brandon Vohs, and Arron Betts.

Spoke in favor of the revocation of CUP #2103: Don Schuster, Roxann Engelstad, Ken Frjelich, Brian Berninger, Martha Berninger, Dennis Mandt, and Michelle Jensen.

Registered in favor: Dan Kelley, mark Treuden, Ronald Anderson, Bill Roelofs, Judith Burke, David Lemke, Lyndon Meyer, Cheryl Lemke, Theresa Schustan, Jerry Scheffle, James Maple, and Allen Reuter.

A motion was made by KOLAR, seconded by SALOV, that the review and possible revocation of Conditional Use Permit #2103 shall be postponed until the January 12, 2016 Zoning and Land Regulation Committee meeting. Staff has been instructed to inform the Committee of the progress being made by the Town and the landowner with regards to resolving their differences. The motion carried by the following vote: 4-0.

Chair Miles stated that he would like to see progress made by the landowner on providing all information to make the blasting license application and mineral extraction operation license application complete. He would like to see progress made by the Town of Deerfield to correct the issue regarding the required frequency of the ground vibration as noted in the Town ordinance.

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

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

[10897](#) PETITION: REZONE 10897
APPLICANT: STEVEN F ANDRES
LOCATION: 2783 PRAIRIE CIRCLE, SECTION 7, TOWN OF VERONA
CHANGE FROM: RH-2 Rural Homes District TO RH-1 Rural Homes District
REASON: creating a residential lot from an existing residential lot

Attachments: [10897 Staff update](#)
[10897 Town](#)
[10897 Ord Amend](#)

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

1. A shared driveway agreement shall be recorded with the Register of Deeds for the benefit of the two lots.

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

[10901](#) PETITION: REZONE 10901
APPLICANT: MATT HAMACHER
LOCATION: 3279 STATE HIGHWAY 138, SECTION 12, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District, A-1EX Agriculture District TO C-1 Commercial District
REASON: creating one residential lot and one commercial lot for a lawn care business

Attachments: [10901 Staff update](#)
[10901 revised CSM](#)
[10901 Town](#)
[10901 Ord Amend](#)

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

1. A deed restriction shall be recorded on the C-1 Commercial lot to limit the land uses exclusively to landscape/snow removal business and sales of landscaping material on-site.

2. A deed restriction shall be recorded on the C-1 Commercial lot to prohibit the erection of a off-premise advertising sign (billboard).

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

[10908](#) PETITION: REZONE 10908
APPLICANT: CHERYL L PATTY
LOCATION: 3033 CASTLETON CROSSING, SECTION 18, TOWN OF
BRISTOL
CHANGE FROM: A-1 Agriculture District TO R-3A Residence District
REASON: zoning compliance for existing duplex

Attachments: [10908 Staff update](#)
[10908 Town](#)
[10908 Ord Amend](#)

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

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

F. Plats and Certified Survey Maps

G. Resolutions

[2015](#)
[RES-368](#) AWARDING CONTRACTS FOR PERPETUATION AND
MAINTENANCE OF THE PUBLIC LAND SURVEY SYSTEM, IN
MULTIPLE TOWNSHIPS

Sponsors: MILES, BOLLIG, KOLAR, MATANO and SALOV

Attachments: [2015 RES-368](#)
[2015 RES-368 Fiscal Note](#)

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

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

H. Ordinance Amendment

[2015
OA-024](#)

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF WINDSOR COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: O'LOUGHLIN, CLAUDIUS, FERRELL, SOLBERG and WILLET

Attachments: [2015 OA-024](#)
[2015 OA-24 Staff](#)

A motion was made by MATANO, seconded by KOLAR, that this Ordinance be postponed indefinitely in committee. The motion carried by the following vote: 4-0.

Ayes: 4 - KOLAR, MATANO, MILES and SALOV

Excused: 1 - BOLLIG

I. Reports to Committee

[2015
RPT-616](#)

Report of Certified Survey Maps

Attachments: [December 2015](#)

J. Other Business Authorized by Law

Chair Miles notified Committee members that the Committee of Housing and Real Estate will be holding a public hearing on Assembly Bill AB563 - authorizing towns located in populous counties to withdraw from county zoning - on Thursday, December 10th at 10:00am.

K. Adjourn

A motion was made by SALOV, seconded by MATANO, to adjourn the meeting at 10:02pm. The motion carried unanimously.

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