

Dane County



Minutes

Tuesday, April 28, 2015

7:00 PM

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

Zoning & Land Regulation Committee

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

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

The petition was withdrawn by the applicant.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

The petition was withdrawn by the applicant.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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

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.

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.

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.

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.