

Dane County



Minutes

Tuesday, September 23, 2014

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 7:05pm in Room 201.

Youth Governance in Attendance: Boyce.

Supervisors in attendance: McCarville and O'Loughlin.

Staff in attendance: Everson, Lane, and Violante

Present 4 - JERRY BOLLIG, MARY KOLAR, PATRICK MILES, and BOB SALOV

Excused 1 - AL MATANO

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

No comments made by the public.

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

10744

PETITION: REZONE 10744

APPLICANT: SHAMROCK FARMS

LOCATION: WEST OF 4974 COUNTY HIGHWAY J, SECTION 31, TOWN OF CROSS PLAINS

CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District

REASON: shifting of property lines between adjacent land owners

A motion was made by BOLLIG, seconded by SALOV, that the Zoning Petition be postponed until Town action is received. The motion carried by a voice vote.

Youth Governance: 1-0.

10745

PETITION: REZONE 10745

APPLICANT: BUCHNER REV TR, ALAN

LOCATION: 4003 VINBURN ROAD, SECTION 21, TOWN OF WINDSOR

CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District

REASON: zoning compliance for property

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.

Youth Governance: 1-0.

1. A deed restriction shall be recorded on parcel 0910-211-8000-0 to prohibit further land divisions.

CUP 2284

PETITION: CUP 2284

APPLICANT: BUCHNER REV TR, ALAN

LOCATION: 4003 VINBURN ROAD, SECTION 21, TOWN OF WINDSOR

CUP DESCRIPTION: allow sanitary fixtures in accessory building

A motion was made by KOLAR, seconded by SALOV, that the Conditional Use Permit be approved with 2 conditions. The motion carried by a voice vote.

Youth Governance: 1-0.

1. The accessory building that contains sanitary fixtures shall not be used as a temporary or secondary residence for overnight use.

2. The accessory building that contains sanitary fixtures shall be used for the purposes of supporting the farm operation. Other commercial activities shall not be permitted.

10747

PETITION: REZONE 10747

APPLICANT: CHRIS FENNE

LOCATION: 2581 PRAIRIE RIDGE ROAD, SECTION 16, TOWN OF SPRINGDALE

CHANGE FROM: B-1 Local Business District TO A-1 Agriculture District

REASON: convert a commercial property into a residential use

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be tabled. The motion carried by a voice vote. Youth Governance: 1-0. Time: 7:12pm.

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be removed from the table. The motion carried by a voice vote. Youth Governance: 1-0. Time:8:35pm.

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be recommended for approval. The motion carried by a voice vote. Youth Governance: 1-0.

10748

PETITION: REZONE 10748

APPLICANT: ROBERT E ALEXANDER

LOCATION: 9295 MOEN ROAD, SECTION 19, TOWN OF CROSS PLAINS

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: creation of one residential lot

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be tabled. The motion carried by a voice vote. Youth Governance: 1-0. Time: 7:14pm.

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be removed from the table. The motion carried by a voice vote. Youth Governance: 1-0. Time: 8:38pm.

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be postponed until Town action is received. The motion carried by a voice vote. Youth Governance: 1-0.

10749

PETITION: REZONE 10749

APPLICANT: RICHARD LOSENEGGER

LOCATION: SOUTH & EAST OF 3180 BERGUM ROAD, SECTION 2, TOWN OF BLUE MOUNDS

CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District

REASON: creation of 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.

Youth Governance: 1-0.

1. The Certified Survey Map shall depict a "no build area" on the slopes of 20% or greater (wooded area shown on petition map). A note shall be added to the Certified Survey Map stating that, "Buildings are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #10749".

The petitioner acknowledged that a legal non-conforming mineral extraction site was present on the surrounding property.

10750

PETITION: REZONE 10750

APPLICANT: RON SCHULTZ FARM LTD

LOCATION: 2293 W RIDGE ROAD, SECTION 10, TOWN OF COTTAGE GROVE

CHANGE FROM: A-1EX Agriculture District TO R-3A Residence District

REASON: allow duplex

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be recommended for approval. The motion carried by a voice vote. Youth

Governance: 1-0.

CUP 2287

PETITION: CUP 2287

APPLICANT: RON SCHULTZ FARM LTD

LOCATION: 2293 W RIDGE ROAD, SECTION 10, TOWN OF COTTAGE GROVE

CUP DESCRIPTION: seasonal storage in existing farm buildings

A motion was made by KOLAR, seconded by BOLLIG, that the Conditional Use Permit be approved with 7 conditions. The motion carried by a voice vote. Youth Governance: 1-0.

- 1. The conditional use is restricted to seasonal storage of recreational equipment and motor vehicles.**
- 2. Hours of operation limited to 8:00 a.m. to 8:00 p.m.**
- 3. The operation shall be limited to 60 spaces.**
- 4. Outside storage is prohibited.**
- 5. Outdoor lighting will be restricted to one mercury vapor light (already existing).**
- 6. Signage will be restricted to a 6' x 6' painted sign on the barn. This sign is considered a "graphic sign" as defined in 10.70(19) of the DCCO.**
- 7. Applicant must acquire a sign permit as required in Section 10.73 of the DCCO.**

10751

PETITION: REZONE 10751

APPLICANT: HAROLD SPAHN

LOCATION: NORTH & WEST OF 10257 COUNTY HIGHWAY KP, SECTION 22, TOWN OF BLACK EARTH

CHANGE FROM: TO , A-1EX Agriculture District TO A-2 (8) Agriculture District

REASON: creation of three residential lots

A motion was made by KOLAR, seconded by SALOV, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

Youth Governance: 1-0.

1. The Certified Survey Map shall depict a "no build area" on the steep slopes as shown on the presented map. A note shall be added to the Certified Survey Map stating that, "Buildings are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition #10751".

2. A shared driveway agreement shall be recorded on the properties pursuant to Dane County Code of Ordinance Section 75.19(8) to allow for 2 lots to be created without public road frontage.

3. A deed restriction shall be placed on parcels 0806-223-8501-0, 0806-214-9500-1, 0806-214-8000-8 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.

10752

PETITION: REZONE 10752

APPLICANT: STEVEN A SPONEM

LOCATION: NORTH OF 1129 LAFOLLETTE ROAD, SECTION 7, TOWN OF PRIMROSE

CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District

REASON: creation of two residential 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.

Youth Governance: 1-0.

1. A deed restriction shall be recorded on the lots to limit the owners to individuals associated with the Sponem Valley View Farm, LLC, as prepared by the Town of Primrose.

10753

PETITION: REZONE 10753

APPLICANT: GERALD W GRANGER

LOCATION: 6100 COUNTY HIGHWAY D, SECTION 7, TOWN OF OREGON

CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District, RH-1 Rural Homes District TO A-1EX Agriculture District, RH-1 Rural Homes District TO RH-3 Rural Homes District

REASON: creation of one residential lot for an existing residence

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.

Youth Governance: 1-0.

1. A deed restriction shall be placed on parcel 0509-074-8001-0 to prohibit further land divisions of the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

2. A joint driveway agreement shall be recorded for the benefit of both lots onto County Highway D.

10754

PETITION: REZONE 10754

APPLICANT: BEAR TREE FARMS INC

LOCATION: SOUTH OF 4083 WINDSOR ROAD, SECTION 28, TOWN OF WINDSOR

CHANGE FROM: A-3 Agriculture District TO R-2 Residence District, A-1EX Agriculture District

TO R-2 Residence District, A-2 Agriculture District TO R-2 Residence District, A-1EX Agriculture

District TO B-1 Local Business District, A-3 Agriculture District TO RE-1 Recreational District

REASON: Creating a 340-lot residential subdivision

A motion was made by BOLLIG, seconded by SALOV, that the Zoning Petition be postponed until Town action is received. The motion carried by a voice vote. Youth Governance 1-0.

Spoke in favor of the petition: Supervisor McCarville, Supervisor O'Loughlin, Dan Birrenkott, Attorney Mike Lawton, Town Engineer Kevin Richardson, Kimberly Petterson, and Steve Peterson.

A motion was made by BOLLIG, seconded by SALOV, to suspend committee rules to allow the applicant to speak longer than 5 minutes. The motion carried by a voice vote. Youth Governance: 1-0.

CUP 2285

PETITION: CUP 2285

APPLICANT: KRELL COMPANY LLC

LOCATION: 2817 WHITE CROSSING ROAD, SECTION 7, TOWN OF VERONA

CUP DESCRIPTION: unlimited livestock on 3-16 acres

A motion was made by BOLLIG, seconded by SALOV, that the Conditional Use Permit be approved with 13 conditions. The motion carried by a voice vote.

Youth Governance: 1-0.

1. The horse boarding facility shall be limited to 18 animal units on the property; this includes horses and any other livestock.
2. Additional animal units can be boarded at a level of 1.8 units per acre of contiguous leased or owned land if documentation of a current, properly executed lease or evidence of ownership is provided to and found acceptable to the Town of Verona. On the additional leased or owned land, animal units cannot be double counted to serve both the property and the property addressed in this CUP.
3. Up to 10 additional horses (1 per acre) may be allowed on the site during business hours.
4. No new boarding facilities will be allowed without all applicable permits.
5. Activities will be limited to boarding, horse riding, open pasture, instruction, training, trail riding, private events, and small public events.
6. Horses will be boarded 24 hours a day, but hours of operation will be from 6am to 10pm.
7. Owner/Operator shall be responsible for instituting and complying with a nutrient (manure) management plan written to NRCS 590 standards and approved by Dane County Land Conservation.
8. All parking shall be on site. Parking is prohibited on County Highway PD, White Crossing Road, and Timber Lane.
9. Outside speakers/amplification is prohibited.
10. Lighting is limited to hours of operation except for a security light
11. Appropriate ground cover to mitigate risk of erosion and dust from over grazing and use of outdoor arenas is required.
12. Outdoor storage will only be for fodder, water, training and riding.
13. Sanitary facilities must be provided in or directly adjacent to the primary boarding facility.

CUP 2286

PETITION: CUP 2286

APPLICANT: TERRI L ANDERSON

LOCATION: 2587 STATE HIGHWAY73, SECTION 16, TOWN OF CHRISTIANA

CUP DESCRIPTION: limited family business - pallet recycling

A motion was made by SALOV, seconded by KOLAR, that the Conditional Use Permit be approved with 7 conditions. The motion carried by a voice vote. Youth Governance: 1-0.

- 1. The business shall be limited to pallet recycling.**
- 2. Hours of operation shall be limited to 7am to 7pm.**
- 3. Outdoor storage shall be limited to the area located behind the 3 accessory buildings on the property and done in such a manner that all such storage is screened from visibility from state highway 73.**
- 4. Signage for the business is prohibited.**
- 5. Outdoor lighting shall be limited to the two existing dusk to dawn lights.**
- 6. Outside loudspeakers are prohibited.**
- 7. The conditional use permit shall expire upon sale of the property to an unrelated 3rd party.**

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

10733

PETITION: REZONE 10733

APPLICANT: TOWN OF SPRINGFIELD

LOCATION: VARIOUS SECTIONS, TOWN OF SPRINGFIELD

CHANGE FROM: A-1EX Agriculture District TO Various Zoning Districts

REASON: compliance with the adopted Dane County Farmland Preservation Plan per Wisc Stats 91.38

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be recommended for approval. The motion carried by a voice vote. Youth Governance: 1-0.

CUP 2282

PETITION: CUP 2282

APPLICANT: MANDY M THOMAS

LOCATION: 2796 WHITE CROSSING ROAD, SECTION 7, TOWN OF VERONA

CUP DESCRIPTION: unlimited livestock - horse boarding

A motion was made by BOLLIG, seconded by KOLAR, that the Conditional Use Permit be approved with 14 conditions. The motion carried by a voice vote.

Youth Governance: 1-0.

1. The conditions within this conditional use permit shall replace the conditions of CUP 2082.
2. The horse boarding facility shall be limited to 18 animal units on the property; this includes horses and any other livestock.
3. Additional animal units can be boarded at a level of 1.8 units per acre of contiguous leased or owned land if documentation of a current, properly executed lease or evidence of ownership is provided to and found acceptable to the Town of Verona. On the additional leased or owned land, animal units cannot be double counted to serve both the that property and the property addressed in this CUP.
4. Up to 10 additional horses (1 per acre) may be allowed on the site during business hours.
5. No new boarding facilities will be allowed without all applicable permits.
6. Activities will be limited to boarding, horse riding, open pasture, instruction, training, trail riding, private events, and small public events.
7. Horses will be boarded 24 hours a day, but hours of operation will be from 6am to 10pm.
8. Owner/Operator shall be responsible for instituting and complying with a nutrient (manure) management plan written to NRCS 590 standards and approved by Dane County Land Conservation.
9. All parking shall be on site. Parking is prohibited on County Highway PD, White Crossing Road, and Timber Lane.
10. Outside speakers/amplification is prohibited.
11. Lighting is limited to hours of operation except for a security light
12. Appropriate ground cover to mitigate risk of erosion and dust from over grazing and use of outdoor arenas is required.
13. Outdoor storage will only be for fodder, water, training and riding.
14. Sanitary facilities must be provided in or directly adjacent to the primary boarding facility.

E. Plats and Certified Survey Maps

F. Resolutions

G. Ordinance Amendment

H. Reports to Committee

I. Other Business Authorized by Law

J. Adjourn

A motion was made by BOLLIG, seconded by KOLAR, to adjourn the meeting at 8:47pm. The motion carried unanimously.

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.