

Dane County



Minutes

Tuesday, November 22, 2016

6:30 PM

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison
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Zoning & Land Regulation Committee

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 and Violante

Youth Governance Members: Harry Joseph Finkelmeyer and Garrett Stolen

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and DENNIS O'LOUGHLIN

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

No comments made by the public.

[2016
RPT-505](#)

Registrants at the November 22, 2016 Zoning & Land Regulation Committee Public Hearing

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

[11053](#)

PETITION: REZONE 11053
APPLICANT: MARY C GESTELAND
LOCATION: 4696 SCHNEIDER DRIVE, SECTION 19, TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: rezone and cup for bed and breakfast

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[CUP 2361](#)

PETITION: CUP 2361
APPLICANT: MARY C GESTELAND
LOCATION: 4696 SCHNEIDER DRIVE, SECTION 19, TOWN OF DUNN
CUP DESCRIPTION: BED AND BREAKFAST

A motion was made by BOLLIG, seconded by MATANO, that this Conditional Use Permit be approved, subject to the following conditions and contingent on Rezoning Petition 11053 becoming effective. The motion carried by the following vote: 4-0.

1. Signs shall be limited to two unlit signs under 10 square feet each.

2. The establishment shall comply with the regulations found under Wisconsin Administrative Code ATCP 73 for Tourist Rooming Houses and Bed and Breakfast Establishments.

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11054](#)

PETITION: REZONE 11054
APPLICANT: VARIOUS LANDOWNERS
LOCATION: SECTIONS 22, 24, 25, 26, 27, 36; TOWN OF ALBION
CHANGE FROM: A-1EX Agriculture District TO Various Districts
REASON: blanket rezone to implement comprehensive plan and
farmland preservation plan

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11055](#)

PETITION: REZONE 11055
APPLICANT: GOTZION TR
LOCATION: 7519 VALLEY HILL ROAD, SECTION 7, TOWN OF YORK
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District,
RH-1 Rural Homes District TO RH-3 Rural Homes District, A-1EX
Agriculture District TO RH-3 Rural Homes District
REASON: increase size of CSM lot

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11056](#)

PETITION: REZONE 11056

APPLICANT: SEESHELL PROPERTY LLC

LOCATION: 7984 COUNTY HIGHWAY PD, SECTION 12, TOWN OF SPRINGDALE

CHANGE FROM: C-2 Commercial District TO C-2 Commercial District

REASON: revise deed restriction to allow for additional vehicle storage

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

Deed Restrictions

- A deed restriction shall be recorded on the property to limit the following land uses in the C-2 Commercial Zoning District: Repairs to motor vehicles only. All provisions for construction contracting business and construction equipment on the property in petition #4963 shall be removed from the property by petition #11056.

- A deed restriction shall be recorded on the property to limit the following activities on the property:

1. The business shall be limited to an automotive repair shop with up to 20 vehicles on site (including personal vehicles and loaner vehicles for customers).
2. The sale of vehicles shall be prohibited.
3. The proposed building, parking, landscaping, etc. shall conform to the submitted "Turn Two Auto Repair Site Plan" dated 11/02/2015.
4. Retail sales shall be prohibited except for incidental sales to automotive repair customers.
5. The hours of operation shall be 8 a.m. to 5:30 p.m., Monday - Saturday.
6. The number of employees shall be limited to six employees, not including the owner.
7. Outside storage of materials and vehicles is prohibited except for vehicles listed in #1 above.
8. Sustained outdoor activities are prohibited.
9. All new lighting shall comply with the Town of Springdale Dark Sky Lighting Ordinance.
10. Outdoor speakers are prohibited.
11. Signage shall be limited to an area approximately 2 x 14 along the face of the rock wall where individual letters will be mounted.
12. Two dumpsters for the proper disposal of recyclables and trash shall be placed between the existing building and the proposed parking area.
13. The existing residence on the property shall remain for single-family dwelling use for a watchman or caretaker.

Deed Notice

- A Deed notice shall be recorded on parcel 0607-121-9350-7 that identifies that all of the housing density rights have been exhausted. No further residential development is permitted on the property.

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11057](#)

PETITION: REZONE 11057
APPLICANT: JAMES R SEABURY
LOCATION: 7097 COUNTY HIGHWAY P, SECTION 22, TOWN OF DANE
CHANGE FROM: R-1A Residence District TO A-2 (1) Agriculture District
REASON: change zoning district to allow for a taller accessory building

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11058](#)

PETITION: REZONE 11058
APPLICANT: HUSTON HOLDINGS LLC
LOCATION: NORTH OF 2342 UPHOFF ROAD, SECTION 15, TOWN OF COTTAGE GROVE
CHANGE FROM: RE-1 Recreational District TO RE-1 Recreational District
REASON: revise deed restriction to allow an increase of operating hours for model airplane flying

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be postponed. The motion carried by the following vote: 5-0

Neighbor Penny Andrews spoke in opposition to the petition and provided a 2 page document detailing her concerns with the negative impacts she has experienced with the proposal due to the volume of noise generated by the "gas and glow" model airplanes.

Supervisor Miles arrived at 6:51pm.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11059](#)

PETITION: REZONE 11059
APPLICANT: BAR DOWN LLC
LOCATION: 3159 SHADY OAK LANE, SECTION 5, TOWN OF VERONA
CHANGE FROM: R-4 Residence District TO R-4 Residence District
REASON: revise deed restriction regarding 21-unit single-family residential condominium

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11061](#)

PETITION: REZONE 11061
APPLICANT: VARIOUS LANDOWNERS
LOCATION: SECTIONS 17, 21; TOWN OF COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO A-3 Agriculture District
REASON: rezone certain parcels in or out of the agriculture preservation area

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

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

[11047](#)

PETITION: REZONE 11047
APPLICANT: THOMAS M ANDERSON
LOCATION: 3393 COUNTY HIGHWAY MN, SECTION 1, TOWN OF DUNN
CHANGE FROM: RH-1 Rural Homes District TO A-4 Agriculture District, A-1EX Agriculture District TO A-4 Agriculture District, RH-1 Rural Homes District TO RH-2 Rural Homes District
REASON: zoning compliance for existing uses

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval, subject to the following amendment. The motion carried by the following vote: 5-0.

1. The petition shall be amended to assign the zoning district classification of RH-2 to the newly reconfigured 4.78-acre residential lot. The lands around the residential lot shall retain the zoning district classification of A-1EX Exclusive Agriculture.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

E. Plats and Certified Survey Maps

[2016 LD-043](#)

Final Plat - Aspen Meadow Estates
Town of Middleton, Section 32
Staff recommends that the final plat be signed by the chair of the Zoning & Land Regulation Committee.

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that the final plat be approved as the conditions have been satisfied. The motion carried by a voice vote and Chair KOLAR signed the plat.

F. Resolutions

G. Ordinance Amendment

H. Reports to Committee

I. Other Business Authorized by Law

J. Adjourn

A motion was made by O'LOUGHLIN, seconded by BOLLIG, to adjourn the meeting of the Zoning and Land Regulation Committee at 7:03pm. The motion carried unanimously.

Questions? Contact Majid Allan, Dane County Planning and Development, 267-2536 or

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.