

Dane County



Minutes

Tuesday, November 10, 2015

7:00 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 Miles called the meeting to order at 7:00pm in Room 354 of the City-County Building.

Staff present: Everson, Lane, and Violante.

Youth Governance present: Gustav Heiden.

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

No comments made by the public.

[2015
RPT-572](#)

Registrants and information presented at the November 10, 2015 ZLR meeting

C. Consideration of Minutes

[2015
MIN-429](#)

Minutes of the October 13, 2015 Zoning and Land Regulation Committee meeting

A motion was made by KOLAR, seconded by BOLLIG, that the minutes of the October 13, 2015 Zoning and Land Regulation Committee be approved. The motion carried by a voice vote.

[2015
MIN-430](#)

Minutes of the October 27, 2015 Zoning and Land Regulation Committee meeting

A motion was made by KOLAR, seconded by BOLLIG, that the minutes of the October 27, 2015 Zoning and Land Regulation Committee be approved. The motion carried by a voice vote.

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

[10891](#)

PETITION: REZONE 10891

APPLICANT: TIMOTHY E ANDREWS

LOCATION: 9751 WILKINSON ROAD, SECTION 1, TOWN OF MAZOMANIE

CHANGE FROM: A-1EX Agriculture District TO LC-1 Limited Commercial District

REASON: zoning change to allow a landscaping business

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

1. Hours of operation shall be limited to Monday through Saturday, 7 a.m. to 7 p.m.

2. Delivery times shall be between 10 a.m. 2 p.m., Monday through Saturday.

3. Outdoor lighting shall be limited to down shrouded fixtures.

4. Signage shall be prohibited on-site.

5. Business related traffic to be via Hwy 78 and the West end of Wilkinson Rd.

Ayes: 5 - BOLLIG, KOLAR, MATANO, MILES and SALOV

CUP 2327

PETITION: CUP 02327

APPLICANT: TIMOTHY E ANDREWS

LOCATION: 9751 WILKINSON ROAD, SECTION 1, TOWN OF MAZOMANIE

CUP DESCRIPTION: Outdoor Storage and storage of more than 12 vehicles

A motion was made by KOLAR, seconded by SALOV, that this Conditional Use Permit be approved with 3 conditions and contingent upon Zoning Petition 10891 becoming effective. The motion carried by the following vote: 5-0.

1. Debris and mulch piles to be stored in concrete containment barriers, limited in size to (2) 30' x 30' containment areas as shown on the site plan.

2. Install screening on property along road, with exception of driveway, using a combination of existing trees, red cedars and natural screening. New screening to be planted 53' from center of the road (as indicated on site plan), to be a minimum of 4 feet in height with a maximum height of 25 feet in height, 12 feet apart (intended to allow for adequate spacing and screening at maturity), to be completed one year from Dane County approval.

3. Total vehicles allowed on property:

a. Employee vehicles: limited to the 70' x 70' space as shown on site plan as Employee Parking.

b. Business owned vehicles/machinery: limited to Equipment Parking, the 40' x 40' space, located next to new building and the 75' x 30' space located next to the Employee Parking Area as shown on site plan.

Ayes: 5 - BOLLIG, KOLAR, MATANO, MILES and SALOV

10898

PETITION: REZONE 10898

APPLICANT: HUSTON HOLDINGS LLC

LOCATION: N OF 2342 UPHOFF ROAD, SECTION 15, TOWN OF COTTAGE GROVE

CHANGE FROM: A-1EX Agriculture District TO RE-1 Recreational District

REASON: zoning change to allow recreational use (flying of model aircraft)

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

1. Electric propelled remote controlled aircraft are allowed to be flown sunrise to sunset 365 days per year.

2. Gas and glow propelled remote controlled aircraft are limited to a maximum of 8 times on every other Tuesday and Saturday from April 26 through June 18, 2016, from 10 a.m. to 2 p.m. on Thursdays and 10 a.m. to 4 p.m. on Saturdays.

3. Planes must be certified/documented to be below 85 dBA at 50 feet prior to flying with compliance of this monitored by club members during flight.

4. The Town will re-evaluate with input from neighbors at their June 20, 2016 meeting.

Ayes: 5 - BOLLIG, KOLAR, MATANO, MILES and SALOV

E. Plats and Certified Survey Maps

[2015 LD-040](#) Final Plat - First Addition to Creek View Crossing
City of Sun Prairie
Staff recommends a certification of non-objection.

A motion was made by BOLLIG, seconded by MATANO, that the final plat be certified with no objections. The motion carried by a voice vote.

[2015 LD-041](#) Final Plat - Bear Tree
Town of Windsor, Section 28 & 33
Staff recommends that the final plat be signed by the committee chair as the conditions from May 12, 2015 have been satisfied or the final plat may be certified with no objections as per Ch. 236.12(3) due to the timing of the recent referendum changing the Town of Windsor to the Village of Windsor.

No action needed as Chair Miles signed the plat prior to tonight's meeting. The final plat of Bear Tree is now within the Village of Windsor jurisdiction.

F. Resolutions

G. Ordinance Amendment

[2015
OA-016](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF
ORDINANCES,
REGARDING STATE CERTIFICATION OF THE FARMLAND
PRESERVATION ZONING ORDINANCE

A motion was made by MATANO, seconded by KOLAR, that this Ordinance Amendment be recommended for approval. The motion carried by the following vote: 5-0.

20 Towns in favor, 1 opposed, and 13 with no response.

Ayes: 5 - BOLLIG, KOLAR, MATANO, MILES and SALOV

H. Reports to Committee

[2015
RPT-564](#) Staff Compliance Report of Conditional Use Permit #2103, Oak Park Quarry
Town of Deerfield, Section 29

County Staff reviewed the compliance report of conditional use permit #2103 with the Committee members. Concerns were raised with compliance with Wisc. Stat. 283 and compliance with Town of Deerfield blasting and mineral extraction licensing.

A motion was made by MATANO, seconded by BOLLIG, to suspend the Committee rules to allow parties for and against the issue to present information. Each side shall have 5 minutes to present information. The motion carried by a voice vote.

*John Halverson and Tim Geoghegan presented information to the Committee.
Roxann Engelstad, Brian Berninger, and Town Attorney Allen Reuter presented
information to the Committee.*

A motion was made by KOLAR, seconded by BOLLIG, to direct staff to prepare a public hearing to be held on December 8, 2015 for the review and possible revocation of Conditional Use Permit #2103 . The motion carried by the following vote: 5-0.

Chair Miles was concerned that standard 6 of obtaining a conditional use permit is not being complied with and Condition 3 of the Conditional Use Permit is not being followed given the absence of a Town license.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandSALOV

[2015](#)
[RPT-540](#)

Consideration of the 2016 Zoning and Land Regulation Committee meeting schedule

Supervisor Salov stated that he would like to have the schedule changed to have work meetings moved to a different date other than the second Tuesday of the month. The date conflicts with other Town meetings. The Committee decided that changes to the 2016 schedule should be reviewed after the April elections.

[2015](#)
[RPT-483](#)

Report of Certified Survey Maps

No action needed. Everson updated the committee on approved Certified Survey Maps.

I. Other Business Authorized by Law

J. Adjourn

A motion was made by MATANO, seconded by KOLAR, to adjourn the ZLR Committee meeting. The motion carried unanimously. Time: 8:50pm.