



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, September 23, 2014

7:00 PM

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

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

Attachments: [10744 Staff.pdf](#)

[10744 Map.pdf](#)

[10744 density.pdf](#)

[10744 App.pdf](#)

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

Attachments: [10745 - CUP2284 Staff.pdf](#)
[10745 - CUP2284 Town.pdf](#)
[10745 - CUP2284 Map.pdf](#)
[10745 Ord Amend.pdf](#)

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

Attachments: [10745 - CUP2284 Staff.pdf](#)
[10745 - CUP2284 Map.pdf](#)
[10745 - CUP2284 Town.pdf](#)
[10745 - CUP2284 App.pdf](#)

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

Attachments: [10747 Staff.pdf](#)
[10747 Town.pdf](#)
[10747 Map.pdf](#)
[10747 Ord Amend.pdf](#)

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

Attachments: [10748 Staff.pdf](#)
[10748 Map.pdf](#)
[10748 density.pdf](#)
[10748 App.pdf](#)

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

Attachments: [10749 Staff.pdf](#)
[10749 Density.pdf](#)
[10749 Town.pdf](#)
[10749 Map.pdf](#)
[10749 Ord Amend.pdf](#)

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

Attachments: [10750 - CUP2287 Staff.pdf](#)
[10750 Town.pdf](#)
[10750 Density.pdf](#)
[10750 - CUP2287 Map.pdf](#)
[10750 Ord Amend.pdf](#)

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

Attachments: [10750 - CUP2287 Staff.pdf](#)

[CUP 2287 Town.pdf](#)

[10750 - CUP2287 Map.pdf](#)

[10750 - CUP2287 App.pdf](#)

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

- Attachments:** [10751 Staff.pdf](#)
[10751 Town.pdf](#)
[10751 Density.pdf](#)
[10751 Map 1.pdf](#)
[10751 Development Plan.pdf](#)
[10751 Ord Amend.pdf](#)

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

Attachments: [10752 Staff.pdf](#)
[10752 Density.pdf](#)
[10752 Town.pdf](#)
[10752 Ord Amend.pdf](#)

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

Attachments: [10753 Staff.pdf](#)
[10753 Town.pdf](#)
[10753 density.pdf](#)
[10753 Map.pdf](#)
[10753 Ord Amend.pdf](#)

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

- Attachments:** [10754 Staff.pdf](#)
[10754 Map.pdf](#)
[10754 Zoning Map.pdf](#)
[10754 Prelim Plat.pdf](#)
[10754 Wetland Report.pdf](#)
[10754 App.pdf](#)

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

Attachments: [CUP 2285 Staff.pdf](#)

[CUP 2285 Town.pdf](#)

[CUP 2285 Map.pdf](#)

[CUP 2285 History.pdf](#)

[2285 App.pdf](#)

[CUP #2285.pdf](#)

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

Attachments: [CUP 2286 staff report.pdf](#)
[CUP 2286 Town.pdf](#)
[CUP 2286 Map.pdf](#)
[CUP 2286 App.pdf](#)
[CUP #2286.pdf](#)

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

Attachments: [10733 Staff Update.pdf](#)
[10733 Town.pdf](#)
[10733 Ord Amend.pdf](#)

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

Attachments: [CUP 2282 Staff Update.pdf](#)

[CUP 2282 Town.pdf](#)

[CUP 2282 Map.pdf](#)

[CUP 2282 App.pdf](#)

[CUP #2282.pdf](#)

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.