



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Tuesday, May 22, 2018

6:30 PM

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison

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, Lane, and Violante

Youth Governance Members present: Sam Fischer.

Present 5 - MARY KOLAR, JERRY BOLLIG, JASON KNOLL, STEVEN PETERS, and HEIDI WEGLEITNER

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

[2018](#) May 22nd ZLR Committee meeting registrants

[RPT-060](#)

Attachments: [May 22nd ZLR meeting registrants](#)

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

[11279](#) PETITION: REZONE 11279
APPLICANT: JOSEPH E RANE
LOCATION: 4439 LIBBY ROAD, SECTION 32, TOWN OF BLOOMING GROVE
CHANGE FROM: R-1 Residence District TO A-2 (2) Agriculture District, A-2 (4) Agriculture District TO A-2 (2) Agriculture District
REASON: lot line adjustment

Attachments: [11279 Ord Amend](#)

[11279 Staff](#)

[11279 Town](#)

[11279 Map](#)

[11279 APP](#)

In favor: James and Joseph Rane

Opposed: None

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

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[CUP 02418](#) PETITION: CUP 02418
APPLICANT: JOSEPH E RANE
LOCATION: 4439 LIBBY ROAD, SECTION 32, TOWN OF BLOOMING GROVE
CUP DESCRIPTION: EXPAND BOUNDARIES OF EXISTING CUP FOR RECREATIONAL STORAGE

Attachments: [CUP 2418 Staff](#)

[CUP 2418 Town](#)

[CUP 2418 Map](#)

[CUP 02418 APP](#)

[CUP #2418 Pending](#)

In favor: James and Joseph Rane

Opposed: None

A motion was made by BOLLIG, seconded by PETERS, that this Conditional Use Permit be approved with 3 conditions. The motion carried by the following vote: 5-0.

1. CUP 2418 is for seasonal storage of recreational equipment and recreational motor vehicles, inside and outside.
2. Screening shall be implemented and maintained as approved by the Zoning Administrator.
3. CUP 2418 shall automatically expire on sale of the property or the business to an unrelated party.

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11280](#) PETITION: REZONE 11280
APPLICANT: CURT E DIEHL
LOCATION: SOUTH AND EAST OF 7342 US HIGHWAY 12, SECTION
18, TOWN OF ROXBURY
CHANGE FROM: RH-2 Rural Homes District TO A-1EX Agriculture
District, A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: shifting of property lines between adjacent land owners

Attachments: [11280 Ord Amend](#)

[11280 Staff](#)

[11280 Town](#)

[11280 Map](#)

[11280 APP](#)

A motion was made by BOLLIG, seconded by KNOLL, that the Zoning Petition be tabled. The motion carried by a voice vote. Time: 6:43pm.

A motion was made by BOLLIG, seconded by KNOLL, that the Zoning Petition be removed from the table. The motion carried by a voice vote. Time: 7:38pm.

In favor: Tony Hellenbrand

Opposed: None

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

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11281](#) PETITION: REZONE 11281
APPLICANT: TIMOTHY J GLAUS
LOCATION: 7015 KIPPLEY ROAD, SECTION 21, TOWN OF ROXBURY
CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture
District
REASON: zoning to allow for a limited family business

Attachments: [11281 Ord Amend](#)

[11281 Staff](#)

[11281 Town](#)

[11281 Map](#)

[11281 APP](#)

In favor: Tim Glaus

Opposed: None

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

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[CUP 02419](#) PETITION: CUP 02419
APPLICANT: TIMOTHY J GLAUS
LOCATION: 7015 KIPPLEY ROAD, SECTION 21, TOWN OF ROXBURY
CUP DESCRIPTION: Limited Family business - Wholesale storage
business

Attachments: [CUP 2419 Staff](#)
[CUP 2419 Town](#)
[CUP 02419 APP](#)
[CUP 2419 Map](#)
[CUP #2419 Pending](#)

In favor: Tim Glaus
Opposed: None

A motion was made by PETERS, seconded by BOLLIG, that this Conditional Use Permit be approved with 11 conditions. The motion carried by the following vote: 5-0.

1. The applicant is responsible for privacy fence to be installed, to screen adjacent neighbors.
2. The applicant is responsible to coordinate with the Town to have the ditch and driveway engineered to facilitate drainage.
3. The applicant is responsible for submitting a plan that meets state containment guidelines and installing any infrastructure required.
4. This Conditional Use Permit is limited to an Agricultural Supply Distribution Center.
5. Outdoor storage of any materials, vehicles and/or equipment shall be stored in a neat and orderly manner, if possible to the north and west of the shed, away from neighbors.
6. The existing trees bordering the property shall be maintained and serve as additional screening between the outdoor storage areas and adjoining properties.
7. Lighting is limited to the existing flood light.
8. Deliveries are limited to 10 per week.
9. The hours of operation shall be 7:00 am to 4:00 pm
10. No business signage shall be permitted.
11. This conditional use permit shall automatically expire upon sale of the property to an unrelated 3rd party.

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11282](#)

PETITION: REZONE 11282
APPLICANT: HENRY M CAMPBELL IV
LOCATION: 4752 OLD INDIAN TRAIL, SECTION 4, TOWN OF VERMONT
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District, A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: creating two residential lots

Attachments: [11282 Staff](#)

[11282 Town](#)

[11282 density](#)

[11282 Town Building Envelope Approval](#)

[11282 Map](#)

[11282 APP](#)

In favor: Eric Grover

Opposed: None

A motion was made by BOLLIG, seconded by KNOLL, that this Zoning Petition be postponed to allow time for the applicant to submit a land division waiver application. The motion carried by the following vote: 5-0.

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11283](#)

PETITION: REZONE 11283
APPLICANT: RIESOP FARMS LLC
LOCATION: EAST OF 2256 COTTAGE GROVE ROAD, SECTION 10, TOWN OF COTTAGE GROVE
CHANGE FROM: A-3 Agriculture District TO R-1 Residence District
REASON: 16-lot residential subdivision

Attachments: [11283 Staff](#)

[11283 Town](#)

[11283 Proposed Sub Division](#)

[Cottage Grove Land Use Plan](#)

[11283 Map](#)

[11283 APP](#)

In favor: David Dinkel

Opposed: Barbara Ring expressed concerns regarding stormwater management.

A motion was made by BOLLIG, seconded by KNOLL, that this Zoning Petition be postponed until the Residential Development Units (RDU) are identified and acquired by applicant. The motion carried by the following vote: 5-0.

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11284](#)

PETITION: REZONE 11284
APPLICANT: EXPERIOR PROPERTIES LLC
LOCATION: 6265 PORTAGE ROAD, SECTION 3, TOWN OF BURKE
CHANGE FROM: RH-1 Rural Homes District TO R-1 Residence District,
RH-1 Rural Homes District TO R-1 Residence District
REASON: creating two residential lots

Attachments: [11284 Ord Amend](#)
[11284 Staff](#)
[11284 Town](#)
[11284 Driveway Plan](#)
[11284 Map](#)
[11284 APP](#)

In favor: Trish Schaefer
Opposed: None

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

- 1. The joint driveway easement area and the septic system easement area shall be depicted on the certified survey map.**
- 2. A joint driveway agreement shall be recorded with the Register of Deeds.**

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11285](#)

PETITION: REZONE 11285
APPLICANT: JAMES R ALME
LOCATION: 2917 COUNTY HIGHWAY MN, SECTION 6, TOWN OF PLEASANT SPRINGS
CHANGE FROM: C-1 Commercial District TO C-2 Commercial District
REASON: allow 150-170 mini-warehouse storage units

Attachments: [11285 Ord Amend](#)

[11285 Staff](#)

[11285 Town](#)

[11285 Map](#)

[11285 APP](#)

In favor: Brett Riemen

Opposed: None

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

- 1. A deed restriction shall be recorded with the Register of Deeds to limit the land use activities exclusively to a mini-warehouse storage facility; prohibiting the installation of billboard signs (off-premise advertising) on the property; all signs being in conformance with Dane County Sign Ordinances; requiring all lighting to be direct down lite and shall not cause glare on the roadways or neighboring properties; and requiring the property to be fenced having a gated entrance with keyed access.**
- 2. Utility easements shall be shown on the certified survey map.**
- 3. Storm water management plan shall be approved by Dane County Land and Water Resources. A copy of the approved plan shall be submitted to the Town of Pleasant Springs within 10 days of approval.**
- 4. Conditional Use Permit #2232 for a single family residence shall be rendered null and void.**
- 5. A new certified survey map combining the three lots into on lot shall be approved and recorded with the Register of Deeds.**
- 6. A Driveway Access Placement permit shall be obtained from Pleasant Springs Public Works.**

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[11287](#)

PETITION: REZONE 11287
APPLICANT: RBJ RIPP LLC
LOCATION: 9678 COUNTY HIGHWAY KP, SECTION 36, TOWN OF
BLACK EARTH
CHANGE FROM: C-2 Commercial District TO A-1EX Agriculture District
REASON: remove commercial zoning to bring whole parcel into agricultural
zoning

Attachments: [11287 Ord Amend](#)

[11287 Staff](#)

[11287 Town](#)

[11287 Map](#)

[11287 APP](#)

In favor: Mark Sunday

Opposed: None

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

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

[CUP 02416](#)

PETITION: CUP 02416
APPLICANT: MILLS STREET PARTNERS LLP
LOCATION: 5336 FELLAND ROAD, SECTION 23, TOWN OF BURKE
CUP DESCRIPTION: concrete batch plant

Attachments: [CUP 2416 Staff](#)

[CUP 2416 Map](#)

[Burke Future Land Use Map](#)

[CUP 2416 APP](#)

In favor: Tim Zignego, Charles Sweeney, Scott Zignego, and Bernie Fenelon

*Opposed: Stephen Jozefowski, Ambassador Condominium Association, expressed that
the plant would be seen from the condominium building; the plant operation would disrupt
park activity on Saturdays; the plant would diminish property values; the plant would spur
more industrial development in the area; and the plant may have a negative affect on the
ground water. Marilyn Rastall was concerned of the high profile of the building; the plant
having a negative affect on property values; and the plant would add too much traffic onto
Nelson Road.*

**A motion was made by KNOLL, seconded by PETERS, that this Conditional Use
Permit be postponed due to public opposition and no town action. The motion
carried by the following vote: 5-0.**

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

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

F. Plats and Certified Survey Maps

[2018 LD-011](#) Final Plat - Eighth Addition to Smith's Crossing
City of Sun Prairie
Staff recommends a certification of non-objection.

Attachments: [Untitled](#)

[27847 20180504 EIGHTH ADDITION TO SMITHS CROSSING](#)

A motion was made by BOLLIG, seconded by KNOLL, that the final plat be certified with no objections. The motion carried by a voice vote, 5-0.

G. Resolutions

H. Ordinance Amendment

[2017 OA-046](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE Town of CROSS PLAINS Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: JONES

Attachments: [2018 OA staff memo Cross Plains REVISED 5-22-18](#)

[05a. REV -- TCP PLAN AMENDMENT ON SUPER SENDING AREAS -BHS AND TOWN EDITS 5-22-18](#)
[2017-OA 46 Ordinance Amendment](#)

[2017 OA-46. 05b. TDR-S super_sending_areas REVISED 12-5-17](#)

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

Ayes: 5 - KOLAR,BOLLIG,KNOLL,PETERSandWEGLEITNER

I. Items Requiring Committee Action

J. Reports to Committee

[2018 RPT-054](#) Report of approved Certified Survey Maps

Attachments: [May 2018](#)

K. Other Business Authorized by Law

L. Adjourn

A motion was made by KNOLL, seconded by BOLLIG, to adjourn the May 22, 2018 ZLR Committee meeting at 7:55pm. The motion carried unanimously.

*Questions? Contact Roger Lane, Planning and Development Department, 266-4266,
lane.roger@countyofdane.com*