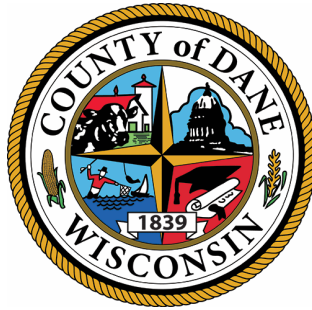


# Dane County



## Minutes

Tuesday, May 22, 2018

6:30 PM

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

## 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?*

**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](#)

**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

*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

*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

**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

*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

*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

*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

*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

*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

*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

*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

*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.

**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

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

## 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](mailto:lane.roger@countyofdane.com)*