



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, June 11, 2019

6:30 PM

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

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A. Call to Order

Chair Bollig called the June 11, 2019 Zoning and Land Regulation Committee meeting to order at 6:30pm.

Staff present: Everson, Lane, and Violante

Present 3 - JERRY BOLLIG, STEVEN PETERS, and HEIDI WEGLEITNER

Excused 1 - JASON KNOLL

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

No comments made by the public.

Present 3 - JERRY BOLLIG, STEVEN PETERS, and HEIDI WEGLEITNER

Excused 1 - JASON KNOLL

C. Consideration of Minutes

[2019
MIN-072](#)

Minutes of the May 14, 2019 Zoning and Land Regulation Committee meeting

Attachments: [5-14-19 ZLR Work meeting minutes](#)

A motion was made by WEGLEITNER, seconded by PETERS, to approve the minutes of the May 14, 2019 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

[2019
MIN-073](#)

Minutes of the May 28, 2019 Zoning and Land Regulation Committee meeting

Attachments: [5-28-19 ZLR Public Hearing minutes](#)

A motion was made by WEGLEITNER, seconded by PETERS, to approve the minutes of the May 28, 2019 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

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

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

[11415](#)

PETITION: REZONE 11415
APPLICANT: BRET A SAALSAA
LOCATION: 7891 RIVERSIDE ROAD, SECTION 31, TOWN OF VERONA
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes District, RH-1 Rural Homes District, and RH-3 Rural Homes District
REASON: creating four residential lots

- Attachments:** [11415 Ord Amend](#)
[11415 Staff Update](#)
[Additional Town Comments](#)
[11415 Town](#)
[11415 Map](#)
[11415 APP](#)

A motion was made by PETERS, seconded by PETERS, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 3-0.

1. A deed restriction shall be recorded on Lot 1 of the CSM to allow one additional lot to be created on the lot after seven years.
2. A deed restriction shall be recorded on Lot 4 of the CSM to allow four lots total to be created on the lot after seven years.
3. Site Plan Approval required by the Town. Future home sites shall to the extent possible avoid removing the large oak and hickory trees over 18" in diameter at 4.5', avoid building on slopes equal to or exceeding 15%, and the placement of buildings on Lots 2, 3, and 4 must be approved by Town of Verona staff.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 1 - KNOLL

[11416](#)

PETITION: REZONE 11416
APPLICANT: ZURBUCHEN LIVING TR, MARILYN S
LOCATION: LANDS EAST OF 2216 SPRING ROSE ROAD, SECTION
30, TOWN OF VERONA
CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District,
RH-1 Rural Homes District, and CO-1 Conservancy District
REASON: Creating subdivision with 27 residential lots

- Attachments:** [11416 Ord Amend](#)
[11416 Staff Update](#)
[Additional Town Comments](#)
[11416 Town](#)
[11416 Map](#)
[11416 APP](#)

A motion was made by PETERS, seconded by WEGLEITNER, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 3-0.

1. The developer shall enter into a developer's agreement with the Town of Verona for the improvements required for the development. The agreement shall be approved by the Town Board.
2. The zoning boundary is limited to the creation of 31 lots (27 residential lots, all equal to or greater than 1.5 acres, and 4 conservation outlots). The road layout for the subdivision shall conform to the concept plan dated April 3, 2019. All storm water detention ponds shall be on outlots. Any revisions or alterations of the plan shall be subject to review by the Town of Verona Plan Commission.
3. A wetland delineation being conducted and the report submitted to the Town and the County prior to the preliminary plat.
4. A preliminary storm water management plan shall be prepared and submitted to the Town prior to the preliminary plat.
5. The roadway engineering plans shall be prepared and approved by the Town. Each cul-de-sac shall have an engineered circle with an appropriate radius and lots shall not include easements for cul-de-sac construction.
6. A declaration of neighborhood covenants shall be prepared and approved by the Town which includes architecture design features for homes and accessory buildings and landscaping requirements for residential lots. Landscaping plans for the berm along Spring Road shall be submitted as part of the covenant document.
7. A financial agreement shall prepared and approved by the Town of Verona for maintenance of the outlots which include storm water features.
8. A subdivision plat shall be recorded with the Register or Deeds.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 1 - KNOLL

[11418](#)

PETITION: REZONE 11418
APPLICANT: SKI LANE PROPERTIES LLC
LOCATION: 2733 SKI LANE, SECTION 35, TOWN OF MADISON
CHANGE FROM: RR-2 Rural Homes District TO GC General Commercial
District
REASON: commercial development of the property

Attachments: [11418 Staff Update](#)

[11418 Town](#)

[11418 Map](#)

[11418 APP](#)

A motion was made by WEGLEITNER, seconded by PETERS, to postpone action until such time as a specific land use is known for the property and a site plan is submitted which shows the proposed building and layout of the development. County Staff is instructed to provide a copy of the site plan to the neighboring property owners prior to the meeting. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 1 - KNOLL

[CUP 02463](#) PETITION: CUP 02463
APPLICANT: CHRIS HENDRICKSON
LOCATION: 7595 W MINERAL POINT ROAD, SECTION 29, TOWN OF
MIDDLETON
CUP DESCRIPTION: seasonal outdoor storage and display of shrubs

Attachments: [CUP 2463 Staff Update](#)

[CUP 2463 Town](#)

[CUP 2463 Map](#)

[CUP 02463 APP](#)

[CUP #2463](#)

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

1. Any conditions required for specific uses listed under s. 10.103.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request. Storage of all hazardous materials, including fuel and chemicals must be done in accordance as detailed in the site and operations plan and must be compliant with applicable local, state, and/or federal standards. This includes the spill containment, emergency shutoffs, and security fencing / indoor storage proposed for fuel tanks.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be born by the landowner. Costs born by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable

- workplace safety rules or standards for the site.
11. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
 12. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
 13. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.
 14. The site shall be developed and maintained in accordance with the final Site Plan approved by the Town;
 15. Outdoor storage shall be limited to greenhouse inventory only, and shall be located in the areas designated on the approved site plan.
 16. Large truck deliveries of company inventory shall be limited to the hours of operation indicated by the applicant (9am-7pm Mon-Sat, 9am-6pm Sunday).
 17. All outdoor site lighting shall consist of full-cutoff fixtures that are dark sky compliant. The proposed lighting plan is acceptable.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 1 - KNOLL

F. Plats and Certified Survey Maps

[2019 LD-005](#) Preliminary Plat - Kennedy Hills
Town of Cottage Grove
Acceptance and schedule for future consideration

Attachments: [acceptance](#)
[map](#)
[Cottage Kennedy Hills Subdivision Review 5 2019](#)
[19-10](#)
[16 prelim no contour](#)
[scan0022](#)

A motion was made by WEGLEITNER, seconded by PETERS, that the preliminary plat be accepted and schedule for future consideration. The motion carried by a voice vote, 3-0.

[2019 LD-006](#) Final Plat - First Addition to Smith's Crossing McCoy Addition
City of Sun Prairie
Staff recommends a certification of non-objection.

Attachments: [map](#)

[28055 FIRST ADDITION TO SMITHS CROSSING MCCOY ADDITION
plat](#)

A motion was made by PETERS, seconded by WEGLEITNER, that the plat be certified with no objections. The motion carried by a voice vote, 3-0.

G. Resolutions

6. [2019
RES-045](#) CONTRACT FOR FLY DANE 2020 DIGITAL AERIAL ORTHO-IMAGERY
PROJECT

Sponsors: BUCKINGHAM, BOLLIG, CHAWLA, CLAUSIUS, DANNER, EICHER, ERICKSON,
JONES, KILMER, KNOLL, KRAUSE, LEVIN, MILES, NELSON, NGUYEN-HILFIGER,
PETERS, RATCLIFF, RIPP, RITT, SALOV and SCHAUER

Attachments: [2019 RES-045](#)

[2019 RES-045 FISCAL NOTE](#)

A motion was made by WEGLEITNER, seconded by PETERS, that this Resolution be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 1 - KNOLL

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

[2019
RPT-088](#) Approved CSM's

Attachments: [June 2019](#)

K. Other Business Authorized by Law

L. Adjourn

A motion was made by WEGLEITNER, seconded by PETERS, to adjourn the June 11, 2019 Zoning and Land Regulation Committee meeting at 7:15pm. The motion carried unanimously.

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