

Dane County



Minutes

Tuesday, October 25, 2016

6:30 PM

**City - County Building, ROOM 201
210 Martin Luther King Jr. Blvd., Madison
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Zoning & Land Regulation Committee

A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:30pm in Room 201 of the City-County Building.

Staff present: Lane, Standing, and Violante

Youth Governance Members: Harry Joseph Finkelmeyer and Garrett Stolen

Present 4 - JERRY BOLLIG, MARY KOLAR, AL MATANO, and PATRICK MILES

Excused 1 - DENNIS O'LOUGHLIN

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

No comments made by the public.

[2016](#)
[RPT-455](#)

Registrants at the October 25, 2016 Zoning & Land Regulation Committee Public Hearing

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

[11042](#)

PETITION: REZONE 11042
APPLICANT: LARRY G FARNSWORTH
LOCATION: SOUTH OF 160 BIGLOW ROAD, SECTION 32, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes District
REASON: zoning compliance for existing land uses

In Favor: Eric Grover

Opposed: None

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

Miles arrived at 6:36pm.

Ayes: 3 - BOLLIG,KOLARandMATANO

Excused: 1 - O'LOUGHLIN

Absent: 1 - MILES

[11043](#)

PETITION: REZONE 11043
APPLICANT: VARIOUS PARCELS AND OWNERS
LOCATION: VARIOUS LOCATIONS; SECTIONS 7, 26, 27; TOWN OF SPRINGFIELD
CHANGE FROM: VARIOUS ZONING DISTRICTS TO A-1EX
REASON: blanket rezoning associated with county farmland preservation plan

In Favor: Brian Standing representing the Town of Springfield

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11044](#)

PETITION: REZONE 11044
APPLICANT: HAAG LIVING TR
LOCATION: 1640 US HIGHWAY 12 & 18, SECTION 36, TOWN OF COTTAGE GROVE
CHANGE FROM: A-2 Agriculture District TO A-2 (4) Agriculture District
REASON: separating existing residence from farmland

In Favor: Brent Jolma
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

1. The zoning of remaining lands shall be rezoned to A-4 to identify that the housing density rights have been exhausted on the land.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11045](#)

PETITION: REZONE 11045
APPLICANT: KILLERLAIN AND FOX
LOCATION: 4724 AND 4754 SCHNEIDER DRIVE, SECTION 19, TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District, A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: zoning compliance for neighboring properties

In Favor: Robert Pultz representing Killerlain Trust, Barry Fox
Opposed: None

A motion was made by MILES, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11046](#)

PETITION: REZONE 11046
APPLICANT: HEARTLAND FARM SANCTUARY INC
LOCATION: 11713 MID TOWN ROAD, SECTION 6, TOWN OF VERONA
CHANGE FROM: A-3 Agriculture District TO A-4 Agriculture District
REASON: reducing the size of an existing agricultural lot

In Favor: Dana Barre
Opposed: None

A motion was made by MATANO, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11047

PETITION: REZONE 11047
APPLICANT: THOMAS M ANDERSON
LOCATION: 3393 COUNTY HIGHWAY MN, SECTION 1, TOWN OF DUNN
CHANGE FROM: RH-1 Rural Homes District TO A-4 Agriculture District, A-1EX Agriculture District TO A-4 Agriculture District, RH-1 Rural Homes District TO RH-2 Rural Homes District
REASON: zoning compliance for existing uses

In Favor: Thomas Anderson

Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be postponed until a Town Action Report is received. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11048

PETITION: REZONE 11048
APPLICANT: ELIZABETH LIGHTFOOT
LOCATION: 3055 SIGGLEKOW ROAD, SECTION 31, TOWN OF COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO A-B Ag-Business District, A-1EX Agriculture District TO C-1 Commercial District
REASON: zoning compliance for existing landscaping business

In Favor: Liza Lightfoot, Becky Kielstrup, and Daniel Schmitt.

Opposed: Tom Payne and Randi Payne. The Paynes expressed concerns regarding stormwater management, access for emergency vehicles, and activities regarding retail sales.

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed due to public opposition. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11049

PETITION: REZONE 11049
APPLICANT: RENELLE CHAMPAGNE
LOCATION: 2822 N HILL ROAD, SECTION 10, TOWN OF PLEASANT SPRINGS
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: separating existing residence from farmland

In Favor: Paul Hynek representing Renele Champagne
Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

- 1. The Certified Survey Map must show the driveway for the lot and also the field access route to the 46.3 acres to the east.**
- 2. Language shall be added to the proposed CSM for Town approval.**
- 3. A deed restriction shall be recorded on parcels 0611-102-9000-4 and 0611-103-8500-0 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.**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11050

PETITION: REZONE 11050
APPLICANT: SUTTER LIVING TR
LOCATION: EAST OF 10123 FERTILE RIDGE ROAD, SECTION 22, TOWN OF BLUE MOUNDS
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: shifting of property lines between adjacent land owners

In Favor: Dennis Bruner
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11051

PETITION: REZONE 11051
APPLICANT: HEINEMANN RENTALS & INVESTMENTS LLC
LOCATION: 4587 COUNTY HIGHWAY TT, SECTION 33, TOWN OF SUN PRAIRIE
CHANGE FROM: A-1EX Agriculture District TO C-1 Commercial District
REASON: shifting of property lines between adjacent land owners

In Favor: Bob Heinemann
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed until a Town Action Report is received. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11052

PETITION: REZONE 11052
APPLICANT: PHILIP L MARX
LOCATION: NORTHEAST OF 7772 INAMA ROAD, SECTION 5, TOWN OF ROXBURY
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

In Favor: Teyanna Loether

Opposed: None

Supervisor Matano expressed concerns with the lot configuration.

A motion was made by BOLLIG, seconded by MILES, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 3-1.

Ayes: 3 - BOLLIG,KOLARandMILES

Noes: 1 - MATANO

Excused: 1 - O'LOUGHLIN

11060

PETITION: REZONE 11060
APPLICANT: TERRY L PARISI
LOCATION: SECTION 27, TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO A-1EX Agriculture District
REASON: termination of deed restriction for a shared driveway

In Favor: Zoning Administrator Lane representing the Town of Dunn

Opposed: None

A motion was made by MILES, seconded by BOLLIG, to recommend approval of the termination of the deed restriction. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

CUP 2358

PETITION: CUP 2358
APPLICANT: FRED L MCINTOSH
LOCATION: 6472 BREUNIG ROAD, SECTION 35, TOWN OF ROXBURY
CUP DESCRIPTION: bed and breakfast

In Favor: Karen Mcintosh

Opposed: None

A motion was made by BOLLIG, seconded by MILES, that this Conditional Use Permit be approved with 1 condition. The motion carried by the following vote: 4-0.

1.The establishment shall comply with the regulations found under Wisconsin Administrative Code ATCP 73 for Tourist Rooming Houses and Bed and Breakfast Establishments.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[CUP 2360](#)

PETITION: CUP 2360
APPLICANT: HAROLD W SPAHN
LOCATION: 4996 ENCHANTED VALLEY ROAD, SECTION 31, TOWN OF SPRINGFIELD
CUP DESCRIPTION: unlimited livestock 3 - 16 acres

In Favor: Joe Spahn

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be postponed until a Town Action Report is received. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2015
OA-034](#)

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

Senior Planner Standing explained the changes to the Town of Springfield Comprehensive Plan.

A motion was made by BOLLIG, seconded by MATANO, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016
OA-029](#)

INCORPORATING THE Town of COTTAGE GROVE Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

Senior Planner Standing explained the changes to the Town of Cottage Grove Comprehensive Plan.

A motion was made by MILES, seconded by BOLLIG, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016](#)
[OA-030](#)

INCORPORATING THE TOWN OF ALBION COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Senior Planner Standing explained the changes to the Town of Albion Comprehensive Plan.

A motion was made by MILES, seconded by MATANO, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[2016](#)
[OA-028](#)

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

Senior Planner Standing explained the changes to the Dane County Farmland Preservation Plan.

A motion was made by MILES, seconded by MATANO, that this Ordinance be recommended for approval. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

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

E. Budget Discussion and Amendments

[2016](#)
[ACT-352](#)

ZONING AND LAND REGULATION COMMITTEE AMENDMENTS TO THE PROPOSED 2017 OPERATING BUDGET (2016 RES-269)

Supervisor Miles stated that he will be introducing an amendment to increase the expenditures by \$30,000 to fund the Better Infill Land Development (BUILD) Program. The amendment will be introduced at the Personnel and Finance Committee meeting.

[2016](#)
[ACT-351](#)

ZONING AND LAND REGULATION COMMITTEE AMENDMENTS TO THE PROPOSED 2017 CAPITAL BUDGET (2016 RES-270)

No comments made by the Committee.

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

[2015
OA-034](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

See action above.

[2016
OA-029](#) INCORPORATING THE Town of COTTAGE GROVE Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

See action above.

[2016
OA-030](#) INCORPORATING THE TOWN OF ALBION COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

See action above.

[2016
OA-028](#) AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

See action above.

I. Reports to Committee

[2016
RPT-445](#) Report of the October 19th DCTA meeting

Zoning Administrator Land provided a summary report of the October 19th Dane County Towns Association Meeting to the Committee.

J. Other Business Authorized by Law

[2016
RPT-447](#) Change the December ZLR Public Hearing date from December 27th to December 13th

The Committee concurred with the change of the December public hearing date from December 27th to December 13th.

[2016
RPT-444](#) Review and approval of the 2017 Zoning and Land Regulation Committee meeting schedule

The Committee approved the 2017 ZLR Committee meeting schedule. It was decided to hold the December public hearing date on December 11, 2017 rather than December 26th.

K. Adjourn

A motion was made by MILES, seconded by MATANO, to adjourn the Zoning and Land Regulation Committee meeting at 8:25pm. The motion carried unanimously.

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