



# Dane County

## Minutes - Final Unless Amended by Committee

### Zoning & Land Regulation Committee

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Tuesday, December 23, 2014

7:00 PM

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

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#### A. Call to Order

Chair Miles called the meeting to order at 7:10pm in Room 201 of the City-County Building.

Youth Governance: Excused.

Staff: Alan, Everson, and Lane

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and BOB SALOV

#### 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

[10776](#)

**PETITION: REZONE 10776**

APPLICANT: CONSERVANCY PARK APARTMENTS LLC

LOCATION: 1481 CARVER STREET, SECTION 34, TOWN OF MADISON

CHANGE FROM: R-4 Residence District TO R-4 Residence District

REASON: remove deed restriction on property to allow multi-family development on the corner of Carver/Dodge Street

**Attachments:** [10776 staff.pdf](#)

[10776 Site Plan.pdf](#)

[10776 Madison comments.pdf](#)

[10776 Map.pdf](#)

[10776 town-city cooperative plan policy.pdf](#)

[10776 city of Madison plan map.pdf](#)

[10776 city of Madison plan \(Low density residential\).pdf](#)

[10776 App.pdf](#)

A motion was made by BOLLIG, seconded by MATANO, that the Zoning Petition be postponed due to no Town Action and public opposition. The motion carried by a voice vote.

In Favor: Rob Schmidt and Johnathan Brinkley presented the proposal to the Committee.

Opposition: Cheri Haines and Beth Stenner expressed concerns regarding adequate water supply, stormwater runoff, traffic and noise.

[10777](#)

**PETITION: REZONE 10777**

APPLICANT: SUZANNE B SEVERSON

LOCATION: 4195 SCHNEIDER DRIVE, SECTION 28, TOWN OF DUNN

CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District

REASON: separating existing residence from farmland

**Attachments:** [10777 Staff.pdf](#)

[10777 Density.pdf](#)

[10777 Town.pdf](#)

[10777 Ord Amend.pdf](#)

A motion was made by MILES, seconded by BOLLIG, that the Zoning Petition be recommended for approval. The motion carried by a voice vote.

In Favor: Frank Sutherland representing Severson.

[10778](#)

**PETITION: REZONE 10778**

APPLICANT: PORTER REV LIVING TR, ELGIN W & ELLEN I

LOCATION: WEST OF 6947 PORTAGE ROAD, SECTION 22, TOWN OF WINDSOR

CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District

REASON: shifting of property lines between adjacent land owners

**Attachments:** [10778 Staff.pdf](#)

[10778 Town.pdf](#)

[10778 Ord Amend.pdf](#)

A motion was made by SALOV, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

In Favor: Doug Porter.

1. The zoning district classification shall be amended to R-1A.

[10779](#)

**PETITION: REZONE 10779**

APPLICANT: SOLEIL DEVELOPMENT CORP

LOCATION: 4996 ENCHANTED VALLEY ROAD, SECTION 31, TOWN OF SPRINGFIELD

CHANGE FROM: CO-1 Conservancy District TO A-2 (4) Agriculture District

REASON: shifting of property lines between adjacent land owners

**Attachments:** [10779 staff.pdf](#)

[10779 town action.pdf](#)

[10779 Map.pdf](#)

[10779 App.pdf](#)

A motion was made by KOLAR, seconded by SALOV, to postpone the petition for 30 days to allow the petitioner to discuss options with the town. The motion carried by a voice vote.

In Favor: Mike Lawton.

[10780](#)

**PETITION: REZONE 10780**

APPLICANT: MARIETHA E JELLE

LOCATION: 10223 LEE VALLEY ROAD, SECTION 34, TOWN OF PERRY

CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District

REASON: separating existing residence from farmland

**Attachments:** [10780 Staff.pdf](#)

[10780 Density.pdf](#)

[10780 Town.pdf](#)

[10780 Ord Amend.pdf](#)

**A motion was made by MATANO, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.**

**In Favor: Marietha Jelle**

**1. A deed restriction shall be placed on the proposed RH-3 property prohibit sub-division of the property.**

[10781](#)

**PETITION: REZONE 10781**

APPLICANT: GNEWUCH REV TR, JAMES H

LOCATION: WEST OF 4232 OLD STAGE ROAD, SECTION 29, TOWN OF RUTLAND

CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District

REASON: creating one residential lot

**Attachments:** [10781 Staff.pdf](#)

[10781Density.pdf](#)

[10781 Town.pdf](#)

[10781 Map.pdf](#)

[10781 App.pdf](#)

**A motion was made by BOLLIG, seconded by MATANO, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 1/13/2015. The motion carried by a voice vote.**

**In Favor: Eric Grover**

**Staff expressed concerns of a potential land division violation occurring on the property.**

[10782](#)

**PETITION: REZONE 10782**

APPLICANT: PEPPER RIDGE FARMS LLC

LOCATION: NORTH OF 7409 BITNEY ROAD, SECTION 7, TOWN OF DANE

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: creating one residential lot

**Attachments:** [10782 Staff.pdf](#)

[10782 Density.pdf](#)

[10782 Town.pdf](#)

[10782 Ord Amend.pdf](#)

A motion was made by BOLLIG, seconded by SALOV, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

In Favor: Darcee Breunig.

1. The surveyor shall confirm that the remaining lands located west of Bitney Road are over 35 acres in size.
2. A deed restriction shall be recorded on parcels 0908-074-9070-6, 0908-073-9500-6 to prohibit residential development on the remaining A-1 Exclusive Agriculture zoned land.

[10783](#)

**PETITION: REZONE 10783**

APPLICANT: RONALD G BOTHUM

LOCATION: 2514 COUNTY HIGHWAY A, SECTION 9, TOWN OF DUNKIRK

CHANGE FROM: R-1 Residence District TO C-2 Commercial District

REASON: expansion of an existing auto repair/ welding business

**Attachments:** [10783 Staff.pdf](#)

[10783 Town.pdf](#)

[10783 Ord Amend.pdf](#)

A motion was made by SALOV, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

In Favor: Ron Bothum.

1. A deed restriction shall be recorded on proposed C-2 zoned parcel to limit the land uses to the following: auto repair / maintenance and residence for the owner of the auto repair business.

[10784](#)

**PETITION: REZONE 10784**

APPLICANT: KIM M NONN

LOCATION: 5299 COUNTY HIGHWAY P, SECTION 25, TOWN OF BERRY

CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District

REASON: shifting of property lines between adjacent land owners

**Attachments:** [10784 Staff.pdf](#)

[10784 Town.pdf](#)

[10784 Ord Amend.pdf](#)

**A motion was made by KOLAR, seconded by MATANO, that the Zoning Petition be recommended for approval. The motion carried by a voice vote.**

**In Favor: Kim Nonn.**

[10785](#)

**PETITION: REZONE 10785**

APPLICANT: HOWARD LIEN & SONS INC

LOCATION: 2304 CARPENTER SWAIN ROAD, SECTION 23, TOWN OF CHRISTIANA

CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District

REASON: separating existing residence from farmland

**Attachments:** [10785 Staff.pdf](#)

[10785 Density.pdf](#)

[10785 Map.pdf](#)

[10785 App.pdf](#)

**A motion was made by SALOV, seconded by MATANO, that the Zoning Petition be postponed to the Zoning & Land Regulation Committee, due back by 1/13/2015. The motion carried by a voice vote.**

**In Favor: Carolyn Lien.**

[10786](#)

**PETITION: REZONE 10786**

APPLICANT: TOWN OF CROSS PLAINS

LOCATION: 8067 ROCKY DELL ROAD, SECTION 12, TOWN OF CROSS PLAINS

CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District

REASON: add vacated road to an existing residential lot

**Attachments:** [10786 Staff.pdf](#)

[10786 Town.pdf](#)

[10786 Ord Amend.pdf](#)

**A motion was made by MATANO, seconded by SALOV, that the Zoning Petition be recommended for approval. The motion carried by a voice vote.**

**In Favor: Town Chair Greg Hyer.**

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

## E. Plats and Certified Survey Maps

[2014 LD-050](#) Final Plat - Westview Heights of Mount Horeb, Village of Mount Horeb (13 lots, 19.9 acres)  
Staff recommends a certification of non-objection.

**Attachments:** [aerial.pdf](#)

[27312 Westview Heights of Mt Horeb\\_0001.PDF](#)

[27312 Westview Heights of Mt Horeb\\_0002.PDF](#)

**A motion was made by MATANO, seconded by KOLAR to certify the plat with no objections. The motion carried by a voice vote.**

[2014 LD-051](#) Preliminary Plat - Second Addition to Carriage Ridge, Town of Westport, Section 16 (71 lots, 40.6 acres)  
Acceptance of application and schedule for future consideration pursuant to established committee policy.

**Attachments:** [aerial.pdf](#)

[content.pdf](#)

**A motion was made by BOLLIG, seconded by KOLAR, to accept the preliminary plat and schedule for future consideration. The motion carried by a voice vote.**

[2014 LD-053](#) Preliminary Plat - Bear Tree Farms, Town of Windsor, Sections 28/33  
(375 lots, 227 acres)  
Staff recommends approval with conditions.

**Attachments:** [conditional approval letter to ZLR.pdf](#)  
[aerial.pdf](#)  
[10754 - planning staff report.pdf](#)  
[130451-PPv10 Sh1 \(Dec. 15, 2014\).pdf](#)  
[130451-PPv10 Sh2 \(Dec. 15, 2014\).pdf](#)

A motion was made by KOLAR, seconded by MATANO, to approve the preliminary plat with Staff conditions. The motion carried by a voice vote.

1. Rezone Petition #10754 is to become effective and all conditions established are to be timely satisfied.

- Recording of a subdivision plat map.

- Landowner shall comply with all the provisions with Town of Windsor town board resolution 2014-51.

2. Compliance with the Dane County Comprehensive Plan is to be established.

3. All public land dedications are to be clearly designated "dedicated to the public."

4. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).

5. Every lot or parcel shall front or abut a public street. Conventional lots shall maintain a minimum frontage of 66-feet to facilitate the possible development of a public right-of-way that could serve additional lots. Cul-de-sac lots shall provide a minimum of 30 feet of frontage on a public street.

6. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.

7. All lots and outlots are to meet the minimum area and width requirements of the zoning districts that are applicable.

8. Lot boundaries and zoning district boundaries are to be coterminous.

9. Utility easements are to be provided.

10. Village of DeForest corporate boundary lines are to be shown on the plat.

11. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.

12. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.

13. Town of Windsor approval is to be obtained.

14. Village of DeForest approval is to be obtained (extraterritorial jurisdiction).

[2014 LD-052](#) James and Darla Jansen - 2 lot Certified Survey Map  
4564 Sandpiper Trail, Town of Cottage Grove, section 5  
Applicant is requesting division of an existing platted lot with no associated  
rezone petition.

**Attachments:** [2014\\_aerial.pdf](#)  
[Cottage Grove Jansen CSM Review 120414.pdf](#)  
[content.pdf](#)

A motion was made by KOLAR, seconded by SALOV, to approve the certified  
survey map. The motion carried by a voice vote.

## F. Resolutions

## G. Ordinance Amendment

## H. Reports to Committee

## I. Other Business Authorized by Law

## J. Adjourn

A motion was made by MATANO, seconded by KOLAR, to adjourn the meeting at  
8:04pm. 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.*