



# Dane County

## Minutes - Final Unless Amended by Committee

### Zoning & Land Regulation Committee

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Tuesday, May 26, 2015

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 7:05pm in Room 201.

Staff present: Allan, Everson, and Violante.

Youth Governance Members present: None.

**Present** 4 - JERRY BOLLIG, MARY KOLAR, PATRICK MILES, and BOB SALOV

**Excused** 1 - AL MATANO

#### 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

[10838](#)

PETITION: REZONE 10838

APPLICANT: JEFF PFEIL

LOCATION: 4959 EASY STREET, SECTION 1, TOWN OF WESTPORT

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, A-1EX Agriculture District TO A-2 (4) Agriculture District, and A-2 Agriculture District TO R-1 Residence District

REASON: creating two residential lots

**Attachments:** [10838 Staff.pdf](#)

[10838 Town.pdf](#)

[10838 Ord Amend.pdf](#)

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

In Favor: Jeff Pfeil

Opposed: None

1. Approval is contingent upon the conditions found under Town of Westport Resolution 15-10.

[10839](#) PETITION: REZONE 10839 - Petition withdrawn by applicant  
APPLICANT: JEAN M MITCHELL  
LOCATION: NORTH OF 5502 REEVE ROAD, SECTION 20, TOWN  
OF BLACK EARTH  
CHANGE FROM: RH-4 Rural Homes District TO RH-1 Rural Homes  
District  
REASON: creating two residential lots

**Attachments:** [10839 Staff.pdf](#)  
[10839 Density.pdf](#)  
[10839 Prior rezone info.pdf](#)  
[10839 Parcel status determination and prior deeds.pdf](#)  
[10839 Plat of Survey.pdf](#)  
[10839 Map.pdf](#)  
[10839 Map 2.pdf](#)  
[10839 App.pdf](#)

**No action taken by Committee.**

[10840](#) PETITION: REZONE 10840  
APPLICANT: RICHARD E GROSSE  
LOCATION: 3936 COUNTY HIGHWAY AB, SECTION 24, TOWN OF  
BLOOMING GROVE  
CHANGE FROM: A-1EX Agriculture District TO C-1 Commercial District  
REASON: to allow a contractor's office

**Attachments:** [10840 Staff.pdf](#)  
[10840 Town.pdf](#)  
[10840 Madison Planning Comments.pdf](#)  
[10840 City of Madison plan recommendations.pdf](#)  
[10840 City of Madison peripheral area plan areas.pdf](#)  
[10840 Map.pdf](#)  
[10840 Map 2.pdf](#)  
[10840 App.pdf](#)

**A motion was made by KOLAR, seconded by BOLLIG, to postpone the Zoning  
Petition until the 6/23/2015 Zoning & Land Regulation Committee meeting. The  
motion carried by the following vote: 3-1.**

**In Favor: Richard Grosse**

**Opposed: City of Madison Planning Department**

**The Committee would like to be informed when this area of Blooming Grove will  
be dissolved into the City of Madison.**

**Ayes:** 3 - BOLLIG, KOLAR and MILES

**Noes:** 1 - SALOV

10841

PETITION: REZONE 10841  
APPLICANT: JOANN M TORKE  
LOCATION: 2701RIMROCK ROAD, SECTION 36, TOWN OF  
MADISON  
CHANGE FROM: RH-1 Rural Homes District TO B-1 Local Business  
District  
REASON: to allow offices and contractor storage

**Attachments:** [10841 Staff.pdf](#)  
[10841 Town.pdf](#)  
[10841 City of Madison plan \(Low Density Residential\).pdf](#)  
[10841 City of Madison plan map \(south\).pdf](#)  
[10841 Map.pdf](#)  
[10841 App.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, to postpone the Zoning  
Petition until the 7/14/2015 Zoning & Land Regulation Committee meeting. The  
motion carried by a voice vote.

In Favor: Nicholas Derr

Opposed: Mark Millard stated that the area has been planned for residential and  
has been that way since 1985. Gary Dresang expressed concerns that the other  
residential lots would turn into commercial businesses given the size of the lots.

10842

PETITION: REZONE 10842  
APPLICANT: EPIC SYSTEMS CORP  
LOCATION: 2645 COUNTRY VIEW ROAD, SECTION 17, TOWN OF  
VERONA  
CHANGE FROM: A-3 Agriculture District TO LC-1 Limited Commercial  
District  
REASON: to allow existing buildings to be used as maintenance shop

**Attachments:** [10842 Staff.pdf](#)  
[10842 Map.pdf](#)  
[10842 App.pdf](#)

A motion was made by SALOV, seconded by KOLAR, to postpone the Zoning  
Petition until the Town Action Report is received. The motion carried by a voice  
vote.

In Favor: Bruce Richards

Opposition: None

[10843](#)

PETITION: REZONE 10843  
APPLICANT: RICHARD A EBERLE  
LOCATION: NORTHEAST OF 6354 COUNTY HIGHWAY DM,  
SECTION 12, TOWN OF DANE  
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District  
REASON: create lot for agricultural purposes

**Attachments:** [10843 Staff.pdf](#)  
[10843 Town.pdf](#)  
[Staff suggested layout.pdf](#)  
[Farm Plan 97.pdf](#)  
[10843 Map.pdf](#)  
[10843 Treasurer.pdf](#)  
[10843 App.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, to postpone the Zoning Petition until the 6/23/2015 Zoning & Land Regulation Committee meeting. The motion carried by a voice vote.

County Staff expressed concerns regarding compliance with a farm plan agreement and unpaid taxes.

In Favor: Richard Eberle

Opposition: None

[10844](#)

PETITION: REZONE 10844  
APPLICANT: MEYER REV LIVING TR, DARRELL R & DONNA M  
LOCATION: 3725 HALVERSON ROAD, SECTION 34, TOWN OF DUNN  
CHANGE FROM: RH-1 Rural Homes District TO A-1EX Agriculture District  
REASON: shifting of property lines between adjacent land owners

**Attachments:** [10844 Staff.pdf](#)  
[10844 Town.pdf](#)  
[10844 Ord Amend.pdf](#)

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

In Favor: Ed Short

Opposition: None

[10845](#)

PETITION: REZONE 10845  
APPLICANT: HAGEMAN REV TR, JESSIMAE  
LOCATION: 7698 STATE HIGHWAY 69, SECTION 31, TOWN OF  
MONTROSE  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes  
District  
REASON: separating existing residence from farmland

**Attachments:** [10845 Staff.pdf](#)  
[10845 Town 2.pdf](#)  
[10845 Density.pdf](#)  
[10845 Revised CSM.pdf](#)  
[10845 Ord Amend.pdf](#)

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

In Favor: Ed Short

Opposition: None

1. The zoning area shall be amended to include the on-site septic system.
2. A note shall be placed on the Certified Survey Map stating, "Lot 2, as shown on this Certified Survey Map, is part of the Hageman Farm and shall not be sold as a separate parcel until such time as appropriate zoning is assigned to the lot".

[10846](#)

PETITION: REZONE 10846  
APPLICANT: SIMPSON LE, HATTIE M  
LOCATION: WEST OF PARKLAND DRIVE, SECTION 17, TOWN OF  
DUNN  
CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District  
and RH-1 Rural Homes District  
REASON: creating two residential lots

**Attachments:** [10846 Staff.pdf](#)  
[10846 Town.pdf](#)  
[10846 Density.pdf](#)  
[10846 Ord Amend.pdf](#)

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

In Favor: Mark Reese

Opposed: None

1. A deed restriction shall be recorded on parcels 061017496010, 061017490000, 061017485203, and 061017481805 to prohibit further land division on the original farm.

[CUP 2310](#) PETITION: CUP 2310  
APPLICANT: ROBERT D NEERLAND  
LOCATION: 7993 COUNTY HIGHWAY G, SECTION 25, TOWN OF  
SPRINGDALE  
CUP DESCRIPTION: pest control business

**Attachments:** [CUP 2310 Staff.pdf](#)  
[CUP 2310 map.pdf](#)  
[CUP 2310 App.pdf](#)

A motion was made by SALOV, seconded by BOLLIG, to postpone action on the Conditional Use Permit until the Town Action Report is received. The motion carried by a voice vote.

In Favor: Jeff Neerland

Opposed: Jeff Smith stated that the proposal will need to be in compliance with the policies found in the Town of Springdale Comprehensive Plan.

[CUP 2311](#) PETITION: CUP 2311  
APPLICANT: DANA BOWAR  
LOCATION: 2400 ERB ROAD, SECTION 23, TOWN OF SPRINGDALE  
CUP DESCRIPTION: continuation of existing mineral extraction  
operation

**Attachments:** [CUP 2311 Staff.pdf](#)  
[CUP 2311 Map.pdf](#)  
[CUP 2311 App.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, to postpone action on the Conditional Use Permit until the Town Action Report is received. The motion carried by a voice vote.

In Favor: Dana Bowar

Opposed: None

[2014](#)  
[OA-068](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF  
ORDINANCES,  
INCORPORATING THE TOWN OF VERONA COMPREHENSIVE  
PLAN  
INTO THE DANE COUNTY COMPREHENSIVE PLAN

**Sponsors:** WILLETT and MILES

**Attachments:** [14-82 Verona.doc](#)  
[14-82 Verona.pdf](#)  
[Town Verona Plan Amendment.pdf](#)

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

In Favor: Amanda Arnold, Supervisor Mike Willett, Tim Sweeny, and David DiMaggio.

Opposed: None

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

[10829](#) PETITION: REZONE 10829  
APPLICANT: GREG R KUKER  
LOCATION: 10841 SPRING CREEK ROAD, SECTION 7, TOWN OF PERRY  
CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District, RH-1 Rural Homes District TO RH-3 Rural Homes District  
REASON: separating existing residence from farmland

**Attachments:** [10829 Staff update.pdf](#)  
[10829 Town.pdf](#)  
[10829 Density.pdf](#)  
[10829 Revised CSM.pdf](#)  
[10829 Ord Amend.pdf](#)

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

1. The zoning area shall be amended as presented.
2. A deed restriction shall be recorded on parcels 050608291109 and 050607195000 to prohibit residential development on the remaining A-1EX Exclusive Agriculture zoned land.

[10832](#) PETITION: REZONE 10832  
APPLICANT: RICHARD A EBERLE  
LOCATION: 6354 COUNTY HIGHWAY DM, SECTION 12, TOWN OF DANE  
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District  
REASON: creating one residential lot

**Attachments:** [10832 Staff update.pdf](#)  
[10832 Town.pdf](#)  
[10832 Density.pdf](#)  
[10832 Town plan map.pdf](#)  
[Staff suggested layout.pdf](#)  
[10832 Map.pdf](#)  
[10832 App.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, to postpone the Zoning Petition to the 6/23/2015 Zoning & Land Regulation Committee meeting. The motion carried by a voice vote.

County Staff expressed concerns regarding the open space policies found within the Town of Dane Comprehensive Plan and unpaid taxes.

[10834](#) PETITION: REZONE 10834  
APPLICANT: DUSHACK REV TR, ELINOR G  
LOCATION: 4846 COUNTY HIGHWAY N, SECTION 33, TOWN OF  
SUN PRAIRIE  
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture  
District  
REASON: separating existing residence from farmland

**Attachments:** [10834 Staff update.pdf](#)  
[10834 Town.pdf](#)  
[10834 Ord Amend.pdf](#)

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

## E. Plats and Certified Survey Maps

[2015 LD-011](#) Land Division Waiver - Gary Karls 1-lot Certified Survey Map  
Town of Perry, Section 5  
Creating a 2-acre parcel with no frontage on a public road.

**Attachments:** [2014\\_aerial.pdf](#)  
[20150519072443.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, to approve the Land Division waiver request of proposed lot 1 to have no public road frontage. The motion carried by a voice vote.

**Finding of fact:** The property under the ownership of Gary Karls is divided by two different municipal boundaries (townships).

[2015 LD-013](#) Land Division Waiver - D & D Skaar 1-lot Certified Survey Map  
Town of Deerfield, Section 18  
Creating a 11.4 acre parcel with no frontage on a public road.

**Attachments:** [2014\\_aerial.pdf](#)  
[20150521072036.pdf](#)  
[Skaar access map.pdf](#)

A motion was made by SALOV, seconded by BOLLIG, to approve the Land Division waiver request of proposed lot 1 to have no public road frontage. The motion carried by a voice vote.

**Finding of fact:** To preserve the remaining agricultural lands over 35 acres and thus not creating additional lots.



[2015 LD-012](#) Huepenbecker proposed 2-lot Certified Survey Map  
Town of Middleton, Section 31

**Attachments:** [HuepenbeckerCSM sec31.pdf](#)  
[20150506142000.pdf](#)  
[2014\\_aerial.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, to approve the proposed 2-lot Certified survey Map. The motion carried by a voice vote.

[2015 LD-014](#) Final Plat - Second Addition to Carriage Ridge  
Town of Westport, Section 16  
Consideration of the 3/25/2015 conditional approval and execution of the final plat document pursuant to established committee policy.

**Attachments:** [Final letter to ZLR.pdf](#)  
[2015-02-25 Second Addition to Carriage Ridge Final Plat.pdf](#)  
[SecondCarriageRidgeReviewMemo.pdf](#)  
[aerial.pdf](#)  
[Carriage Ridge North 40 Plat Approval.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR to approve the final plat. The motion carried by a voice vote and Chair MILES signed the plat.

## F. Resolutions

## G. Ordinance Amendment

[2014  
OA-068](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF  
ORDINANCES,  
INCORPORATING THE TOWN OF VERONA COMPREHENSIVE  
PLAN  
INTO THE DANE COUNTY COMPREHENSIVE PLAN

**Sponsors:** WILLETT and MILES

**Attachments:** [14-82 Verona.doc](#)  
[14-82 Verona.pdf](#)  
[Town Verona Plan Amendment.pdf](#)

See motion above.

## H. Other Business Authorized by Law

## I. Adjourn

A motion was made by KOLAR, seconded by BOLLIG, to adjourn the meeting at 8:45pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266, [lane.roger@countyofdane.com](mailto:lane.roger@countyofdane.com)

*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.*