



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **October 22, 2013**

Zoning Amendment:  
**A-3 Agriculture District to R-4  
Residence District**

Acres: *1.258*  
Survey Req. No

Reason:  
**Zoning Compliance for structures**

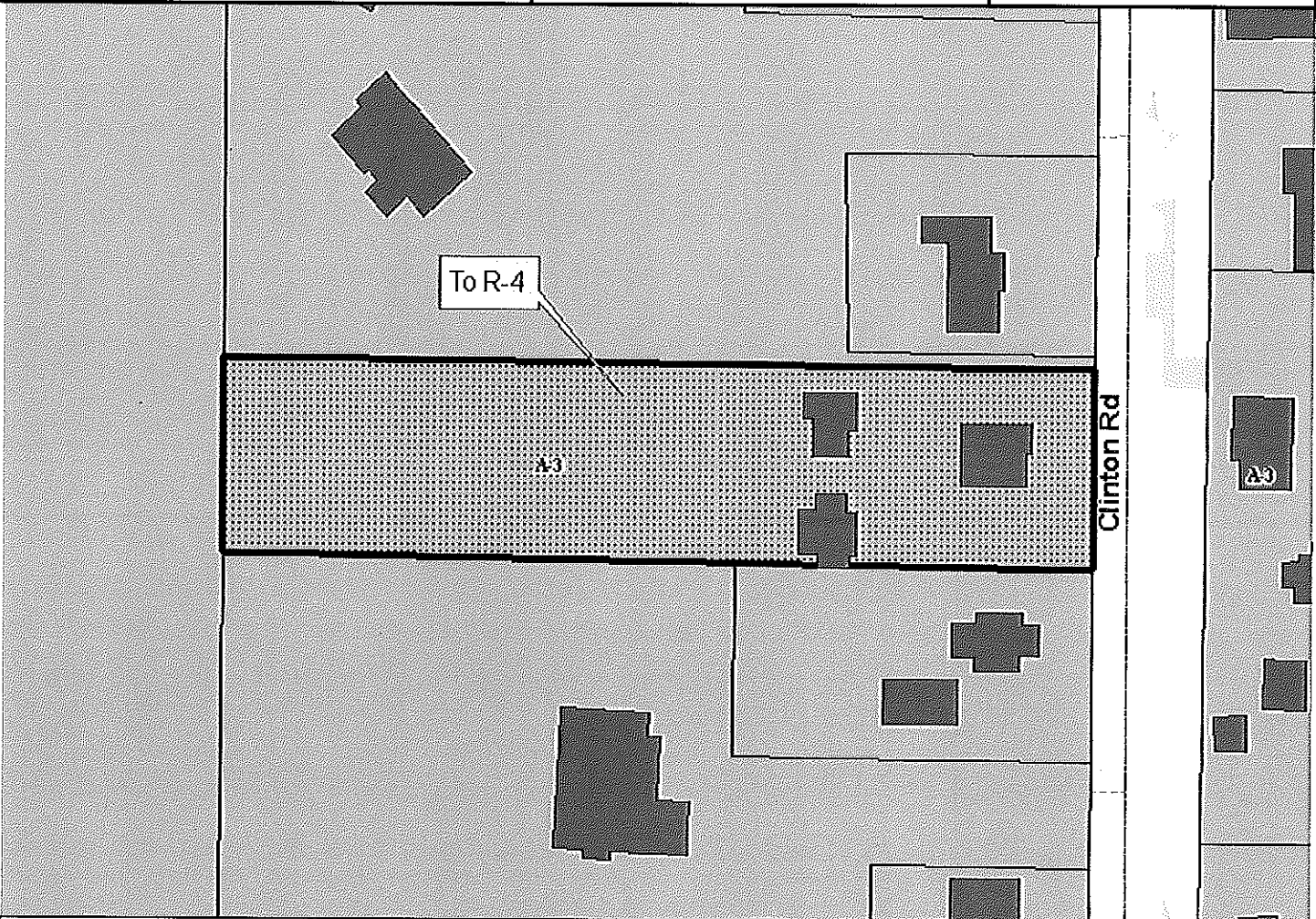
Petition: **Rezone 10598**

Town/sect:  
**Windsor  
Section 06**

Applicant  
**Michelle L Schneider**

Location:  
**7769 Clinton Road**

**MULL & VOID**



**MULL & VOID**

**Description:** The applicant would like to rezone their property in order to accurately reflect the actual land uses present on the site. Currently the property contains a single-family dwelling, a two-family dwelling, and an accessory building. The zoning change is requested in order for the landowner to secure a conventional loan.

**Observations:** The property is part of the hamlet of Morrisonville. The property is within an urban service area that provides public water and sewer. No sensitive environmental features observed.

**Town Plan:** The property is located in the town's "Mixed Residential Area" The area is designated for sewered residential development having an overall density of 4 to 12 dwelling units per acre.

**Resource Protection Area:** The property is located outside of the resource protection area.

**Staff Comments:** The lot meets the dimensional requirements of the zoning district; however, the overall use of the property will remain non-conforming due to having multiple principal buildings on one lot.

**Town Action:** The Town requested that the County place the petition in abeyance until such time as the Town has an opportunity to review the request.

**10/22 ZLR Action:**

**Motion by Kolar / Matano to postpone; motion carried, 3-0. YGP: 2-0.**



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Room 116, City-County Building, Madison, Wisconsin 53703  
Fax (608) 267-1540

January 7, 2015

Michelle Schroeder  
7769 Clinton Road  
Deforest, WI 53532

*Housing &  
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(608)266-4270, Rm. 362

*Planning*  
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*Records & Support*  
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*Zoning*  
(608)266-4266, Rm. 116

**RE: Notice of Expiration for a Zoning Amendment  
Application (Rezone Petition No. 10598)**

Dear Ms. Schroeder,

Our records show that your zoning petition is still pending with the Dane County Zoning Division. Pursuant to the Zoning and Land Regulation Committee policy, any petition that is not acted upon within one year of the public hearing date will expire.

This letter is to inform you that Petition Number 10598 has exceeded the one-year timeframe without action by the Zoning and Land Regulation Committee. The petition has been rendered null & void.

If you choose to pursue the zoning amendment for your property, a new application will need to be filed with the Dane County Zoning Division along with payment of fees. If you have questions or concerns, please call me directly at (608) 266-9078.

Respectfully,

Roger W. Lane III  
Dane County Zoning Administrator

Cc: Members of the Dane County Zoning and Land Regulation Committee  
Windsor Town Clerk



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **October 22, 2013**

Petition: **Rezone 10599**

Zoning Amendment:  
**A-1EX Exclusive Agriculture District to RH-1 Rural Homes District and A-2(8) Agriculture District**

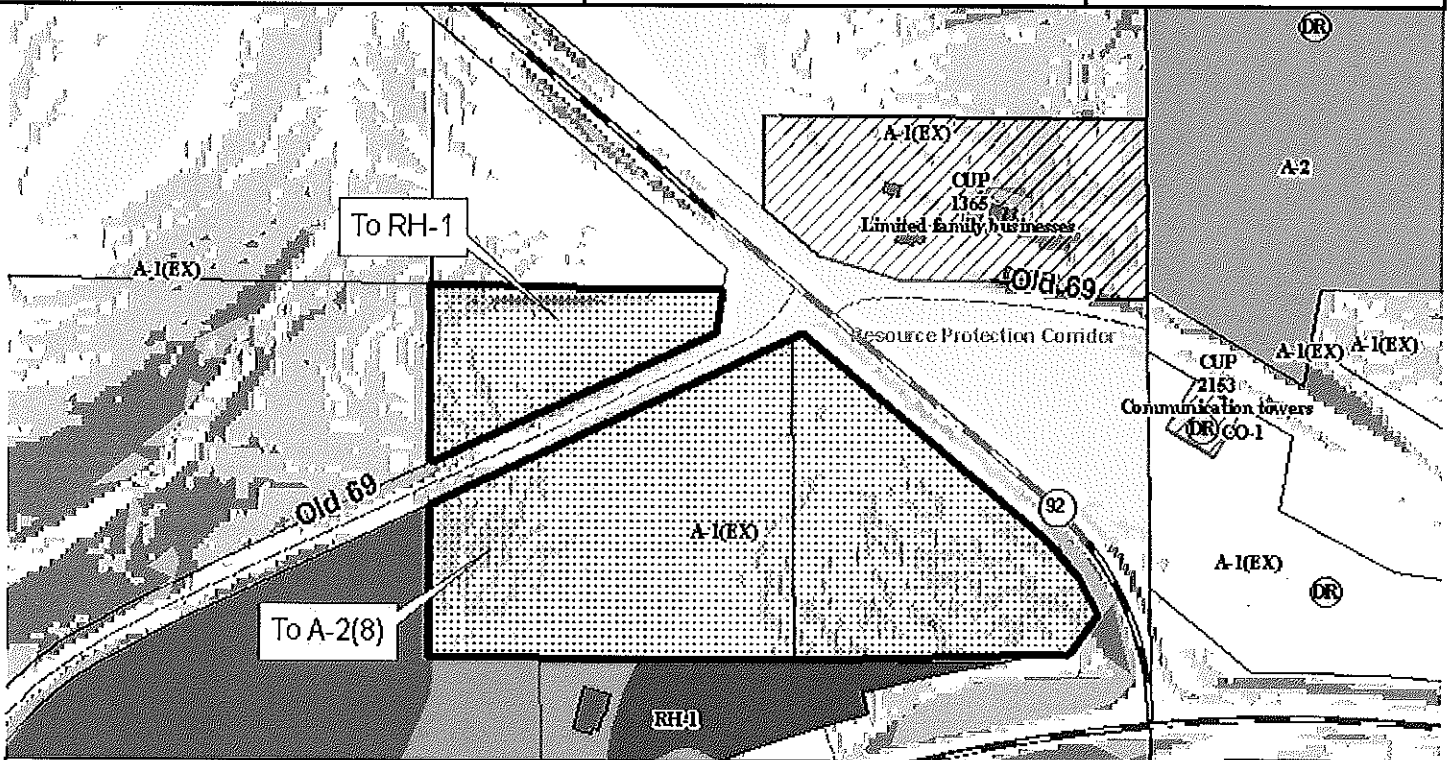
Town/sect:  
**Primrose Section 36**

Acres: **3.5, 9.4**  
Survey Req. **Yes**

Applicant  
**Deppeler Family TR**

Reason:  
**Creation of two residential lots**

Location:  
**West of 298 State Highway 92**



**Description:** The petitioner would like to rearrange the boundaries of two existing legal sub-standard lots and bring the properties into compliance with current zoning regulations. The boundaries will be shifted to create separate lots on each side of Old Highway 69.

**Observations:** The property consists of two legal sub-standard parcels that were created in the 1940's. One of the parcels is bisected by Old Highway 69. The properties are fully wooded and have rolling topography with slopes less than 12%. There is a ribbon of Class II soils that bisects the southwestern part of the property. No other sensitive environmental features observed. The property has not been historically cropped.

**Town Plan:** The Town Land Use Plan designates the property as an Agricultural Preservation Area. The Plan also designates the ribbon of Class II soils as an "Environmental and Resource Protection Corridor". The legal sub-standard lots may be used as building sites per the Town Plan if over 4 acres in size.

**Resource Protection Area:** As stated, the ribbon of Class II soils on the property is classified as a resource protection area. This is for the protection of historically cropped areas with significant soils. Staff is awaiting comments by the Town regarding development in Class II soils that have not been historically cropped.

**State Highway Department:** Highway access is prohibited from Highway 92 and Highway 69. All access to the property will need to be obtained from Old Highway 69.

**Staff Comments:** The proposal meets the dimensional standards of the zoning district. Staff suggests placing a deed restriction on the proposed lot that is south of Old Highway 69 to prohibit future land division of the property.

**Town Action:** Pending.

**10/22 ZLR Action:**

**Motion** by Kolar / Matano to postpone; motion carried, 3-0. YGP: 2-0.



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Room 116, City-County Building, Madison, Wisconsin 53703  
Fax (608) 267-1540

January 7, 2015

Daniel LeGros  
301 Second Street  
New Glarus, WI 53574

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(608)266-4251, Rm. 116

*Records & Support*  
(608)266-4251, Rm. 116

*Zoning*  
(608)266-4266, Rm. 116

**RE: Notice of Expiration for a Zoning Amendment  
Application (Rezone Petition No. 10599)**

Dear Mr. LeGros,

Our records show that your zoning petition is still pending with the Dane County Zoning Division. Pursuant to the Zoning and Land Regulation Committee policy, any petition that is not acted upon within one year of the public hearing date will expire.

This letter is to inform you that Petition Number 10599 has exceeded the one-year timeframe without action by the Zoning and Land Regulation Committee. The petition has been rendered null & void.

If you choose to pursue the zoning amendment for your property, a new application will need to be filed with the Dane County Zoning Division along with payment of fees. If you have questions or concerns, please call me directly at (608) 266-9078.

Respectfully,

Roger W. Lane III  
Dane County Zoning Administrator

Cc: Members of the Dane County Zoning and Land Regulation Committee  
Primrose Town Clerk



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **November 26, 2013**

Petition: **Rezone 10611**

Zoning Amendment:  
**A-1EX Exclusive Agriculture District to RH-1 Rural Homes District**

Town/sect:  
**Montrose Section 23**

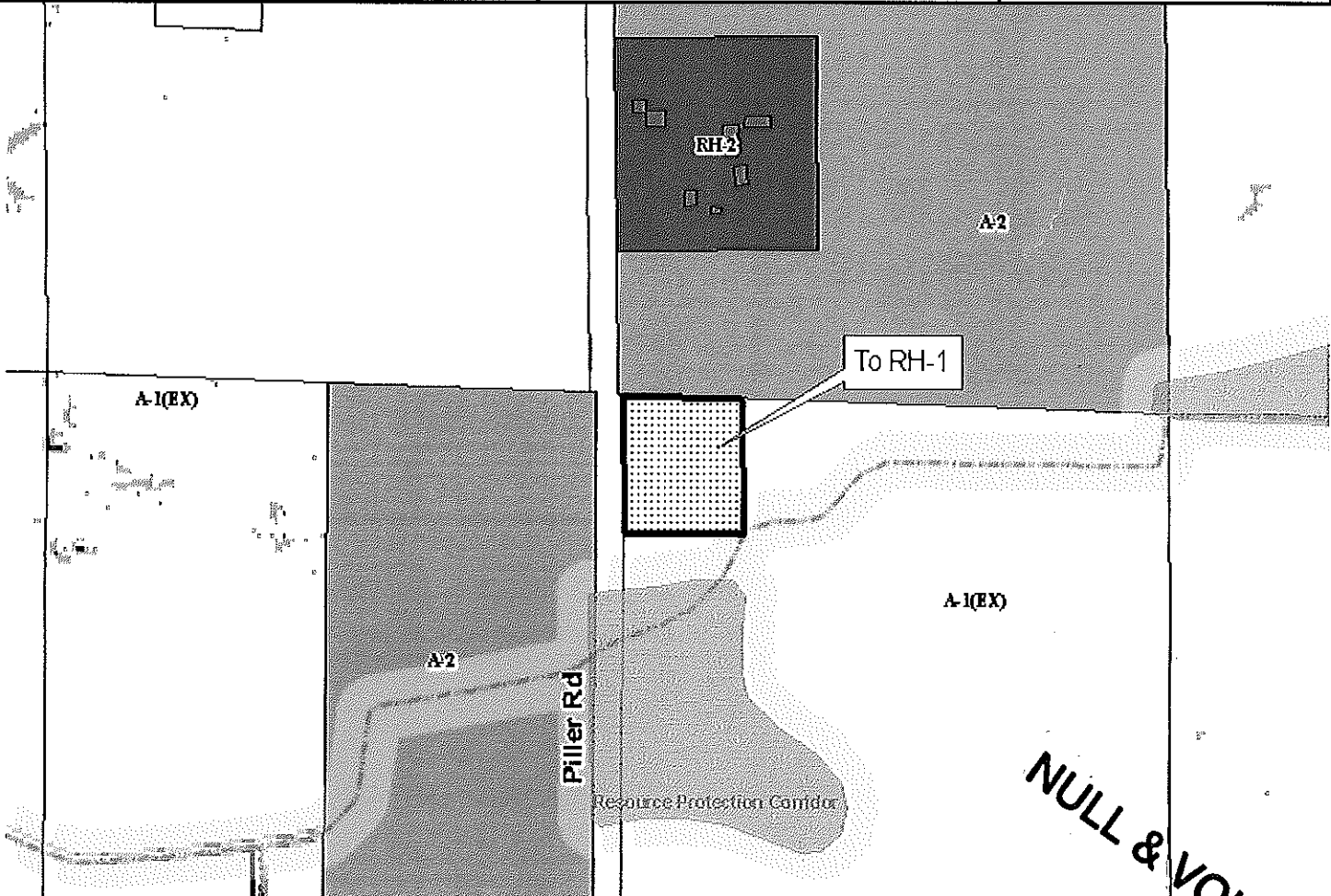
Acres: **2.224**  
Survey Req. **Yes**

Applicant  
**Francis Survivors TR**

Reason:  
**Creating one residential lot**

Location:  
**600 feet south of 876 Piller Road**

**NULL & VOID**



**NULL & VOID**

**Description:** The applicant would like to create a new residential lot on the 335-acre farm.

**Observations:** The proposed lot is located at the northerly end of the farm. It is situated just north of an identified wetland area and adjacent to an intermittent stream. The area is shown to contain hydric soils. Test pits have been dug on the property that determined that a septic system would be permitted in the northwest corner of the property. The area consists entirely of Class II soils.

**Town Plan:** The property is located in the Agricultural Preservation Area.

**Resource Protection Area:** The Town of Montrose Comprehensive Plan designates waterways, wetlands, significant soils, and areas of outstanding natural beauty as resource protection areas. It appears that the proposed lot falls outside the identified resource protection area.

**Staff Comments:** Staff has expressed concerns of residential development within hydric soils to the surveyor.

**Town Action:** Approved with no conditions.

**Staff Update:** The landowner is reevaluating the home site location.

**11/26 ZLR Action:**

**Motion by Hendrick / Matano to postpone until the petitioner chooses a better location for the lot; motion carried, 5-0. YGP: 1-0.**



DANE COUNTY  
**PLANNING & DEVELOPMENT**

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(608)266-4266, Rm. 116

January 7, 2015

Francois Survivors Trust  
6625 Frenchtown Road  
Belleville, WI 53508

Exeter Design  
N8096 Bual Road  
Belleville, WI 53508

**RE: Notice of Expiration for a Zoning Amendment  
Application (Rezone Petition No. 10611)**

To Whom It May Concern,

Our records show that your zoning petition is still pending with the Dane County Zoning Division. Pursuant to the Zoning and Land Regulation Committee policy, any petition that is not acted upon within one year of the public hearing date will expire.

This letter is to inform you that Petition Number 10611 has exceeded the one-year timeframe without action by the Zoning and Land Regulation Committee. The petition has been rendered null & void.

If you choose to pursue the zoning amendment for your property, a new application will need to be filed with the Dane County Zoning Division along with payment of fees. If you have questions or concerns, please call me directly at (608) 266-9078.

Respectfully,

Roger W. Lane III  
Dane County Zoning Administrator

Cc: Members of the Dane County Zoning and Land Regulation Committee  
Montrose Town Clerk



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: December 17, 2013

Petition: Rezone 10618

Zoning Amendment:  
**A-1EX Exclusive Agriculture District to RH-1 Rural Homes District**

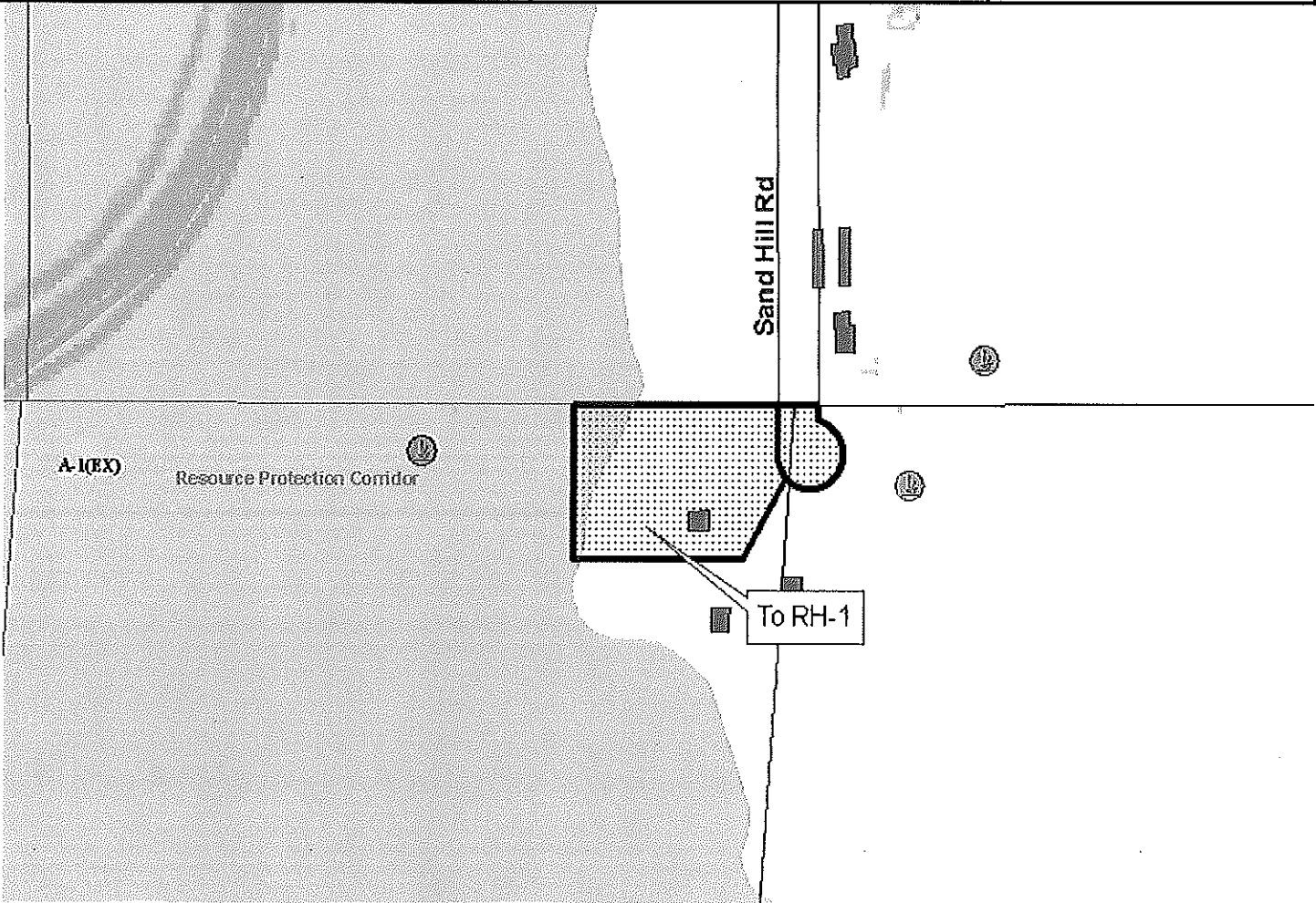
Town/sect:  
**Rutland Section 06**

Acres: 2.0  
Survey Req. Yes

Applicant  
**Klein Family Farm LLC**

Reason:  
**Separation of existing residence**

Location:  
**1584 Sand Hill Rd**



**Description:** The applicant would like to separate the existing farm house from the 400-acre farm.

**Observations:** The entire property consists of Class I & II soils. There is an existing residence contained within the proposed lot. The 2009 floodplain is shown to be encroaching on the proposed lot. However, the 2013 FEMA floodplain maps show the floodplain greatly reduced to the banks of the Badfish Creek located approximately 700 feet away. No other sensitive environmental features observed.

**Town Plan:** The property is located in the Agricultural Preservation Area.

**Resource Protection Area:** The Town of Rutland Comprehensive Plan identifies wetlands, floodplains, recharge areas, and riparian habitat as part of the resource protection area. The proposal appears to be outside the resource protection area given the new flood studies performed by the DNR on the Badfish Creek as delineated on the preliminary 2013 FEMA floodplain maps.

**Staff Comments:** The proposal meets the dimensional standards of the Zoning District.

**Town Action: PENDING**

**12/17 ZLR Action:**

**Motion by Bollig / Kolar to postpone until town action is received; motion carried, 3-0. YGP: 1-0.**



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Room 116, City-County Building, Madison, Wisconsin 53703  
Fax (608) 267-1540

January 7, 2015

Klein Family Farm  
795 Clover Lane  
Oregon, WI 53573

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*Planning*  
(608)266-4251, Rm. 116

*Records & Support*  
(608)266-4251, Rm. 116

*Zoning*  
(608)266-4266, Rm. 116

**RE: Notice of Expiration for a Zoning Amendment Application  
(Rezone Petition No. 10618)**

Dear Mr. Klein,

Our records show that your zoning petition is still pending with the Dane County Zoning Division. Pursuant to the Zoning and Land Regulation Committee policy, any petition that is not acted upon within one year of the public hearing date will expire.

This letter is to inform you that Petition Number 10618 has exceeded the one-year timeframe without action by the Zoning and Land Regulation Committee. The petition has been rendered null & void.

If you choose to pursue the zoning amendment for your property, a new application will need to be filed with the Dane County Zoning Division along with payment of fees. If you have questions or concerns, please call me directly at (608) 266-9078.

Respectfully,

Roger W. Lane III  
Dane County Zoning Administrator

Cc: Members of the Dane County Zoning and Land Regulation Committee  
Rutland Town Clerk





# Staff Report

Zoning and Land Regulation Committee

## NULL & VOID

Public Hearing: December 17, 2013

Zoning Amendment:  
C-2 Commercial District to C-2  
Commercial District

Petition: Rezone 10622

Town/sect:  
Roxbury  
Section 27

Acres: 1.92  
Survey Reg. No

Applicant  
Janeth M Boese

Reason:  
Amend the deed restriction to  
allow for additional commercial  
uses.

Location:  
6904 Pape Rd



**Description:** The applicant would like to expand the current deed restricted land uses on the property to allow for a broader array of uses in preparation of selling the property. Originally, the applicant was working with a perspective buyer that was interested in conducting auto sales, but that is no longer the case. The request would expand the uses to rooming and boarding houses, manufacturing facilities, major auto repairs, auto sales; and potentially motels, taverns, kennels, and car washes through a conditional use permit. The request includes a limit of 20 vehicles on the property at any one time.

**Observations:** The property is located in an existing commercial area along a frontage road of State Highway 12. All neighboring uses are commercial in nature. There is an existing residence, a two-story retail building (inactive), and several mini-warehouse buildings currently on the lot. The entire area consists of Class II soils. No other sensitive environmental features observed.

**Town Plan:** The Town Plan designates the area as "Highway Crossroads". The purpose is to allow planned commercial development along major road-ways, particularly Hwy 12. Uncontrolled commercial development is discouraged.

**Resource Protection Area:** The property is outside the resource protection area.

**Staff Comments:** The proposal appears to be consistent with Town Plan Policies. Staff is concerned that future uncontrolled exterior lighting in this area may present a traffic hazard along Highway 12. If approved, staff suggests deed restricting the property to the suggested land uses, in addition, prohibiting billboard signs. The deed restriction should require future landowners to obtain site plan approval from the Town Board prior to any changes to the existing land uses.

**Town Action:** Approved conditioned upon the limits on the suggested uses.

**12/17 ZLR Action:**

**Motion** by Kolar / Bollig to postpone allowing time for Staff to review the Town Plan policies with the applicant; motion carried, 3-0. YGP: 1-0.



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Room 116, City-County Building, Madison, Wisconsin 53703  
Fax (608) 267-1540

January 7, 2015

Janeth Boese  
6904 Pape Road  
Sauk City, WI 53583

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*Zoning*  
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**RE: Notice of Expiration for the Zoning Amendment Application  
(Rezone Petition No. 10622)**

Dear Ms. Boese,

Our records show that your zoning petition is still pending with the Dane County Zoning Division. Pursuant to the Zoning and Land Regulation Committee policy, any petition that is not acted upon within one year of the public hearing date will expire.

This letter is to inform you that Petition Number 10622 has exceeded the one-year timeframe without action by the Zoning and Land Regulation Committee. The petition has been rendered null & void.

If you choose to pursue the zoning amendment for your property, a new application will need to be filed with the Dane County Zoning Division along with payment of fees. If you have questions or concerns, please call me directly at (608) 266-9078.

Respectfully,

Roger W. Lane III  
Dane County Zoning Administrator

Cc: Members of the Dane County Zoning and Land Regulation Committee  
Roxbury Town Clerk