

**Dane County** 

## **Meeting Agenda - Final**

### Zoning & Land Regulation Committee

Tuesday, August 25, 2015	7:00 PM	City - County Building, ROOM 201
		210 Martin Luther King Jr. Blvd., Madison

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

#### A. Call to Order

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

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

<u>10864</u>	PETITION: REZONE 10864 APPLICANT: REX A CONNELY LOCATION: 958 SHERMAN DR, SECTION 28, TOWN OF MEDINA CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District REASON: zoning compliance for existing buildings
<u>Attachments:</u>	<u>10864 Staff</u>
	<u>10864 Town</u>
	<u>10864 Map</u>
	<u>10864 App</u>
<u>10866</u>	PETITION: REZONE 10866 APPLICANT: CARMON S WILSON LOCATION: 2101 SUGAR RIVER ROAD, SECTION 29, TOWN OF VERONA CHANGE FROM: A-2 (1) Agriculture District TO A-1EX Agriculture District REASON: consolidate all acreage into one agricultural property.
<u>Attachments:</u>	<u>10866 Staff</u> <u>10866 Town</u> <u>10866 Map</u> <u>10866 App</u>

<u>10867</u>	PETITION: REZONE 10867 APPLICANT: MEINHOLZ LIVING TR LOCATION: 5355 COUNTY HIGHWAY F, SECTION 23, TOWN OF BLACK EARTH CHANGE FROM: A-2 Agriculture District TO A-2 (2) Agriculture District, A-2 Agriculture District TO A-4 Small Lot Exclusive Agriculture District REASON: shifting of property lines between adjacent land owners
Attachments:	<u>10867 Staff</u>
	<u>10867 App</u>
	<u>10867 Map</u>
<u>10868</u>	PETITION: REZONE 10868 APPLICANT: LOREEN B KEMPFER LOCATION: 3781 TOKEN RD., SECTION 3, TOWN OF BURKE CHANGE FROM: R-1 Residence District TO R-3 Residence District REASON: less restrictive rear yard setback
Attachments:	<u>10868 Staff</u>
	<u>10868 Town</u>
	<u>10868 Map</u>
	<u>10868 App</u>
<u>10869</u>	PETITION: REZONE 10869 APPLICANT: JUDY L BREUNIG LOCATION: 7454 BITNEY RD, SECTION 18, TOWN OF DANE CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District REASON: shifting of property lines between adjacent land owners
<u>Attachments:</u>	<u>10869 Staff</u>
	<u>10869 Town</u>
	<u>10869 Map</u>
	<u>10869 App</u>

<u>10870</u>	PETITION: REZONE 10870 APPLICANT: CORY W GEHLING LOCATION: 6400 LODI-SPRINGFIELD ROAD, SECTION 33, TOWN OF DANE CHANGE FROM: LC-1 Limited Commercial Dist TO A-2 (8) Agriculture District, A-1EX Agriculture District TO LC-1 Limited Commercial Dist, A-1EX Agriculture District TO A-2 (8) Agriculture District REASON: correct LC-1 zoning map boundaries and bring property into compliance
<u>Attachments:</u>	<u>10870 Staff</u>
	<u>10870 Town</u>
	<u>10870 Map</u>
	<u>10870 App</u>
	10870 App revised
<u>10871</u>	PETITION: REZONE 10871 APPLICANT: TYLER SPIEGEL LOCATION: 1222 US HIGHWAY 14, SECTION 7, TOWN OF RUTLAND CHANGE FROM: C-2 Commercial District TO C-2 Commercial District REASON: amend restrictions to allow sale of motor vehicles and retail sales
<u>Attachments:</u>	<u>10871 Staff</u>
	<u>10871 Town</u>
	<u>10871 Map</u>
	<u>10871 App</u>
<u>10872</u>	PETITION: REZONE 10872 APPLICANT: MARK & RHONDA WETHAL LOCATION: 3758 OLD STAGE ROAD, SECTION 34, TOWN OF RUTLAND CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District, A-1EX Agriculture District TO RH-2 Rural Homes District REASON: separating existing residence from farmland
Attachments:	<u>10872 Staff</u>
	<u>10872 Town</u>
	10872 Density
	<u>10872 Map</u>
	<u>10872 App</u>

<u>10873</u>	PETITION: REZONE 10873 APPLICANT: DCW INVESTMENT LLC LOCATION: EAST OF 3614 OF OLD STAGE ROAD, SECTION 35, TOWN OF RUTLAND CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District REASON: creating one residential lot
<u>Attachments:</u>	<u>10873 Staff</u>
	<u>10873 Town</u>
	10873 Density
	<u>10873 Map</u>
	<u>10873 App</u>
<u>10874</u>	PETITION: REZONE 10874 APPLICANT: MIDTHUN BROTHERS LOCATION: 5320 CUBA VALLEY ROAD, SECTION 27, TOWN OF VIENNA CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District REASON: separating existing residence from farmland
<u>Attachments:</u>	<u>10874 Staff</u>
	<u>10874 Town</u>
	10874 Density
	<u>10874 Map</u>
	<u>10874 App</u>
<u>10875</u>	PETITION: REZONE 10875 APPLICANT: CHERI L TRICK LOCATION: 34 CRAIG ROAD, SECTION 12, TOWN OF ALBION CHANGE FROM: RH-1 Rural Homes District TO R-3A Residence District REASON: rezoning to a district that supports duplex uses
Attachments:	<u>10875 Staff</u>
	<u>10875 Town</u>
	10875 Density
	<u>10875 Map</u>
	<u>10875 App</u>

<u>10876</u>	PETITION: REZONE 10876 APPLICANT: RICHARD W VEDVIG LOCATION: 979 COUNTY HIGHWAY A, SECTION 9, TOWN OF ALBION CHANGE FROM: A-1EX Agriculture District TO C-2 Commercial District, A-1EX Agriculture District TO A-2 Agriculture District REASON: conveying part of agricultural land to adjacent commercial property owner and also state acquired part of parcel dropping it below 35 acres.
<u>Attachments:</u>	<u>10876 Staff</u>
	<u>10876 Town</u>
	<u>10876 Map</u>
	<u>10876 App</u>
<u>10877</u>	PETITION: REZONE 10877 APPLICANT: TURKEY ROAD FARM LLC LOCATION: SOUTH OF 9501 TURKEY ROAD, SECTION 30, TOWN OF BERRY CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District REASON: creating one residential lot
Attachments:	<u>10877 Staff</u>
	<u>10877 Town</u>
	<u>10877 Density</u>
	<u>10877 Map</u>
	<u>10877 App</u>
<u>10878</u>	PETITION: REZONE 10878
	APPLICANT: 6343 NESBITT ROAD LLC LOCATION: 6343 NESBITT ROAD, SECTION 12, TOWN OF VERONA CHANGE FROM: C-1 Commercial District TO C-2 Commercial District REASON: major & minor repairs to motor vehicles
<u>Attachments:</u>	LOCATION: 6343 NESBITT ROAD, SECTION 12, TOWN OF VERONA CHANGE FROM: C-1 Commercial District TO C-2 Commercial District
<u>Attachments:</u>	LOCATION: 6343 NESBITT ROAD, SECTION 12, TOWN OF VERONA CHANGE FROM: C-1 Commercial District TO C-2 Commercial District REASON: major & minor repairs to motor vehicles
<u>Attachments:</u>	LOCATION: 6343 NESBITT ROAD, SECTION 12, TOWN OF VERONA CHANGE FROM: C-1 Commercial District TO C-2 Commercial District REASON: major & minor repairs to motor vehicles <u>10878 Staff</u>
<u>Attachments:</u>	LOCATION: 6343 NESBITT ROAD, SECTION 12, TOWN OF VERONA CHANGE FROM: C-1 Commercial District TO C-2 Commercial District REASON: major & minor repairs to motor vehicles <u>10878 Staff</u> <u>10878 Town</u>

<u>10879</u>	PETITION: REZONE 10879 APPLICANT: PARKER J ELLINGSON JR LOCATION: 1905 BARBER DR, SECTION 26, TOWN OF DUNN CHANGE FROM: A-2 (8) Agriculture District TO R-2 Residence District REASON: shifting of property lines between adjacent land owners
<u>Attachments:</u>	<u>10879 Staff</u>
	<u>10879 Map</u>
	<u>10879 App</u>
<u>10880</u>	PETITION: REZONE 10880 APPLICANT: MID-TOWN CENTER LLC LOCATION: NORTH AND WEST OF 2700 RIMROCK ROAD, SECTION 36, TOWN OF MADISON CHANGE FROM: C-1 Commercial District TO B-1 Local Business District REASON: Less restrictive setback requirement
<u>Attachments:</u>	<u>10880 Staff</u> <u>10880 Town</u>
	Southdale Neighborhood Plan
	<u>10880 Map</u>
	B-1 factsheet
	<u>C-1 factsheet</u>
	<u>10880 App</u>
<u>10881</u>	PETITION: REZONE 10881 APPLICANT: RICKY A RICE LOCATION: 2819 COUNTY HIGHWAY T, SECTION 29, TOWN OF SUN PRAIRIE CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District REASON: separating residence from the farmland and creation of one residential lot
<u>10882</u>	PETITION: REZONE 10882 APPLICANT: GREGORY H HEISIG LOCATION: 2074 US HIGHWAY 12 & 18, SECTION 35, TOWN OF COTTAGE GROVE CHANGE FROM: RH-1 Rural Homes District TO A-1EX Agriculture District, A-1EX Agriculture District TO RH-1 Rural Homes District REASON: shifting of property lines between adjacent land owners

<u>10883</u>	PETITION: REZONE 10883 APPLICANT: ANNE L APLIN LOCATION: 4355 KRUEGER RD, SECTION 11, TOWN OF DEERFIELD CHANGE FROM: A-1EX Agriculture District TO RE-1 Recreational District, A-1EX Agriculture District TO R-1A Residence District, A-1EX Agriculture District TO A-2 Agriculture District REASON: shifting of property lines between adjacent land owners and creation of one residential lot
Attachments:	<u>10883 Staff</u>
	<u>10883 Town</u>
	10883 Density
	<u>10883 Map</u>
	<u>10883 App</u>
<u>10884</u>	PETITION: REZONE 10884 APPLICANT: ROGER J OLSON LOCATION: WEST OF 686 ALBION RD, SECTION 21, TOWN OF ALBION CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District REASON: creating one residential lot
<u>Attachments:</u>	10884 Staff
	<u>10884 Town</u>
	10884 Density
	<u>10884 Map</u>
	<u>10884 App</u>
<u>CUP 2322</u>	PETITION: CUP 2322 APPLICANT: DANE COUNTY LOCATION: 773 SILVER LANE, SECTIONS 13, 24, TOWN OF ALBION CUP DESCRIPTION: governmental use as county park
Attachments:	CUP 2322 Staff
	<u>CUP 2322 Town</u>
	CUP 2322 Map
	<u>2322 App</u>

<u>CUP 2323</u>	PETITION: CUP 2323 APPLICANT: NANCY D TURCOTTE LOCATION: 4560 RUSTIC DRIVE, SECTION 2, TOWN OF BLOOMING GROVE CUP DESCRIPTION: daycare in RH-1 Rural Homes district			
<u>Attachments:</u>	<u>CUP 2323 Sta</u>	aff		
	CUP 2323 site	e plan		
	<u>CUP 2323 To</u>	<u>wn</u>		
	Letters of opp	osition		
	<u>CUP 2323 Ma</u>	<u>q</u>		
	<u>CUP 2323 Ap</u>	<u>מ</u> י		
<u>CUP 2324</u>	LOCATION: 66	P 2324 NIGHT FAMILY FARM 10 SUN VALLEY PARKWAY, SECT TION: secondary farm residence in ti		
Attachments:	<u>CUP 2324 Sta</u>	aff		
	<u>CUP 2324 De</u>	ensity		
	<u>CUP 2324 To</u>	<u>wn</u>		
	<u>CUP 2324 Ma</u>	<u>ap</u>		
	<u>2324 App</u>			
<u>2015 OA-014</u>	AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN			
<u>Sponsors:</u>	CORRIGAN, RIPP, BOLLIG, KOLAR, MATANO, McCARVILLE, MILES, NELSON, PAN, PERTL, RITT and SALOV			
Attachments:	Springfield OA-014			
	Staff Memo			
	Plan Amendr	nent Text Changes		
	Town Transmittal Letter			
	Legislative His	tory		
	7/17/15	County Board	referred to the Zoning & Land Regulation	
	Committee This Ordinance was referred to the Zoning & Land Regulation Committee			

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

<u>CUP 2310</u>	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 update CUP 2310 Town.pdf			
	CUP 2310 map.pdf			
	CUP 2310 App.pdf			
	Legislative H	Legislative History		
	5/26/15	Zoning & Land Regulation Committee	postponed to the Zoning & Land Regulation Committee	
	Conditional l a voice vote.	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. Passed

#### 8/11/15 Zoning & Land Regulation Committee

approved with conditions

A motion was made by BOLLIG, seconded by MATANO, that this Conditional Use Permit be approved with 18 conditions. The motion carried by the following vote: 4-0. 1. The limited family business shall be limited to the pest control business.

2. The on-site business operation shall be restricted to the existing 52'x78' accessory building, building permit dated 01/15/13. Additions to the existing building and/or construction of another building for business purposes shall not be permitted. The Town shall be notified of any additional building of residential accessory building(s) for residential purposes, not business purposes.

3. The hours of operation shall be Monday through Friday, from 7 a.m. to 6 p.m.

4. All employees except one or one full-time equivalent, shall be a member of the family residing on the property. The number of hours for family members not residing on the property and for non-family members to work on site shall be limited to 40 hours/week.

5. The vehicles used in the business shall be limited to seven vehicles and the number of one-person trips per day for the business is limited to twenty, one-person trips in and out of the CTH G site.

6. No customers shall visit the site. No retail sales shall be conducted on the property. The on-site business shall not be opened to the public.

- 7. No business activities shall be conducted outside of the accessory building.
- 8. Outside loudspeakers are prohibited.
- 9. Outside signs are prohibited.

10. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall conform to the Town of Springdale Dark Sky Ordinance and shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall use full cut-off fixtures which prevent all upward transmission of light.

 All chemicals for the pest control business shall be properly disposed of off-site and in accordance with all pertinent county, state, federal, and industry regulations.
Servicing of personal and business vehicles shall be permitted on site with the proper disposal of vehicle fluids in accordance with all pertinent county, state, and federal regulations. The servicing of vehicles for hire on site shall be prohibited.

13. The conditional use permit shall automatically expire on sale of the property or business to an unrelated third party.

14. The building permit issued by the Town of Springdale, dated 01/15/13, shall be corrected to accurately reflect the elements of the accessory building as it is used.15. State, county and local approval of the accessory building shall be in compliance with all applicable codes and ordinances.

16. This CUP shall be reviewed by the Town of Springdale Plan Commission and Town Board and Building Inspector in two years from 06/22/2015, 6/2017, to confirm its compliance with the conditions of the CUP and for consistency with the current goals of the Town of Springdale Land Use Plan.

17. The business owner shall reside on the property.

18. Water service is permitted in the existing accessory building. Passed

#### F. Plats and Certified Survey Maps

#### G. Resolutions

#### H. Ordinance Amendment

<u>2015 OA-014</u>	AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF SPRINGFIELD COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN			
<u>Sponsors:</u>	CORRIGAN, RIPP, BOLLIG, KOLAR, MATANO, McCARVILLE, MILES, NELSON, PAN, PERTL, RITT and SALOV			
<u>Attachments:</u>	Springfield OA-014			
	Staff Memo			
	Plan Amendment Text Changes			
	Town Transmittal Letter			
	Legislative His			
	7/17/15	County Board	referred to the Zoning & Land Regulation Committee	
	This Ordinance was referred to the Zoning & Land Regulation Committee			

#### J. Reports to Committee

<u>2015 ACT-236</u> Renewal of Salvage Recycling licenses pursuant to Section 10.20 of the Dane County Zoning Ordinance.

Attachments: 8.25

#### K. Other Business Authorized by Law

#### L. Adjourn

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 hnub ua hauj lwm ua ntej yuav tuaj sib tham.