

# **Dane County**



## **Minutes**

**Tuesday, March 28, 2017**

**6:30 PM**

**City - County Building, ROOM 354  
210 Martin Luther King Jr. Blvd., Madison  
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210 Martin Luther King Jr. Blvd., Madison**

**Zoning & Land Regulation Committee**

## A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Andros, Everson, Lane, and Violante

Youth Governance Members present: Harry Joseph Finkelmeyer and Garrett Stolen.

**Present** 4 - JERRY BOLLIG, MARY KOLAR, AL MATANO, and DENNIS O'LOUGHLIN

**Excused** 1 - PATRICK MILES

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

No comments made by the public.

[2016](#)  
[RPT-784](#)

Registrants of the March 28, 2017 ZLR Committee meeting

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

[11098](#)

PETITION: REZONE 11098

APPLICANT: EUGENE H HAHN JR

LOCATION: 6075 PORTAGE ROAD, SECTION 3, TOWN OF BURKE

CHANGE FROM: A-1 Agriculture District TO RH-2 Rural Homes District, A-1 Agriculture District TO R-1 Residence District

REASON: shifting of property lines between adjacent land owners

*In favor: Eugene Hahn*

*Opposed: None*

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

**Ayes:** 4 - BOLLIG, KOLAR, MATANO and O'LOUGHLIN

**Excused:** 1 - MILES

[11100](#)

PETITION: REZONE 11100  
APPLICANT: JASON PERRY  
LOCATION: 1928 WILLIAMS DRIVE, SECTION 29, TOWN OF PLEASANT SPRINGS  
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District  
REASON: separating existing residence from farmland

*In favor: Jason Perry*  
*Opposed: None*

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

**1. A deed restriction shall be recorded on parcels 0611-294-8500-0 and 0611-294-8050-5 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,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11102](#)

PETITION: REZONE 11102  
APPLICANT: KEVIN BALLWEG  
LOCATION: 8982 TABLE BLUFF ROAD, SECTION 29, TOWN OF BERRY  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District  
REASON: shifting of property lines between adjacent land owners

*In favor: Kevin Ballweg*  
*Opposed: None*

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

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11103](#)

PETITION: REZONE 11103  
APPLICANT: PAUL J TUIITE & TAMMY LATOUR  
LOCATION: 6257 MARY IDA DRIVE, SECTION 3, TOWN OF BURKE  
CHANGE FROM: R-1 Residence District TO A-1 Agriculture District  
REASON: shifting of property lines between adjacent land owners

*In favor: Jan Zimmermann, Dane County Parks Department*  
*Opposed: None*

**A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be postponed due to no town action. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11104](#)

PETITION: REZONE 11104  
APPLICANT: ROSEMARY MARDEN  
LOCATION: 3226 OLD STAGE ROAD, SECTION 36, TOWN OF RUTLAND  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District  
REASON: zoning to allow animals

*In favor: Rosemary Marden  
Opposed: None*

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

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11105](#)

PETITION: REZONE 11105  
APPLICANT: WENDY PACETTI  
LOCATION: 1841 RANGE TRAIL, SECTION 34, TOWN OF VERONA  
CHANGE FROM: RH-3 Rural Homes District TO RH-1 Rural Homes District  
REASON: creating four residential lots, one for existing home

*In favor: Wendy Pacetti and Nancy Hylbert  
Opposed: Dave Michuda, Cindy Michuda, Don Marty, Joan Ballweg, and Ted Ballweg.  
The neighbors expressed concerns regarding development by the wetland area and the development keeping in character with the size of the neighboring lots along Range Trail. The neighborhood would prefer that the lot be split into two.*

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be postponed due to no town action and public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

**A motion was made by BOLLIG, seconded by MATANO, to enter the information that was distributed at the public hearing into the public record. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[11115](#)

PETITION: REZONE 11115  
APPLICANT: CHRISTOPHER W MILLER  
LOCATION: 8096 US HIGHWAY 18 & 151, SECTION 13, TOWN OF SPRINGDALE  
CHANGE FROM: R-4 Residence District TO LC-1 Limited Commercial District  
REASON: zoning change to allow a landscaping company

*In favor: Brett Myers*

*Opposed: Ed Doeseher and Nick Ricci. The neighbors expressed concerns regarding night activities and the dangers of ingress/egress to 18/151.*

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be postponed due to no town action and public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[CUP 2376](#)

PETITION: CUP 2376  
APPLICANT: CHRISTOPHER W MILLER  
LOCATION: 8096 US HIGHWAY 18 & 151, SECTION 13, TOWN OF SPRINGDALE  
CUP DESCRIPTION: Residence for owner of the business

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[CUP 2371](#)

PETITION: CUP 2371  
APPLICANT: DIANE V FINK  
LOCATION: 2732 STATE HIGHWAY 78, SECTION 14, TOWN OF BLUE MOUNDS  
CUP DESCRIPTION: continue existing mineral extraction operation

*In favor: Dave Bing representing Diane Fink.*

*Opposed: Arron Statz and Stephanie Bertin. The neighborhood to the east expressed concerns regarding safety, screening, and reclamation of the site.*

**A motion was made by MATANO, seconded by BOLLIG, that this Conditional Use Permit be postponed due to public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

CUP 2372

PETITION: CUP 2372  
APPLICANT: MICHAEL K JELLE  
LOCATION: 425 PEERLESS ROAD, SECTION 26, TOWN OF PRIMROSE  
CUP DESCRIPTION: limited family business-agricultural equipment repair business

*In favor: Mike Jelle*  
*Opposed: None.*

**A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be approved with conditions. The motion carried by the following vote: 4-0.**

- 1. An Emergency Response plan shall be submitted to the Town within 30 days.**
- 2. The owner shall provide proof of correct hazardous waste disposal to Town Board within 30 days.**
- 3. Outdoor operation hours of 7:00am to 6:00pm (exceptions for emergency repairs)**
- 4. There shall be no limitations on indoor shop work hours.**
- 5. The operation, including outbuildings, be confined the .55acres of the total 90 acres, surveyed off as shown on Exhibit A.**
- 6. The operation shall be restricted to a family business which repairs farm machinery.**
- 7. The conditional use permit is not transferable upon sale of business or the property.**
- 8. The landowner is responsible for reviewing the operation plan with the Town Board every 3 years to identify that the operation still meets the standards of approval.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

CUP 2373

PETITION: CUP 2373  
APPLICANT: EASTMAN HUNTING CLUB INC  
LOCATION: 278 LAKE DRIVE, SECTION 35, TOWN OF ALBION  
CUP DESCRIPTION: mineral extraction, concrete batch plant, and asphalt plant operation

*In favor: James Hoffman, Shawn Hoffman, Attorney Dan O'Callaghan, Thad Andrews, Albion Town Chair Robert Venske, Town Planning Commission Chair Kim Olson, and Kathryn Fosdal.*

*Opposed: Brian Bogan, Attorney Jessica Shrestha, Steve Gaffield, Attorney Matt Fleming. Concerns were expressed regarding the high capacity well, environmental impact, traffic, the need for additional information, and the need for additional public hearings.*

**A motion was made by BOLLIG, seconded by MATANO, that this Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[CUP 2374](#)

PETITION: CUP 2374  
APPLICANT: G & N LAND HOLDINGS LLC  
LOCATION: NORTHWEST CORNER OF PROPERTY AT 1471 US HIGHWAY 51, SECTION 1,  
TOWN OF RUTLAND  
CUP DESCRIPTION: monopole communication tower

*In favor: Nathan Ward*  
*Opposed: None*

**A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be postponed due to no town action. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

[2016  
OA-083](#)

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF  
ORDINANCES, AUTHORIZING ELECTRONIC SIGNS IN THE A-1EX  
EXCLUSIVE AGRICULTURE ZONING DISTRICT

*In favor: Supervisor Downing expressed the need for the ordinance amendment and informed the Committee that a substitute has been prepared to address the recent concerns.*  
*Opposed: None.*

**A motion was made by BOLLIG, seconded by MATANO, that this Ordinance be referred to the Zoning & Land Regulation - Comprehensive Revision of Chapter 10 Subcommittee, to be incorporated into the revisions to zoning regulations. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

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

[11087](#)

PETITION: REZONE 11087  
APPLICANT: MICHAEL G LARSON  
LOCATION: 3745 COUNTY HIGHWAY P, SECTION 27, TOWN OF CROSS PLAINS  
CHANGE FROM: B-1 Local Business District TO A-2 (1) Agriculture District  
REASON: change zoning to allow for a large accessory structure

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be postponed to allow time for the landowner to choose a different zoning classification. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

## E. Plats and Certified Survey Maps

[2016 LD-057](#) Preliminary Plat - Spruce Hollow Replat No. 1  
Town of Middleton, 12 lots  
Staff recommends acceptance and schedule for future consideration.

**A motion was made by BOLLIG, seconded by MATANO, that the preliminary plat be accepted and schedule for future consideration. The motion carried by a voice vote.**

[2016 LD-056](#) Final Plat - Bell West - 1st Addition  
Village of Belleville  
Staff recommends a certification of non-objection.

**A motion was made by BOLLIG, seconded by MATANO, that the final plat be certified with no objections. The motion carried by a voice vote.**

## F. Resolutions

[2016  
RES-572](#) **AMENDING THE 2017 OPERATING BUDGET TO ENHANCE CITIZENSHIP ASSISTANCE SERVICES**

*County Board Chair Corrigan explained the proposed language changes to the resolution.*

**A motion was made by MATANO, seconded by BOLLIG, that Sub 1 to Resolution 2016 RES-572 requiring 2/3rds Vote be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

## G. Ordinance Amendment

[2016  
OA-083](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, AUTHORIZING ELECTRONIC SIGNS IN THE A-1EX EXCLUSIVE AGRICULTURE ZONING DISTRICT

See motion above.

## H. Items Requiring Committee Action

[2016](#)  
[DISC-041](#)

Concept Plan consideration for a potential Planned Unit Development (PUD) at 1984-87 Barber Drive, Section 26, Town of Dunn

*Robert Brownell presented a concept plan for the redevelopment of the Barber's Bay property. Adam and Brittany Buhalog in attendance.*

**A motion was made by O'LOUGHLIN, seconded by MATANO, that the Barber's Bay Concept Plan warrants the used of a Planned Unit Development (PUD) in this area. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

**Excused:** 1 - MILES

## I. Reports to Committee

[2016](#)  
[RPT-761](#)

Report of approved Certified Survey Maps for February and March

No comments made by the Committee.

## J. Other Business Authorized by Law

## K. Adjourn

A motion was made by BOLLIG, seconded by O'LOUGHLIN, to adjourn the meeting of the Zoning and Land Regulation Committee at 9:10pm. The motion carried unanimously.

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