

Dane County



Minutes

Tuesday, May 23, 2017

6:30 PM

**City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison
City - County Building, ROOM 354
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: Everson, Standing, and Violante

Youth Governance Members present: Harry Joseph Finkelmeyer

Miles arrived at 6:41pm.

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and DENNIS O'LOUGHLIN

Excused 1 - DENNIS O'LOUGHLIN

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

No comments made by the public.

C. Consideration of Minutes

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

[11125](#)

PETITION: REZONE 11125 **WITHDRAWN**

APPLICANT: PETTIT PROPERTIES LLC

LOCATION: 318 GOEDE ROAD, SECTION 26, TOWN OF ALBION

CHANGE FROM: LC-1 Limited Commercial District TO C-2 Commercial District

REASON: zoning change to allow storage of vehicles and construction equipment

No action taken on the petition.

[11126](#)

PETITION: REZONE 11126

APPLICANT: EDWIN RODENSCHMIT

LOCATION: SOUTH OF 4455 CELESTIAL CIRCLE, SECTION 10, TOWN OF CROSS PLAINS

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

REASON: creating one residential lot

In favor: Mike Roessler

Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG, KOLAR and MATANO

Excused: 1 - O'LOUGHLIN

Absent: 1 - MILES

[11127](#)

PETITION: REZONE 11127
APPLICANT: GARY A LEVERENZ
LOCATION: 5610 ALPINE ROAD, SECTION 33, TOWN OF OREGON
CHANGE FROM: RH-4 Rural Homes District TO A-2 Agriculture District
REASON: agricultural production (apples)

In favor: Gary Leverenz
Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0

Ayes: 3 - BOLLIG,KOLARandMATANO

Excused: 1 - O'LOUGHLIN

Absent: 1 - MILES

[11128](#)

PETITION: REZONE 11128
APPLICANT: DAWN M EVERT
LOCATION: WEST OF 5631 HODGSON ROAD, SECTION 18, TOWN OF MAZOMANIE
CHANGE FROM: A-2 Agriculture District TO RH-2 Rural Homes District, A-2 Agriculture District
TO RH-2 Rural Homes District
REASON: creating two residential lots

In favor: Dawn Evert
Opposed: None

A motion was made by MATANO, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The appropriate transfer of development rights documents shall be recorded on the properties. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

[11129](#)

PETITION: REZONE 11129
APPLICANT: MDW INVESTMENTS LLC
LOCATION: 1378 SUTTER ROAD, SECTION 11, TOWN OF PERRY
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, A-1EX Agriculture
District TO RH-2 Rural Homes District
REASON: creating two residential lots

In favor: Mike Roessler
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11130

PETITION: REZONE 11130
APPLICANT: MDW INVESTMENTS LLC
LOCATION: 10093 SPRING VALLEY DRIVE, SECTION 10, TOWN OF PERRY
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: separating existing residence from farmland

In favor: Mike Roessler
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11131

PETITION: REZONE 11131
APPLICANT: SHANE LEGLER
LOCATION: 216 GOEDE ROAD, SECTION 35, TOWN OF ALBION
CHANGE FROM: R-1 Residence District TO A-2 (1) Agriculture District
REASON: allow additional accessory buildings

In favor: Shane Legler
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11132

PETITION: REZONE 11132
APPLICANT: TINA M HAYWARD
LOCATION: 364 PAGELOW LANE, SECTION 30, TOWN OF RUTLAND
CHANGE FROM: R-1 Residence District TO A-2 (1) Agriculture District
REASON: zoning to allow for a limited family business

In favor: Tina Hayward
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

CUP 2379

PETITION: CUP 2379
APPLICANT: TINA M HAYWARD
LOCATION: 364 PAGELOW LANE, SECTION 30, TOWN OF RUTLAND
CUP DESCRIPTION: REZONE TO A DISTRICT THAT WILL ALLOW FOR A LIMITED FAMILY BUSINESS-CLEANING BUSINESS

In favor: Tine Hayward
Opposed: None

A motion was made by MATANO, seconded by MILES, 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,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11134

PETITION: REZONE 11134
APPLICANT: RICHARD J FAHEY
LOCATION: 7532 WALTER ROAD, SECTION 29, TOWN OF MONTROSE
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating two residential lots

In favor: Richard and Mary Fahey
Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11135

PETITION: REZONE 11135
APPLICANT: DALE & DIANE HELT
LOCATION: WEST OF 7050 LAVINA ROAD, SECTION 27, TOWN OF DANE
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

In favor: Dale and Diane Helt
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The transfer of development rights documents shall be recorded on the properties. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11136

PETITION: REZONE 11136
APPLICANT: SCREAMIN' NORWEGIAN FARMS LLC
LOCATION: 1924 US HIGHWAY 12 & 18, SECTION 35, TOWN OF COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District, A-1EX Agriculture District TO R-3A Residence District
REASON: separating existing residences from farmland

The petitioner requested that the petition be postponed.

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11137

PETITION: REZONE 11137
APPLICANT: LUCY S KURT-MANHART
LOCATION: 5899 COUNTY HIGHWAY CV, SECTION 8, TOWN OF BURKE
CHANGE FROM: A-1 Agriculture District TO RH-4 Rural Homes District, A-1 Agriculture District TO R-1 Residence District
REASON: separating existing residences from farmland

In favor: Peter Kurt

Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

11138

PETITION: REZONE 11138
APPLICANT: SZUDY TR, LEONARD A
LOCATION: NORTHEAST OF 6474 COOKE ROAD, SECTION 36, TOWN OF MAZOMANIE
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes District
REASON: creating one residential lot and one agricultural lot

In favor: Doug Szudy

Opposed: None

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

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

CUP 2377

PETITION: CUP 2377

APPLICANT: BOARD OF REGENTS UNIVERSITY OF WISCONSIN-MADISON

LOCATION: 3725 SCHNEIDER DRIVE, SECTION 27, TOWN OF DUNN

CUP DESCRIPTION: high and low ropes course - governmental use

In favor: Bo Muwahid

Opposed: None

A motion was made by BOLLIG, seconded by MILES, that this Conditional Use Permit be approved with 3 conditions. This conditional use permit shall replace CUP 822. The motion carried by the following vote: 4-0.

1. The Conditional Use Permit is for Governmental Uses for the University of Wisconsin-Madison.

2. Governmental uses occurring on the property include and shall be limited to the following uses listed below. Any proposed new future use(s) shall require town and county approval of an amendment to this Conditional Use Permit: Electrical engineering research labs, Mechanical engineering research labs, General engineering research labs, Physics research labs, Physical Sciences Lab (PSL), Machinery & electronics shop facilities, General campus cold storage, Restored prairie recreational area, Community gardens, Staff & visitor parking, General university offices and support functions, and High and low ropes course with restroom facility and storage building.

3. Approval is subject to ongoing compliance with the terms of the operations plan:

a. Hours of Operation: Hours of operation are daylight dependent. The facility will be used by groups during standard business hours as well as evenings and weekends. Spring, summer, and fall will be the primary use seasons when weather conditions allow.

b. Anticipated Customers: UW-Madison trained and authorized facilitators/instructors will be the only allowed individuals to operate the ropes course. The course will only be used by groups who have contracted with the UW's Adventure Learning Program (ALPS). This facility will not be open to the public.

c. Outside Storage: A 30'x30' restroom facility and storage shed is proposed as indicated on the plan. This facility along with the entire ropes course will be enclosed by a fence.

d. Outdoor Activities: Low and high ropes course modules. Pole heights not to exceed 50'.

e. Outdoor Lighting: There will be no outdoor lighting.

f. Outside Loudspeakers: There will be no outside loudspeakers or amplification improvements.

g. Proposed Signs: Limited to existing signage. There are no new signs proposed for this facility.

h. Trash Removal: Trash removal services will be coordinated with the existing facilities. No new dumpsters or recycle containers are anticipated.

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

CUP 2378

PETITION: CUP 2378
APPLICANT: LEAH H ZIEMBA
LOCATION: 1397 HILLSIDE ROAD, SECTION 2, TOWN OF ALBION
CUP DESCRIPTION: allowing additional animal units on property

In favor: Tim and Leah Ziemba

Opposed: None

A motion was made by MATANO, seconded by MILES, that this Conditional Use Permit be approved with 3 conditions. The motion carried by the following vote: 4-0.

- 1. The number of livestock is limited to no more than 50 animal units.**
- 2. A manure management plan shall be reviewed and approved by Dane County Land Conservation. Ongoing compliance with the manure management plan is required.**
- 3. The CUP shall expire upon sale of the property to an unrelated 3rd party.**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

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

11071

PETITION: REZONE 11071
APPLICANT: VETESNIK ENTERPRISES LLC
LOCATION: 4246 DAENTL ROAD, SECTION 5, TOWN OF BURKE
CHANGE FROM: A-2 (2) Agriculture District TO C-2 Commercial District
REASON: compliance for outdoor sales display

A motion was made by MILES, seconded by BOLLIG, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

- 1.The parcel shall be deed restricted to prohibit the construction of buildings south of Token Creek, to prohibit the installation of any billboard signage on the entire Lot, and to allow the display of recreational equipment and accessory storage buildings offered for sale on the gravel surface, up to a maximum of 15 objects on display, as more particularly described on Exhibit A as presented.**

Ayes: 4 - BOLLIG,KOLAR,MATANOandMILES

Excused: 1 - O'LOUGHLIN

F. Plats and Certified Survey Maps

2017 LD-002

Final Plat - Woods Farm
City of Madison
Staff recommends a certification of non-objection.

A motion was made by MILES, seconded by MATANO, to certify the final plat with no objections . The motion carried by a voice vote. 4-0

[2017 LD-003](#) Final Plat - Spruce Hollow Replat No. 1
Town of Middleton
Staff recommends conditional approval.

A motion was made by BOLLIG, seconded by MILES, to approve the final plat subject to the following conditions: The motion carried by a voice vote. 4-0

1. Compliance with the Dane County Comprehensive Plan is to be established.
2. The public park land appropriation requirement is to be satisfied.
3. All streets shall be noted as dedicated to the public.
4. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
5. Comments from the Dane County Highway department are to be satisfied:
 - CTH S is a controlled access highway.
 - No access should be designated across the entire frontage along CTH S.
 - Right of way appears to be correct.
6. Utility easements are to be provided.
7. Grading and surfacing. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Middleton.
8. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
9. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
10. The required approval certificates are to be satisfied.

[2017 LD-005](#) Kavon proposed 2-lot Certified Survey Map
Town of Verona, Section 16

A motion was made by MATANO, seconded by MILES, that the Land Division be approved subject to a conditional approval letter provided to the applicant by staff. The motion carried by a voice vote. 4-0

[2017 LD-004](#) Watts Family proposed 2-lot Certified Survey Map
Town of Middleton, Section 30

A motion was made by MILES, seconded by MATANO, that the Land Division be approved subject to a conditional approval letter provided to the applicant by staff. The motion carried by a voice vote. 4-0

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

[2017](#)
[RPT-121](#)

Report of approved Certified Survey Maps

K. Other Business Authorized by Law

L. Adjourn

A motion was made by MILES, seconded by BOLLIG, to adjourn the May 23rd Zoning and Land Regulation Committee meeting at 7:10pm. The motion carried unanimously.

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