

## TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # DCPREZ-2018-11262

Dane County Zoning & Land Regulation Committee Public Hearing Date 3/27/18

Whereas, the Town Board of the Town of Montrose having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one): ☐ Approved ☐ Denied ☐ Postponed

**Town Planning Commission Vote:** 4 in favor 0 opposed 0 abstained 1 absent

**Town Board Vote:** 3 in favor 0 opposed 0 abstained

### THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1. ☐ Deed restriction limiting use(s) in the \_\_\_\_\_ zoning district to only the following:  
\_\_\_\_\_  
\_\_\_\_\_
2. ☒ Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):  
See Attached Land Use Committee 2-26-18 minutes  
and 3/6/18 Town Board minutes
3. ☐ Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
4. ☐ Condition that the applicant must record a Notice Document which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
5. ☐ Other Condition(s). Please specify:  
\_\_\_\_\_  
\_\_\_\_\_

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, Julie L Bigler, as Town Clerk of the Town of Montrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on March 6, 20 18.

Town Clerk Julie L Bigler

Date: March 6, 20 18.

**Town of Montrose Land Use Committee  
February 26, 2018 Meeting Report**

**Present:** Deb Brucaya, Junior Eichelkraut, Jerome Gobel, Tom Sarbacker, Tim Schmitt  
**Absent:** Junior Eichelkraut

**Minutes are not official until approved by land use committee (LUC) members.**

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Tim moved to approve as read the minutes of the August 28, 2017 land use committee meeting. Motion carried unanimously.

The first agenda item was a request by landowners Jaggi and Weisensel at the behest of the Madison Metropolitan School District to rezone lands in Section 6 referred to as old Lot 1 created by CSM 12818, currently a buildable RH-4 zoned parcel, and old Lot 2 created by CSM 4600, currently zoned A-1 Exc. The one split available on this original farm of 66-67 acres was used to create old Lot 1. The School District wishes to change the access to and enlarge their current lands in this section to enhance the public's recreational use of the land and ensure the safety of users. Wade Wyser of Wyser Engineering, LLC was present to answer questions, as were the landowners and School District staff.

The School District intends to purchase 14.47 acres of old Lot 2 to create **new Lot 3** to be zoned RE-1 Recreational District, leaving the remaining old Lot 2 acres in A-1 Exc. zoning.

The RH-4 zoned old Lot 1 will be downsized to 5.50 acres to create a **new Lot 1**, to be rezoned RH-2. This new, smaller parcel will remain buildable.

The remaining RH-4 zoned acres will be added to the remaining A-1 Exc. acres to create **new Lot 2**. New Lot 2, then, will be a combination of the remnant acres from old Lots 1 and 2 after new Lots 1 and 3 are created. The 46.78 acres size of new Lot 2 will increase A-1 Exc. zoning acreage in the township. Access to new Lot 2 over new Lot 1 is created under the CSM developed for these rezoning actions.

After discussion, **Jerome moved and Deb seconded to recommend town board approval of the request by landowners Jaggi and Weisensel to downsize Lot 1 now zoned RH-4 to a smaller 5.50 acre parcel to be zoned RH-2 that will remain buildable, to reconfigure Lot 2 to create new Lot 3 consisting of 14.47 acres to be zoned of RE-1 recreational district, and to create a new, larger 46.78 acres A-1 Exc. parcel (new Lot 2) from the remnant acreage of existing Lots 1 and 2. In addition, just as existing Lot 2 has not been a buildable lot, a deed restriction is recommended to make it clear that all available splits have been exhausted and no residential development may occur on new Lots 2 and 3. Last, a new driveway for the School District, engineered to meet standards that include slope, storm water runoff, and width, will be located approximately 80' north of the current access to improve sight distances onto and off of Fritz Road. Motion carried unanimously.**

3-1-18 NOTE: Majid Allan, Dane Co. Planning, clarified that no split is needed to transfer ownership of acreage from old Lot 2 to create new Lot 3 because none of this land is eligible for development.

The second agenda item was a review of Dane County's preliminary map for the township showing parcels assigned to Dane County's proposed new zoning categories under a rewrite of Chapter 10 of the County's zoning ordinance. The committee recognized that many hours could be spent to review each parcel depicted on the map. In the time allotted, committee members identified these items:

1. Residential lots at the north end of and along the east side of Kelly Drive in Sections 20 and 29 may be missing.
2. Township lands on the north edge of the Village of Belleville along State Highway 69 may not be shown correctly. Is the cemetery in the township or the village?
3. Is the small triangle of commercial land on the far west side of Paoli at the intersection of State Highway 69 and Paoli Road correct? This land has been in crops for many years.
4. Cemeteries are to be shown with RE zoning (recreational) but in Montrose, only Pioneer Cemetery on Feller Road shows as RE. The cemetery along County Road PB just south of Paoli is shown with FP-1 zoning (farmland preservation small acreage) while the cemetery along the south side of Schaller Road in Section 5 appears as FP-35 (farmland preservation, previously A-1 Exc.).
5. On the south side of the bumpout of Sun Valley Parkway in Section 1 a small parcel is shown in black indicating "special use," which corresponds to a UTIL label. However, this parcel is labeled UTR. Jerome recalled the township once had a trash dumping or holding area at this location. (NOTE: Majid Allan with Dane County informed Tim and Deb on 3-1-18 that UTR indicates utility and transportation zoning and that this parcel is owned by the township.)

There was a brief discussion of time sheets and accounting requirements for time spent on various tasks. Is there a way for these administrative requirements to be lightened or simplified without jeopardizing the eligibility of qualifying township employees for state retirement system benefits?

There were no other agenda items or public input before the meeting adjourned after unanimous approval of Deb's motion and Tom's second to do so.

Submitted by:

Deborah A. Brucaya, Recording Secretary  
Town of Montrose Land Use Committee



Town of Montrose  
Regular Board Meeting  
Tuesday, March 6, 2018, 7:00 p.m.

Meeting was called to order by Roger Hodel at 7:07 p.m.

Clerk stated for the record that meeting was posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Randy Francois and Dan Palmer, Treasurer Melissa Salisbury and Clerk Julie Bigler

**Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve February 6, 2018 Minutes as read. Motion carried.**

**Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve February 2018 Treasurers Report as read and pay all bills. Motion carried.**

Announcements: The Town would like to express get well wishes to Mary O'Brien and Dan Palmer. Discussion held on people who are interested in the Land Use Chairperson position. The Village of Belleville has asked the Town of Montrose board to attend the March 19th meeting to discuss the Remy Road Bridge. Roger Hodel brought in the March 2018 Wisconsin Agriculturist magazine which has an article on Tom Sarbacker and family. The Sarbacker's were nominated and won the 2018 Master Agriculturist. The complete article is available in the Clerk's office.

Committee Reports: Tim Schmitt reported to the board the recommendation from the Land Use Committee regarding the rezone from Jaggi and Weisensel. Land Use Committee reviewed the Dane County Draft Chapter 10 Map. Tim talked with Majid Allan, Dane County Zoning Administrator in depth regarding changes to the map.

Proposal to Convert Section of State Highway 69 into a Town Road: Nothing to report

**Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve Operator License Request from Jessica Ann Popp and Amanda Ann Miller Contingent Upon Receiving All Paperwork and Fees. Motion Carried**

The Town Board agreed to change the April 3rd meeting to April 10th because the meeting room will be used as an exit for the April 3rd Spring Primary.

**Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve the Jaggi and Weisensel Dane County Petition Number DCPREZ-2018-11262, Lot 1 to Reduce to 5.5 acres and be Rezoned RH-2, Lot 2 to Reduce to 46.78 Acres and to Remain in A1-Exclusive. Also, Creating Lot 3 which will be 14.47 Acres and be Rezoned Recreation 1 per Wyser CSM to be Approved by County and New Driveway into Lot 3 off of Fritz Road. Motion Carried.**

**Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to accept the 2018-2019 Bridge Inspection Requirements Agreement. Motion Carried.**

No Public Input

**Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to adjourn March 6, 2018 Regular Board Meeting at 8:13 p.m. Motion Carried.**

Respectfully Submitted,  
Julie L. Bigler, Town Clerk

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