

Dane County



Minutes

Tuesday, February 25, 2020

6:30 PM

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

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

A. Call to Order

Present 3 - JERRY BOLLIG, STEVEN PETERS, and HEIDI WEGLEITNER

Excused 2 - KRISTEN AUDET, and JASON KNOLL

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

[2019](#)
[RPT-640](#)

February 25th ZLR meeting registrants

Chair Bollig called the February 25, 2020 Zoning and Land Regulation Committee meeting to order at 6:30pm in Room 354 of the City-County building.
Staff present: Everson, Lane, and Violante

C. Consideration of Minutes

[2019](#)
[MIN-469](#)

Minutes of the February 11, 2020 Zoning and Land Regulation Committee meeting

A motion was made by PETERS, seconded by WEGLEITNER, to approve the minutes of the February 11, 2020 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

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

[11514](#)

PETITION: REZONE 11514
APPLICANT: DOERR TR
LOCATION: WEST OF 10 COUNTY HIGHWAY N, SECTION 33, TOWN OF ALBION
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-1 Rural Residential District
REASON: creating one residential lot

In favor: Ron Combs
Opposed: None

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

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

11515

PETITION: REZONE 11515
APPLICANT: ANCHOR-T RANCH LLC
LOCATION: 6085 PURCELL ROAD, SECTION 6, TOWN OF OREGON
CHANGE FROM: FP-35 General Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: creating one residential lot

In favor: Lindsay Honeyager
Opposed: None

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

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

11516

PETITION: REZONE 11516
APPLICANT: DENNIS R KIRCH
LOCATION: NORTH OF 6612 SHOWER ROAD, SECTION 25, TOWN OF MAZOMANIE
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating one residential lot

In favor: Dennis Kirch
Opposed: None

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

- 1. A deed restriction shall be recorded on the 4.17 acre RR-4 / TDR-S zoned "sending property" (lot 1, Certified Survey Map #2807, tax parcel 0806-022-8430-0) prohibiting division of the property.**
- 2. A deed notice shall be recorded on the 5.02 acre RR-4 / TDR-R zoned "receiving property" (part of tax parcel 0906-254-9502-0) indicating that a development right was transferred to the property.**

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

11518

PETITION: REZONE 11518
APPLICANT: HACKER INCOME TR
LOCATION: NORTH AND EAST OF 8146 COUNTY HIGHWAY G, SECTION 25, TOWN OF SPRINGDALE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District, RR-2 Rural Residential District TO RM-16 Rural Mixed-Use District
REASON: creating additional residential lot and reconfiguration of existing lot lines

In favor: Bob Talarczyk

Opposed: None

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

- 1. A shared driveway agreement shall be recorded with the Register of Deeds for the benefit of the three lots.**
- 2. A deed restriction shall be recorded with the register of deed to prohibit further division or development of the properties in accordance with the Town of Springdale Comprehensive Plan policies.**
- 3. Lots 1 and 3 are subject to a building envelope approval that is on file at the Town of Springdale Town Hall.**

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

11519

PETITION: REZONE 11519
APPLICANT: GOBEL REV TR, MARIO & KATHLEEN
LOCATION: EAST OF 7230 E CATES ROAD, SECTION 21, TOWN OF MONTROSE
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-4 Rural Residential District
REASON: shifting of property lines between adjacent land owners

In favor: Jerome Gobel

Opposed: None

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

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

[11520](#)

PETITION: REZONE 11520
APPLICANT: OLSON LIVING TR, NANCY J
LOCATION: EAST OF 663 EDGERTON ROAD, SECTION 22, TOWN OF ALBION
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-8 Rural Residential District
REASON: creating two residential lots

In favor: Todd Olson

Opposed: None

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

1. The certified survey map shall depict the general location of the environmentally sensitive areas.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

[11521](#)

PETITION: REZONE 11521
APPLICANT: JOHN VOSEN
LOCATION: ADJACENT TO 4622 ROCKY DELL ROAD, SECTION 5, TOWN OF MIDDLETON
CHANGE FROM: AT-5 Agriculture Transition District TO LC Limited Commercial District
REASON: increase limited commercial lot size to meet towns minimum size

In favor: Robert Procter, Linda Schenk, and Chris Schenk

Opposed: None

A motion was made by PETERS, seconded by WEGLEITNER, to postponed due to no town action and inconsistencies with the Town of Middleton Comprehensive Plan. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

[11522](#)

PETITION: REZONE 11522
APPLICANT: RONALD A JACOBSON
LOCATION: JUST WEST OF 5524 BOX ELDER ROAD, SECTION 14, TOWN OF MEDINA
CHANGE FROM: FP-35 General Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: creating one residential lot

In favor: Ron Jacobson

Opposed: None

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

1. A deed restriction shall be recorded on parcel 0812-144-8811-9 to prohibit further land division or additional residential development of the property. The housing density rights for the original farm have been exhausted.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

CUP 02491

PETITION: CUP 02491
APPLICANT: JOSHUA J ZIMMER
LOCATION: 8642 COUNTY HIGHWAY G, SECTION 34, TOWN OF SPRINGDALE
CUP DESCRIPTION: limited family business-landscaping

In favor: Josh Zimmer

Opposed: None

A motion was made by WEGLEITNER, seconded by PETERS, that the Conditional Use Permit be approved with 22 conditions. The motion carried by the following vote: 3-0.

- 1. The limited family business shall be limited to a landscaping contractor's operation.**
- 2. The hours of operation shall be from 7 a.m. until 7 p.m., Monday through Friday.**
- 3. Number of employees shall not exceed the limited family business standard of no more than one or one full-time equivalent who is not a member of the family residing on the property.**
- 4. No business shall be conducted on site; no sales, no services.**
- 5. No outdoor storage of equipment or materials shall be permitted except for the outdoor parking of two pick-up trucks in the area designated on the site plan as the cattle yard. The equipment and material stored indoors includes two trailers and a skid loader and truck and equipment attachments.**
- 6. The area of the residential lot to be used for the limited family business includes the cattle yard and southern-most shed as depicted on the site plan, dated 1/27/2020 and on file in the Springdale Town Hall.**
- 7. Outside business activity shall be prohibited.**
- 8. On site burning of materials and refuse associated with the business shall be prohibited.**
- 9. Hauling debris and refuse associated with the business to the site shall be prohibited.**
- 10. All lights shall comply with the Town of Springdale Dark Sky Lighting Ordinance and pertinent.**
- 11. Signage and loudspeakers shall be prohibited.**
- 12. Structures must not be used as commercial accessory buildings.**
- 13. The limited family business conditional use permit shall automatically expire upon sale of the property or the business to an unrelated third party. Rezoning or relocation of the business may be necessary or become necessary if the business is expanded.**
- 14. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan and operational plan.**
- 15. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.**
- 16. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.**
- 17. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.**
- 18. Off-street parking must be provided, consistent with s. 10.102(8).**
- 19. If the Dane County Highway, Transportation and Public Works Department or**

the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.

20. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.

21. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.

22. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.

Ayes: 3 - BOLLIG,PETERSandWEGLEITNER

Excused: 2 - AUDETandKNOLL

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

F. Plats and Certified Survey Maps

[2019 LD-048](#) Land Division Waiver - Harvey Temkin
Town of Verona
Waiver request from Ch. 75.19(6)(b) - Public road frontage requirements.
Staff recommends denial based on a lack of hardship.

A motion was made by WEGLEITNER, seconded by PETERS, that the Land Division waiver to allow proposed lot 2 to be created with no frontage along a public road be denied. The motion carried by a voice vote, 3-0.

Finding of fact: The proposal does not meet design standards and is not consistent with orderly development.

[2019 LD-044](#) DOA Plat - Scenic Valley
Village of Cross Plains
Staff recommends certification of non-objection.

A motion was made by PETERS, seconded by WEGLEITNER, that the plat be certified with no objections. The motion carried by a voice vote, 3-0.

[2019 LD-049](#) DOA Plat - Crescent Crossing
City of Fitchburg
Staff recommends certification of non-objection.

A motion was made by PETERS, seconded by WEGLEITNER, that the plat be certified with no objections. The motion carried by a voice vote, 3-0.

[2019 LD-051](#) Final Plat - Bittersweet Acres Plat
Town of Deerfield
Consideration of the November 26, 2019 conditional approval and execution of the plat document pursuant to established committee policy.

A motion was made by PETERS, seconded by WEGLEITNER, that the final plat be approved. The motion carried by a voice vote and Chair BOLLIG signed the plat, 3-0.

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

Supervisor Wegleitner stated that she will be introducing rule changes to Chapter 7, Dane County Code of Ordinances, that will revise how public meetings are conducted. She requests that the matter be placed on the next agenda for discussion.

L. Adjourn

A motion was made by PETERS, seconded by WEGLEITNER, to adjourn the February 25, 2020 Zoning and Land Regulation Committee meeting at 7:30pm. The motion carried by unanimously.

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

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 hnuv ua hauj lwm ua ntej yuav tuaj sib tham.