



# Dane County

## Minutes - Final Unless Amended by Committee

### Zoning & Land Regulation Committee

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Tuesday, January 10, 2017

6:30 PM

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

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#### 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, Lane, and Violante

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

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

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

No comments made by the public.

[2016  
RPT-588](#)

Registrants for the January 10th ZLR Committee meeting

Attachments: [January 10th registrants](#)

#### C. Consideration of Minutes

[2016  
MIN-445](#)

Minutes of the December 13, 2016 Zoning and Land Regulation Committee meeting

Attachments: [12-13-16 ZLR Public Hearing minutes](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the minutes of the December 13, 2016 Zoning and Land Regulation Committee meeting be approved. The motion carried by a voice vote.

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

[10914](#)

PETITION: REZONE 10914  
APPLICANT: DAVID H DIMAGGIO  
LOCATION: 2771 PRAIRIE CIRCLE, SECTION 7, TOWN OF VERONA  
CHANGE FROM: RH-4 Rural Homes District TO RH-3 Rural Homes  
District and RH-1 Rural Homes District  
REASON: creating four rural home lots

- Attachments:** [10914 Staff Update](#)  
[10914 Town](#)  
[10914 Highway concerns](#)  
[10914 Revised CSM](#)  
[10914 Ord Amend](#)

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

- 1.The zoning district classification of the 20-acre property shall be amended to RH-2 Rural Homes Zoning District to allow the revised lot layout.
- 2.The land owner shall obtain a waiver from the ZLR Committee for the lack of road frontage for the lot design.
- 3.A joint driveway agreement shall be prepared which meets the standards of Dane County Code of Ordinances Section 75.19(8) and shall be recorded with the Dane County Register of Deeds.
- 4.The general area of the wetlands shall be shown on the Certified Survey Map. A note shall be placed on the Certified Survey Map which states, "Wetland boundaries shall be delineated prior to the development of Lots 3 and 4."
- 5.The landowner shall address the concerns expressed by the Dane County Highway Department regarding the construction of a 200-foot turn lane and passing lane on County Highway PD to the County Highway Department's satisfaction.

**Ayes:** 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11058](#)

PETITION: REZONE 11058  
APPLICANT: HUSTON HOLDINGS LLC  
LOCATION: NORTH OF 2342 UPHOFF ROAD, SECTION 15, TOWN  
OF COTTAGE GROVE  
CHANGE FROM: RE-1 Recreational District TO RE-1 Recreational  
District  
REASON: revise deed restriction to allow an increase of operating hours  
for model airplane flying

- Attachments:** [11058 Staff](#)  
[11058 Town](#)  
[11058 Ord Amend](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning  
Petition be recommended for approval as amended. The motion carried by the  
following vote: 5-0.

The current deed restriction on the property shall be replaced with the following  
language concerning the radio controlled model aircraft flying field:

1. Electric propelled remote control aircraft are allowed to be flown sunrise to  
sunset 365 days per year.
2. Requirements for Gas and glow propelled remote controlled aircraft:
  - a. Planes must be certified/documented to be below 85 dBA at 50 feet prior to  
flying with compliance of this monitored by club members during flight.
  - b. Flights shall be limited to ten (10) minutes maximum with a five (5) minute  
break between flights.
  - c. No more than two (2) planes in the air at a time.
  - d. Planes shall fly no further east than cattle corral.
  - e. All gas and glow planes flights shall be logged.
  - f. Flying times shall be Monday, Wednesday, Friday from 10:00am to 3:00pm; on  
Tuesday and Thursday from 3:00pm to 7:00pm; on Saturday from 10:00am to  
5:00pm; Flying Gas and Glow propelled aircraft is prohibited on Sunday.
3. Requirements for Warbird and Scale Rally events:
  - a. Two events during the year may be allowed on Saturdays during the summer.
  - b. The hours for the events shall be from 9:00am to 2:00pm.
  - c. Neighboring property owners within 1000 feet shall be notified of the events at  
least 30 days in advance.
4. Any plane that is found to exceed 85 dba shall be immediately grounded.

**Ayes:** 5 - BOLLIG, KOLAR, MATANO, MILES and O'LOUGHLIN

[11069](#)

PETITION: REZONE 11069  
APPLICANT: MICHAEL L DORROUGH  
LOCATION: 5500 LINCOLN ROAD, SECTION 10, TOWN OF OREGON  
CHANGE FROM: A-2 (8) Agriculture District TO A-2 (2) Agriculture District  
REASON: separating existing residence from farmland

**Attachments:** [11069 Staff Update](#)  
[11069 Town](#)  
[11069 Revised CSM](#)  
[11069 Ord Amend](#)

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on Lot 1 of the certified survey map to prohibit residential development on the A-2(8) Agriculture zoned property.

**Ayes:** 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11073](#)

PETITION: REZONE 11073  
APPLICANT: ALEX MCKENZIE  
LOCATION: 9808 GREENWALD ROAD, SECTION 23, TOWN OF VERMONT  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, A-1EX Agriculture District TO RH-1 Rural Homes District  
REASON: separating existing residence from farmland and creating a zoning boundary for a new residence

**Attachments:** [11073 Staff Update](#)  
[11073 Town](#)  
[11073 Density](#)  
[11073 Ord Amend](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

**Ayes:** 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

## E. Plats and Certified Survey Maps

[2016 LD-046](#) Final Plat - Daybreak Valley  
Town of Middleton, Section 5  
Staff recommends approval subject to the attached conditions.

**Attachments:** [2014 aerial](#)  
[conditional approval letter](#)  
[Daybreak Valley Final Plat 2016.11.21](#)  
[Daybreak Valley review memo](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the final plat be approved subject to the following conditions: Motion carried 5-0.

1. Compliance with the Dane County Comprehensive Plan is to be established. This property is planned for rural development/transitional.
2. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
3. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
4. Utility easements are to be provided.
5. 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.
6. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established prior to commencement of land disturbing activities.
7. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established prior to commencement of land disturbing activities.
8. The required approval certificates are to be satisfied.
  - Town of Middleton
  - Dane County

The motion carried by a voice vote.

[2016 LD-048](#) Final Plat - Viney's Addition to Sky High  
Town of Cottage Grove  
Staff recommends that the final plat be signed by the chair of the Zoning & Land Regulation Committee.

**Attachments:** [11\\_7\\_conditional](#)  
[2014 aerial](#)  
[160062-Final Plat \(10-12-16\)](#)

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that the final plat be signed. Chair KOLAR signed the plat. The motion carried 5-0.

[2016 LD-047](#) Dimaggio Land Division Waiver - Public road frontage requirements  
Town of Verona  
Dimaggio 4-lot Certified Survey Map

**Attachments:** [waiver](#)

[20170104110736](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the Land Division waiver be approved conditionally to allow proposed lots 3 and 4 to not any frontage from Prairie Circle. The motion carried 5-0.

Condition: Subject to a 66' wide shared access easement that meets the provisions set forth within Ch.75.19(8).

## F. Resolutions

## G. Ordinance Amendment

## H. Items Requiring Committee Action

[2016 DISC-024](#) Discussion and possible action to amend the ZLR Committee rules and procedures regarding official record and meeting rules

**Attachments:** [Issue regarding official record](#)

[Procedures for meetings and official record \(v1\)](#)

[revisions submitted from Supervisor Matano](#)

[possible language for the official record](#)

[ZLR Rules & Procedures \(proposed Jan 10 2017\)](#)

A motion was made by BOLLIG, seconded by MILES, that the revisions to the ZLR Committee Rules and Procedures be approved as amended. The motion carried by the following vote: 5-0.

The Committee reviewed several revisions to the committee's rules and procedures. The revisions entailed recognizing Town Officials at meetings; procedures on how to manage opposition to petitions at subsequent meetings; and how documents are accepted as part of the official record. The revisions were found to be acceptable with the following additional changes:

1. Section III e. shall be revised to the following: Registered Town official wishing to speak at a meeting will be recognized at the meeting by the Committee Chair to address the Committee regarding the pertinent item.

2. Section III c. shall be revised to the following: c. Attendance of petitioner or their agent at the public hearing is recommended. It is not necessary for anyone to speak regarding the item at the Public Hearing in order for the committee to complete action.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

## I. Reports to Committee

[2016](#) Report of approved Certified Survey Maps  
[RPT-548](#)

Attachments: [Jan 2017!](#)

**J. Other Business Authorized by Law**

**K. Adjourn**

A motion was made by DENNIS O'LOUGHLIN, seconded by PATRICK MILES, that the Zoning and Land Regulation Committee be adjourned at 7:17pm The motion carried unanimously.