



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, August 22, 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

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: Sam Fischer.

Present 4 - MARY KOLAR, AL MATANO, PATRICK MILES, and DENNIS O'LOUGHLIN

Excused 1 - JERRY BOLLIG

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

No comments made by the public.

[2017](#)
[RPT-293](#)

Registrants of the August 22nd ZLR Committee meeting

Attachments: [Aug 22nd Registrants](#)

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

11143

PETITION: REZONE 11143

APPLICANT: ROBERT J VAN DAALWYK

LOCATION: 3424 LAKE FARM ROAD, SECTION 31, TOWN OF
BLOOMING GROVE

CHANGE FROM: A-2 Agriculture District TO A-4 Agriculture District, A-2
Agriculture District TO A-2 (4) Agriculture District and A-2 Agriculture
District TO LC-1 Limited Commercial District

REASON: creating one residential lot and one lot for business

Attachments: [11143 Staff](#)

[11143 Town](#)

[11143 Ord Amend](#)

*Comments: Bob Uphoff stated that he owned land to the south and west of the
proposed zoning area. The land in this area is designated as an environmental
conservancy area and agriculture easements have been place on the land to preserve
farming in this area.*

**A motion was made by MATANO, seconded by MILES, that the Zoning Petition be
tabled due to lack of representation. The motion carried by a voice vote. Time:
6:42pm.**

**A motion was made by MILES, seconded by MATANO, that the Zoning Petition be
removed from the table. The motion carried by a voice vote. Time: 7:14pm.**

In favor: Robert Daalwyk

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MILES, 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 placed on the LC-1 zoning lot to limit the land uses
to contractor businesses, transportation businesses, building trade businesses,
and landscaping operations.**

Ayes: 4 - KOLAR, MATANO, MILES and O'LOUGHLIN

Excused: 1 - BOLLIG

CUP 2380

CUP 2380

APPLICANT: ROBERT J VAN DAALWYK

LOCATION: 3424 LAKE FARM ROAD, SECTION 31, TOWN OF
BLOOMING GROVE

CHANGE FROM: A-2 Agriculture District TO A-4 Agriculture District, A-2
Agriculture District TO A-2 (4) Agriculture District and A-2 Agriculture
District TO LC-1 Limited Commercial District

CUP DESCRIPTION: SINGLE FAMILY RESIDENCE IN THE LC-1
ZONING DISTRICT

Attachments: [CUP 2380 Town](#)

[CUP 2380 Map](#)

[CUP 2380 APP](#)

[CUP #2380](#)

In favor: Robert Daalwyk

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MILES, that this Conditional
Use Permit be approved with conditions contingent upon rezoning petition
11143 becoming effective. The motion carried by the following vote: 4-0.**

**1. The single-family house located on the LC-1 zoned property may only be
occupied by the business owner. General rental of the residence is prohibited.
The house may used for business activities (office) for the business located on
the lot.**

Ayes: 4 - KOLAR, MATANO, MILES and O'LOUGHLIN

Excused: 1 - BOLLIG

[11170](#)

PETITION: REZONE 11170
APPLICANT: LAURA J HOEPKER
LOCATION: 2904 MCCONNELL ROAD, SECTION 8, TOWN OF
PLEASANT SPRINGS
CHANGE FROM: R-1A Residence District TO RH-1 Rural Homes
District
REASON: allow animal units

Attachments: [11170 Staff](#)
[11170 Town](#)
[11170 Ord Amend](#)

In favor: Brad Warren and Laura Hoepker
Opposed: None

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: 4-0.

1) A deed restriction shall be recorded on the property to identify that the housing density rights are exhausted; any structure housing livestock shall be located a minimum of 50 feet away from the side and rear property lines and a minimum of 100 feet away from the southerly property line abutting the R-1A property; the property may not house more than 50 fowl.

Ayes: 4 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

[11171](#)

PETITION: REZONE 11171
APPLICANT: EUGENE LOWE
LOCATION: 7169 MARSHALL ROAD, SECTION 15, TOWN OF YORK
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District
REASON: separating existing residence from farmland

Attachments: [11171 Staff](#)
[11171 Town](#)
[11171 Ord Amend](#)

In favor: Gerald Brabender
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 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

[11172](#)

PETITION: REZONE 11172
APPLICANT: THE PEOPLES COMMUNITY BANK
LOCATION: WEST OF 4952 COUNTY HIGHWAY F, SECTION 33,
TOWN OF BLACK EARTH
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
and A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: creating two residential lots

Attachments: [11172 Staff](#)
[11172 Town](#)
[11172 Density](#)
[11172 Ord Amend](#)

In favor: John Halverson
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:
3-1 (Miles).**

Ayes: 3 - KOLAR, MATANO and O'LOUGHLIN

Noes: 1 - MILES

Excused: 1 - BOLLIG

[11173](#)

PETITION: REZONE 11173
APPLICANT: DANIEL R LEGROS
LOCATION: OLD 69 AT STATE HIGHWAY 92, SECTION 36, TOWN
OF PRIMROSE
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes
District and A-1EX Agriculture District TO A-2 (2) Agriculture District
REASON: creating two residential lots

Attachments: [11173 Staff](#)
[11173 Town](#)
[11173 Ord Amend](#)

In favor: Daniel Legros
Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MILES, 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 the A-2(2) parcel (proposed outlot 1) to
prohibit residential development.**

Ayes: 4 - KOLAR, MATANO, MILES and O'LOUGHLIN

Excused: 1 - BOLLIG

[11174](#)

PETITION: REZONE 11174
APPLICANT: TAD S SHUMAKER
LOCATION: 1691 COUNTY HIGHWAY A, SECTION 13, TOWN OF DUNKIRK
CHANGE FROM: R-1 Residence District TO A-1EX Agriculture District, A-1EX Agriculture District TO RH-2 Rural Homes District and R-1 Residence District TO RH-2 Rural Homes District
REASON: shifting of property lines between adjacent land owners

Attachments: [11174 Staff](#)
[11174 Town](#)
[11174 Ord Amend](#)

In favor: Tad Shumaker
Opposed: None

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

Ayes: 4 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

[11175](#)

PETITION: REZONE 11175
APPLICANT: JEFFREY C ZIMMERMAN
LOCATION: 4973 RIDGE ROAD, SECTION 36, TOWN OF SUN PRAIRIE
CHANGE FROM: A-1EX Agriculture District TO R-1 Residence District
REASON: separating existing residence from farmland

Attachments: [11175 Staff](#)
[11175 Town](#)
[11175 Ord Amend](#)

In favor: Jeff Zimmerman
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 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

[11176](#)

PETITION: REZONE 11176
APPLICANT: NATHANIEL Q ALTFEATHER
LOCATION: 4293 MAHONEY ROAD, SECTION 17, TOWN OF DUNN
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: shifting of property lines between adjacent land owners

Attachments: [11176 Staff](#)
[11176 Map](#)
[11176 APP](#)

In favor: None
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 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

[11177](#)

PETITION: REZONE 11177
APPLICANT: TOWN OF BERRY
LOCATION: SECTION 3, TOWN OF BERRY
CHANGE FROM: A-2 Agriculture District TO A-4 Agriculture District
REASON: compliance with the town of berry comprehensive plan

Attachments: [11177 Staff](#)
[11177 Town](#)
[11177 Ord Amend](#)

In favor: Town Chair Anthony Varda
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 - KOLAR,MATANO,MILESandO'LOUGHLIN

Excused: 1 - BOLLIG

11179

PETITION: REZONE 11179

APPLICANT: ALICE A ASLESON

LOCATION: 2409 ASLESON ROAD, SECTION 13, TOWN OF
PLEASANT SPRINGS

CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture
District

REASON: separating existing residence from farmland

Attachments: [11179 Staff](#)

[11179 Town](#)

[11179 Density](#)

[11179 Ord Amend](#)

In favor: Alice Asleson

Opposed: None

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

1. An agricultural easement shall be recorded to allow access to adjacent
farmland from driveway.
2. The single family residence and associated septic shall be located on the
proposed lot.
3. The lot shall not be divided.
4. The new parcel cannot include the drainage ditch to allow Ag Preservation
and maintenance to farmer or renter.
5. The driveway access needs to be at least 66 feet wide at all points.

Ayes: 4 - KOLAR, MATANO, MILES and O'LOUGHLIN

Excused: 1 - BOLLIG

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

11167

PETITION: REZONE 11167

APPLICANT: JANET H HOOPES

LOCATION: 4690 COUNTY HIGHWAY J, SECTION 29, TOWN OF
CROSS PLAINS

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

REASON: creating three residential lots

Attachments: [11167 Staff Update](#)

[11167 Town](#)

[11167 Density](#)

[11167 Map](#)

[11167 App](#)

[11167 Ord Amend](#)

[11167 Revised CSM](#)

[11167 revised map](#)

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be recommended for approval. The motion carried by a voice vote. 4-0.

1. A deed restriction shall be recorded on the property to prohibit further land divisions of the A-2 zoned properties.

E. Plats and Certified Survey Maps

[2017 LD-025](#) Final Plat - Welcome Homes
Town of Middleton
Staff recommends conditional approval

Attachments: [conditional](#)

[Welcome Home Final 2017.07.24](#)

[WelcomeHomePrelim](#)

[map](#)

A motion was made by MATANO, seconded by MILES, that the final plat be approved with 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. Outlots appear to be reserved for stormwater management.
 - A note is to be designated on OL 2 that states "No development is allowed on Outlot 2".
5. Utility easements are to be provided.
6. 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.
7. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
8. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
 - A stormwater permit is required and new development standards must be met.
9. The required approval certificates are to be satisfied.
 - Town of Middleton
 - Dane County

[2017 LD-026](#) Final Plat - Spruce Hollow Replat No. 1
Town of Middleton
Staff recommends that the plat is ready for final signature.

Attachments: [final signature](#)

[27652_20170802_doa_final_cert_letter](#)

[map](#)

[27652_20170802_Recordable](#)

A motion was made by MILES, seconded by MATANO, that the final plat be signed. The motion carried by a voice vote, 4-0. Chair KOLAR signed the plat.

F. Resolutions

G. Ordinance Amendment

H. Items Requiring Committee Action

I. Reports to Committee

[2017
RPT-284](#)

Report of Salvage Yard Permits

John Rowley - Town of Verona
Richard Diehl - Town of Vienna
Brian Outhouse - Town of Perry
Steve Suter - Town of Blooming Grove
John Mullarkey - Town of Oregon
Michael Cutrano - Town of Christiana
Thayer Every - Town of Dunkirk

Staff recommends that all licenses be approved.

Attachments: [2017_ZLRdraft](#)

A motion was made by MATANO, seconded by O'LOUGHLIN, that the salvage yard licenses be approved. The motion carried by a voice vote, 4-0.

[2017
RPT-285](#)

Report of approved Certified Survey Maps

Attachments: [Aug 2017](#)

J. Other Business Authorized by Law

K. Adjourn

A motion was made by MILES, seconded by MATANO, to adjourn the August 22, 2017 Zoning and Land Regulation Committee meeting at 7:35pm. The motion carried unanimously.

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