DANE COUNTY BOARD OF SUPERVISORS
ZONING & LAND REGULATION COMMITTEE
AMENDED WORK MEETING AGENDA

Date: Tuesday, January 14, 2014 Time: 7:00 P.M.

Location: ROOM 351, City-County Building, 210 MLK Jr. Boulevard, Madison

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 toj hauv gab yam tsawg peb hnub ua hauj lwm ua ntej yuav tuaj sib tham.

Contact Information: Zoning Office, Planning & Development Department, 266-4266, or WI Relay (711)

ITEMS TO BE CONSIDERED

I. CALL TO ORDER

II. PUBLIC COMMENT

III. APPROVAL OF MINUTES

1. Approval of minutes for the 11/12/2013, 11/26/2013, 12/05/2013, and 12/17/2013 Zoning and Land Regulation Committee meetings

IV. ZONING MAP AMENDMENTS AND CONDITIONAL USE PERMIT APPLICATIONS FROM THE DECEMBER 17, 2013 PUBLIC HEARING

1. PETITION: REZONE 10617
   APPLICANT: STEVEN G NAMPEL
   LOCATION: NORTH OF 4758 JACOBS ROAD, SECTION 36, TOWN OF MEDINA
   CHANGE FROM: A-1EX Agriculture District TO A-2 (1) Agriculture District
   REASON: creation of one residential lot

V. ZONING MAP AMENDMENTS AND CONDITIONAL USE PERMIT APPLICATIONS FROM PREVIOUS MEETINGS

1. PETITION: REZONE 10605
   APPLICANT: DEBORA SCHWEISS
   LOCATION: 5610 REINER ROAD, SECTION 13, TOWN OF BURKE
   CHANGE FROM: A-1 Agriculture District TO C-2 Commercial District
   REASON: allow auto sales

2. PETITION: REZONE 10616
   APPLICANT: JAD LAND DEVELOPMENT LLC
   LOCATION: SECTION 24, TOWN OF BURKE
   CHANGE FROM: A-1 Agriculture District TO C-2 Commercial District and A-B Ag-Business District TO C-2 Commercial District
   REASON: creation of commercial subdivision (as previously approved under Rezone 10295)
VI. PLATS AND CERTIFIED SURVEY MAP

1. PRELIMINARY PLATS
   None

2. FINAL PLATS
   a. Kettle Park West – Commercial Center, City of Stoughton, Section 5
      (8 lots) (application deadline 1/23/14)
      Staff recommends a certification of non-objection.

3. CERTIFIED SURVEY MAPS
   a. Andrew Blas, Town of Verona, Section 36
      (2 lots, 8.9 acres)

VII. RESOLUTIONS


VIII. ORDINANCE AMENDMENTS

IX. OTHER BUSINESS AUTHORIZED BY LAW

1. Review concept plan for a proposed Planned Unit Development (PUD) located at the 2500 block of Rimrock Road, Section 36, Town of Madison. The proposal is for a four-story building with retail space on the first floor and approximately 43 residential rental units on floors two through four.

2. Report of approved Certified Survey Maps
   a. APP # 9545, St. Louis Properties, Town of Mazomanie, Section 15 (2 lots, 23.8 acres)
   b. APP # 9558, Halblieb, Town of Oregon, Section 34/35 (1 lot, 6.3 acres)
   c. APP # 9553, Simpson, Town of Dunn, Section 17 (1 lot, 5.1 acres)
   d. APP # 9543, Trotter, Town of Westport, Section 21 (1 lot, 0.62 acres)
   e. APP # 9555, Breunig, Town of Dane, Section 9 (2 lots, 21.88 acres)
   f. APP # 9564, Larson, Town of Cottage Grove, Section 15 (1 lot, 1.90 acres)

X. ADJOURN

Supervisor Patrick Miles, Chair, Zoning & Land Regulation Committee
AGENDA POSTED: January 9, 2014
ZONING & LAND REGULATION COMMITTEE
Dane County Board of Supervisors

MINUTES OF THE NOVEMBER 12, 2013 WORK MEETING


YOUTH IN GOVERNANCE PROGRAM (YGP) MEMBERS PRESENT: McCarville and Severson.

OTHERS PRESENT: Everson, Lane, and Violante

I. CALL TO ORDER

Chair Miles called the meeting to order at 7:30pm in Room 351 of the City-County Building.

II. APPROVAL OF MINUTES

Motion by Matano / Hendrick to approve the minutes of the 10/08/13 and 10/22/13 meetings of the Zoning & Land Regulation Committee; motion carried, 4-0. YGP: 2-0.

III. PUBLIC COMMENT

No comments made by the public.

IV. REZONE AND CONDITIONAL USE PERMIT APPLICATIONS FROM THE OCTOBER 22, 2013 PUBLIC HEARING

1. PETITION: REZONE 10596
   APPLICANT: MICKELSON REV TR, GAYLORD O
   LOCATION: 5142 AND 5144 MICKELSON RD., SECTION 29, TOWN OF BLACK EARTH
   CHANGE FROM: A-1EX Agriculture District TO RH-3 Rural Homes District and RH-4 Rural Homes District; RH-1 Rural Homes District TO RH-3 Rural Homes District
   REASON: creation of 4 residential lots with 2 existing residences

   TOWN: Approved with conditions

   Motion by Hendrick / Matano to recommend approval with conditions; motion carried, 4-0. YGP: 2-0.

   1. A shared driveway agreement shall be recorded with the Dane County Register of Deeds for the benefit of Lots 1 and 2.
   2. The driveway for Lot #3 will access on Mickelson Road. Driveway access is prohibited from Fesenfeld Road.
   3. A deed restriction shall be recorded on parcels 0806-294-8530-1, 0806-292-9691-7, 0806-294-8670-2, and 0806-293-8000-3 to prohibit further residential development on the remaining A-1 Exclusive property.
   4. The resource protection areas shall be identified on the 8.89-acre and 11.05-acre lots as part of the Certified Survey Map.

   Motion by Matano / Hendrick to take up the waiver request for St. Louis Properties/Natural Heritage Land Trust out of order; motion carried, 4-0, YGP: 2-0.

   NOTE: See motion below.
2. **PETITION: REZONE 10597**  
APPLICANT: ST LOUIS PROPERTIES LLC  
LOCATION: WEST OF 10267 HIGHWAY 14, SECTION 15, TOWN OF MAZOMANIE  
CHANGE FROM: A-2 Agriculture District TO CO-1 Conservancy District  
REASON: public trails and recreation  

TOWN: Approved with no conditions  

**Motion** by Matano / Hendrick to recommend approval with condition; motion carried, 4-0. YGP: 2-0.  

1. A deed restriction shall be placed on the CO-1 lot to prohibit the construction of a residence on the property.  

V. **REZONE AND CONDITIONAL USE PERMIT APPLICATIONS FROM PREVIOUS MEETINGS**  

1. **PETITION: REZONE 10568**  
APPLICANT: DEBORAH M DUCKART  
LOCATION: 3315 NELSON ROAD, SECTION 24, TOWN OF BURKE  
CHANGE FROM: C-1 Commercial District TO A-1 Agriculture District, RH-1 Rural Homes District, R-1 Residence District and R-1A Residence District  
REASON: zoning compliance for structures  

TOWN: Approved with no conditions  

**Motion** by Matano / Hendrick to recommend approval with amendment; motion carried, 4-0. YGP: 2-0.  

1. The petition shall be amended to change proposed Lot 5, an 8.5-acre parcel, from C-1 Commercial to A-1 Agriculture Zoning District.  

2. **PETITION: REZONE 10577**  
APPLICANT: ANDERSON LIVING TR, PATRICIA E  
LOCATION: 4998 LOCUST GROVE ROAD, SECTION 13, TOWN OF OREGON  
CHANGE FROM: A-3 Agriculture District TO R-1 Residence District, RH-2 Rural Homes District and RE-1 Recreational District  
REASON: separation of existing residence  

TOWN: Approved with conditions  

**Motion** by Bollig / Matano to recommend approval with amendment and with conditions; motion carried, 4-0. YGP: 2-0.  

1. The petition shall be amended to increase the size of the proposed R-1 Residence Zoning District lot to 2 acres. The zoning shall be amended for this 2-acre site to RH-1 Rural Homes Zoning District.  
2. A deed restriction shall be placed on the RE-1 zoned property to prohibit any type of development until such time as the deed restriction is amended.  
3. A deed restriction shall be recorded on parcels 0509-242-8570-0, 0509-133-9080-0, and 0509-133-8760-0 to prohibit further residential development on the remaining A-1 Exclusive property.  

3. **PETITION: REZONE 10580**  
APPLICANT: ANDERSON LIVING TR, PATRICIA E  
LOCATION: 805 UNION ROAD, SECTION 24, TOWN OF OREGON  
CHANGE FROM: A-3 Agriculture District TO RH-2 Rural Homes District  
REASON: separation of existing residence  

TOWN: Approved with no conditions.  

**Motion** by Bollig / Hendrick to recommend approval with amendment and with conditions; motion carried, 4-0. YGP: 2-0.
1. The petition shall be amended to include the 34.8 acres of land surrounding the proposed RH-2 parcel. This area shall be amended from the A-1Ex/A-3/A-4 Zoning Districts to the RE-1 Recreational Zoning District.

2. A deed restriction shall be placed on the RE-1 zoned property to prohibit any type of development until such time as the deed restriction is amended.

3. A deed restriction shall be recorded on parcels 0509-242-8570-0, 0509-133-9080-0, and 0509-133-8760-0 to prohibit further residential development on the remaining A-1 Exclusive property.

VI. PLATS AND CERTIFIED SURVEY MAPS

1. PRELIMINARY PLATS:
   None

2. FINAL PLATS:
   None

3. CERTIFIED SURVEY MAPS:
   a. Waiver request for St. Louis Properties/Natural Heritage Land Trust, Town of Mazomanie, Section 15, from Ch. 75.19(6)(b) for proposed lot 1 of a proposed 2-lot Certified Survey Map to have no public road frontage.

      Motion by Matano / Hendrick to approve the waiver request to allow a lot to be created with no public road frontage; motion carried, 4-0. YGP: 2-0.

      Finding of fact: Lot 1 will not be developed and is not suitable for any development due to the proposed land use.

   b. Waiver request for Greg Wong/Kevin Forsythe, Town of Dunn, Section 13, from Ch. 75.19(6)(b) for proposed lot 1 of a proposed 2-lot Certified Survey Map to have less than 66' of public road frontage.

      Motion by Hendrick / Miles to approve the waiver request to allow a lot to be created with no public road frontage; motion carried, 4-0. YGP: 2-0.

      Finding of fact: A unique situation in the fact that the current parcel under the ownership of Wong has no public road frontage and currently poses some safety issues.

VII. RESOLUTIONS

1. None.

VIII. ORDINANCE AMENDMENTS

1. None.

IX. OTHER BUSINESS

1. 2014 Zoning and Land Regulation Committee meeting schedule

   The Committee accepted the 2014 meeting schedule.

2. Report of approved Certified Survey Maps
   a. APP #9498, Wiggins Family Farms, Town of Perry, Section 2 (2 lots, 61.5 acres)
   b. APP #9535, Crazy Acres II, Town of Albion, Section 24 (1 lot, 4.8 acres)
   c. APP #9540, Dinkel, Town of Deerfield, Section 7 (2 lots, 59.3 acres)
   d. APP #9529, Veum, Town of Christiana, Section 36 (1 lot, 2 acres)
   e. APP #9536, Deegan, Town of Albion, Section 33 (1 lot, 0.99 acres)
   f. APP #9531, Johnson, Town of Springdale, Section 25 (2 lots, 45.2 acres)
   g. APP #9538, Stolen Farms, Town of Albion, Section 11 (1 lot, 5.0 acres)
h. APP # 9537, Zickert, Town of Deerfield, Section 10 (1 lot, 2.8 acres)  
i. APP # 9530, Pennington, Town of Blue Mounds, Section 36 (2 lots 48.8 acres)  
j. APP # 9528, Doherty, Town of Cross Plains, Section 1 (2 lots, 30.2 acres)  
k. APP # 9524, Cleary, Town of Middleton, Section 7 (2 lots, 3.5 acres)

No comments by the Committee regarding the approved certified survey maps.

X. ADJOURN

Motion by Bollig / Matano to adjourn the meeting at 7:32pm; motion carried, 4-0. YGP: 2-0.

Roger Lane,  
Recording Secretary  
Minutes filed with the County Clerk 11/13/13

Note: These minutes are the notes of the recorder and are subject to change at a subsequent meeting of the committee.
MINUTES OF THE NOVEMBER 26, 2013 PUBLIC HEARING

MEMBERS PRESENT: Bollig, Hendrick, Kolar, Miles, and Matano.


OTHERS PRESENT: Everson, Lane, Violante, and Members of the Public.

I. CALL TO ORDER

Chair Miles called the meeting to order at 7:00pm in Room 201 of the City-County Building.

II. PUBLIC COMMENT

No comments made by the public.

III. PUBLIC HEARING FOR ZONING MAP AMENDMENTS, CONDITIONAL USE PERMIT APPLICATIONS, RESOLUTIONS, AND ORDINANCE AMENDMENTS

1. PETITION: REZONE 10603
APPLICANT: DENNIS R KIRCH
LOCATION: 6612 SHOWER ROAD, SECTION 36, TOWN OF MAZOMANIE
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
REASON: zoning compliance for structures

IN FAVOR: Petitioner
OPPOSED: None
STAFF: P&D, HWY
TOWN: Approved with no conditions

The Committee would like the resource protection area shown on the certified survey map.

Motion by Hendrick / Matano to postpone action until the Town has an opportunity to review the proposed resource protection area on the certified survey map; motion carried, 5-0.  YGP: 1-0.

2. PETITION: REZONE 10604
APPLICANT: ROSEMARY E KAVON
LOCATION: 7301 CROSS COUNTRY ROAD, SECTION 16, TOWN OF VERONA
CHANGE FROM: R-1A Residence District TO R-3A Residence District
REASON: creation of two-family dwelling

IN FAVOR: Chad Kavon
OPPOSED: None
STAFF: P&D, HWY
TOWN: Approved with no conditions

Motion by Hendrick / Matano to recommend approval; motion carried, 5-0.  YGP: 1-0.

3. PETITION: REZONE 10605
APPLICANT: DEBORA SCHWEISS
LOCATION: 5610 REINER ROAD, SECTION 13, TOWN OF BURKE
CHANGE FROM: A-1 Agriculture District TO C-2 Commercial District
REASON: allow auto sales

IN FAVOR: Bryon Folz
OPPOSED: None
Motion by Hendrick / Matano to postpone until town action is received; motion carried, 5-0. YGP: 1-0.

4. **PETITION: REZONE 10606**
   APPLICANT: MICKELSON REV TR, GAYLORD O
   LOCATION: 4212 DALBY ROAD, SECTION 15, TOWN OF VERMONT
   CHANGE FROM: A-1 Agriculture District TO A-2 Agriculture District
   REASON: zoning compliance for structures

   IN FAVOR: Noa Prieve of Williamson Surveying representing Gaylord Mickelson
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with conditions

   **Motion** by Hendrick / Matano to recommend approval with conditions; motion carried, 5-0. YGP: 1-0.

   1. A deed restriction shall be recorded on the property to limit the land uses to a single-family residence and agricultural uses.
   2. A deed restriction shall be recorded on the property that would require the existing residential dwelling to be removed if a new dwelling is constructed. Town approval shall be obtained prior to the construction of a new single-family residence on the property or alteration of the existing driveway.
   3. A deed restriction shall be placed on the property to prohibit land division. The housing density rights of the original farm have been exhausted.

5. **PETITION: REZONE 10607**
   APPLICANT: DAVID E KOHLWEY
   LOCATION: 5146 COUNTY HIGHWAY TT, SECTION 26, TOWN OF SUN PRAIRIE
   CHANGE FROM: R-1A Residence District TO R-3A Residence District
   REASON: zoning compliance for structures

   IN FAVOR: Petitioner
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with conditions

   **Motion** by Hendrick / Matano to recommend approval with condition; motion carried, 5-0. YGP: 1-0.

   1. A deed restriction shall be placed on the property requiring one parking space for each bedroom that is contained within the existing building. The deed restriction shall also state the following: “As owner of Lot 2, I hereby stipulate that I and my heirs or assigns will not object to any of the legally permitted uses that occur on the adjoining properties.”

6. **PETITION: REZONE 10610**
   APPLICANT: ROBERT H LUCHSINGER
   LOCATION: 6946 FRENCHTOWN ROAD, SECTION 22, TOWN OF MONTROSE
   CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District and RH-3 Rural Homes District
   REASON: reconfiguration of existing lots

   IN FAVOR: Ed Short of Exeter Design representing Robert Luchsinger
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with no conditions

   **Motion** by Hendrick / Matano to recommend approval with condition; motion carried, 5-0. YGP: 1-0.
1. A resource protection area shall be depicted on the Certified Survey Map. The resource protection area shall be all lands below 875 feet NAVD 88. No buildings shall be constructed within the resource protection area.

7. **PETITION: REZONE 10611**  
   **APPLICANT:** FRANCOIS SURVIVORS TR  
   **LOCATION:** 660 FEET SOUTH OF 876 PILLER ROAD, SECTION 23, TOWN OF MONTROSE  
   **CHANGE FROM:** A-1EX Agriculture District TO RH-1 Rural Homes District  
   **REASON:** creation of one residential lot  
   **IN FAVOR:** Ed Short of Exeter Design  
   **OPPOSED:** None  
   **STAFF:** P&D, HWY  
   **TOWN:** Approved with no conditions  

   **Motion** by Hendrick / Matano to postpone until the petitioner chooses a better location for the lot; motion carried, 5-0. YGP: 1-0.

8. **PETITION: REZONE 10612**  
   **APPLICANT:** COTTAGE GROVE GOLF DEVELOPMENT COMPANY LLC  
   **LOCATION:** 4740 PIERCEVILLE ROAD, SECTION 34, TOWN OF SUN PRAIRIE  
   **CHANGE FROM:** RE-1 Recreational District TO B-1 Local Business District  
   **REASON:** allow expansion of existing business  
   **IN FAVOR:** John Blaska representing Cottage Grove Golf Development  
   **OPPOSED:** None  
   **STAFF:** P&D, HWY  
   **TOWN:** Approved with no conditions  

   **Motion** by Hendrick / Matano to recommend approval; motion carried, 5-0. YGP: 1-0.

9. **PETITION: REZONE 10613**  
   **APPLICANT:** BRADLEY T WERGINZ  
   **LOCATION:** 1603 KAASE ROAD, SECTION 1, TOWN OF DUNKIRK  
   **CHANGE FROM:** A-1EX Agriculture District TO RH-2 Rural Homes District  
   **REASON:** add additional lands to existing residential lot  
   **IN FAVOR:** Petitioner  
   **OPPOSED:** None  
   **STAFF:** P&D, HWY  
   **TOWN:** Approved with no conditions  

   **Motion** by Hendrick / Matano to recommend approval; motion carried, 5-0. YGP: 1-0.

10. **PETITION: REZONE 10614 and CUP 2251**  
    **APPLICANT:** SCHMITT LIVING TRUST  
    **LOCATION:** 6890 COUNTY HIGHWAY V, SECTION 15, TOWN OF DANE  
    **CHANGE FROM:** A-1EX Agriculture District TO A-2 (4) Agriculture District  
    **REASON:** separation of existing residence and building from farmland  
    **CUP DESCRIPTION:** unlimited livestock  
    **IN FAVOR:** Tyler Robertson representing Schmitt Living Trust  
    **OPPOSED:** None  
    **STAFF:** P&D, HWY  
    **TOWN:** Zoning was approved with condition. CUP was approved limiting animal unit to 200 and requiring a manure management plan.  

    **Motion** by Hendrick / Matano to recommend approval of zoning petition 10614 with conditions; motion carried, 2-0. YGP: 1-0.
1. A deed notice shall be placed on parcels 0908-154-9000-3, 0908-221-8500-8, 0908-221-801-2, and 0908-154-9500-8 identifying that 2 housing density rights remain after zoning petition #10614 becomes effective.
2. A deed restriction shall be placed on the proposed lot prohibiting the addition of any new buildings on the property.

Motion by Hendrick / Matano to approve Conditional Use Permit 2251 with the following 2 conditions and contingent upon zoning petition 10614 becoming effective; motion carried, 5-0. YGP: 1-0.

1. Livestock shall be limited to 200 animal units maximum.
2. Owner/Operator shall be responsible for instituting and complying with a nutrient (manure) management plan written to NRCS 590 standards and approved by Dane County Land Conservation.

11. PETITION: REZONE 10615
APPLICANT: WILMER A LARSON
LOCATION: WEST OF 2109 UPHOFF ROAD, SECTION 15, TOWN OF COTTAGE GROVE
CHANGE FROM: A-1 EX Agriculture District TO R-1 Residence District
REASON: creation of one residential lot

IN FAVOR: Petitioner
OPPOSED:
STAFF: P&D, HWY
TOWN: Approved with conditions

Motion by Hendrick / Matano to recommend approval; motion carried, 5-0. YGP: 1-0.

1. A deed restriction shall be placed on parcel 0711-154-8000-2 prohibiting residential development on the remaining A-1 Exclusive zoned land. The housing density rights for the original farm have been exhausted.
2. A deed restriction shall be place on the proposed lot to prohibit further land divisions.
3. The right-of-way for Uphoff Road shall be dedicated to the public (Town).

12. PETITION: REZONE 10616
APPLICANT: JAD LAND DEVELOPMENT LLC
LOCATION: SECTION 24, TOWN OF BURKE
CHANGE FROM: A-1 Agriculture District TO C-2 Commercial District and A-B Ag-Business District TO C-2 Commercial District
REASON: creation of commercial subdivision (as previously approved under Rezone 10295)

IN FAVOR: Dan Birrenkott of Birrenkott Surveying representing JAD Development
OPPOSED: None
STAFF: P&D, HWY
TOWN: Pending

Motion by Hendrick / Matano to postpone until town action is received; motion carried, 5-0. YGP: 1-0.

13. PETITION: CUP 2250
APPLICANT: HLS LLC
LOCATION: 2505 STATE HIGHWAY 78, SECTION 15, TOWN OF BLUE MOUNDS
CUP DESCRIPTION: agricultural entertainment-wedding barn

IN FAVOR: Debra Diestelmeier representing HLS, LLC
OPPOSED: None
STAFF: P&D, HWY
TOWN: Approved with no conditions

Motion by Bollig / Matano to approval with the following 11 conditions; motion carried, 5-0. YGP: 1-0.

1. The Agricultural Entertainment Activity shall be for seasonal wedding receptions, reunions, retreats, company seminars, and similar private functions annually from March - November.
2. The activity shall be located in the existing barn and surrounding location a described in the boundary description.
3. Owner shall comply with any and all state or local laws regarding the provision of sanitary facilities for patrons attending events.
4. Buildings used for public use shall comply with applicable local and/or state building code requirements for places of assembly.
5. Adequate parking shall be made available on site. Parking shall be prohibited on State Highway 78.
6. Live music, or the use of loudspeakers shall be limited to no later than 11pm.
7. Highway access permit shall be obtained from the State Highway Department, if needed.
8. Noise levels shall not cause a nuisance for neighbors.
9. Outdoor lighting shall not cause a nuisance for neighbors.
10. An event plan, as defined under Dane County Code of Ordinance Section 10.123(2)(d), shall be filed and approved by the Town, Zoning Division, and Sheriff’s Department, if it is anticipated to have more than 200 persons for any event.
11. The conditional use permit shall automatically expire upon sale of the property.

14. PETITION: CUP 2253
APPLICANT: REINDAHL STONE INC
LOCATION: 783 COUNTY HIGHWAY MM, SECTION 24, TOWN OF OREGON
CUP DESCRIPTION: 150’ monopole communication tower

IN FAVOR: Amir Akbev representing Reindahl Stone and Jim Jermain representing AT&T
OPPOSED: Jim McKenna was opposed to the tower due to the visual impact and health concerns.
STAFF: P&D, HWY
TOWN: Pending

Motion by Bollig / Matano to postpone until town action is received; motion carried, 5-0. YGP: 1-0.

15. PETITION: REZONE 10625 and CUP 2254
APPLICANT: DENNIS E BALLWEG
LOCATION: 6790 TWIN LANE ROAD, SECTION 25, TOWN OF BRISTOL
CHANGE FROM: A-1 Agriculture District TO A-3 Agriculture District
REASON: to allow a small scale electric generating station
CUP DESCRIPTION: small scale electric generating station

IN FAVOR: Jeff Rich and Jeff Vercanteren representing Sunnyside Digester, LLC; Town Chair Jerry Derr spoke in favor of the manure digester.
OPPOSED: None
STAFF: P&D, HWY
TOWN: Approved with no conditions.

Motion by Kolar / Matano to recommend approval of zoning petition 10625; motion carried, 5-0. YGP: 1-0.

Motion by Kolar / Matano to approve conditional use permit 2254 with the following 13 conditions and contingent upon zoning petition 10625 becoming effective; motion carried, 5-0. YGP: 1-0.

1. The applicant shall submit a storm water management and erosion control plan covering the entire CUP area for the duration of operations that meets with the approval of the Dane County Land Conservation Department and receive approval of an erosion control and storm water management permit from the Dane County Planning and Development Department before construction may commence.
2. The applicant shall apply for and receive all other required local, state and federal permits before construction commences and proof of such permits shall be filed with both Dane County Planning and Development Department and the Town of Bristol.
3. No manure other than manure generated on the same farm where the digester is located may be processed by the Digester. The Digester may process up to 10% substrate sourced off-site. The term “substrate” means fats, oils or greases which are generally accepted as appropriate for processing in manure digesters and contain no hazardous chemicals. Manure may be stored only in the designated storage bins and facility. Processing of any manure produced on other farms, or an increase in the capacity of the digester, may not
occur unless this conditional use permit has been amended with concurrence of the Town of Bristol, and new conditions related to the changes in operations have been approved.

4. The site shall have suitable remote security monitoring.

5. The Zoning Administrator, Town Building Inspector or designee may enter the premises of the operation to inspect those premises with reasonable advance notice to ascertain compliance or to investigate an alleged violation. Anyone inspecting the property will be escorted by the Applicant and will comply with all safety regulations.

6. The plant shall be built so that a passive containment system will catch and retain in containment 110 percent of the largest single tank capacity, or such other amount as is required by the DNR.

7. Dane County and the Town of Bristol shall be listed as additional insurers on the project construction liability insurance policy.

8. The Applicant shall comply with the spill prevention and emergency response plan approved by the State of Wisconsin. The Plan shall assure that alarm systems shall monitor the Digester at all times when the Digester is operating but personnel are not physically present. The Applicant shall assure that a person with authority to supervise emergency response operations on the plant premises shall be on call within a reasonable response time. The Applicant shall inform the Town, the Sun Prairie Volunteer Fire Department and the Dane County Sheriff’s Department of the names and phone numbers of the persons who are on call for given periods of time.

9. Sunny Side Digester LLC is a limited liability company established to operate this project. Gundersen Lutheran Envision, LLC or another entity acceptable to the Town shall either execute a guarantee of the obligations of Sunny Side Digester LLC or provide security which is sufficient in type and amount to assure the Town and County that resources will exist to (a) pay the costs of environmental remediation in the event of an accidental discharge or other accident at the Digester to the extent required by the DNR permit issued to the facility or a plan of correction from the DNR; and (b) pay for the proper and sanitary closure and site remediation of the project upon the termination of Digester operations, consistent with the requirements of a decommissioning plan approved by the Town.

10. The Applicant shall meet with representatives of the neighborhood and the Town as requested at reasonable intervals. At that meeting, the Applicant shall respond to issues raised by the Town or the neighborhood.

11. Prior to any application for expansion of the operations of the digester on the property, the Applicant shall submit to the Town a plan which identifies the farms or other customers to be served by the additional capacity, the traffic routes to be used, and other modifications in the operation.

12. The Applicants shall make an annual payment for municipal services of $2,500.00, commencing on February 1, 2015.

13. The Applicant shall furnish a purchase contract for the power generated by the digester facility duly executed with a public utility.

IV. REZONE AND CONDITIONAL USE PERMIT APPLICATIONS FROM PREVIOUS MEETINGS

1. None.

V. PLATS AND CERTIFIED SURVEY MAPS

1. Preliminary Plats
   None

2. Final Plats
   a. The American Center Plat Hanson Second Addition, City of Madison, Section 15 (2 lots) (application deadline 12/09/13)
      Staff recommends a certification of non-objection.

Motion by Hendrick / Matano to postpone the certification of the plat as non-objectionable in order for staff to acquire clarification of how the private road intersects with the public stormwater and greenway easement; motion carried, 5-0. YGP vote: 1-0.

3. Certified Survey Maps
   None
VI. RESOLUTIONS

1. None

VII. ORDINANCE AMENDMENTS

1. **ORDINANCE AMENDMENT 17, 2013-2014**: Amending Chapter 10 of the Dane County Code of Ordinances regarding changes to the CO-1 Conservancy Zoning District.

   Town action: 16 in favor and 5 opposed.

   **Motion** by Hendrick / Matano to recommend approval; motion carried, 5-0.  YGP: 1-0.


   Town action: 18 in favor and 2 opposed.

   **Motion** by Hendrick / Matano to recommend approval; motion carried, 5-0. YGP: 1-0.

VIII. OTHER BUSINESS

1. Any other business authorized by law

   The Committee decided to combine the December 10\textsuperscript{th} and 17\textsuperscript{th} ZLR Committee meeting into one meeting which will be held on December 17, 2013; motion carried, -0

IX. ADJOURN

   **Motion** by Kolar / Bollig to adjourn the meeting at 7:49pm; motion carried, 5-0.  YGP: 1-0.

Roger Lane,  
Recording Secretary

Minutes filed with the County Clerk 11/27/13

Note: These minutes are the notes of the recorder and are subject to change at a subsequent meeting of the committee.
ZTR Committee Public Hearing Agenda
July 23, 2013

ZONING & LAND REGULATION COMMITTEE
Dane County Board of Supervisors

MINUTES OF THE DECEMBER 5, 2013 PUBLIC HEARING

MEMBERS PRESENT: Hendrick, Bollig, Miles, and Matano.

YOUTH IN GOVERNANCE PROGRAM (YGP) MEMBERS PRESENT: None

OTHERS PRESENT: Everson

I. CALL TO ORDER

Chair Miles called the meeting to order at 6:43pm in Room 201 of the City-County Building.

II. PLATS AND CERTIFIED SURVEY MAPS

1. Final Plats
   a. The American Center Plat Hanson Second Addition, City of Madison, Section 15
      (2 lots) (application deadline 12/09/13)
      Staff recommends a certification of non-objection.

      Motion by Hendrick / Bollig to certify the plat as non-objectionable with respect to the provisions of
      S.236.12(2)(b), Wisconsin Statutes; motion carried, 4-0. Kolar excused.

III. ADJOURN

      Motion by Matano / Bollig to adjourn the meeting at 6:45pm; motion carried, 4-0.

Daniel Everson,
Recording Secretary Minutes filed with the County Clerk 12/06/13

Note: These minutes are the notes of the recorder and are subject to change at a subsequent meeting of the committee.
ZONING & LAND REGULATION COMMITTEE  
Dane County Board of Supervisors  

MINUTES OF THE DECEMBER 17, 2013 PUBLIC HEARING


OTHERS PRESENT: Kodl, Lane, Violante, and Members of the Public.

YOUTH IN GOVERNANCE PROGRAM (YGP) MEMBERS PRESENT: Severson. Excused: McCarville

I. CALL TO ORDER

Acting Chair Matano called the meeting to order at 7:00pm in Room 201 of the City-County Building.

II. PUBLIC COMMENT

No comments made by the public.

III. PUBLIC HEARING FOR ZONING MAP AMENDMENTS, CONDITIONAL USE PERMIT APPLICATIONS, RESOLUTIONS, AND ORDINANCE AMENDMENTS

1. PETITION: REZONE 10617  
   APPLICANT: STEVEN G NAMPEL  
   LOCATION: NORTH OF 4758 JACOBS ROAD, SECTION 36, TOWN OF MEDINA  
   CHANGE FROM: A-1EX Agriculture District TO A-2 (1) Agriculture District  
   REASON: creation of one residential lot

   IN FAVOR: Petitioner  
   OPPOSED: None  
   STAFF: P&D, HWY  
   TOWN: Pending

   Motion by Kolar / Bollig to postpone until town action is received; motion carried, 3-0. YGP: 1-0.

2. PETITION: REZONE 10618  
   APPLICANT: KLEIN FAMILY FARM LLC  
   LOCATION: 1584 SAND HILL ROAD, SECTION 6, TOWN OF RUTLAND  
   CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District  
   REASON: separation of existing residence from farmland

   IN FAVOR: Ron Klein  
   OPPOSED: None  
   STAFF: P&D, HWY  
   TOWN: Pending

   Motion by Bollig / Kolar to postpone until town action is received; motion carried, 3-0. YGP: 1-0.

3. PETITION: REZONE 10620  
   APPLICANT: ANDREW J JUDD  
   LOCATION: NORTH OF 9571 OVERLAND ROAD, SECTION 1, TOWN OF PERRY  
   CHANGE FROM: A-B Ag-Business District TO C-1 Commercial District and A-1EX Agriculture District TO RH-1 Rural Homes District  
   REASON: allow woodworking facility and sawmill

   IN FAVOR: Andrew Judd and Katey Judd
Motion by Kolar / Bollig to recommend approval with conditions; motion carried, 3-0. YGP: 1-0.

1. A deed restriction shall be recorded on the proposed C-1 Commercial Zoning District to limit the land uses to: woodworking/cabinetry shop and agricultural activities.
2. A deed restriction shall be recorded on parcel 0506-011-8082-0 prohibiting residential development on the remaining lands zoned A-1 Exclusive Agriculture and A-4 Small Lot Agriculture. The housing density rights of the original farm have been exhausted.

4. **PETITION: REZONE 10621**
   APPLICANT: BARRETT J CORNEILLE
   LOCATION: 1842 S QUAM DRIVE, SECTION 36, TOWN OF DUNN
   CHANGE FROM: R-3 Residence District TO RH-1 Rural Homes District, A-1EX Agriculture District TO A-4 Agriculture District and RH-1 Rural Homes District
   REASON: creation of two lots for rural homes and one agricultural lot

   IN FAVOR: Petitioner
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with conditions

   Motion by Bollig / Kolar to recommend approval with conditions; motion carried, 3-0. YGP: 1-0.

   1. A deed restriction shall be recorded on the proposed A-4 Small lot Agriculture Lot prohibiting residential development. The housing density rights of the original farm have been exhausted.
   2. Residential development of Lot 3 (2.7-acre lot with RH-1 zoning) shall obtained site plan approval from Town of Dunn Plan Commission prior to any development.
   3. All slopes exceeding 15% grade on Lot 3 shall be identified on the Certified Survey Map restricting development in those areas.

5. **PETITION: REZONE 10622**
   APPLICANT: JANETH M BOESE
   LOCATION: 6904 PAPE ROAD, SECTION 27, TOWN OF ROXBURY
   CHANGE FROM: C-2 Commercial District TO C-2 Commercial District
   REASON: amend restrictions to allow vehicle repair and sales

   IN FAVOR: Petitioner
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with conditions

   Motion by Kolar / Bollig to postpone allowing time for Staff to review the Town Plan policies with the applicant; motion carried, 3-0. YGP: 1-0.

6. **PETITION: REZONE 10623**
   APPLICANT: ZIEGLER TR, MARIE L REV TR
   LOCATION: 6878 SCHNEIDER ROAD, NORTH SIDE OF SCHNEIDER ROAD, SECTION 34, TOWN OF SPRINGFIELD
   CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District
   REASON: separation of existing residence from farmland

   IN FAVOR: Jim Rossen representing the Ziegler family
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with conditions
Motion by Bollig / Kolar to recommend approval with conditions; motion carried, 3-0. YGP: 1-0.

1. A joint driveway/maintenance agreement shall be recorded with the Register of Deeds for the benefit of Lots 1 and 2.
2. A deed restriction shall be placed on Lot 2 to prohibit residential development. The lot does not have a housing density right associated with the property.

7. **PETITION: REZONE 10624**
   APPLICANT: TOWN OF ROXBURY
   LOCATION: VARIOUS SECTIONS, TOWN OF ROXBURY
   CHANGE FROM: A-1EX Agriculture District TO VARIOUS DISTRICTS
   REASON: allow implementation of the Dane County Farmland Preservation Plan for the Town of Roxbury for various properties located in the Town of Roxbury. For a detailed listing of properties and zoning, visit the following website: [http://www.countyofdane.com/plandev/zoning/news.aspx](http://www.countyofdane.com/plandev/zoning/news.aspx) under the title “Town of Roxbury Blanket Rezone (Rezone Petition 10624)”, or contact Dane County Zoning Division at (608) 266-4251.

   IN FAVOR: None
   OPPOSED: None
   STAFF: P&D
   TOWN: Approved with no conditions

Motion by Kolar / Bollig to recommend approval; motion carried, 3-0. YGP: 1-0.


   IN FAVOR: Town Chair Ed Eloranta
   OPPOSED: None
   STAFF: P&D, HWY
   TOWN: Approved with no conditions

Motion by Bollig / Kolar to recommend approval of an amendment to Chapter 82 of the Dane County Code of Ordinances incorporating the Town of Springdale Comprehensive Plan changes into the Dane County Comprehensive Plan; motion carried, 3-0. YGP: 1-0.

IV. **PETITIONS REREFFERED FROM THE DECEMBER 5, 2013 COUNTY BOARD MEETING**

1. **PETITION: REZONE 10625 and CUP 2254**
   APPLICANT: DENNIS E BALLWEG
   LOCATION: 6790 TWIN LANE ROAD, SECTION 25, TOWN OF BRISTOL
   CHANGE FROM: A-1 Agriculture District TO A-3 Agriculture District
   REASON: to allow a small scale electric generating station
   CUP DESCRIPTION: small scale electric generating station

   Staff described project features with regards to spill prevention.

Motion by Kolar / Bollig to recommend approval of Zoning Petition 10625; motion carried, 3-0. YGP: 1-0.

V. **AGENDA ITEMS FROM PREVIOUS MEETINGS**

1. **PETITION: REZONE 10603**
   APPLICANT: DENNIS R KIRCH
   LOCATION: 6612 SHOWER ROAD, SECTION 36, TOWN OF MAZOMANIE
   CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
   REASON: zoning compliance for structures

Motion by Kolar / Bollig to recommend approval of the petition conditioned upon a resource protection area being designated on the certified survey map prohibiting development on slopes of 20% and greater; motion withdrawn.
Motion by Kolar / Bollig to postpone action until staff has an opportunity to review the resource protection area requirement with the Town of Mazomanie; motion carried, 3-0. YGP: 1-0.

2. PETITION: CUP 2253
APPLICANT: REINDAHL STONE INC
LOCATION: 783 COUNTY HIGHWAY MM, SECTION 24, TOWN OF OREGON
CUP DESCRIPTION: 150’ monopole communication tower

TOWN: Approved with no conditions.

Motion by Bollig / Kolar to approve Conditional Use Permit #2253 with 20 conditions; motion carried, 3-0. YGP: 1-0.

1. The primary use of the communication tower permitted under Conditional Use Permit No. 2253 shall be for the transmission and reception of cellular/PCS wireless, and related telecommunication equipment.

2. The communication tower placed, constructed or modified under Conditional Use Permit No. 2253 shall accommodate the collocation of at least two (2) additional telecommunications antennas. The collocation spots shall be made available at a minimum height of 150 feet above ground level (AGL), upon request of another carrier. The maximum height of the tower shall not exceed 170 feet above ground level.

3. The minimum of two (2) collocation sites required hereunder need not be available on the tower as initially placed, constructed, or modified, provided that the tower will support the later addition of the collocation sites as specified in condition #2, above.

4. To support the later addition of collocation sites, the tower should be engineered to be extendable to the maximum permitted height of 170 feet above ground level.

5. Collocation sites required hereunder shall, upon request, be made available by the holder of Conditional Use Permit No. 2253 for the mounting of technologically compatible antenna arrays and equipment at the prevailing market rate in the region and upon contractual provisions which are standard in the industry.

6. Subject to further conditions set forth herein as to total floor area and location, the holder of Conditional Use Permit No. 2253 is permitted to construct a building of no more than 14 feet in height (as defined in section 10.01 (8) of the Dane County Zoning Ordinance in effect in March 1997) and 314 square feet of internal floor area for use directly incidental and necessary to the use of the tower. Any other user collocating on the tower permitted herein is permitted to construct a building of no more than 14 feet in height (as defined in section 10.01 (8) of the Dane County Zoning Ordinance in effect in March 1997) and 314 square feet of internal floor area for use directly incidental and necessary to the use of the tower. Two or more users of the tower may build a single building with a floor area of no more than 314 square feet per user sharing the building. Buildings constructed or used by tower collocators shall be subject to all conditions established for Conditional Use Permit No.2253, including locational requirements contained in the site plan.

7. The holder of Conditional Use Permit No. 2253 shall, through ownership, lease, option or other means, at all times have the right to use the land associated with the permitted tower for uses related to the use of the collocation sites required hereunder, including the construction and use of buildings as permitted under paragraph 6 herein.

8. The site plan(s) and design drawings dated 12/11/2013 submitted with the application materials for CUP #2253 are fully incorporated herein and continued effectiveness of Conditional Use Permit No. 2253 is expressly conditioned upon compliance with those plans.

9. Upon written inquiry by the committee, the holder of Conditional Use Permit No. 2253 shall have the burden of presenting to the committee credible evidence establishing to a reasonable certainty the continued compliance with all conditions placed upon the conditional use permit. Failure to establish compliance with all conditions placed upon the conditional use permit shall be grounds for revocation of the permit. In the event the committee determines that it is necessary to consult with a third party to ascertain compliance with conditions on Conditional Use Permit No. 2253, all reasonable costs and expenses associated with such consultation shall be borne by the holder of said conditional use permit. Failure to pay such costs and expenses or provide information requested by the committee shall be grounds for revocation of the conditional use permit.

10. Any proposed changes to the tower and related facilities due to collocation or otherwise shall be reviewed by the Zoning Administrator prior to implementation to determine if the project(s) constitute a substantial modification of the mobile service support structure as defined in s. 66.0404(1)(s), and to determine if any permits are required and to determine that such changes are in compliance with terms of the CUP.
11. If at any time the communication tower permitted under Conditional Use Permit No. 2253 ceases to be used for the primary use, as identified in paragraph 1 above, for a continuous period of 12 months the permit holder shall, upon notification by the committee, dismantle and remove the tower. If the tower is not removed within 30 days of such notification, Dane County may enter upon the premises and remove the tower at the expense of the holder of the conditional use permit.

12. Prior to issuance of the requested conditional use permit, and as a condition of its continued validity, applicant shall provide Dane County with a bond, or evidence of an existing bond, in the amount of $20,000 ensuring performance of applicant's obligation to remove any communication tower, array or any other equipment or structure placed or erected pursuant to the conditional use permit, including payment for such removal by Dane County or its agent, in the event the permit is revoked or the use permitted thereunder ceases for a continuous period of 12 months. Said bond shall expressly state that it will remain in full force and effect for a period of at least six months after the surety provides Dane County written notification of expiration or termination of the surety's obligation under the bond. Applicant shall remove any communication tower, array or any other equipment or structure placed or erected pursuant to the conditional use permit no less than 30 days prior to the termination or expiration of the bond required hereunder.

13. The applicant shall file a Notice of Proposed Construction on Form 7460-1 to the FAA to assure that the monopole will not impact incoming and outgoing aircraft.

14. Contact with Wisconsin DOT Bureau of Aeronautics should be made prior to construction, if it has not already been done, to determine whether notification to that agency is required.

15. All tower components, appurtenances and transmission lines should be securely bonded and grounded to prevent RF interference caused by stray signals.

16. A Wisconsin-licensed Structural Engineer should approve and stamp the final tower construction plans, and certify that the tower can support up to two additional cellular/PCS antenna arrays.

17. The applicant shall utilize a galvanized or painted finish on the tower to minimize visual impact, if permitted by the FAA.

18. The applicant shall paint steel appurtenances the same color as the tower to minimize visual impact.

19. The tower compound area shall be surrounded by a security fence.

20. Failure to comply with any of the aforesaid conditions shall be grounds for the committee to immediately revoke Conditional Use Permit No. 2253.

VI. PLATS AND CERTIFIED SURVEY MAP

1. PRELIMINARY PLATS
   None

2. FINAL PLATS
   None

3. CERTIFIED SURVEY MAPS
   None

VII. RESOLUTIONS

1. None.

VIII. ORDINANCE AMENDMENTS


   See action above.

IX. OTHER BUSINESS AUTHORIZED BY LAW

1. Pending Zoning Map Amendments
   a. Petition 10486, Jon Larson, Section 3, Town of Blue Mounds
   b. Petition 10517, Orlin Groven, Section 25, Town of Albion
   c. Petition 10552, Parish (Paul Wilichowski), Section 19, Town of Black Earth
   d. Petition 10598, Michelle Schroeder, Section 6, Town of Windsor
e. Petition 10599, Deppeler (Dan LeGros), Section 36, Town of Primrose
f. Petition 10605, Debora Schweiss, Section 13, Town of Burke
g. Petition 10616, JAD Development, Section 24, Town of Burke

2. Report of approved Certified Survey Maps
   a. APP # 9541, Baker, Town of Roxbury, Section 29/30 (2 lots, 5.3 acres)
   b. APP # 9539, Merrick Estate, Town of Medina, Section 23 (1 lot, 2.0 acres)
   c. APP # 9546, Tierney, Town of Bristol, Section 14 (1 lot, 6.3 acres)
   d. APP # 9554, Welsch, Town of Roxbury, Section 2 (1 lot, 0.47 acres)
   e. APP # 9552, Ripp, Town of Vienna, Section 17 (1 lot, 2.0 acres)

X. ADJOURN

   Motion by Kolar / Bollig to adjourn the meeting at 8:08pm; motion carried, 3-0. YGP: 1-0.
Description: The petitioner would like to create a residential lot on the 35-acre parcel. The housing density right appears to be stemming from a destroyed residence.

Observations: Approximately 30% of the proposed lot is wooded. The grade ranges from 16% to 26% in the center portion of the lot. No other sensitive environmental features observed. There are multiple outbuildings on the 35-acre property. Some may be habitable. Note: Residential development must be located at least 200 feet away from the I-94 corridor per Noise Overlay District requirements.

Town Plan: The property is located in the Agricultural Preservation Area. All residences count as a housing density right. The Town of Medina has sent a letter noting the history of the parcel. County Staff has reviewed the history of the parcel and determined a housing density right exists on the property. The Town Plan lists criteria for siting residential development. See attached excerpts from the Town Plan.

Resource Protection Area: The Town of Medina Plan identifies lands within 100-year floodplains, wetlands, significant woodlands, and steep slopes exceeding 12% grade as being part of the resource protection area. Development should be discouraged in these areas. The majority of the proposed zoning boundary is within the resource protection area.

Staff Comments: The proposal may be conflict with Town Plan policies regarding resource protection areas due to steep slope topography. Staff suggests that the home site be shifted further south to an area with lesser slopes. The remaining acreage will be less than 35 acres in size and will need to be included in the Certified Survey Map as a second lot with appropriate zoning such as A-4.

Town Action: Approved. See attached.

12/17 ZLR Action:
Motion by Kolar / Bollig to postpone until town action is received; motion carried, 3-0. YGP: 1-0.
TOWN BOARD ACTION REPORT

Regarding Zoning Petition No. 10617, Public Hearing 12/17/2013

Whereas, the Town Board of the Town of MEDINA, having considered said zoning petition, be it therefore resolved that said petition is hereby (Approved/Disapproved).

The Town Board Planning Commission

consisting of 5 members voted 5 in favor and 0 opposed

The Town Board

consisting of 5 members voted 5 in favor and 0 opposed

The above petition is subject to the following conditions: (Cross out or write none if there are no conditions)

Deed Restriction on the remaining parcel for no further residential development. No animals on rezone, per Dane Co. Zoning.

(attach additional page[s] as required)

Please note: If the proposed rezoning is approved by the Town Board, but this rezone does not comply with the Town Land Use Plan, please explain the approval. These reasons are critical for Zoning Committee and the County Board in their consideration of the rezoned.

(attach additional page[s] as required)

Please note: The following space (and additional page[s] as required) are served for comment by the minority voter(s).

1, Jean Johnson, as Town Clerk of the Town of Medina, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Jan 8, 2014.

Jean Johnson
Town Clerk

DATE: Jan 9, 2014
DRAFT: FOR DISCUSSION PURPOSES ONLY

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

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<tr>
<th>Public Hearing Date</th>
<th>Petition Number</th>
<th>Applicant</th>
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<tbody>
<tr>
<td>11/26/2013</td>
<td>10615</td>
<td>Steve Nampel</td>
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<tr>
<td>Town</td>
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<tr>
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<td>A-1EX Adoption</td>
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<td>Ace, Coilin</td>
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Reasons/Notes:
The town of Medina counts all residences as a split. The previous residence on the Nampel property can be replaced, and represents the one remaining split available.

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

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<td>ANDREW J STRASBURG</td>
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<td>081236396909</td>
<td>13.81</td>
<td>STEVEN G NAMPEL &amp; MICHELLE M NAMPEL</td>
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</tr>
</tbody>
</table>
July 3, 2013

Steven & Michelle Nampel
4758 Jacobs Road
Marshall, WI 53559

Dear Steven & Michelle,

Attached are density study reports for property you own in section 36 of the Town of Medina. The property is located in the town’s Agricultural Preservation Area, where development is limited to 1 dwelling unit (a/k/a “split”) per 35 acres of contiguous land owned as of February 4, 1981. The property you currently own was part of two larger, separate landholdings owned by Collin Ace (~30 acres), and John Retallick (~40 acres) as of February 4, 1981.

As noted on the density study reports, the town of Medina counts all residences as a split under the density limitation. There is no split available on the ~22 acres you own from the previous Retallick farm (parcel #0812-363-9500-8). Because there was a previous residence on the ~14 acres you own from the former Ace farm (parcel #0812-363-9690-9), one possible building site / split remains available to that property. Your surveyor has provided a copy of a draft survey map for a new 1 acre parcel located north of the existing accessory buildings on parcel #0812-363-9690-9. That proposed lot would represent the one split you are eligible for, and appears consistent with town of Medina plan policies for siting new development.

Please note that this density analysis does not guarantee or preclude town or county approval of a particular land division, rezone, or development proposal. The Town of Medina Plan Commission and Board of Supervisors review all applications to rezone, and apply interpretations, standards and criteria as set forth in the town plan to guide their decisions. Such standards include considerations for soil type, environmental features, site characteristics, compatibility with neighboring uses, proposed location of driveways and utility extensions, and proposed lot size and location. In addition, all rezones are subject to Town Board, County Board, and County Executive approval. A copy of this density analysis is being forwarded to the Town of Medina Clerk, Jean Johnson.

If you have any questions about this density analysis, please contact me by phone at 267-2536.

Sincerely,

[Signature]

Majid Allan, Senior Planner

cc: Jean Johnson, Town of Medina Clerk
Dear Glen,

There are two issues with Zoning Petition 10617 for Steven G Nampel, in Section 36, Town of Medina.

Issues are as follows:

1. The remaining land for Nampel may be under 35 acres in size (roughly 34.5 acres). Pursuant to the land division regulations, the remaining lands will need to be included in the certified survey map if under 35 acres. If under, please revise the survey to show two lots. The remaining land will need to be zoned to A-4.

2. The proposed lot is located in a resource protection area. See attached map. The protection area is caused by steep slope topography. The ZLR Committee will definitely discourage a home site being located in this area. The landowner may want to shift the lot to the south so that the lot is primarily outside the resource protection area.

Please follow up on the issues and let me know what your client wants to do.

Regards,

Roger Lane
Dane County Zoning Administrator
PRELIMINARY MAP FOR A CERTIFIED SURVEY MAP FOR RE-ZONE FOR FUTURE HOUSE SITE LOCATED IN PARTS OF THE NW 1/4 OF THE SW 1/4, NE 1/4 OF THE SW 1/4, AND SE 1/4 OF THE SW 1/4 OF SECTION 36, T.8N, R.12E, TOWN OF MEDINA, DANE COUNTY, WISCONSIN

DESCRIPTION:
Parts of the NW1/4 SW1/4, NE1/4 SW1/4, AND SE1/4 SW1/4, Section 36, T8N, R12E, Town of Medina, Dane County, Wisconsin, more particularly described as follows:

Commencing at the brass monument at the SW corner of said Section 36; thence N38°45'11''E, 1323.5' to the beginning; thence S7°47'57''W, 53.5' to the beginning; thence N13°53'23''W, 67.1' to the POINT OF BEGINNING; thence N8°47'57''E, 98.4' to the beginning; thence N1°36'57''W, 75.0' to the beginning; thence S8°24'23''E, 200.0' to the beginning; thence S0°36'57''W, 200.0' to the beginning; thence N88°24'W, 200.0' to the beginning; thence N1°36'W, 59.0' to the beginning; thence S87°47'W, 27.8' to the POINT OF BEGINNING, containing 1.05 acres or 45.902 square feet to the C.L. as described, subject to final field survey measurements.

Scale: 1'' = 60'

NOTES:
1. Surveyed for Steven G. Nampel and Michelle M. Nampel, 6872 County Highway "B", Johnson Creek, WI 53038, owners of record per W.O., Doc. No. 4711085.
2. Property address is 4758 Jacobs Road, Marshall, WI.
3. Earnings are on an assumed datum referenced to the south line of the SW 1/4 of Section 36-8-12.

SURVEYOR'S CERTIFICATE
I hereby certify that I have prepared this map and description from a field survey conducted under my direction and that this map is a true representation thereof and is correct to the best of my knowledge and belief.

Dated 9-26-2013

ORDER NO. AB 3890-13
Drafted at ABEX Survey Company
101 E. Main St. P.O. Box 369
Cambridge, WI 53523
608-423-3331

PRELIM DRG. NO. 3890
Sheet 1 of 1 Sheet
SURVEYOR'S CERTIFICATE
I hereby certify that I have prepared this map and description from a field survey conducted under my direction and that this map is a true representation thereof and is correct to the best of my knowledge and belief.

Deted

Glen L. Northrop, S-982
2. A site plan has been approved by the Town of Medina to locate a dwelling on the property.

3. A rezoning that allows the construction of a dwelling, utility service or commercial facility that has been approved by the Town of Medina and Dane County for the property.

4. A density unit has been transferred off the property to a different parcel of land.

For administration of this policy, the density units remain with the land, not the owner or subsequent owners. It is the responsibility of the owners and potential buyers of land to check with the Town of Medina on availability of density units. Potential buyers are also advised to contact the Dane County Planning & Development or the Register of Deeds to determine if a deed restriction has been recorded.

**When Density Units are exhausted:** When the density limit is reached, construction of additional dwellings or commercial facilities will not be approved.

To ensure that the density ratio described in this policy is maintained, the Town of Medina shall require that a deed restriction be recorded to prevent further development when properties are divided and/or rezoned.

**Limited transfers of density units may be permitted:** Limited transfers of density units between original February 4, 1981 farm units currently held in single ownership may be considered if such a transfer would further the goal of preserving productive agricultural lands. Such transfers shall be considered on a case-by-case basis. A density analysis by the Medina Planning Commission, including but not limited to referring to Map 13, Density Units Available shall be required on both the sending and receiving parcels. The Town of Medina may require the recording of Deed Restrictions or Notice documents on “sending” and “receiving” parcels. The transfer ratio shall be 1:1. That is one density unit will be granted to the “receiving” area for each density unit procured from a “sending” area.

**Rezoning of Land in the Agricultural Preservation District**

**Criteria & Standards:** The town will utilize the following guidelines when considering rezoning of land for residential, or other non-farm development.

1. Exclusive Agricultural Zoning is in effect in the Town of Medina, therefore, all use changes will require rezoning.

2. Rezoning shall be considered using the criteria as follows: It shall be:

   a) Land where there has not been a history of economically viable farming.

   b) Land which is too small to be economically used for agricultural purposes or which are inaccessible to the farm machinery needed to produce and harvest...
agricultural products.

c) Land which is not designated as Prime Farmland or Lands of Statewide Importance.

d) Land located such that there would be no possible conflict with surrounding agricultural uses.

e) Land which will allow construction of road or driveway for safe access on existing roadways by town and emergency vehicles in compliance with the current Town of Medina Driveway ordinance.

f) Land which does not disturb or destroy important natural features.

3. To limit rezoning to that portion of land necessary for the proposed use. Proposals will be reviewed carefully to ensure minimal area is rezoned.

4. To allow for no subdivisions in agricultural preservation areas, certified surveys which meet the criteria above will be considered for rezoning.

5. Public improvements such as roadway corridors, power lines, pipelines or sanitary landfill should recognize the Agricultural Land Preservation goals of the Town of Medina. Those agencies should submit such plans at initial planning stages to the Medina Town Board.

**Residential Development Guidelines**

**Goal:** To promote healthy, safe, convenient, attractive and environmentally sound housing that enhances the rural character of the Town of Medina.

- Housing shall be directed to either the urban service area of the Village of Marshall or those areas found to be consistent with the rezoning criteria of the Agricultural Preservation Area implementation.

- All residential development shall be on land having no severe or very severe limitations as shown on Map #4, Building Site Potential.

- Erosion Control guidelines, standards and specifications to be followed are contained in the publication Minimizing Erosion in Urbanizing Areas; U.S.D.A. Soil Conservation Service.

- Driveways shall be constructed in accordance with the current Town of Medina Driveway ordinance. Approval of driveway locations must be obtained from WisDOT or Dane County on state or county highways, respectively.

- The required minimum lot size for any approved development in non-urban service areas shall be not less than 40,000 sq. ft. exclusive of roadways with a
minimum frontage as allowed by the current Dane County zoning ordinance.

- Only certified surveys which meet the criteria of the Agricultural Preservation Area criteria will be considered for rezoning.

- Single-family dwellings or manufactured homes shall be permitted on existing farm operations for members of the immediate family or those actively engaged in earning a substantial part of their livelihood from the farm operations.

- Manufactured homes should be constructed to a minimum width of 20 feet and placed upon a concrete foundation or footing in accordance with U.B.C. requirements.

**Commercial Development Guidelines**

**Goal:** To encourage the appropriate location of commercial uses, which provide goods and services to the area, to be developed in a convenient, safe and attractive manner.

- To encourage major commercial development to locate in or adjacent to existing urban areas.

- To discourage strip commercial development along roadways.

- To control commercial development at the I-94 interchange to promote compact, convenient highway oriented facilities.

- To zone only that portion of land necessary for the immediate use when rezoning is requested, and to direct commercial development to areas already zoned commercial.

**Industrial and Commercial Development Guidelines**

**Goal:** Non-farm industrial or commercial development is generally incompatible with the Town of Medina’s goals of preserving farmland and a rural atmosphere. Therefore, the Town of Medina will discourage industrial development to avoid adversely affecting either the rural character of the town, or the natural environment.

- All industry will be required to be served by public utilities and sewer in urban service areas.

- Isolated industrial or commercial development in agricultural areas where it may result in environmental degradation or conflicts with farming operations shall be discouraged.

- Mineral extraction operations must be temporary in nature, with the acceptance of the initial approval granted by the Medina Town Board. Mineral Extraction Industries agree to operate under the conditions that may be prepared and required by the Town of Medina. Mineral extraction operations shall be in
Slopes exceeding 20% grade

Slopes 12 to 16% Grade
Description: The applicant would like to rezone a portion of their property to commercial in order to have the ability to sell cars from the property. The applicant is a car enthusiast and collects classic cars. They would like the ability to trade and sell their classic cars. As part of a dealership license, Wisconsin DOT requires car sales to be on properties zoned for car sales.

Observations: The property is located adjacent to the City of Sun Prairie and is currently outside the Urban Service Area. There is an existing single-family residence and large outbuilding on the property. The 7000 square foot outbuilding was constructed in 2011 for the purpose of storing personal property and a classic car collection. The majority of the property is designated as wetlands except for the developed area. The entire property consists of Class II soils.

Town Plan: The subject property is within the City of Sun Prairie “boundary adjustment area”. The town has entered into a cooperative plan agreement with the City of Sun Prairie in order to provide orderly development of properties that will be annexed by the mentioned municipality by 2036. All development for this area is subject to City of Sun Prairie approval. The Town of Burke 1999 Comprehensive Plan designates this area as being “Business Park/Commercial due to the close proximity to the railway. The City of Sun Prairie designates the area for low density residential and an open space corridor due to the sensitive environmental features on the land.

Resource Protection Area: The Town of Burke designates floodplains, wetlands, water bodied, and slopes exceeding 12% as part of the Resource Protection Area. The proposed development falls outside the resource protection area on the property.

Staff Comments: The proposed commercial zoning may appear to be inconsistent with the City Comprehensive Plan. However, the city has indicated its support for the proposal, if subject to site specific deed restrictions are imposed that limit the use of the property to what is being requested by the applicant. See attached draft deed restriction prepared by the landowner. NOTE: Converting the accessory building from residential to a commercial purpose will need a Change of Use Permit from Dane County Zoning Division and will need State Plan Approval for a commercial building.

City of Sun Prairie: The City of Sun Prairie has approved the spot zoning with specific deed restrictions.

11/26 ZLR Action:
Motion by Hendrick / Matano to postpone until town action is received; motion carried, 5-0. YGP: 1-0.

Town Action: Approved conditioned upon the attached deed restriction being recorded that limits the land use in the C-2 zoning district boundary.
TOWN BOARD ACTION REPORT

Regarding Zoning Petition No. 10405

Whereas, the Town Board of the Town of Burke, having considered said zoning petition, be it therefore resolved that said petition is hereby (Approved/Disapproved).

The Town Board Planning Commission

consisting of 6 members voted 6 in favor and 0 opposed

The Town Board

consisting of 5 members voted 5 in favor and 0 opposed

The above petition is subject to the following conditions: (Cross out or write none if there are no conditions)

Please See the attached Resolution

(attach additional page[s] as required)

Please note: If the proposed rezoning is approved by the Town Board, but this rezone does not comply with the Town Land Use Plan, please explain the approval. These reasons are critical for Zoning Committee and the County Board in their consideration of the rezone.

(attach additional page[s] as required)

Please note: The following space (and additional page[s] as required) are served for comment by the minority voter(s).

I, Brenda Ayers, as Town Clerk of the Town of Burke, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on December 18, 2013.

Brenda Ayers
Town Clerk

DATE: January 6, 2014
TOWN OF BURKE
RESOLUTION NO. 12182013A

RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE
CONDITIONALLY APPROVING THE REZONE PETITION SUBMITTED BY
BRYAN FOLZ AND DEBRA SCHWEISS (FOLZ)

WHEREAS, a petition to rezone 1.1 acres of their 32.7 acres located
at 5610 Reiner Rd, Sun Prairie (parcel number 0810-133-9000-5) from A-1 to C-2 for the
purpose of selling specialty and classic cars from an existing building (as depicted and
described in the attached map and description) has been submitted to the Town for review
and action; and

WHEREAS, the City of Sun Prairie Common Council has reviewed the petition
and recommended approval of the rezone conditioned upon the recording of Deed
Restrictions on the property; and

WHEREAS, the Plan Commission has reviewed the petition and recommended
conditional approval of the rezone; and

WHEREAS, the Town Board has reviewed and considered the Plan Commission's
recommendation;

NOW, THEREFORE, the Town Board hereby approves the rezone subject to the
following condition:

1) The attached Deed Restrictions document is recorded on the property

The above Resolution was duly adopted by the Town Board of the Town of Burke,
Dane County, Wisconsin, at a meeting on December 18, 2013.

APPROVED:

By ____________________________
Kevin Viney, Town Chair

ATTEST:

______________________________
Brenda Ayers, Town Clerk/Treasurer
DEED RESTRICTIONS

PETITION NO.

WHEREAS,

Bryan & Debora Folz ("Owners")

is owner of the following described real estate in the
Town of Burke, Dane County, Wisconsin further
described as follows:

LEGAL DESCRIPTION:
A part of the Southwest ¼ of the Southwest ¼ of Section 13,
Township & North, Range 10 East, in the Town of Burke, Dane County,
Wisconsin. More fully described as follows. Commencing at the West
¼ corner of said Section 13; thence SO'53'09"W 1322.60 feet
along the West line of said ¼ ¼; thence N87'33'20"E 1243.55
feet along the South line of the First Addition to Smith's Crossing;
thence S0'26'40"E 162.75 feet to the point of beginning; thence
SO'03'47"E 219.00 feet; thence S82'56'13"W 220.00 feet; thence
NO'03'47"W 219.00 feet; thence N82'56'13"E 220.00 feet to the point
of beginning. Containing 48,180 Sq. Ft. or 1.10 Acres. (the "Property")
WHEREAS, Owners desire to place certain restrictions on the Property and to provide notice of the restrictions in order to bind Owners and those who may acquire title or any interest in the Property. A zoning map of the Property is attached hereto as Exhibit A.

WHEREAS, the restrictions provided herein shall be enforceable at law or in equity against any party who has or acquires any interest in the Property by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Board of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Board of the Town of Burke, Dane County, Wisconsin, provided that the land is within the jurisdiction of said Town at the time the enforcement action is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the Property.
- The City Council of the City of Sun Prairie, Dane County.

THEREFORE, the following restrictions are hereby imposed:

1. Only the following uses (the "Permitted Uses") shall be permitted on the Property, and all other uses are prohibited:
   a. Major repairs to motor vehicles
   b. Sales, rental or leasing of new and used motor vehicles
   c. Office uses

2. Except for outdoor lighting for security purposes, Owners shall not install any outdoor lighting in addition to the outdoor lighting that exists on the Property on the date this Deed Restriction is executed by Owners.

3. Owners may only install the minimal signage required by the Wisconsin Department of Transportation (the "WI DOT") on the Property. All signage required by the WI DOT shall be located on the building that exists on the Property on the date this Deed Restriction is executed by Owners (the "Building").

4. No outdoor storage of inventory vehicles or equipment is permitted on the Property.

5. The size and height of the Building may not be increased, expanded or enlarged.

6. The Property may not be accessed from Emerson Street. The Property may only be accessed from Reiner Road through Owners’ adjacent property zoned A-1 on which Owners’ residence is located as shown on Exhibit A.

7. Owner shall maintain any auto dealer’s license issued the State of Wisconsin Department of Motor Vehicles ("DMV") necessary for the Permitted Uses. If Owners fail to obtain, renew or maintain the DMV auto dealer’s license, then; (a) Owners shall not engage in the Permitted Uses for which the DMV auto dealer’s license is required; and (b) Owners shall apply to Dane County or the municipality or government with zoning authority over the Property, whichever is applicable, to rezone the Property from C-2 Commercial to A-1 Agriculture.

FAILURE TO RECORD THE RESTRICTION(S) WILL CAUSE THE REZONE TO BE NULL AND VOID. A COPY OF THE RECORDED DOCUMENT SHALL BE SUBMITTED TO DANE COUNTY ZONING.

The restrictions set forth herein may be amended or terminated only in the following manner:
1. If the Property is located in the Town of Burke, the amendment or termination of the restrictions requires the written approval of the Owners, the Town of Burke, the City of Sun Prairie, and the County of Dane. If the Property has been attached or annexed to the City of Sun Prairie, the amendment or termination of the restrictions requires the written approval of the Owners and the City of Sun Prairie. Upon approval of the amendment or termination of the restrictions, Owners shall draft the amendment or termination instrument for execution of the parties and recording with the Dane County Register of Deeds. The amendment or termination instrument shall be effective upon recording with the Dane County Register of Deeds.

2. A rezoning of the Property to a different zoning district by Dane County or the City of Sun Prairie shall also act to terminate the restrictions set forth herein.

Date

Signature of Grantor (owner)

*Name printed

Date

Signature of Grantor (owner)

*Name printed

This document was drafted by: (print or type name below)

STATE OF WISCONSIN, County of ____________________________

Subscribed and sworn to before me on ______________________ by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07)

(print or type name: ____________________________

Title ____________________________ Date commission expires: ____________________________

*Names of persons signing in any capacity must be typed or printed below their signature. P&D form 2/20/2001
Legend

Significant Soils  Steep Slopes  
Class 1  Slopes < 12%
Class 2  Slopes < 20%

100-year Floodplain
Wetland polygons

Petition 10605
Schweiss
Staff Report

Zoning and Land Regulation Committee

Public Hearing: November 26, 2013

Zoning Amendment:
A-1 Agriculture District and A-B Agriculture Business District to C-2 Commercial District

Town/sect: Burke
Section 24

Petition: Rezone 10616

Survey Req. No

Applicant
JAD Land Development LLC

Reason:
Proposed commercial sub-division development

Location:
3370 Burke Road

See attached Staff Report.
Petition #10616, JAD Development
Staff Report

Note: This petition has been previously approved by the County under Zoning Petition #10295 in 2011. The zoning expired due to the applicant failing to record a subdivision plat within 2 years as a condition of zoning approval.

Description: The petitioner would like to develop 25 acres of land for commercial purposes. Although the exact uses have not been determined, it appears that the primary uses will be contractor offices, storage warehouses, and mini-warehouse facilities. An additional 3.5 acres of land, along Burke Road, is also included in this zoning petition to bring several existing land uses into compliance with zoning regulations.

History: In 1999, the County Board approved a similar request (petition #7168) for commercial development of this site. However, the petition was rendered null & void due to a subdivision plat not being recorded in the described timeframe. In 2003, a condominium plat was recorded on the 51-acre property dividing the property into 11 units. Also, a storm water maintenance notice was recorded on the property designating storm water detention facilities. In 2009, the Zoning Division identified land use violations occurring on the property along Burke Road with regards to a business selling racecar parts and the manufacturing of racecar frames. The enforcement action is pending the result of this petition. In 2011, zoning approval was granted once again but expired due to conditions not being met.

Observations: The property is located approximately 1300 feet north of the City of Madison limits and within their extraterritorial jurisdiction. A conservation easement has been purchased by the US Department of Agriculture on 21 acres of land in the southwest corner of the property in 1989. The easement is to preserve the wetlands in the area for wildlife habitat. A drainage swale bisects the property from the northeast corner to the southwest corner. Wetlands are present along this drainage swale. As mentioned, the northerly 25 acres of the property is proposed for commercial development; 16 acres of the 25-acres consists of Class II soils.

Town Plan: The subject property is in the commercial land use district in the 1999 Burke Land Use Plan. Since that time, the town of Burke has entered into a long-term annexation agreement with the City of Madison. This cooperative agreement is the most critical. The City of Madison has developed extraterritorial plans for this area, called the Northeast Neighborhood Development Plan. Phase 1 of this plan has specific land uses, design guidelines, etc. The subject property is in Phase II for which detailed planning has not yet been developed. When property in this area is divided into more than 2 residential parcels or into any non-residential parcels, a full City of Madison Extraterritorial review is required. The City of Madison Planning Staff has apparently indicated that they find the proposal to be acceptable.

Suggested conditions of Approval

1. The petitioner shall record a condominium removal document for the entire JAD Condominium Plat. The petitioner shall also remove the recorded storm water maintenance plan as note under Register of Deeds document #3760938.

2. A subdivision plat, pursuant to Wisconsin Statutes 236, shall be recorded with the Dane County Register of Deeds that defines the proposed lots as shown on the concept plan within 2 years.

3. The proposed “Maly Road” shall be dedicated to the public for road right-of-way. The road right-of-way shall extend from the eastern right-of-way line of Reiner Road to the north property line as depicted on the concept plan.


Continued
Conditional Uses that may be permitted are: Residence for a watchman or caretaker - Communication towers - Governmental uses - Agricultural uses

5. Lot 10 shall be deed restricted to limit the land uses to:


   Conditional Uses that may be permitted are: Residence for a watchman or caretaker - Communication towers - Governmental uses - Agricultural uses

6. All property zoned C-2 within the subdivision plat shall be deed restricted to prohibit billboard signs.

11/26 ZLR Action:
Motion by Hendrick / Matano to postpone until town action is received; motion carried, 5-0. YGP: 1-0.

Town: Approved conditioned upon limited land uses as described above; prohibiting retail or drive up establishments; prohibiting work or storage of material outside of a building; and approvals obtained from the City of Madison.
Regarding Zoning Petition No. **10616**  

Public Hearing **November 26, 2013**

Whereas, the Town Board of the Town of **Burke**, having considered said zoning petition, be it therefore resolved that said petition is hereby **(Approved/Disapproved)**.

**The Town Board Planning Commission**

consisting of **6** members voted **6** in favor and **0** opposed

**The Town Board**

consisting of **5** members voted **5** in favor and **0** opposed

The above petition is subject to the following conditions: (Cross out or write none if there are no conditions)

**Please see the attached Resolution**

(attach additional page[s] as required)

**Please note:** If the proposed rezoning is approved by the Town Board, but this rezone does not comply with the Town Land Use Plan, please explain the approval. These reasons are critical for Zoning Committee and the County Board in their consideration of the rezone.

(attach additional page[s] as required)

**Please note:** The following space (and additional page[s] as required) are served for comment by the minority voter(s).

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1. **Brenda Ayers**, as Town Clerk of the Town of **Burke**, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on **December 18, 2013**.

**Brenda Ayers**  
Town Clerk

**DATE:** **January 6, 2014**
TOWN OF BURKE
RESOLUTION NO. 12182013B

RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE
CONDITIONALLY APPROVING THE REZONE PETITION SUBMITTED BY
JAD LAND DEVELOPMENT LLC

WHEREAS, a petition to rezone some of the lands in the JAD Condominium Plat located at 3370 Burke Road (parcel numbers 0810-243-4001-0, 0810-2434004-0, 0810-234-4007-0, 0810-243-4010-0, 0810-243-4013-0, 0810-243-4016-0, 0810-243-4019-0-0, 0810-243-4022-0, 0810-243-4025-0, 0810-243-40280-0 and 0810-243-4031-0) from A-1 and A-B to C-2 (as depicted and described in the attached map and description) has been submitted to the Town for review and action; and

WHEREAS, the Plan Commission has reviewed the petition and recommended conditional approval of the rezone; and

WHEREAS, the Town Board has reviewed and considered the Plan Commission’s recommendation (Plan Commission Resolution 11132013 attached).

NOW, THEREFORE, the Town Board hereby approves the rezone subject to the following conditions:

1) a restrictive covenant is recorded prohibiting retail establishments and drive ups, limiting all work/storage to the inside of a building, and allowing only the following uses from the Dane County Zoning Code: 10.14 (1)(b) Major repairs to motor vehicles (inside only); 10.14 (1)(q) Parking and storing of motor vehicles; 10.14 (1)(s) Warehouses; 10.14 (1)(u) Mini-warehouses; 10.13 (1)(e) Banks, offices, office buildings and condominium office buildings devoting not more than two (2) floors to office space; 10.13 (1)(j) Woodworking shops, machine shops, manufacturing and assembly plants; 10.13(1)(L) Rental businesses, except for motor vehicles and construction machinery and equipment; 10.13 (1)(i) Distribution centers and wholesale business; 10.13 (1)(c) Warehousing and storage incidental to a permitted use on the premises (internal storage only); and permitting the following use from the Dane County Zoning Code subject to the granting of a CUP: 10.14 (2)(i) Residence for a watchman or caretaker; 10.13 (2)(j) Communication towers; 10.13 (2)(m) Government uses; 10.13 (2)(n) Agricultural uses and the following use on lot 11 only: 10.111 (2)(b) A single family residence for an owner of the business or a caretaker.

2) Satisfaction of any conditions from the City of Madison and Dane County.
The above Resolution was duly adopted by the Town Board of the Town of Burke, Dane County, Wisconsin, at a meeting on December 18, 2013.

APPROVED:

By

Kevin Viney, Town Chair

ATTEST:

Brenda Ayers, Town Clerk/Treasurer
Blank Page
Kettle Park West - Commercial Center
T05N, R10E, City of Stoughton, Section 1
T05N, R11E, City of Stoughton, Section 6

Plat consists of 9 lots, 34.1 acres. (2 outlots)

Parks – No lands dedicated for park space within this plat.
Parkways – Jackson Street extended to the west of Hwy 51.
Expressways – N/A
Major Highways – Adjacent to Hwy 51 and STH 138.
Airports – 1.5 miles to Dane County Regional Airport.
Drainage Channels – OL 2 dedicated to the public for storm water management purposes.
Schools – Existing schools established.
Other Planned Public Improvements - None shown.
Date: January 14, 2014

To: Zoning & Land Regulation Committee

From: Daniel Everson, Land Division Review

Re: Andrew Blas (CSM 9567)
   Town of Verona, Section 36
   (2 lots, 8.9 acres)

Current zoning is RH-1.

Planning staff recommends approval of the CSM, subject to the following conditions:

1. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.

2. The net lot area calculations are to be specified in square feet.

3. All owners of record are to be included in the owner’s certificate. (County records indicate that ANDREW BLAS & MIWA KAREN GRAJKOWSKI-BLAS is the owner).
   • Spouse’s signature and middle initials are required to provide valid certificates.

4. The required approval certificates are to be executed.
   • Town of Verona
   • City of Fitchburg

5. A notation is to be affixed to the document “refer to building site information contained in the Dane County Soil Survey.”

6. Comments from the Dane County Surveyor are to be satisfied:

7. The recordable document is to be submitted for review and approval.
MEMORANDUM

TO: Zoning & Land Regulations Committee

FROM: Brian Standing, Senior Planner

SUBJECT: Blas Property Redivision

DATE: January 9, 2014

CC: Dan Everson, Assistant Zoning Administrator
Roger Lane, Zoning Administrator
Amanda Arnold, Town of Verona Clerk
Susan Sloper, City of Fitchburg Community Planner

Dan Everson asked me to comment on this proposed Certified Survey Map with respect to consistency with the Dane County Comprehensive Plan. There are two components of the county plan that appear to be in conflict with each other:

1. *Town of Verona Comprehensive Plan*: This plan, last amended by the Dane County Board on April 16, 2010, shows the Blas property as within a Rural Residential Planning Area. Residential development within this area is permitted up to a density of one unit per two acres. The proposed CSM would appear to be consistent with these policies.

2. *City of Fitchburg Rural Residential Development Criteria*. These policies are adopted as Appendix B of the City of Fitchburg Comprehensive Plan, which is in turn, adopted as part of the Dane County Comprehensive Plan under s. 66.1001 of the Wisconsin Statutes. These policies apply to any property within the City of Fitchburg’s Future Urban Development Area, which includes the Blas property. Under the City of Fitchburg plan, residential development within these areas is capped at one unit per thirty five acres owned as of 1979. The proposed CSM would not comply with these standards.

The Blas property falls within the extraterritorial plat review jurisdiction (ETJ) of the City of Fitchburg, so ultimately the city will have the final say. The City of Fitchburg Planning Department has already indicated that they will deny the land division if it results in additional homesites on this property beyond what is currently permitted.

I hope this information is helpful. Please feel free to contact me at 267-4115 or standing@countyofdane.com if I can be of any further assistance.
December 17, 2013

ATTN: Dan Everson, Dane County Assistant Zoning Administrator

Re: Certified Survey Map application #9567

The City of Fitchburg has received your request for comment on CSM application #9567, a request by Andrew Blas for a preliminary certified survey map in the Town of Verona.

In reviewing the proposed CSM, it appears that there are two existing parcels that the applicant is looking to reconfigure. In looking at the existing CSMs on file, CSM 2428 states that “lot 3 is not a building lot and shall be sold to the owner of lot 2”. Unless this was removed at some point, it is the City of Fitchburg’s interpretation that there is only one legal building lot associated with the property, despite there being two parcels/lots.

Any new residential lot would need to comply with the City’s Rural Residential Development Criteria (RRDC), which is available on the City’s website at [http://www.fitchburgwi.gov/departments/cityHall/planning/documents/Appendix.pdf](http://www.fitchburgwi.gov/departments/cityHall/planning/documents/Appendix.pdf) (See Appendix B). Under the RRDC, a landowner is permitted one potential development claim for every 35 contiguous acres under control. The property under this proposed CSM does not meet the size requirement of 35 acres to create a new residential site.

City of Fitchburg planning staff spoke with the applicant in July 2013, provided this information, and the applicant indicated that Brian Standing of Dane County Planning/Zoning considers both existing lots to be buildable and said that a lot line adjustment would be fine from the County’s point of view. The City then asked for a letter from Dane County stating this, which the applicant has yet to provide. If both existing lots are buildable, the applicant would essentially be relocating the lot boundaries, which may be acceptable; however, if a second buildable lot is being requested it would not be acceptable as it does not meet the requirements of the City’s RRDC.

Thank you for the opportunity to provide comments on this request. Feel free to contact me with any questions.

Sincerely,

Susan B. Badlke
Community Planner
CERTIFIED SURVEY MAP NO. 2428

TOWN OF VERONA,  Dane County, Wisconsin

DOCUMENT NO. 152460

SURVEYOR'S CERTIFICATE

I, David R. Cheney, S-62, Registered Wisconsin Land Surveyor, do hereby certify that by order of VERONA PLATE, W. 1/2, Sunet Drive, Verona, Wis., I have surveyed, divided and mapped the lands herein described according to the information furnished, that said map is a correct representation of the lands surveyed and that I have fully complied with the provisions of Chapter 236.54 of the Wisconsin Statutes.

David R. Cheney, May 5, 1977

LEGAL DESCRIPTION

Lot 1, Certified Survey Map No. 1740, Volume 7 of Certified Surveys, Page 121 & 123, Document No. 1066680, Town of Verona, Dane County, Wisconsin.

Note: Lot 2 is not a building lot and shall be sold to the owner of Lot 2, c.s.n. #1740

DEVELOPMENT

Lot 1 & 2, C.S.M. No. 1740

1.0 Ac.

5.9 Acres

2.5 Ac.

Note: 10" x 24" iron pipe set 1.18 lbs. per ft. min. wt.

a Denotes iron stake found

b Denotes iron stake found

Approved for recording by Dane Co. Agriculture, Zoning, Planning and Water Resources Comm.

Applicant: David R. Cheney

Exhibit: Harold K. Hall

Received for record on this 8th day of July, 1977 at 2:45 o'clock P.M. and recorded is volume page 236.54 of Certified Surveys on date July 8, 1977.

Chesley E. Hill, Sec. of Dane Co.
CERTIFIED SURVEY MAP

LOT 3, CERTIFIED SURVEY MAP NO. 2428 AND LOT 2, CERTIFIED SURVEY MAP NO. 1740 LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 38, TGN. RBE, TOWN OF VERONY, DADE COUNTY, WISCONSIN.

Bearings referenced to the east line of the Southeast 1/4 of Section 38, bearing 40°52'10"E.

LOT 2
198,388 SQ FT
2.51 ACRES [GROSS]
1.60 ACRES [NET]

LOT 1
201,105 SQ FT
2.45 ACRES [GROSS]
2.01 ACRES [NET]

Legend:
- = Found 1" Iron Pipe
Δ = Found PK Hole
○ = 115'24" Iron Pipe min. wgt. 1.13 lbs/ft.
Θ = Septic Vent

SCALE 1" = 100'

VOLUME

PAGE

CERTIFIED SURVEY MAP NO.

DOCUMENT NO.

Office Map No. 130527

Received Dec 16, 2013

Birenkott Surveying, Inc.
P.O. Box 527
1877 N. Bristol Streeet
Sun Prairie, WI 53590
Phone (608) 833-4252
Fax (608) 833-1081
CERTIFIED SURVEY MAP DATED: December 3, 2013

Birrenkott Surveying, Inc.
P.O. Box 227 10774 Bristol Street Sun Prairie, Wisconsin 53905 Phone (608) 837-5454 Fax (608) 837-1481

Surveyor's Certificate:
I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Registered Land Surveyor No. S-1531

Description:
All of Lot 3 Certified Survey Map No. 2428 and all of Lot 2 Certified Survey Map No. 1740 located in the Northeast 1/4 of the Southeast 1/4 of Section 36, TIN, R126, Town of Verona, Dane County, Wisconsin more particularly described as follows: beginning at the East 1/4 corner of said Section 36; thence S00°57'00"W, 444.05 feet (recorded as South, 444.05 feet) along the East line of said Southeast 1/4; thence E28°42'57"W, 30.72 feet (recorded as E28°42'57"W, 30.72 feet); along said line of said Lot 2; thence S38°00'39"W, 39.22 feet along the West line of said Lot 2 to a point on the North right-of-way line of Sunset Drive; thence N20°51'00"E, 604.67 feet (recorded as N20°51'00"E, 604.67 feet) along the West line of said Lot 3 to the point of beginning, containing 1839.58 square feet or 0.42 acres.

Owners Certificate:
As owners, we hereby certify that we have caused the lands described on this Certified Survey Map to be surveyed, divided and mapped as represented on this Certified Survey Map. It also certifies that this Certified Survey Map is required by S.75.17 (16), Dane County Code of Ordinances to be submitted to the Dane County Zoning and Land Regulation Committee for approval. It also certifies that this Certified Survey Map is required to be submitted to the Town of Verona for approval.

Andrew J. Bliss Miro K. Czarnecki-Bliss
State of Wisconsin
Dane County, Wisconsin
Personally came before me this day of 2013, the above-named, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin
My Commission Expires

Printed name

Town of Verona Approval
This Certified Survey Map is hereby acknowledged and accepted by the Town Board of the
Town of Verona, Dane County, Wisconsin on ______________, 2013

Patricia A. Nastal, Clerk, Town of Verona

City of Fitchburg Approval
This Certified Survey Map is hereby acknowledged and accepted by the Board of
City of Fitchburg, Dane County, Wisconsin on ______________, 2013

Linda Cory, Clerk, City of Fitchburg

Surveyed By:
Andrew Bliss 6360 Sunset Drive
Verona, WI 53593

Surveyed: T38
Drawn: TRK
Checked: DV8
Approved: 320/23-54

Maps of Dane County on Pages:

Sheet 2 of 2
Office Map No: 110527CSM

Approved for recording per Dane County Zoning and Land Regulation Committee
action of ______________, 2013 by

Daniel Everson, Authorized Agent

Register of Deeds Certificate:
Received for recording this day of ______________, 2013
at ______________ o'clock ______________ m and recorded in Volume ______________ of Certified Survey Map of Dane County on Pages ______________.

Document No. ______________
Certified Survey Map No. ______________ Volume ______________ Page ______________

Kristi Chlebowski, Register of Deeds
Res. 237, 2013-2014

CONTRACT FOR FLY DANE 2014
DIGITAL ORTHOPHOTOGRAPHY PROJECT

In 2014, Dane County, in participation with the Fly Dane Partnership, is undertaking the development of its fourth county wide project to develop digital orthophotography. This project will produce updated county-wide 6-inch resolution color imagery and contract optional data upgrades for Fly Dane Partners. The county issued RFP #113091 to identify a qualified vendor to provide this imagery. Based on the review of the proposals submitted, the Land Information Office recommends the contract be awarded to Ayres Associates. The total contract cost is approximately $107,000. Funding for the project is shared between the county, project partners and proceeds from prior sales of ortho-images. As in prior years, proceeds received from the sale of Dane County ortho-imagery will be closed into the LIO Fund/Fly Dane Reserve Fund. The Fly Dane Reserve Fund is used to fund a portion of the of the Fly Dane project resulting in reduced costs for the county and other project partners.

NOW, THEREFORE, BE IT RESOLVED that the following contract is approved for the period through December 31, 2016:

Ayres Associates
5201 E Terrace Drive
Suite 200
Madison, WI 53718

BE IT FURTHER RESOLVED that $35,662 be transferred from the Fly Dane Reserve Fund to the Land Information Office, Land Info 08995 (Fund Balance Account), for the Fly Dane 2014 project and the budgeted amount in revenue account LIO 82530 be increased by $35,662 to reflect the contributions from project partners.

BE IT FURTHER RESOLVED that any unexpended or unrealized funds at 12/31/2014 be carried forward to 2015.

BE IT FURTHER RESOLVED that proceeds received from the sale of Dane County orthophoto imagery will be closed into the Land Information Office/Fly Dane Reserve Fund.

BE IT FURTHER RESOLVED that the Director of the Department of Administration is authorized to sign Fly Dane partner Memoranda of Understanding with Dane County.

BE IT FINALLY RESOLVED that the County Clerk and County Executive are authorized to sign the contract for professional services.

Submitted by: __________________________________  ____________________________

________________________________   __________________________________

________________________________   __________________________________

________________________________   __________________________________

________________________________   __________________________________

________________________________   __________________________________

________________________________   __________________________________
Zoning Amendment:
Proposed Planned Unit Development for one lot in the Novation Campus

Petition:
Concept Plan

Public Hearing:
January 28, 2014

Town/sect:
Madison
Section 36

Acres: 23.38, 9.91
Survey Req. Yes

Applicant
Alexander Company

Reason:
Allow a mixed use building having commercial on first floor and residential units above

Location:
2500 block of Rimrock Road

Concept Plan
The Alexander Company would like to construct a four-story building that will house a mixture of land uses. The building will consist of several commercial spaces on the first floor with residential apartments on the second through fourth floors. The commercial spaces will be used to provide neighborhood services to the campus. The developer would like to attract a coffee shop, restaurant, deli, bakery, small market, fitness studio, or dry cleaner to support the developing neighborhood. The property is part the Novation Campus which is an in-fill development project located between the City of Madison and the City of Fitchburg.

The developer is seeking to use Planned Unit Development (PUD) zoning in order to improve the project design and allow a flexibility of commercial land uses that would provide necessary services to the neighborhood. The current C-2 Commercial Zoning District requires a 30-foot road setback that runs contrary to modern Traditional Neighborhood Designs. In addition, there are some land uses listed in other zoning districts that would fit into this planned urban setting. The current C-2 Commercial Zoning District does not allow residential development.

ZLR Decision
As part of the Planned Unit Development process, the Zoning and Land Regulation Committee is required to review a concept plan for the project to determine if a Planned Unit Development is warranted. If found acceptable, the applicant will submit a formal application with more detailed plans regarding the building location, elevation, proposed lighting, landscaping, and sign scheme.

Staff Recommendation
Staff feels that a Planned Unit Development is warranted in this location. The PUD will allow a specific list of land uses to occur within the building without the need to obtain further approvals or zoning changes. The PUD zoning would allow flexibility in the road setback to match modern urban design standards. As a trade off for this flexibility, the building design, landscaping, lighting, signage, and overall layout will be greatly enhanced over and above the standard zoning regulations. Currently, there are no building design, landscaping, or lighting requirements within the County’s Zoning Ordinances.
Project Narrative

January 2, 2014

RE: 2500 Rimrock Rd.
Madison, WI 53713

The proposed building is part of the Novation Campus, a master-planned mixed-use urban infill redevelopment along Rimrock Road just South of the Beltline. To date, approximately 370,000 square feet of commercial space has been completed in the campus, either as office, specialty retail, or tech/lab space. Major employers include Meriter Health Services, Physician’s Plus, Zimbrick Porsche, Audi, Mercedes and BMW dealerships, Great Wolf Lodge, Exact Sciences, AquaMost, Cardinal Health, Summit Credit Union, ITT Tech and many more. With the recent influx of employment and existing housing stock fully occupied, the proposed project would provide additional rental housing and neighborhood oriented services within close proximity to this employment base.

Centrally located within the campus, the proposed project will be located at the intersection of Novation Parkway/Moorland Rd. and Rimrock Rd., a signal-controlled intersection that represents the primary entrance to the Campus and a primary intersection for the Indian Springs neighborhood to the East. As such, this location provides the best opportunity for service retail to serve neighborhood residents and campus employees alike, while encouraging a walkable urban environment.

Preliminary plans call for a four-story building with commercial space on the first floor and approximately 43 residential rental units on floors two through four. Subject to market demand, our goal is to attract neighborhood serving uses, such as a café, restaurant, deli, bakery, small market, music/dance/fitness uses, drycleaning/laundry or other similar uses. The site is currently zoned C2, which was designated as such prior to the completion of the most recent planning documents, and is geared more towards industrial uses. We are proposing that the PUD zoning would allow the uses identified above as well as those uses permitted in B1. The only other uses currently permitted in C2 that we would propose be permitted by this PUD would be for potential future Bicycle Sales and Service and Rental businesses. The proposed building’s height and setbacks are generally consistent with B1 zoning. Signage is a key consideration for the use of PUD zoning for this project because tenants will likely require signage that would not comply in C2 or B1 zoning as those zoning designations were not created with this type of multi-tenant mixed-use building in mind.

The proposed architectural character attempts to create a pleasing aesthetic by breaking up long façade lines with architectural elements and pedestrian scale detailing. The building is proposed to be constructed near the edge of the Right-of-way to provide a sense of enclosure and to reinforce the pedestrian zone. Preliminary plans call for open space on outdoor patios and a possible roof deck, where the 4th floor steps back at the building corner. Parking would be provided primarily on-site behind the building and one level of parking under the building is incorporated in the preliminary drawings.

We hope to start construction in spring or summer of this year provided leasing, financial, zoning and other approvals are completed over the winter.
Proposed Planned Unit Development
Novation Campus
2500 Rimrock Road
Town of Madison
Novation Campus Master Plan

- **Existing Structures**
- **Proposed Structures**
CERTIFIED SURVEY MAP NO. 13312

ALL OF LOTS 3, 4 AND 5, NOVATION CAMPUS II, AS RECORDED IN VOLUME 59-0638 OF PLATS, PAGES 293-294, AS DOCUMENT NO. 4483892, LOCATED IN THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 9 EAST, TOWN OF MADISON, DANE COUNTY, WISCONSIN

EASEMENTS

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

NOVATION TECHNOLOGY CAMPUS

NOVATION CAMPUS II

NOVATION CAMPUS II

NOVATION CAMPUS II

NOVATION CAMPUS II

NOVATION CAMPUS II

NOVATION CAMPUS II

NOVATION CAMPUS II

LATITUDE 43 STREET

LEGEND

GOVERNMENT CORNER
1 1/2" REBAR FOUND
3/4" x 24" REBAR SET (1.50 LBS/FT)
COTTON SPINDEL SET
CSM BOUNDARY
RIGHT-OF-WAY LINE
CENTERLINE
PLATTED LOT LINE
SECTION LINE
CHORD LINE
EASEMENT LINE
NO ACCESS
DRAINAGE DIRECTION

NOTES

1. Bearings for this survey and map are referenced to the Wisconsin county coordinate system, Dane County. The west line of the southwest quarter of section 36, recorded as N 00°18'00" E.
2. Field work performed by JSD Professional Services, Inc. the week of February 20, 2012.
3. Vision Corner and Vision Triangle Easement, per Novation Campus II plat. Vision corner subject to City of Fitchburg requirements, and Vision Triangle Easement subject to Dane County highway department requirements.
4. All Lots Subject to Restrictions for Maintenance of Stormwater Measures as defined in Document No. 4472984 per Novation Campus II plat.
5. All Lots Subject to all Recorded Covenants, Restrictions, and Easements that Affect these Lots.
6. Buildings located on Lots 5, 9 and 10 have been granted a conditional use permit and temporary variances which allows the continued existence and use of these buildings until such time as the current tenants no longer occupy the property per the plat.

PREPARED BY:
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53571
Phone: (608)244-5080

PREPARED FOR:
Mid-Town Center, LLC
45 E. Badger Rd., Suite 200
Madison, WI 53713

PROJECT NO: 07-2998
FILE NO: B-208
FIELDBOOK/PG: 269/B
SHEET NO: 3 OF 6

SURVEYED BY: JK
DRAWN BY: JK
CHECKED BY: PK
APPROVED BY: HJP

VOL: 86 PAGE 70
DOC. NO: 488782
C.S.M. NO: 13312

HANS P. JUSTESON
BELLEVILLE

6/27/12
Planned Unit Development Process

General Development Plan Process

SUBMIT General Development Plan
Informal Meeting With Town and ZLR
Get on Town Agenda
Have Town Board vote
Co notifies neighbors (300 feet)
Publication in newspaper
ZLR Public Hearing
Co Board
Co Exe signs
3-4 wks
1 wk (max 30 days)
General Development Plan Approved
1 year to submit SIP

Specific Implementation Plan Process

SUBMIT Specific Implementation Plan
Get on Town Agenda
Have Town Board vote
Town comments & approval
Zoning Administrator Review and Approval
60 days max
Blank Page
Dane County Planned Unit Development (PUD) Process

Initial meeting
An informal meeting will be held with the Zoning and Land Regulation Committee (ZLR) and the Town regarding the proposed development. A concept plan shall be submitted with information that includes:

- Area Plan showing the property and surrounding neighborhood
- Site Plan showing the general layout of the development project noting building location, parking area, outside storage area or outside activity area, green space, and storm water detention facilities.
- Elevation plans showing the conceptual building
- A narrative describing the project noting the general mix of dwelling units and land uses, density, relationship with surrounding land uses, project timeline or phasing, and which aspects of the zoning code that the project will meet and not meet.

At the meeting, the ZLR Committee and the Town will decide if a Planned Unit Development is warranted and express any concerns that should be addressed as part of the PUD.

General Development Plan (GDP) Submittal
A general zoning petition application along with an application fee of $1000 shall be submitted to Dane County Zoning Division along with the information noted in Dane County Code of Ordinance Section 10.153(5)(a). 25 copies of the following information shall be submitted:

- Site Plan showing the general layout of the development project noting building location, parking area, outside storage area or outside activity area, green space, trash management, and storm water detention facilities.
- Elevation plans of the buildings
- Landscaping plan showing location of general landscaping features
- Lighting plan showing lighting styles and general location of the light fixtures
- Signage plan showing the location and general style of signs
- A narrative of the proposal with the following information:
  - Name of applicant
  - Complete legal description of property
  - general project themes, images and design concepts
  - general mix of dwelling unit types and list of specific land uses
  - development densities
  - treatment of natural features and provisions for open space preservation
  - relationship to nearby properties and existing and planned streets, highways and other transportation improvements
  - relationship to the approved town land use plan
  - timeline for project and submittal of Specific Implementation Plan (SIP).
  - A description of why the applicant wishes to develop the project using PUD zoning
  - A list of standard zoning provisions which will be met by the proposed PUD and a list which will not be met
When the GDP information is determined to be complete, the proposal will be scheduled for a public hearing at the Dane County Zoning and Land Regulation (ZLR) Committee. A copy of the completed application will be sent to the Town for review. Please contact the Town as soon as possible. There may be additional information and fees that may be part of the Town review process. The Town will act on the GDP and send its findings to the ZLR Committee. The ZLR Committee may act on the GDP at the public hearing depending upon receipt of the town action.

After the ZLR Committee has taken action, the GDP will be sent to the County Board. If approved by the County Board, the applicant will have 1 year to submit a Specific Implementation Plan to the Dane County Zoning Division for review. Failure to do so shall result in the GDP being rendered null and void.

**Specific Implementation Plan Submittal**

A general zoning petition application along with an application fee of $1000 shall be submitted to Dane County Zoning Division along with the information noted in Dane County Code of Ordinance Section 10.153(5)(b). 25 copies of the following information shall be submitted:

- Site Plan showing the building, setback dimensions, parking area, sidewalks/walkways, outside storage area or outside activity area, green space, trash management, sign locations, and storm water detention facilities.
- Elevation plans of the buildings showing exterior materials, sign locations, and screening of mechanicals
- Landscaping plan showing location, size, and type of materials and vegetation
- Grading plan showing drainage patterns and storm water management features
- Lighting plan detailing light fixture design and location of the light fixtures. The plan shall include photometric plan.
- Signage plan showing the location of all signs, size of signs, and style of signs
- A narrative of the proposal with the following information:
  - Name of applicant
  - Complete legal description of property
  - Project theme and design concept
  - Dwelling unit type, number of dwelling units, and list of specific land uses
  - Development densities, dwelling unit ratio, and building/open space/green space ratios
  - SIP relationship to the approved General Development plan
  - Timeline for project

When the SIP information is determined to be complete, the information will be sent to the Town for review. There may be additional information and fees that may be part of the Town review process. The Town will act on the SIP and send its findings to the Dane County Zoning Division. The Zoning Administrator will review the SIP to be in conformance with the GDP. If found to be in compliance, all subsequent permits will be issued to permit construction of the project.