

TOWN OF ALBION
PLANNING COMMISSION PUBLIC HEARING
TUESDAY, MAY 2, 2017
6:30 P.M. ALBION TOWN HALL

Petition# DCPREZ-2017-11131 for Shane Legler, 216 Goede Rd., Edgerton, WI for a 2 acre parcel m/l to be rezoned from R-1 (residential) to A-2(1) (agricultural) to allow additional accessory buildings.

Petition# DCPREZ-2017-11125 of Pettit Properties, LLC, 360 Haugen Rd., Edgerton, WI for a 15.27 acre parcel m/l to be rezoned from LC-1(limited Commercial) to C-2(Commercial) to allow storage of vehicles and construction equipment.

Conditional Use Permit# DCPCUP-2017-02378 for Leah and Timothy Ziembra, 1397 Hillside Rd., Cambridge, WI for a 9.5 acre parcel m/l for unlimited livestock on 3 to 16 acres.

Adjourn

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
03/10/2017	DCPREZ-2017-11131
Public Hearing Date	C.U.P. Number
05/23/2017	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME SHANE LEGLER	PHONE (with Area Code) (608) 513-0921	AGENT NAME	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 216 GOEDE RD		ADDRESS (Number & Street)	
(City, State, Zip) EDGERTON, WI 53534		(City, State, Zip)	
E-MAIL ADDRESS LEGLERSHANE@GMAIL.COM		E-MAIL ADDRESS	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
216 GOEDE RD					
TOWNSHIP ALBION	SECTION 35	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-352-8055-9					

REASON FOR REZONE	CUP DESCRIPTION
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ALLOW ADDITIONAL ACCESSORY BUILDINGS	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
R-1 Residence District	A-2 (1) Agriculture District	2		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>sl</i>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>sl</i>	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>sl</i>	INSPECTOR'S INITIALS HJH3	SIGNATURE:(Owner or Agent) <i>Shane L. Legler</i>
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PRINT NAME:
SHANE L. LEGLER

DATE:
3-10-17



DANE COUNTY
PLANNING DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Zoning Change Application

Items that must be submitted with your application:

- o Written Legal Description of the proposed Zoning Boundaries
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o Scaled Drawing of the location of the proposed Zoning Boundaries
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	SHANE LEGLER	Agent's Name	_____
Address	216 GOEDE RD. EDGERTON WI 53534	Address	_____
Phone	(608) 513-0921	Phone	_____
Email	leglershane@gmail.com	Email	_____

Town: Albion Parcel numbers affected: 051235280559

Section: # 35 Property address or location: (same)

Zoning District change: (To / From / # of acres) R-1 to A-2(1)

Soil classifications of area (percentages) Class I soils: _____% Class II soils: _____% Other: _____%

Narrative: (reason for change, intended land use, size of farm, lime schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

CHANGE DISTRICT TO ALLOW MORE
ACCESSORY BUILDINGS

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: Shane Legler

Date: 3-10-17

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
02/27/2017	DCPREZ-2017-11125
Public Hearing Date	C.U.P. Number
05/23/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME PETTIT PROPERTIES LLC	PHONE (with Area Code) (608) 884-4455	AGENT NAME GINGER HAGEMANN	PHONE (with Area Code) (608) 884-4455
BILLING ADDRESS (Number & Street) 360 HAUGEN RD		ADDRESS (Number & Street) 360 HAUGEN RD	
(City, State, Zip) EDGERTON, WI 53534		(City, State, Zip) EDGERTON, WI 53534	
E-MAIL ADDRESS gingers191@gmail.com		E-MAIL ADDRESS gingers191@gmail.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
318 Goede Rd					
TOWNSHIP ALBION	SECTION 26	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-263-8780-0					

REASON FOR REZONE			CUP DESCRIPTION	
ZONING CHANGE TO ALLOW STORAGE OF VEHICLES AND CONSTRUCTION EQUIPMENT				
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
LC-1 Limited Commercial Dist	C-2 Commercial District	15.277		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No	INSPECTOR'S INITIALS SSA1	SIGNATURE:(Owner or Agent)
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		PRINT NAME:
				DATE:



DANE COUNTY
PLANNING DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
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Zoning Change Application

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>Pettit Properties LLC</u>	Agent's Name	<u>Ginger Hagemann</u>
Address	<u>360 Haugen Rd Edgerton, WI 53534</u>	Address	<u>360 Haugen Rd Edgerton, WI 53534</u>
Phone	<u>(608) 884-4455</u>	Phone	<u>(608) 884-4455</u>
Email	<u>gingers191@gmail.com</u>	Email	<u>gingers191@gmail.com</u>

Town: Albion Parcel numbers affected: 002/0512-263-8780-0

Section: Property address or location: 318 Goede RD Edgerton, WI 53534

Zoning District change: (To / From / # of acres) Change to C-2 from LC-1 15.277 Acres

Soil classifications of area (percentages) Class I soils: _____% Class II soils: _____% Other: _____%

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

The Zoning needs to be changed to accommodate the parking of vehicles and equipment for sale and storage.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: _____

Date: 02/16/2017

Dane County Conditional Use Permit Application

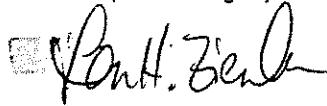
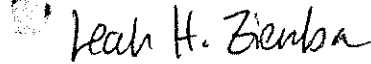
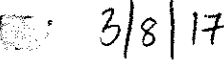
Application Date	C.U.P Number
03/08/2017	DCPCUP-2017-02378
Public Hearing Date	
05/23/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME LEAH H ZIEMBA	Phone with Area Code (315) 730-3312	AGENT NAME	Phone with Area Code
BILLING ADDRESS (Number, Street) 1397 HILLSIDE RD		ADDRESS (Number, Street)	
(City, State, Zip) CAMBRIDGE, WI 53523		(City, State, Zip)	
E-MAIL ADDRESS TZIEMBA@HOTMAIL.COM		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
1397 HILLSIDE ROAD					
TOWNSHIP ALBION	SECTION 2	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-023-8390-0		---		---	

CUP DESCRIPTION
UNLIMITED LIVESTOCK ON 3 TO 16 ACRES.

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.126(3)(p)	8.59

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials PMK2	SIGNATURE:(Owner or Agent) 
		PRINT NAME: 
		DATE: 

COMMENTS: UNLIMITED LIVESTOCK ON 3 TO 16 ACRES.



DANE COUNTY
PLANNING DEVELOPMENT

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Timothy & Leah Ziemba</u>	Agent	_____
Address	<u>1397 Hillside Road, Cambridge, WI 53523</u>	Address	_____
Phone	<u>(315) 730-3312</u>	Phone	_____
Email	<u>tziemba@hotmail.com</u>	Email	_____

Parcel numbers affected: 002/0512-023-8390-0 Town: Albion Section: 02
 Property Address: 1397 Hillside Road, Cambridge

Existing/ Proposed Zoning District : No change in zoning is proposed.
A-2(8) [Existing] to A-2(8) with no animal # restriction [Proposed]

- o Type of Activity proposed: Please see the attached summary.
- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: *Timothy & Leah Ziemba* Date: 3/7/17

Plan of Operation:

Property Owners: Timothy & Leah Ziemba

Property Address: 1397 Hillside Rd. Cambridge WI, 53523

Type of activity proposed: Removal of animal units restriction to allow the Ziembas to raise high quality Registered Holstein dairy calves and heifers.

Description of Proposed Use: Timothy and Leah Ziemba would like to use their 9.5 acre farm to raise high quality Registered Holstein dairy calves and heifers. The property already has a well-constructed 84 x 40 ft. barn that has been designed to properly take care of 20 – 30 dairy calves and heifers. The sole use of the barn will be to care for non-milking dairy animals. The barn has concrete floors made purposefully to handle high quality livestock (i.e. grooved concrete). The barn consists of six (6) pens with a feed area (headlocks), a manure scrape lane, and a bedded pack (bedded with sawdust) that gets cleaned twice daily. At the west end of the barn, the concreted scrape lane continues to a 30 x 25 ft. concrete pad that is enclosed on the North and half of the West side by a 4 ft. high, 8 inch thick concrete wall reinforced with substantial rebar which serves as a manure storage area. The East side is enclosed the exterior of the barn. The animals have access to an approximate 4 acre pasture that wraps around the back of the property. The pasture is enclosed on all sides by a new 5 string high tensile wire electric fence. Animals will be allowed on the pasture as weather permits. There is also a 30 x 30 ft. stone pad on the south side of the barn where individual calf hutches are placed with up to six (6) 0-3 month old dairy calves. The calves in the calf hutches are bedded with straw and wood shavings and cleaned with a skid steer with manure and bedding placed into the manure storage area. The manure storage area has sufficient space to handle 4-6 months of manure from 25-30 Holstein heifers. Manure will be removed during the fall and spring, and when weather permits during winter and summer with a tractor and manure spreader owned by the Ziembas. The Ziembas have permission from both neighboring landowners to spread manure on their land, including Jim and Ellen Skjolass and Scott and Julie Mickleson, totaling over 200 acres. This acreage is more than sufficient to allow any manure generated by the calves and heifers on the farm to be land applied when weather conditions allow and consistent with crop needs. This is a hobby type of farm and will not have any employees. The animals housed at the facility are show-type heifers that are worked with daily and are calm in nature. Animals will be sold throughout the year at public auctions and privately (mostly to youth exhibitors as project animals for county fairs). The Ziembas have a young family and would like their children to have an opportunity to work with these dairy calves and heifers as project animals, as well as learn the responsibility of caring for animals on a day-to-day basis.

Hours of operation: Not applicable, farm will not have open and non-open hours.

Number of Employees: None.

Anticipated Customers: None.

Parking: The farm already has a large paved parking area that is used for feed and/or supply deliveries, but there is no need for public parking.

Deliveries: The farm will only need hay and sawdust deliveries about once per month.

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

*Please see attached
for all 6 items.*

2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Outside Storage: Only items typically associated with agricultural use would be stored outside (i.e., hay, covered sawdust pile, etc.).

Outdoor Activities: Only those activities typical of agricultural use (pasturing of cattle as described above).

Outside loudspeakers: None.

Proposed signs: A small sign located on the property facing Hillside road with the farm name.

Trash Removal: Incidental trash removed with regular resident trash and recycling services. If more is needed a dumpster will be brought in as needed.

Events: None planned.

Six Standards of a Conditional Use Permit

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The animals housed at the property are of high value and high quality. It is to the advantage of the owners to keep a neat clean operation and provide excellent care for the animals at the property. The current facilities are of the highest quality for the care of the animals and provide protection from interference with neighbors.

2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The property is in an agricultural area, is zoned agricultural and will continue to be in active agricultural use. The property itself is surrounded by agricultural fields, all owned by neighbors who own farms and are allowing the Ziembas to spread manure on their fields. Due to the small number of calves and heifers that will be on the premises, there should be absolutely no impairment or diminished use, value and enjoyment of neighboring properties as a result of the small increase in allowance of animals. Current neighbor, Scott and Julie Mickelson already raise beef cattle and Sharon McClary are the only neighbors residing in the immediate area near the dairy cattle facility.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The current zoning for the property is A-2 (8); the additional animal units will not impact any already allowed agricultural use. There is no intent for the Ziembas to increase the number of animals on the farm to a quantity that becomes unmanageable based on the current property size. Due to the well-constructed facilities and on-site manure storage are, the difference

between 8 animals and 30 would not be realized by neighbors or surrounding property owners. Because manure will be land-applied on neighboring agricultural fields this use will not impede development and/or improvement of the surrounding property because the neighboring lands are already used for agricultural purposes.

4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

The 84 x 40 ft. barn that was already on the farm has been updated to handle up to 30 animals, with full concrete flooring desirable for agricultural uses and a 25x30 ft. manure storage pad with 4 ft. high, 8 inch thick walls. This facility design ensures all animal waste from the animals in the barn will be properly contained and stored until proper removal. The pasture of high quality high tensile wire is designed to properly handle 15-20 animals (not all animals will be given pasture access), and will be used during proper weather conditions. It is the Ziembas' desire to maintain a desirable appearing farm and residence.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The farm is located in an extremely rural agricultural area, and will have no impact on traffic. Traffic will not increase to/from the farm but for deliveries of hay and sawdust approximately once a month.

6. That the conditional use shall conform to all applicable regulations of the district in which is located.

The additional animal allowance will conform or have no impact on all applicable regulations of the current A-2 zoning other than increased animal allowance.