

Town of Burke
Plan Commission Minutes
July 8, 2015
5:30 p.m.

Members Present: Chair Mike Vraniak, Steve Berg, Joan Stoflet, Marv Urban and George Walsh. Excused: Christie Legler. Staff present: Brenda Ayers, Clerk/Treasurer. See attached list for other interested parties in attendance.

1. The meeting was called to order at 5:32 p.m. by Vraniak.
2. Discussion/possible action regarding a request to rezone from R-1 to R-3 submitted by Loreen Kempfer for the purpose of a less restrictive rear yard setback for a garage addition. Property located at 3781 Token Rd, DeForest (parcel number 0810-031-6932-7). Kempfer explained that she would like to add 12 feet to her garage but is restricted by setbacks. She was told by Dane County Zoning that the required setback from the shared private drive is 50 feet. The county zoning staff advised her that she more than likely would be denied a variance because she did not exhaust all of her options so she is seeking the rezone.

Motion: Walsh/Urban to recommend approval of the rezone from R-1 to R-3 to the Town Board. Motion carried.

3. Discussion/possible action regarding a request to rezone from A-1 to C-2 and a Conditional Use Permit for a residence for a watchman or caretaker submitted by Birrenkott Surveying on behalf of Jayson Jones for the purpose of zoning compliance with existing land use. Property located at 5337 Reiner Rd, Madison (parcel number 0810-234-9500-8). Jones explained that he would like to remove an existing and construct a new storage facility on the property to house personal items currently stored on the adjacent business site (Burke Truck and Equipment). He is interested in expanding the business and needs to move the personal items to store additional inventory, etc. Under the current A-1 zoning, the building height is restricted to 16 feet maximum. He is seeking the rezone to C-2 so the building can be up to 50 feet in height. He further explained that because there is also a residence on the property he is seeking a Conditional Use Permit for a watchman or caretaker. Jones was advised by county zoning staff to seek a rezone because he needed to exhaust all options before seeking a height variance. Jones explained that the City of Madison has concerns with the rezone because it is not consistent with their future plans for the area and the Town's Comprehensive Plan. Ayers reported that City staff is now okay with the rezone as long as the property is deed restricted to only allow the present uses of a residence for a watchman or caretaker and a building for personal storage.

Walsh asked about the tenant in the house. Jones said he has rented to the same tenant for several years. Walsh asked if the request for the rezone was specifically to store items that are currently stored on the business site and inquired about constructing the building on the business site which is already zoned C-2. Jones explained that the county will not allow him to further develop the business site because he does not have the required 66 feet of frontage. Vraniak asked if the new building would have the same footprint as the one that is being removed. Jones replied that the new building will be bigger with 16 inch

sidewalls. Berg inquired if the person who lives in the house watches over the property when Jones is not there. Vraniak noted that as a neighbor he has contacted the tenant when he hasn't been able to reach Jones. Jones responded that the tenant pays a minimal amount of rent because he watches over the building and handles minor repairs.

Motion: Walsh/Stoflet to recommend approval of the rezone from A-1 to C-2 and the CUP to the Town Board with the condition that a deed restriction is recorded on the property to limit the use of the property to a residence for a watchman and caretaker and one outbuilding not to be used for industrial and commercial purposes. Motion carried.

4. Update on the DeForest ETZ. Next meeting is scheduled for July 13 at the Town of Vienna Hall to consider updates to the Village of DeForest zoning code.
5. Approval of minutes from June 10, 2015. Motion: Urban/Berg to approve the minutes as presented. Motion carried.
6. Adjourn. Motion: Vraniak/Stoflet to adjourn. Motion carried. Meeting adjourned at 6:23 p.m.

Brenda Ayers
Administrator/Clerk/Treasurer
08/6/2015