

**TOWN OF WESTPORT**  
**REGULAR PLAN COMMISSION MEETING**  
Kennedy Administration Building  
Community Meeting Room  
5387 Mary Lake Road  
Town of Westport, Wisconsin

**Virtual Meeting Via GoToMeeting**

PLEASE TAKE NOTICE that this meeting will take place virtually via GoToMeeting.

Please join the meeting from your computer, tablet or smart phone by visiting <https://global.gotomeeting.com/join/325031461>. You can also participate by phone by dialing +1 (646) 749-3112 and use access code: 325-031-461. If you are new to GoToMeeting, get the app and be ready when the meeting starts. You may be muted or be asked to mute your device.

AGENDA - August 10, 2020 7:00 p.m.

This meeting is being noticed as a possible gathering of a quorum of the Westport Town Board due to the possible attendance of Supervisors not appointed to the Commission. Supervisors may discuss items on this agenda, or gather information on these items, but no action will be taken on these items as the Town Board.

1. Call to Order
2. Public Comment on Matters Not On the Agenda
3. Approve Minutes
4. Proposed Town Zoning Code Revisions, Kennel Location and Variance Standard for Building Errors, PUBLIC HEARING/Discussion/Recommendation
5. Park Committee Report/Items for Action
6. Historic Preservation Commission Report/Items for Action
7. Waunakee/Westport Joint Planning Committee Report/Items for Action
8. Middleton/Westport Joint Zoning Committee Report/Items for Action
9. Miscellaneous Matters/Forthcoming Events
10. Adjourn

If you need reasonable accommodations to access this meeting, please contact the clerk's office at 849-4372 at least three business days in advance so arrangements can be made to accommodate the request.

## **TOWN OF WESTPORT**

### **PLAN COMMISSION – July 13, 2020**

The regular monthly meeting of the Plan Commission was called to order at 7:03 p.m. via GoToMeeting.com virtual video conference by Chair Grosskopf. Members present: Bruskewitz, Cuccia, Grosskopf, Kennedy, Manering, and Pichette. Members absent: Ohm. Also attending, Tom Wilson.

No one was present For Public Comment on Matters not on the Agenda. The minutes of the June 8, 2020 regular meeting were approved as presented on a motion by Pichette, second Bruskewitz.

After a presentation by Wilson and comments by the Commission members, proceeding to public hearing with the Proposed Town Zoning Code Revisions, Kennel Location and Variance Standard for Building Errors, as presented was approved on a motion by Bruskewitz, second Manering.

Wilson reported on the work of the Park Committee. Pichette reported on the work of the Historic Preservation Commission. Grosskopf and Wilson reported on items before the Waunakee/Westport Joint Planning Committee and the Middleton/Westport Joint Zoning Committee.

There were no Miscellaneous Matters or Forthcoming Events raised.

Motion to adjourn by Manering, second Bruskewitz. The meeting adjourned at 7:25 p.m.

Mary Manering, Secretary

AGENDA ITEM #4:

Proposed Town Zoning Code Revisions, Kennel Location  
and Variances Standard for Building Errors, PUBLIC  
HEARING/Discussion/Action

## **TOWN OF WESTPORT**

### **NOTICE OF PUBLIC HEARING Town Zoning Code Amendments (Kennel Location and Variance Standard for Building Errors)**

*Notice is hereby given* that the Town of Westport Plan Commission will hold a Public Hearing on Monday, August 10, 2020 at 7:00 P.M. virtually via GoTOMeeting. Please join the meeting from your computer, tablet or smart phone by visiting <https://global.gotomeeting.com/join/325031461>. You can also participate by phone by dialing +1 (646) 749-3112 and use access code: 325-031-461. The purpose of the Public Hearing is to solicit comments regarding amending the Town Zoning Code regarding Kennel Location and Variance Standard for Building Errors [Sections 10-9-1.0622(2) and 10-9-1.098(7)(e)]. A copy of the Ordinance amendments are available on the Town website at [www.townofwestport.org](http://www.townofwestport.org). Questions or comments may be directed to the Town Attorney/Administrator/Clerk-Treasurer Tom Wilson at [twilson@townofwestport.org](mailto:twilson@townofwestport.org).

Thomas G. Wilson  
Town Attorney/Administrator/Clerk-Treasurer

**TOWN OF WESTPORT**

**ORDINANCE NO. 20-02**

**AN ORDINANCE TO AMEND THE TEXT OF THE TOWN OF WESTPORT ZONING CODE, TITLE 10, CHAPTER 9, TOWN OF WESTPORT CODE OF ORDINANCES, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN**

WHEREAS, The Town Board has reviewed a proposed amendment to sec. 10-9-1.098 Variances. The section currently states that "Negligence of a contractor in locating a setback, sideyard or building location shall not be considered a practical difficulty or a hardship." The Town Board believes that absolute restriction is too harsh in application to unintentional minor encroachments on setbacks and siting requirements.

NOW THEREFORE, the Town Board of the Town of Westport, Dane County, Wisconsin, does hereby ordain as follows:

**Section 10-9-1.098** variances, (7) Hearing and Final Decision of the Town Zoning Ordinance subsection (e) is amended to read:

(e) Negligence of a contractor in locating a setback, sideyard or building location ~~shall not~~ may be considered a practical difficulty or a hardship only if (1) the Board is satisfied the negligence was not intentional, (2) the variance necessary is less than 1 foot, and (3) compliance absent a variance would involve substantial economic waste.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of Supervisors for the Town of Westport on July 20, 2020, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ not voting (absent).

The amendment shall take effect upon its publication on the Town's website.  
Dated , 2020.

APPROVED:

By: \_\_\_\_\_  
Dean A. Grosskopf, Town Board Chair

Attest: \_\_\_\_\_  
Thomas G. Wilson  
Town Attorney/Administrator/Clerk-Treasurer

Approved: \_\_\_\_\_  
Published: \_\_\_\_\_

**TOWN OF WESTPORT**

**ORDINANCE NO. 20-01**

**AN ORDINANCE TO AMEND THE TEXT OF THE TOWN OF WESTPORT ZONING CODE, TITLE 10, CHAPTER 9, TOWN OF WESTPORT CODE OF ORDINANCES, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN**

WHEREAS, The Town Board has reviewed the proposed amendment to sec. 10-9-1.0622, Kennel; secondary standards. The section currently states that a kennel must be set back "1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel." The Town Board believes that the setback should have been written as 100 feet. The 1000 – foot setback currently contained in the ordinance is unreasonable.

NOW THEREFORE, the Town Board of the Town of Westport, Dane County, Wisconsin, does hereby ordain as follows:

**Section 10-9-1.0622 (2)** of the Town Zoning Ordinance is amended to read:

(2) Kennel Setbacks. All kennels, outdoor runs, and exercise areas shall be no closer than 100 ~~1,000~~ feet from any residential dwelling other than that of the owner, agent, or employee of such kennel.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of Supervisors fo the Town of Westport on July 20, 2020, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ not voting (absent).

The amendment shall take effect upon its publication on the Town's website.  
Dated , 2020.

APPROVED:

By: \_\_\_\_\_  
Dean A. Grosskopf, Town Board Chair

Attest: \_\_\_\_\_  
Thomas G. Wilson  
Town Attorney/Administrator/Clerk-Treasurer

Approved: \_\_\_\_\_  
Published: \_\_\_\_\_