

Dane County



Minutes

Tuesday, November 28, 2023

6:30 PM

See below for additional instructions on how to attend the meeting and provide public testimony.
Hybrid Meeting: Attend in person at the City County Building in Room 354; or Attend virtually via Zoom.

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

A. Call to Order

Chair DOOLAN called the ZLR Committee meeting to order at 6:30 PM in Room 354 of the City-County Building.

Staff present: Violante, Lane, Holloway, Everson and Standing
Town officials present: Carl Walsler, Kate Gladding, Tim Yanacheck and Jennifer Hanson (Town of Oregon); Town of Rutland Supervisor Nancy Nedveck

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, KATE MCGINNITY, and MELISSA RATCLIFF

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

No comments made by the public.

[2023](#)
[RPT-414](#)

November 28, 2023 ZLR Registrants

C. Consideration of Minutes

[2023](#)
[MIN-399](#)

November 14, 2023 ZLR Committee Meeting Minutes

A motion was made by BOLLIG, seconded by MCGINNITY, to approve the minutes of the November 14, 2023 ZLR Committee meeting. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

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

[11982](#)

PETITION: REZONE 11982
APPLICANT: DALE & KAREN STENJEM
LOCATION: 3144 STATE HWY 134, SECTION 1, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: separating existing residence from farmland

In support: Dale and Karen Stenjem

Opposed: none

A motion was made by BOLLIG, seconded by RATCLIFF, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 5-0.

1. Shared driveway access easement(s) shall be recorded for the adjoining residence at 3148 State Highway 134, as well as for the adjacent agricultural lands.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11983](#)

PETITION: REZONE 11983
APPLICANT: TOM WATSON
LOCATION: 1746 STATE HWY 73, SECTION 34, TOWN OF CHRISTIANA
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural Mixed-Use District and RR-2 Rural Residential District
REASON: creating one residential lot

In support: Tom Watson
Opposed: none

A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning Petition be postponed due to allow time for DOT confirmation on the residential access. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11984](#)

PETITION: REZONE 11984
APPLICANT: CRAZY ACRES INC
LOCATION: SOUTH OF 782 HILLSIDE ROAD, SECTION 23, TOWN OF ALBION
CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: creating one residential lot

In support: Travis Wileman, Dan Higgs
Opposed: none

A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 5-0.

1. Surveyor to verify there is a minimum 66' width between the RM-16 lot and the La Rusch property (tax parcel 0512-231-8520-1) on the final CSM.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11985](#)

PETITION: REZONE 11985
APPLICANT: JOEL E HOUGAN
LOCATION: WEST OF 2390 COUNTY HWY BN, SECTION 22, TOWN OF PLEASANT SPRINGS
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District
REASON: create one residential lot and two agricultural lots

In Support: Joel Hougan
Opposed: Robert Endres

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be postponed due to opposition from an adjacent landowner. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11986](#)

PETITION: REZONE 11986
APPLICANT: MILJ INVESTMENTS (JOHN SCHNEIDER)
LOCATION: 103 LAKE COURT, SECTION 36, TOWN OF ALBION
CHANGE FROM: SFR-08 Single Family Residential District TO HAM-R Hamlet Residential District
REASON: zoning to allow residential home reconstruction

In Support: John Schneider, Imani Jones, Bryan Earleywine
Opposed: None

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11987](#)

PETITION: REZONE 11987
APPLICANT: TOM & KAREN WADDELL FAMILY TRUST
LOCATION: 1066 SUN PRAIRIE RD, SECTION 20, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: separating existing residence from farmland

In Support: Tyler Wilkinson
Opposed: none

A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with no conditions. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11988](#)

PETITION: REZONE 11988
APPLICANT: MAIER FARMS REAL ESTATE LLC
LOCATION: 6545 PATTON ROAD, SECTION 33, TOWN OF VIENNA
CHANGE FROM: RR-2 Rural Residential District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: expanding an existing residential lot

In Support: Patrick Maier
Opposed: none

A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be recommended for approval with no conditions. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11989](#)

PETITION: REZONE 11989
APPLICANT: JOSEPH AND ELIZABETH SEMERLING
LOCATION: 2230 & 2240 US HWY 51, SECTION 23, TOWN OF DUNN
CHANGE FROM: RR-2 Rural Residential District TO SFR-08 Single Family Residential District
and RR-1 Rural Residential District
REASON: zoning compliance for land sale

In Support: Cindy Lehr, Joseph Semerling
Opposed: none

A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with one condition. The motion carried by the following vote: 5-0.

1. The CSM for the new lot boundaries shall designate a “No Vehicular Access” restriction along the CTH AB frontage.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02609](#)

PETITION: CUP 02609
APPLICANT: EQUIPMENTSHARECOM INC
LOCATION: EAST OF 3475 N STAR ROAD, SECTION 27, TOWN OF COTTAGE GROVE
CUP DESCRIPTION: outdoor storage of materials and equipment

In Support: Ajay Sharma
Opposed: none

A motion was made by BOLLIG, seconded by MCGINNITY, that the Conditional Use Permit be postponed until January 9, 2024 to allow for the applicant to submit additional information. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

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

[11974](#)

PETITION: REZONE 11974
APPLICANT: R AND R LIVING TR (RAMI ABUROMIA)
LOCATION: 1993 STATE HIGHWAY 92, SECTION 29, TOWN OF SPRINGDALE
CHANGE FROM: AT-B Agriculture Transition Business District TO RM-8 Rural Mixed-Use District
REASON: lot line adjustment and zoning for short-term rental and farm business uses

A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with one condition. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on proposed lots 1 and 2 of the Certified Survey Map (tax parcels 0607-293-8130-0 & 0607-293-8301-0) stating the following: Further land divisions are prohibited. The housing density rights for the original farm have been exhausted per the Town Comprehensive Plan density policies.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02603](#)

PETITION: CUP 02603

APPLICANT: R AND R LIVING TR (RAMI ABUROMIA)

LOCATION: 1993 STATE HIGHWAY 92, SECTION 29, TOWN OF SPRINGDALE

CUP DESCRIPTION: tourist or transient lodging, and limited farm business

A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be approved based on the findings of fact as noted in the staff report and it has been determined that the CUP meets the standards for obtaining a CUP with the conditions as noted in the staff report. The motion carried by the following vote: 5-0.

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan.
2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of Wisconsin Commercial Building Code or Uniform Dwelling Code.
3. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the county zoning administrator upon request.
4. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the county zoning administrator upon request.
5. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46 Dane County Code.
6. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
7. Off-street parking and circulation must be provided, consistent with s. 10.102(8) of County Ordinances.
8. If Dane County Highway Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
9. The County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
10. The owner must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit

shall be given reasonable opportunity to correct any violations prior to revocation. Conditions Unique to CUP 2603

13. This conditional use permit shall expire in the event the property is sold or transferred to another owner. Continuation or extension of an expired conditional use requires re-application and approval by the Town Board and Dane County.

14. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health.

15. The rental shall be limited to 6 overnight guests including 5 adults.

16. This CUP shall become effective upon Rezone petition 11974 becoming effective for the RM-8 zoning.

17. Lighting must conform to Town of Springdale Dark Sky Lighting Ordinance.

18. No outside amplified music or speakers shall be allowed.

19. No more than 4 full time employees shall be allowed.

20. Limited Farm Business operations are to occur within the 400 SF existing building.

21. Scope of the farm stand is limited to farm business for products produced on and off the farm.

22. The Town retains the option to review and adjust any CUP standards in 24 months.

23. All of the above conditions must be posted inside the premises as required by Dane County.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

F. Plats and Certified Survey Maps

G. Resolutions

[2023](#)
[RES-242](#)

AMENDING THE 2024 OPERATING BUDGET TO ALLOCATE FUND FOR BROADBAND EXPANSION

A motion was made by RATCLIFF, seconded by MCGINNITY, that the resolution be recommended for approval. The motion carried by the following vote: 4-0-1 with KIEFER abstaining.

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Abstain: 1 - KIEFER

H. Ordinance Amendment

[2023 OA-049](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, AMENDING THE DANE COUNTY COMPREHENSIVE PLAN, UPDATING THE FARMLAND PRESERVATION PLAN AND DELETING OBSOLETE LANGUAGE

In Support: ZLR Subcommittee on Cultural Resources Chair Rick Bernstein, Subcommittee member Tim Yanacheck

Neither in support nor opposed: Town of Rutland Supervisor Nancy Nedveck

A motion was made by BOLLIG, seconded by RATCLIFF, that the ordinance amendment be recommended for approval. The motion carried by the following vote: 4-1 on a roll call vote.

Ayes: 4 - BOLLIG,DOOLAN,MCGINNITYandRATCLIFF

Noes: 1 - KIEFER

[2023 OA-058](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF OREGON COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

In support: Town of Oregon Board Chair Carl Walser, Town of Oregon Clerk Jennifer Hanson, Town of Oregon Supervisor Kate Gladding, Laura Wilmot

A motion was made by BOLLIG, seconded by MCGINNITY, that the Ordinance be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG, seconded by RATCLIFF, to adjourn the meeting at 8:22 PM. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF