



Dane County

Meeting Agenda - Final-revised

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?

Tuesday, March 28, 2023

6:30 PM

Hybrid Meeting: Attend in person at the City
County Building in Room 354; or Attend virtually
via Zoom.

See below for additional instructions on how to attend the meeting and provide public testimony.

Interpreters must be requested in advance; please see the bottom of the agenda for more information.

Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.

Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntawm qhov txheej txheem rau cov ntaub ntawv ntxiv.

The March 28, 2023 Zoning & Land Regulation Committee meeting will be a hybrid meeting. Members of the public can either attend in person or virtually via Zoom.

The public can attend in person at the City County Building, Room 354 (210 Martin Luther King Jr. Blvd, Madison). OR

The public can access the meeting virtually with the Zoom application or by telephone.

To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

https://zoom.us/webinar/register/WN_-FYZ8hQwQPacFw9T0_iDHw

This link will be active until the end of the meeting.

To join the meeting by phone, dial-in using the following toll-free phone number:

1-888-788-0099

When prompted, enter the following Webinar ID: 957 6177 6115

PROCESS TO PROVIDE PUBLIC COMMENT:

IN PERSON: Any members of the public wishing to register to speak on/support/oppose an agenda item can register in person at the meeting using paper registration forms. **IT IS HIGHLY ENCOURAGED TO REGISTER VIA THE ZOOM LINK ABOVE EVEN IF YOU PLAN ON ATTENDING IN PERSON.**

In person registrations to provide public comment will be accepted throughout the meeting.

VIRTUAL: Any members of the public wishing to register to speak on/support/oppose an agenda item **MUST REGISTER USING THE LINK ABOVE** (even if you plan to attend using your phone).

Virtual registrations to provide public comment will be accepted until 30 minutes prior to the beginning of the meeting.

In order to testify (provide public comment) virtually, you must be in attendance at the meeting via Zoom or phone, you will then either be unmuted or promoted to a panelist and provided time to speak to the body.

If you want to submit a written comment for this meeting, or send handouts for board members, please send them to: plandev@countyofdane.com

A. Call to Order

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

C. Consideration of Minutes

[2023 MIN-008](#) Minutes of the March 14, 2023 Zoning and Land Regulation Committee meeting

Attachments: [3-14-23 ZLR Work Meeting Minutes.pdf](#)

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

[11927](#) PETITION: REZONE 11927
APPLICANT: MPS ENTERPRISES INC
LOCATION: EAST OF 615 WINDMILL ROAD, SECTION 19, TOWN OF RUTLAND
CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating two residential lots

Attachments: [11927 Staff Report](#)
[11927 Town Action](#)
[11927 Map](#)
[11927 RUTLAND](#)
[11927 Density Study #2](#)
[11927 Density Study #1](#)

[11928](#) PETITION: REZONE 11928
APPLICANT: DOUGLAS AND VICTORIA STATZ
LOCATION: 7437 STATE HWY 113, SECTION 15, TOWN OF DANE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural Mixed-Use District, RM-16 Rural Mixed-Use District TO FP-1 Farmland Preservation District
REASON: creating a residential lot for the existing residence and creating an agricultural lot.

Attachments: [11928 Staff Report](#)
[11928 Map](#)
[11928 APP](#)
[11928 Email of Concern](#)
[11928 ROD doc 3266066](#)

[11929](#) PETITION: REZONE 11929
APPLICANT: GREGORY A THOMPSON
LOCATION: NW CORNER OF BURKE ROAD AND REINER ROAD, SECTION 23, TOWN OF BURKE
CHANGE FROM: SFR-1 Single Family Residential District TO TFR-08 Two Family Residential District
REASON: zoning to allow for duplex residential use

Attachments: [11929 Staff Report](#)
[11929 Map](#)
[11929 App](#)

[11930](#) PETITION: REZONE 11930
APPLICANT: JULIE AND WILLIAM KARPUS
LOCATION: 2404 HAMMOND RD, SECTION 21, TOWN OF DUNKIRK
CHANGE FROM: RR-8 Rural Residential District TO RM-8 Rural
Mixed-Use District
REASON: zoning to allow for horse boarding facility

Attachments: [11930 Staff Report](#)
[11930 Map](#)
[11930 APP rev](#)

[11931](#) PETITION: REZONE 11931
APPLICANT: LINDUS PROPERTIES LLC
LOCATION: 4281 ACKER RD., SECTION 8, TOWN OF BURKE
CHANGE FROM: HC Heavy Commercial District TO MI Manufacturing
and Industrial District
REASON: zoning to allow an auto salvage yard business

Attachments: [11931 Staff Report.pdf](#)
[11931 Town Action](#)
[11931 Letter of Concern](#)
[11931 Map](#)
[11931 App](#)

[02590](#) PETITION: CUP 02590
APPLICANT: LINDUS PROPERTIES LLC
LOCATION: 4281 ACKER RD., SECTION 8, TOWN OF BURKE
CUP DESCRIPTION: salvage yard

Attachments: [CUP 2590 Staff Report](#)
[CUP 2590 Town Action](#)
[CUP 2590 Letter of Concern](#)
[CUP 2590 Map](#)
[CUP 2590 APP](#)

[11932](#)

PETITION: REZONE 11932
APPLICANT: SHAMROCK FARMS
LOCATION: EAST/NW OF 4974 COUNTY HIGHWAY J, SECTION 30, TOWN OF CROSS PLAINS
CHANGE FROM: RR-4 Rural Residential District TO RR-8 Rural Residential District, FP-35 Farmland Preservation District TO RR-8 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: increase the size of two residential lots

Attachments: [11932 Staff Report](#)

[11932 Town Action](#)

[11932 Map](#)

[11932 App](#)

[02584](#)

PETITION: CUP 02584
APPLICANT: JOSEPH AND DIANE RIPP
LOCATION: SOUTH OF 7839 BONETTI ROAD, SECTION 1, TOWN OF DANE
CUP DESCRIPTION: non-metallic mineral extraction operation, temporary concrete batch plant, and temporary asphalt plant

Attachments: [CUP 2584 Staff Report.pdf](#)

[CUP 2584 Vienna requirements for Bonetti Road.pdf](#)

[CUP 2584 Email in opposition Grams.pdf](#)

[CUP 2584 Email in opposition Haymes](#)

[CUP 2584 Email in opposition Hojnacki.pdf](#)

[CUP 2584 Email in opposition Karls.pdf](#)

[CUP 2584 Email in opposition Karls 2.pdf](#)

[CUP 2584 Email in Opposition Niesen K.pdf](#)

[CUP 2584 Email in Opposition Niesen M.pdf](#)

[CUP 2584 Email in opposition Stinson.pdf](#)

[CUP 2584 Letter in opposition Pierce.pdf](#)

[CUP 2584 Letter in opposition Roth.pdf](#)

[CUP 2584 Letter in opposition Taylor.pdf](#)

[CUP 2584 Letter in opposition Wilson.pdf](#)

[CUP 2584 Performance letters from Tri-County Paving.pdf](#)

[CUP 2584 App](#)

[CUP 2584 Map](#)

[02585](#) PETITION: CUP 02585
APPLICANT: CASEY AND MELISSA HELBACH
LOCATION: 6993 APPLEWOOD DRIVE, SECTION 27, TOWN OF MIDDLETON
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

Attachments: [CUP 2585 Staff Report](#)
[CUP 2585 Town Action](#)
[CUP 2585 Previous CUP 2566](#)
[CUP 2585 Email in Opposition.pdf](#)
[CUP 2585 Map](#)
[CUP 2585 APP](#)

[02586](#) PETITION: CUP 02586
APPLICANT: TINGTING & DERIK BINGNER
LOCATION: 2290 CTH AB, SECTION 23, TOWN OF DUNN
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

Attachments: [CUP 2586 Staff Report](#)
[CUP 2586 Town Action](#)
[CUP 2586 Email in opposition Christianson.pdf](#)
[CUP 2586 Letter of opposition L Carnahan.pdf](#)
[CUP 2586 Letter of opposition P Carnahan.pdf](#)
[CUP 2586 Peaceful Stay Pledge](#)
[CUP 2586 Map](#)
[CUP 2586 APP](#)

[02587](#) PETITION: CUP 02587
APPLICANT: MICHAEL AND DIANNE RIPP
LOCATION: NORTH OF 6970 MADIGAN ROAD, SECTION 20, TOWN OF VIENNA
CUP DESCRIPTION: continuation of an existing mineral extraction operation (previous cup has expired)

Attachments: [CUP 2587 Staff Report](#)
[CUP 2587 Town Action](#)
[CUP 2587 Performance letters from Tri-County Paving.pdf](#)
[CUP 2587 Map](#)
[CUP 2587 APP](#)
[CUP 1783 EXPIRED](#)

[02588](#) PETITION: CUP 02588
APPLICANT: JULIE AND WILLIAM KARPUS
LOCATION: 2404 HAMMOND RD, SECTION 21, TOWN OF DUNKIRK
CUP DESCRIPTION: large animal (horse) boarding

Attachments: [CUP 2588 Staff Report](#)
[CUP 2588 Map](#)
[11930 APP rev](#)

[02589](#) PETITION: CUP 02589
APPLICANT: CUMMINGS AND TURK FARMS LLC
LOCATION: 3436 NORTH STAR RD, SECTION 34, TOWN OF
COTTAGE GROVE
CUP DESCRIPTION: outdoor storage for contractor business

Attachments: [CUP 2589 Staff Report](#)
[CUP 2589 Town Action](#)
[CUP 2589 Town Business-Park-Plan](#)
[CUP 2589 Map](#)
[CUP 2589 APP](#)

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

[11789](#) PETITION: REZONE 11789
APPLICANT: CARBON CYCLE CONSULTING LLC
LOCATION: 464 CANAL ROAD, SECTION 2, TOWN OF MEDINA
CHANGE FROM: FP-35 Farmland Preservation District TO FP-B
Farmland Preservation Business District
REASON: change zoning to allow for the composting of manure and
agricultural by-products

Attachments: [11789 Staff Update](#)
[11789 Town Action Report.pdf](#)
[11789 Map](#)
[11789 APP](#)
[11789 Previous Site Plan.pdf](#)
[11789 CarbonCycle CU Revocation.pdf](#)

Legislative History

1/25/22 Zoning & Land Regulation postponed to the Zoning & Land
Committee Regulation Committee

A motion was made by DOOLAN, seconded by PETERS, that the Zoning
Petition be postponed due to opposition. The motion carried by the following
vote: 4-0. Passed

2/28/23 Zoning & Land Regulation suspended from the rules
Committee

A motion was made by BOLLIG, seconded by KIEFER, to suspend the rules in
order to discuss the petition due to the public hearing date being more than one
year ago. The motion carried by the following vote: 4-1. Passed

2/28/23 Zoning & Land Regulation direction for staff
Committee

A motion was made by BOLLIG, seconded by RATCLIFF, to extend the time
period to consider the Rezone Petition until March 28, 2023 to allow the
applicant more time to secure all necessary permits. The motion carried by the
following vote: 4-1. Passed

02550

PETITION: CUP 02550

APPLICANT: CARBON CYCLE CONSULTING LLC

LOCATION: 464 CANAL ROAD, SECTION 2, TOWN OF MEDINA

CUP DESCRIPTION: composting facility / manure processing facility

Attachments: [CUP 2550 Staff Update](#)

[CUP 2550 Recommended finding of fact and suggested conditions](#)

[CUP 2550 - Applicant update and statement 3-28-23](#)

[CUP 2550 Town Action Report.pdf](#)

[CUP 2550 - DNR Compost Facility Permit](#)

[CUP 2550 - LWRD Certificate of Use](#)

[CUP 2550 - LWRD email on stormwater plans](#)

[CUP 2550 - Compeer email re financial assurance](#)

[CUP 2550 - Stormwater Plan](#)

[CUP 2550 - Site Plan](#)

[CUP 2550 Map](#)

[CUP 2550 APP](#)

[CUP 2550 Staff Update](#)

Legislative History

1/25/22 Zoning & Land Regulation postponed to the Zoning & Land
Committee Regulation Committee

A motion was made by PETERS, seconded by SMITH, that the Conditional Use
Permit be postponed due to opposition. The motion carried by the following
vote: 4-0. Passed

02583

PETITION: CUP 02583

APPLICANT: ARIF M KHAN & SADIA ARIF

LOCATION: 3486 COUNTY ROAD MN, SECTION 2, TOWN OF DUNN

CUP DESCRIPTION: 174' monopole communication tower

Attachments:

[CUP 2583 Staff memo and recommended findings](#)

[CUP 2583 Staff Update - 3-28-23](#)

[CUP 2583 - CityScape Supplemental Memo \(analysis of lower tower height\)](#)

[CUP 2583 CityScape RF Engineering Report](#)

[CUP 2583 - Tower Photosimulations](#)

[CUP 2583 - DISH RF Engineer Affidavit](#)

[CUP 2583 - Site Plan](#)

[CUP 2583 - Fall Zone Letter](#)

[CUP 2583 - FCC Statement of Compliance for RF Emissions](#)

[CUP 2583 Applicant response to CUP Standards](#)

[CUP 2583 Map](#)

[CUP 2583 - Applicant Property Value Study - McFarland Waukesha \(received 021723\)](#)

[CUP 2583 - Applicant Property Value Study - McFarland - Greendale \(received 021723\)](#)

[CUP 2583 - Applicant McFarland Property Map & List \(received 021723\)](#)

[CUP 2583 DISH Site Plan Ground \(received 022123\)](#)

[CUP 2583 - CTH MN Access Permit](#)

[CUP 2583 - Applicant Town of Dunn CUP Response 020623](#)

[CUP 2583 Full Application](#)

[CUP 2583 Public Comment - Priscilla Riecks](#)

[CUP 2583 Public Comment - Steve Riecks](#)

[CUP 2583 Village of McFarland Opposition Ltr \(received 022123\)](#)

[CUP 2583 Riecks photo.pdf](#)

[CUP 2583 - McFarland Adopted Comp Plan Transportation Map](#)

[CUP 2583 - McFarland-East-Side-Plan Proposed Street Network](#)

[CUP 2583 - Additional neighborhood photos](#)

[CUP 2583 - McFarland Future Land Use Map](#)

[CUP 2583 - Subject property survey](#)

[CUP 2583 - Applicant Search Ring Map](#)

[CUP 2583 - Staff email 9-16-23 regarding prelim application](#)

[CUP 2583 - 2023-03-14 Written Agreement to Extend 90-day Time Period](#)

Legislative History

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 tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

608-266-4266