

Dane County



Minutes

Tuesday, June 18, 2024

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?

This meeting is being conducted on land now known and recognized as Dane County, Wisconsin. We acknowledge that this land is at the same time the ancestral, traditional, & contemporary land of the Ho-Chunk, Sauk & Kickapoo nations.

A. Call to Order

DOOLAN called the June 18, 2024 Zoning and Land Regulation Committee meeting to order at 6:33 PM.

Staff present: Allan, Holloway, Hilbert and Everson

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, JEFFREY KRONING, DON POSTLER, and MICHELE RITT

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

No comments made by the public.

[2024
RPT-127](#)

June 18, 2024 ZLR Registrants

C. Consideration of Minutes

A motion was made by BOLLIG, seconded by KRONING, that the May 14, 2024 meeting minutes be approved. The motion carried by the following vote: 5-0.

[2024
MIN-063](#)

Minutes of the May 14, 2024 Zoning and Land Regulation Committee meeting

D. Public Hearing Consent Calendar for Zoning Map Amendments

[12027](#)

PETITION: REZONE 12027
APPLICANT: LAURA WILMOT AND NICHOLAS WILMOT
LOCATION: 5596 AND 5600 WINDRIDGE RD, SECTION 16, TOWN OF OREGON
CHANGE FROM: RR-2 Rural Residential District TO RR-1 Rural Residential District
REASON: reconfigure the boundaries of two lots owned by applicant

In support: Nicholas and Laura Wilmot

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be approved. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12029](#)

PETITION: REZONE 12029
APPLICANT: LAUFENBERG IRREV TR (DAVID LAUFENBERG)
LOCATION: 4543 CTH J, SECTION 32, TOWN OF CROSS PLAINS
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District,
NR-C Natural Resource Conservation District TO FP-35 Farmland Preservation District
REASON: create one residential spot zone

In support: David Laufenberg

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be approved. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12030

PETITION: REZONE 12030
APPLICANT: M G C CORP
LOCATION: WEST OF 6539 MINT ROAD ALONG RECEK ROAD, SECTION 34, TOWN OF MAZOMANIE
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District
REASON: creating an agricultural lot in order to correct a land division violation.

In support: Mike kindschi

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12031

PETITION: REZONE 12031
APPLICANT: RANDALL AND ANGELA MUSSEHL
LOCATION: 1273 JUDD RD, SECTION 12, TOWN OF MONTROSE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In support: Randy Mussehl

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

- 1. A deed restriction shall be recorded on tax parcels 0508-121-9503-0, 0508-124-8600-0 and 0508-124-8440-7 stating the following:
Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Selmer A. Judd Jr. farm have been exhausted per the Town Comprehensive Plan density policies.**
- 2. A deed restriction shall be recorded on proposed Lot 2 (current tax parcel 0508-121-9503-0) stating the following:
The two homes on this farmland preservation lot shall remain together on one lot and may not be subdivided onto separate lots. No further land divisions are allowed per the Town Comprehensive Plan density policies.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12032

PETITION: REZONE 12032
APPLICANT: TERRENCE AND LINDA SCHMITT
LOCATION: 1207 FRITZ RD, SECTION 7, TOWN OF MONTROSE
CHANGE FROM: SFR-1 Single Family Residential District and FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: expand the size of a residential lot to facilitate ag land sale

In support: Linda Schmitt

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12033](#)

PETITION: REZONE 12033
APPLICANT: STUART & JUDITH KEEL
LOCATION: 2744 CROSS COUNTRY CIRCLE, SECTION 9, TOWN OF VERONA
CHANGE FROM: SFR-2 Single Family Residential District TO LC Limited Commercial District
REASON: restore previously approved LC zoning to property

In support: Stuart Keel

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12034](#)

PETITION: REZONE 12034
APPLICANT: WILLIAM AND DONATA SUGDEN
LOCATION: 2066 SPRINGDALE CENTER ROAD, SECTION 27, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District TO RM-8 Rural Mixed-Use District and RM-16 Rural Mixed-Use District
REASON: creating two agricultural lots

In support: Bill Sugden, Adityarup Chakravorty, Michelle Burse

A motion was made by BOLLIG, seconded by KRONING, 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 both CSM lots stating the following:
a. Further land division is prohibited on the property**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12035](#)

PETITION: REZONE 12035
APPLICANT: TOWN OF RUTLAND
LOCATION: 785 CENTER ROAD, SECTIONS 16 AND 21, TOWN OF RUTLAND
CHANGE FROM: LC Limited Commercial District and FP-1 Farmland Preservation District TO GC General Commercial District
REASON: zoning to allow for a new town hall facility

In support: Dawn George

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12036](#)

PETITION: REZONE 12036
APPLICANT: DENNIS & LISA NOLDEN
LOCATION: SOUTHWEST OF 7796 MONTROSE ROAD, SECTION 30, TOWN OF MONTROSE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District and
RR-4 Rural Residential District
REASON: creating two residential lots

In support: Ed Short

A motion was made by BOLLIG, seconded by KRONING, 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 the remaining FP-35 land (current tax parcels 0508-303-8041-3, 0508- 302-9521-1, 0508-302-8500-8, 0508-302-8002-0, 0508-301-9001-1, 0508-301-8500-9) stating the following:**
 - a. **Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the 1978 Robert L. Murphy farm have been exhausted per the Town Comprehensive Plan density policies.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12037](#)

PETITION: REZONE 12037
APPLICANT: TODD B WOLF
LOCATION: NORTHWEST OF 4592 W. RUTLAND ROAD, SECTION 30, TOWN OF RUTLAND
CHANGE FROM: RR-1 Rural Residential District TO RR-1 Rural Residential District
REASON: transfer of development right to allow for residential development

In support: Todd Wolf, Dean Schulz

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

1. **A termination of deed restrictions document shall be recorded with the Register of Deeds to remove the prohibition on development on the RR-1 zoned receiving property (doc #5880118).**
2. **The TDR-R (Transfer of Development Rights-Receiving) overlay zoning district shall be applied to the 1.38 acre RR-1 zoned receiving parcel (tax parcel # 0510-304-2011-0; lot 1, Certified Survey Map #16189).**
3. **A deed notice document shall be recorded on the RR-1 lot indicating the property was created by a transfer of development rights (tax parcel # 0510-304-2011-0; lot 1, Certified Survey Map #16189).**
4. **Owner of the TDR sending property (Hougan) shall record a deed restriction on the property acknowledging the transfer of development right and prohibiting division or further development (tax parcel #0510-022-8830-3; lot 1, Certified Survey Map #2459).**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12038](#)

PETITION: REZONE 12038
APPLICANT: URIAH MILLER AND CARRIE JOHNSON
LOCATION: 8221 KLEVENVILLE-RILEY RD, SECTION 2, TOWN OF SPRINGDALE
CHANGE FROM: SFR-1 Single Family Residential District, AT-35 Agriculture Transition District
and SFR-08 Single Family Residential District TO RR-1 Rural Residential District; SFR-1
Single Family Residential District TO AT-35 Agriculture Transition District
REASON: consolidate land into one residential lot and exchange land with neighboring
landowner

In support: Uriah Miller

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12039](#)

PETITION: REZONE 12039
APPLICANT: KARLS LIVING TR (GARY KARLS)
LOCATION: EAST OF 10795 N. PERRY RD., SECTION 5, TOWN OF PERRY
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In support: Gary Karls

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12040](#)

PETITION: REZONE 12040
APPLICANT: BEN & GWEN SPECHT
LOCATION: 2546 GASTON ROAD, SECTION 4, TOWN OF COTTAGE GROVE
CHANGE FROM: RR-2 Rural Residential District TO SFR-08 Single Family Residential District
and RR-1 Rural Residential District
REASON: creating one residential lot

In support: Toni Skala

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

1. Gaston Road right-of-way shall be dedicated to the public.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12041

PETITION: REZONE 12041
APPLICANT: NATHANIEL MCGREE AND DANA CHRISTEL
LOCATION: EAST OF 4128 BLUE MOUNDS TRAIL, SECTION 16, TOWN OF VERMONT
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: create one residential spot zone for a new home

In support: Nathan McGree

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

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

12042

PETITION: REZONE 12042
APPLICANT: MOUNT VERNON HILLS II LLC
LOCATION: LANDS EAST OF COUNTY HWY G AND NORTH OF DAVIS STREET, SECTION 34, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District TO RR-8 Rural Residential District, RR-2 Rural Residential District, SFR-2 Single Family Residential District, and SFR-1 Single Family Residential District
REASON: create 7 residential lots and 1 residential spot zone

In support: Ron Klaas

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

- 1. The subdivision plat shall restrict access onto County Highway G subject to Dane County Highway requirements.**
- 2. A deed restriction shall be recorded on the balance of the property remaining in AT-35 (tax parcels 060734490020, 060734485008, 060734380611, 060734380022, 060734328508, 060734326206, 060734310991, 060734295017, 060734283119, and 060734190611) stating the following:**
 - a. Further residential/nonfarm development is prohibited on the remaining AT-35 zoned land. The housing density rights for the former Louis H. and Cynthia A. Heitke farm have been exhausted per the Town Comprehensive Plan density policies.**
- 3. The applicant shall submit a preliminary plat and final plat for the proposed lots to Dane County for review and approval, and shall record the final plat with the Dane County Register of Deeds.**
- 4. The rezone will not become effective until a final plat is approved and fully executed by the Town of Springdale.**

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[12043](#)

PETITION: REZONE 12043
APPLICANT: JAMES L LEUZINGER
LOCATION: 8824 COUNTY HWY G, SECTION 8, TOWN OF PRIMROSE
CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural Residential District
REASON: expanding an existing residential lot

In support: James Leuzinger

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12044](#)

PETITION: REZONE 12044
APPLICANT: MORRICK REV TR, GLENN & ELAINE
LOCATION: 7375 MONTROSE ROAD, SECTION 29, TOWN OF MONTROSE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: create a residential lot for an existing house

In support: Jennifer DeLorme

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

1. Easements for the shared driveway, septic system, and water well shall be recorded along with the certified survey map that creates the lot and shall be shown on the CSM.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12046](#)

PETITION: REZONE 12046
APPLICANT: SUSAN K POWERS
LOCATION: SOUTH AND WEST OF 4620 COUNTY HWY F, SECTIONS 5, 6, 7 & 8, TOWN OF VERMONT
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District
REASON: creating two agricultural lots

In support: Susan Powers

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

**1. The landowner shall obtain a revised access permit from the County Highway Department to allow access from County Hwy FF for the proposed lots.
2. The CSM shall designate "no access" along County Highway F for both lots, except for any access point approved by the Highway Department.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12047](#)

PETITION: REZONE 12047
APPLICANT: RUSSELL R DOCKEN
LOCATION: NORTH OF 2737 GUST ROAD, SECTION 12, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District TO RR-4 Rural Residential District, AT-35 Agriculture Transition District TO RM-16 Rural Mixed-Use District
REASON: zoning to enable single-family residential use

In support: Michael Alex

A motion was made by BOLLIG, seconded by KRONING, 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 tax parcel 0607-124-8510-2 (Lot 1 CSM #5153) stating the following:

a. Further division of the land is prohibited per the Town Comprehensive Plan density policies.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[12049](#)

PETITION: REZONE 12049
APPLICANT: CAPITOL HOLDINGS LLC
LOCATION: 3475 N STAR ROAD, SECTION 28, TOWN OF COTTAGE GROVE
CHANGE FROM: AT-35 Agriculture Transition District TO HC Heavy Commercial District
REASON: adding lands to existing commercial development

In support: Brent Conwell, Gordon Morauske

A motion was made by BOLLIG, seconded by KRONING, 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 the expanded lot stating the following:

a. Land uses on the property shall be limited exclusively to the following: office buildings no more than 2 stories; repairs, storage, and service of contractors' machinery and equipment; and parking and storage of motor vehicles.

b. This deed restriction replaces prior deed restrictions in recorded document #5818527.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[12050](#)

PETITION: REZONE 12050
APPLICANT: MATTHEW AND JADRIAN HOFELDT, TOM KRETSCHMAN
LOCATION: 7535 & 7550 SUGAR RIDGE RD, SECTION 29, TOWN OF VERONA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District,
RR-2 Rural Residential District TO FP-35 Farmland Preservation District, SFR-08 Single
Family Residential District TO RR-1 Rural Residential District
REASON: create one new residential lot and reconfigure existing lots

In support: Matt Hofeldt

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

1. This rezone petition shall become effective only upon the Town Board approval to vacate the Sugar Ridge road right-of-way.

1. A deed restriction shall be recorded on the balance of the FP-35 zoned property (proposed Lot 4) stating the following:

a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the 1980 Thomas Kretschman farm have been exhausted per the Town Comprehensive Plan density policies.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12051](#)

PETITION: REZONE 12051
APPLICANT: TOWN OF PERRY
LOCATION: 10084 COUNTY HWY A, SECTION 22, TOWN OF PERRY
CHANGE FROM: NR-C Natural Resource Conservation District TO HAM-M Hamlet Mixed-Use District
REASON: correct zoning map to reflect governmental (town hall) use

In support: Mick Klein Kennedy

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be recommended for approval with GC zoning due to the lot size. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12052](#)

PETITION: REZONE 12052
APPLICANT: DEBRA AND WILLIAM GLENN
LOCATION: 7872 KRUCHTEN RD, SECTION 7, TOWN OF DANE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-16 Rural Residential District
and FP-1 Farmland Preservation District
REASON: separating existing residence from farmland

In support: Debra Glenn

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

- 1. A shared access easement shall be recorded with the Dane County Register of Deeds to provide access to the FP-1 lot and the property at 7870 Krutchen Road.**
- 2. A waiver to 75.19(6) Dane County Ordinances must be approved by the ZLR Committee before the CSM is recorded.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12053](#)

PETITION: REZONE 12053
APPLICANT: MARY WICK & JAMES SCHMIDT
LOCATION: 1788 LEON LANE, SECTION 24, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District and RR-2 Rural Residential District TO RR-4 Rural Residential District
REASON: consolidating properties into one lot

In support: Mary Wick

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

- 1. A deed notice shall be placed on the new lot that identifies that the property contains an additional RDU to be used for future division of land.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12054](#)

PETITION: REZONE 12054
APPLICANT: WENDY KRAUSE & BOB CRAIG
LOCATION: 811 BASS LAKE ROAD, SECTION 24, TOWN OF RUTLAND
CHANGE FROM: RR-8 Rural Residential District TO RR-4 Rural Residential District
REASON: shifting of property lines between adjacent land owners

In support: Wendy Krause

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12055](#)

PETITION: REZONE 12055
APPLICANT: MASON LIVING TR (TOM MASON)
LOCATION: 4015 OLD STONE ROAD, SECTION 21, TOWN OF RUTLAND
CHANGE FROM: SFR-08 Single Family Residential District TO RR-1 Rural Residential District
REASON: combine two residential lots into one

In support: Thomas Mason

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12056](#)

PETITION: REZONE 12056
APPLICANT: DAVID KIENBAUM TR
LOCATION: WEST OF 427 LAKE DRIVE RD, SECTION 35, TOWN OF ALBION
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In support: Dan Higgs

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12059](#)

PETITION: REZONE 12059
APPLICANT: JADRIEN DEIBLER
LOCATION: WEST OF 10916 SPRING CREEK RD, SECTION 7, TOWN OF PERRY
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In support: Tiffany Simonis

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

1. A shared access easement agreement shall be recorded along with the CSM to provide access rights to the remaining agricultural property.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

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

[12045](#)

PETITION: REZONE 12045
APPLICANT: SUGAR RIVER INVESTORS & MISHPACHA DEUX
LOCATION: LANDS AROUND 2313 SUGAR RIVER ROAD, SECTION 30, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO SFR-1 Single Family Residential District, SFR-2 Single Family Residential District, and NR-C Natural Resource Conservation District
REASON: create a 58-lot single-family residential subdivision

In support: Ronald Klaas, Dan Sarbacker

In opposition: Sherry Combs, Keare Armenta, Lloyd Tindall, Arnold Jennerman, Carmon Wilson, Heidi Disch, Cheryl Mellenthin, Tom Poast, Dusty Poast

Neither support or oppose: Jeff Hartman

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be postponed due to public opposition. The motion carried by the following vote: 5-0

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12048](#)

PETITION: REZONE 12048
APPLICANT: KENNEDY HILLS LLC
LOCATION: EAST OF 4500 KENNEDY ROAD, SECTION 3, TOWN OF COTTAGE GROVE
CHANGE FROM: AT-35 Agriculture Transition District TO SFR-08 Single Family Residential District
REASON: creating 50 additional residential lots for the Kennedy Hills subdivision

In support: David Riesop, David Dinkel

In opposition: Patricia Giesfeldt, Brenda Westley, Martin Westley

Neither support nor oppose: Jamie Foley

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be postponed due to public opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12058](#)

PETITION: REZONE 12058
APPLICANT: MAIER FARM REAL ESTATE LLC
LOCATION: 7119 SCHUMACHER RD, SECTION 21, TOWN OF VIENNA
CHANGE FROM: FP-35 Farmland Preservation District TO FP-35 Farmland Preservation District
REASON: rezone out of wetland status

A motion was made by BOLLIG, seconded by KRONING, that the public comments from Lynch and the Heartland aerial photos be added to the record. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

In support: Pat Maier, Charles Sweeney, Jeff Kraemer
In opposition: David Lynch

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be postponed due to public opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02613](#)

PETITION: CUP 02613
APPLICANT: HANEYS TAVERN LLC
LOCATION: 8310 STAGECOACH ROAD, SECTION 11, TOWN OF CROSS PLAINS
CUP DESCRIPTION: limited family business - educational and community workshops]

In support: Jill Riley

A motion was made by KRONING, seconded by BOLLIG, that the Conditional Use Permit be approved with conditions, based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

1. Any conditions required for specific uses listed under s. 10.103.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. 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 zoning administrator upon request.
5. 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 zoning administrator upon request.
6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the 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.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
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 a reasonable opportunity to correct any violations prior to

revocation.

Conditions specific to CUP #2613:

13. The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.

14. Sanitary fixtures to serve the limited family business use may be installed in the barn, but must be removed upon expiration of the conditional use permit or abandonment of the limited family business.

15. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02614](#)

PETITION: CUP 02614
APPLICANT: LYNN AND JEROME ZANDER
LOCATION: EAST OF 9283 WINDY LANE, SECTION 32, TOWN OF CROSS PLAINS
CUP DESCRIPTION: allow for a secondary farm residence

In support: Jerome Zander

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions for all Conditional Use Permits:

1. Any conditions required for specific uses listed under s. 10.103.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. 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 zoning administrator upon request.
5. 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 zoning administrator upon request.
6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the 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.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
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.

Conditions specific to CUP # 2614:

13. This conditional use permit shall expire on the sale of the property to an unrelated third party. Continued use of a farm residence after sale to an unrelated third party shall require approval of a new conditional use permit.
14. The Zoning Committee may revoke any Conditional Use Permit it finds in violation of section 10.103(11) of the Dane County Code of Ordinances. Continued use of the residence with a revoked conditional use permit shall require approval of a rezone petition to a zoning district that allows nonfarm residential use.
15. The applicants shall record a notice document with the Register of Deeds on the subject property notifying current and future owners of the two provisions above (conditions #13 and 14).

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02615](#)

PETITION: CUP 02615
APPLICANT: HANEYS TAVERN LLC
LOCATION: 8310 STAGECOACH ROAD, SECTION 11, TOWN OF CROSS PLAINS
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

In support: Jill Riley

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions for all Conditional Use Permits:

- 1. Any conditions required for specific uses listed under s. 10.103.**
- 2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
- 3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.**
- 4. 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 zoning administrator upon request.**
- 5. 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 zoning administrator upon request.**
- 6. 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.**
- 7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.**
- 8. Off-street parking must be provided, consistent with s. 10.102(8).**
- 9. If the 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.**
- 10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.**
- 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.**

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[02616](#)

PETITION: CUP 02616
APPLICANT: CHRISTINA AND MICHAEL RYAN
LOCATION: 124 MAIN STREET, SECTION 26, TOWN OF BLACK EARTH
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

In support: Christina Ryan, Dylan Helmenstine

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions for all Conditional Use Permits:

- 1. Any conditions required for specific uses listed under s. 10.103.**
 - 2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
 - 3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.**
 - 4. 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 zoning administrator upon request.**
 - 5. 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 zoning administrator upon request.**
 - 6. 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.**
 - 7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.**
 - 8. Off-street parking must be provided, consistent with s. 10.102(8).**
 - 9. If the 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.**
 - 10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.**
 - 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.**
- Conditions specific to CUP #2616:**
- 13. The rental shall be limited to 6 overnight guests as requested in the**

application.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[02617](#)

PETITION: CUP 02617
APPLICANT: MATT KIRT
LOCATION: 1794 SCHUSTER ROAD, SECTION 31, TOWN OF DUNN
CUP DESCRIPTION: limited family business - contractor

In support: Matt Kirt

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions that apply to all conditional uses from s.10.101(7):

- 1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
- 2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the 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 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 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 must be provided, consistent with s. 10.102(8).**
- 8. If the 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 Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to 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 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.**
- 11. 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 a reasonable opportunity to correct any violations prior to revocation.**

Conditions Specific to CUP 2617:

12. Hours of business operation shall be limited to 8:00 am to 5:00 pm, Monday through Friday.
13. No employees may conduct work at the property. The number of employees at the property is limited to no more than two part-time employees. Employees that visit the property shall be limited to infrequent visits of short duration to pick up a truck or trailer that is taken to the job site.
14. No new lighting for the business may be placed on the buildings or on the property. The existing motion lights on the outbuildings are allowed, so long as they do not shine directly on neighboring residences.
15. Trash and recycling collection and bins for the business shall be limited to a 1 to 3 yard dumpster, in addition to the service that is provided by the Town's contracted trash and recycling vendor.
16. Business-related vehicles, equipment, and materials must be stored indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings). Activities related to the limited family business must be conducted indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings).
17. Vehicle and equipment storage for the business cannot exceed more than 2 passenger trucks, 2 dump trailers, 1 box truck, 2 box trailers, 1 flat deck trailer, and one skid steer.
18. Work related to the concrete business cannot be conducted at the property. Occasional light mechanical work on, and cleaning and maintenance of, the passenger trucks, trailers, skid steer, or business equipment is allowed, but must take place indoors.
19. No sanitary fixtures or human habitation is allowed in the accessory buildings.
20. Noise related to limited family business is limited to 60 dBA measured at the property line. For a period of a total of 10 minutes per day, decibel levels may reach 100 dBA between 9 am to 5 pm.
21. Customers or clients are not allowed to come to the property for activities related to the limited family business.
22. Should any hazardous, flammable, or explosive materials be stored on the property, they must be stored indoors and according to Occupational Safety and Health Administration (OSHA) and National Fire Protection Association (NFPA) standards. There may be no industrial or manufacturing uses on the property. Any water discharge to the ground must be composed entirely of storm water. Hazardous, toxic, or explosive materials must be disposed of offsite.
23. No business signage is allowed.
24. The CUP shall automatically expire on the sale of the property or the business to an unrelated third party.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[02618](#)

PETITION: CUP 02618
APPLICANT: SEVERSON RIDGE LAND LLC (DAVID DYBDAHL JR)
LOCATION: 4200 BLUE MOUNDS TRAIL, SECTION 16, TOWN OF VERMONT
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

In support: David Dybdahl

A motion was made by KRONING, seconded by BOLLIG, that the Conditional Use Permit be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02619](#)

PETITION: CUP 02619
APPLICANT: FOX LIVING TR (TAMMY FOX)
LOCATION: 370 LAKE SHORE DRIVE, SECTION 25, TOWN OF ALBION
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

In support: Tammy Fox

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions that apply to all conditional uses from s.10.101(7):

- 1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
 - 2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the 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 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 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 must be provided, consistent with s. 10.102(8).**
 - 8. If the 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 Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to 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 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.**
 - 11. 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.**
- Conditions specific to CUP # 2619:**
- 12. The rental shall be limited to 6 overnight guests as requested in the**

application.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02620](#)

PETITION: CUP 02620
APPLICANT: ROBERT C & LINDA A CATES LIVING TR
LOCATION: 3150 WAUCHEETA TRAIL, SECTION 5, TOWN OF DUNN
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

In support: Linda Cates, Michael Wussow

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions that apply to all conditional uses from s.10.101(7):

- 1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
 - 2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the 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 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 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 must be provided, consistent with s. 10.102(8).**
 - 8. If the 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 Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to 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 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.**
 - 11. 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.**
- Conditions Specific to CUP #2620:**
- 12. The short-term rental period shall be between a minimum of 7 days to a**

maximum of 29 days.

13. The maximum number of allowable rental days within a 365-day period is 180 days. This 180 day period must run consecutively. The landowner must notify the Town of Dunn Clerk in writing when the first rental within a 365-day period begins.

14. There shall be no advertising that is inconsistent with Condition #1 and Condition #2. Advertisements must be consistent with Condition #1 and Condition #2 prior to the issuance of a Conditional Use Permit.

15. Applicant shall not advertise for, nor accept reservations for, more than 10 guests over 11 years old and no more than 14 total guests

16. Applicant shall designate off-street parking spaces for renters on the property and limit the number of renter vehicles, trailers, and recreational items not to exceed the number of parking spaces the operator provides.

17. Parking space limit shall appear in all advertising for the short-term rental.

18. Any external lighting shall be restricted to safety lights at the entrance and exits of buildings. Lighting must be dark skies compliant and no light shall spill over neighboring property line.

19. Holder of the CUP is required to obtain all necessary local, county, state, and federal permits and licenses related to the transient and tourist lodging operation.

20. The applicant shall provide a phone number to neighbors within 300 feet, which can be reached if there is a problem at the property.

21. The CUP will terminate when the property is sold.

22. House rules being updated to require parking on the property and not on the road, prohibiting firearms, and prohibiting fireworks.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

02621

PETITION: CUP 02621

APPLICANT: ROCK CROP LLC

LOCATION: 5626 COUNTY HWY V, SECTION 16, TOWN OF VIENNA

CUP DESCRIPTION: 10.222(3)(d) temporary concrete batch plant for public road projects

In support: Dustin Gradel, Pat Cadigan

In opposition: David Lynch

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be postponed due to public opposition (with direction for staff to confirm the person who submitted public comments is opposed). The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

02622

PETITION: CUP 02622

APPLICANT: DANIEL L GAULRAPP

LOCATION: SOUTH OF 3316 ELVEHJEM RD, SECTION 12, TOWN OF DUNN

CUP DESCRIPTION: 170' self-support communication tower with 3' lightning rod

In support: Derek McGrew, Jake Remington

In opposition: Tom Glaeser

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02623](#)

PETITION: CUP 02623
APPLICANT: PETER J SPEROPULOS
LOCATION: 5043 OAK PARK RD, SECTION 29, TOWN OF MEDINA
CUP DESCRIPTION: accessory building over 12 feet in height

In support: Peter Speropulos

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be approved with conditions based on a finding of fact that the proposal meets the CUP standards. The motion carried by the following vote: 5-0.

Standard Conditions for all Conditional Use Permits from 10.101(7):

- 1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.**
- 2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the 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 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 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 must be provided, consistent with s. 10.102(8).**
- 8. If the 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 Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to 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 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.**
- 11. 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.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

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

G. Plats and Certified Survey Maps

[2024 LD-008](#) Certified Survey Map - William & Debra Glenn
Town of Dane

A motion was made by BOLLIG, seconded by KRONING, that the Land Division Waiver be approved. The motion carried by the following vote: 5-0.

Approval of the Land Division Waiver to allow both lots to be created by Certified Survey Map with no public road frontage as required by DCCO 75.19(6)(b).

Findings of fact: The original parcel does not currently have public road frontage and a shared access easement will be continued to allow for access to the adjoining properties.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024 LD-005](#) Preliminary Plat - Timber Lane Preserve
Town of Middleton
Staff recommends conditional approval

A motion was made by KRONING, seconded by BOLLIG, that the preliminary plat be approved with conditions. The motion carried by the following vote: 5-0.

1. Compliance with the Dane County Comprehensive Plan is to be established.
2. Utility easements are to be provided.
 - Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines
3. Comments from the Town of Middleton are to be recognized:
 - Conditionally approved on May 20, 2024.
4. Comments from the Dane County Surveyor are to be satisfied:
 - No comments
5. Comments from the Dane County Public Health department are to be satisfied:
 - Public Health has no concerns with this preliminary plat.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024 LD-006](#) Preliminary Plat - Riverside Vista
Town of Verona
Staff recommends conditional approval

A motion was made by **BOLLIG**, seconded by **KRONING**, that the Land Division be approved with conditions. The motion carried by the following vote: 5-0.

1. Rezone Petition #12015 is to become effective and all conditions established are to be timely satisfied. (County Board approved the Petition on April 4, 2024)
 - Recording of a Plat
2. Utility easements are to be provided.
 - Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines.
3. All public land dedications are to be clearly designated Dedicated to the Public.
4. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Verona.
5. All street names shall be consistent with chapter 76 of the Dane County Ordinances.
 - Approval of road name is pending by County Surveyor.
6. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established, prior to any land disturbance.
7. Compliance with Ch. 14.46 DCCO, Stormwater Control Permit is to be established, prior to any land disturbance
8. Comments from the Dane County Public Health department are to be satisfied:
 - Public Health has no immediate concerns on the proposed plat. No soil test reports have been received so no comment can be made at this time about availability of private well and septic.
 - Dane County requires that any soil test used to determine the design of a POWTS must be verified in the field by one of my staff. There also needs to be at least 3 borings per proposed parcel. There is not enough in the initial report to make any determinations on. At this point it will be the responsibility of the owner and developer to identify suitable wastewater disposal systems for these lots.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024 LD-007](#) Preliminary Plat - Mount Vernon Hills
Town of Springdale

Staff recommends accepting and conditionally approving the preliminary plat.

A motion was made by BOLLIG, seconded by KRONING, that the Land Division be accepted and approved with conditions. The motion carried by the following vote: 5-0.

1. Rezone Petition #12042 is to become effective and all conditions are to be satisfied prior to the recording of the plat. (County Board scheduled to take up the Petition on June 20, 2024)

- A deed restriction shall be recorded on the balance of the property remaining in AT-35 (tax parcels 060734490020, 060734485008, 060734380611, 060734380022, 060734328508, 060734326206, 060734310991, 060734295017, 060734283119, and 060734190611) stating the following:

1. Further residential/nonfarm development is prohibited on the remaining AT-35 zoned land. The housing density rights for the former Louis H. and Cynthia A. Heitke farm have been exhausted per the Town Comprehensive Plan density policies.

- The applicant shall submit a preliminary plat and final plat for the proposed lots to Dane County for review and approval, and shall record the final plat with the Dane County Register of Deeds.

- The rezone will not become effective until a final plat is approved and fully executed by the Town of Springdale.

- The subdivision plat shall restrict access onto County Highway G subject to Dane County Highway requirements.

2. All public land dedications are to be clearly designated “dedicated to the public.”

- No public dedications shown.

3. Comments from the Public Health department are to be recognized:

- No comments or concerns – 9.06.23

4. Comments from the Highway department are to be recognized:

- CTH G is a controlled access highway.

- Preliminary Plat Lot 1, 2, and 3: No access to be designated (visually shown) across the frontage of CTH G along Lot 1, 2, and 3.

- Access easement required through Lot 1 and 2 to access Lot 2 and 3.

- Right of way appears to be correct.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

H. Resolutions

I. Ordinance Amendment

J. Items Requiring Committee Action

K. Reports to Committee

L. Other Business Authorized by Law

M. Adjourn

A motion was made by BOLLIG, seconded by RITT, to adjourn the meeting at 8:46 PM. The motion carried unanimously.