



Dane County

Minutes - Final Unless Amended by Committee

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.

Tuesday, September 16, 2025

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.

A. Call to Order

Chair DOOLAN called the September 16, 2025 Zoning and Land Regulation committee meeting to order at 6:31 PM.

Staff present: Everson, Holloway, Allan, Kollenbroich, Violante.

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.

Consideration of Minutes

[2025](#)
[MIN-269](#)

September 2, 2025 ZLR Committee Meeting Minutes

Attachments: [09-02-2025 ZLR Public Hearing Minutes](#)

A motion was made by KRONING, seconded by BOLLIG, to approve the September 2nd meeting minutes. The motion carried by the following vote: 5-0.

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

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

12192

PETITION: REZONE 12192
APPLICANT: WILL AND MELANY SADEK
LOCATION: 7791 COUNTY HIGHWAY Y, SECTION 7, TOWN OF DANE
CHANGE FROM: FP-1 Farmland Preservation District TO SFR-1 Single Family Residential District and SFR-2 Single Family Residential District
REASON: create one residential lot and reconfigure an existing residential lot

Attachments: [12192 Ord Amend](#)
[12192 Staff Report](#)
[12192 Town Action](#)
[12192 Density](#)
[12192 APP](#)
[12192 MAP](#)

In support: Will and Melany Sadek
Opposed: none

A motion was made by POSTLER, 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

12193

PETITION: REZONE 12193
APPLICANT: TOWN OF YORK (ON BEHALF OF MULTIPLE OWNERS)
LOCATION: MULTIPLE PARCELS, TOWN OF YORK (See application for specifics)
REASON: a town sponsored blanket rezone of multiple parcels to correct zoning map discrepancies

Attachments: [12193 Ord Amend](#)
[12193 Staff Report](#)
[12193 Town Action](#)
[12193 Parcel list and rationale](#)
[12193 APP](#)
[12193 MAPS](#)

In support: none
Opposed: none

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12195

PETITION: REZONE 12195

APPLICANT: DAVID & ROBYN GARFOOT

LOCATION: 8670 GARFOOT DRIVE, SECTION 10, TOWN OF PRIMROSE

CHANGE FROM: RR-4 Rural Residential District TO RM-8 Rural Mixed-Use District, FP-35 Farmland Preservation District TO RM-8 Rural Mixed-Use District, RR-2 Rural Residential District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District

REASON: expanding two existing residential lots

Attachments: [12195 Ord Amend](#)

[12195 Staff Report](#)

[12195 Town Action](#)

[12195 APP](#)

[12195 MAP](#)

In support: Jami Erickson

Opposed: none

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

- 1. The petition is amended to RR-8 for proposed Lot 1 (Erickson Trust lot).**
- 2. Final Certified Survey Map shall include hatching indicating no further residential development is permitted on portions of the property as shown on the draft CSM dated June 9, 2025 and submitted with the rezoning application.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

12196

PETITION: REZONE 12196
APPLICANT: OLSEN TRUST
LOCATION: 6466 SUNSET DRIVE, SECTION 36, TOWN OF VERONA
CHANGE FROM: RR-2 Rural Residential District TO MFR-08 Multi-Family Residential District
REASON: creating a condominium plat for 4 single-family homes

Attachments: [12196 Ord Amend](#)
[12196 Staff Report](#)
[12196 Town Action](#)
[12196 APP](#)
[12196 MAP](#)

In support: Brett Stoffregan
Neither support nor oppose: Brianna Rung

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

- 1. A condominium plat shall be recorded with the Register of Deeds. The plat shall be the design as submitted to the Zoning and Land Regulation Committee for Rezone petition #12196.**
- 2. A condominium declaration shall be recorded with the Register of Deeds. The declaration shall be subject to County Staff and Town of Verona approval prior to recording.**
- 3. A deed restriction shall be recorded with the Register of Deeds that:**
 - a. The Condominium Plat is limited to a maximum of 4 units; no unit area being smaller than 3 acres.**
 - b. Each unit of the Condominium plat shall be limited to no more than one detached, single family residence.**
 - c. All buildings constructed on the property must be within the setback area identified in the condominium plat.**
 - d. One common area for the shared driveway will be provided as part of the Condominium Plat.**

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

12197

PETITION: REZONE 12197

APPLICANT: RICHARD A ANDERSON

LOCATION: SOUTH OF 4551 PLEASANT VALLEY ROAD, SECTION 8, TOWN OF VERMONT

CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District

REASON: creating ~~four~~ three residential lots

Attachments: [12197 Ord Amend](#)

[12197 Staff Report](#)

[12197 Town Action](#)

[12197 VERMONT Density Study](#)

[12197 APP rev](#)

[12197 MAP](#)

In support: Richard Anderson

Opposed: none

A motion was made by KRONING, seconded by POSTLER, 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 the three CSM lots stating the following:

a. No development shall take place until such time as the landowner obtains development approval from the Town of Vermont. The approvals include site development, driveway placement, and ridge-top protection compliance. No zoning permit or building permit shall be obtained until such time as Town development approvals are granted.

2. A deed restriction shall be recorded on the remaining FP-35 land (current tax parcel 0706-081-8600-0) stating the following:

a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Robert and Ellen Wright farm have been exhausted per the Town Comprehensive Plan density policies.

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

12198

PETITION: REZONE 12198

APPLICANT: LAWRENCE & ELIZABETH HAACK

LOCATION: 9210 BRAUN ROAD, SECTION 17, TOWN OF CROSS PLAINS

CHANGE FROM: SFR-08 Single Family Residential District TO RR-1 Rural Residential District,
FP-35 Farmland Preservation District TO RR-1 Rural Residential District

REASON: shifting of property lines between adjacent land owners

Attachments: [12198 Ord Amend](#)

[12198 Staff Report](#)

[12198 Town Action](#)

[12198 Town action - Town Board meeting minutes](#)

[12198 APP](#)

[12198 MAP](#)

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

02673

PETITION: CUP 02673

APPLICANT: VOLENBERG REV TR, JOAN L

LOCATION: 2315 COUNTY HIGHWAY W, SECTION 19, TOWN OF CHRISTIANA

CUP DESCRIPTION: Extend existing CUP (CUP #2333) for non-metallic mineral extraction

Attachments: [CUP #2673](#)

[CUP 2673 Staff Report](#)

[CUP 2673 Town Action](#)

[CUP 2673 Site plan](#)

[CUP 2673 APP](#)

[CUP 2673 MAP](#)

In support: Dennis Richardson

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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, operational plan, phasing plan, and following conditions.
- 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 the approved location identified in the site plan and operations plan.
- 7) Township roads shall not be used for hauling to or from the site, either empty or full, unless the applicant or customers are serving a resident/business on the township roads. All other use of town roads requires Town Board approval.
- 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 must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved 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.

12) 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.

13) 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.

14) Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter 74, Dane County Code, from the area of operation shall be saved and stored on site for reclamation of the area. Topsoil or approved topsoil substitute must be returned to the top layer of fill resulting from reclamation.

15) The applicant shall submit an erosion control plan under Chapter 14, Dane County Code covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.

16) The permit period shall be ten (10) years from effective date.

17) Reclamation shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances. In addition, all reclamation plans must meet the following standards:

a) Final land uses after reclamation must be consistent with any applicable town comprehensive plan, the Dane County Comprehensive Plan and the Dane County Farmland Preservation Plan.

b) Final slopes shall not be graded more than 3:1 except in a quarry operation.

c) The area shall be covered with topsoil and seeded to prevent erosion.

d) The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County

e) Highwalls shall be free from falling debris, be benched at the top, and certified by a civil engineer to be stable.

18) Solid waste dumping is prohibited.

19) The driveway accessing the subject site shall either be paved or covered with crushed asphalt for a minimum distance of 100 feet from the public right-of-way. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.

20) The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."

21) All surface and subsurface operations shall be setback a minimum of 20' from property lines that do not abut a public right of way. Operations shall adhere to the conditional use permit boundary as shown on the operation plan.

22) Excavations below the grade abutting of Washington and Koshkonong Road shall be setback 30 feet from the property line and 42 feet from County Highway

W right-of-way line.

23) Subject to State Statute 66.0441(3)(c), hours of operation shall be 6:00 a.m. to 6:00 p.m. Monday through Saturday. There shall be no operations of any kind on Sundays and holidays. Holidays are to include: New Year's Eve, New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day.

24) There shall be a safety fence around the entire extraction area at all times. That safety fence shall be a minimum of 4 feet in height.

25) Any water pumped off-site shall be in accordance with Wisconsin DNR Stormwater Discharge requirements. There shall be no dewatering of groundwater from the site for operations below the water table.

26) The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.

27) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076, Wisconsin Administrative Code.

28) Dane County and the Town shall be listed as additional named insureds on the operator's liability insurance policy, which shall be for a minimum of \$1,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations commence. The liability insurance policy shall remain in effect until reclamation is complete.

29) Blasting:

a) Blasting shall be limited to 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. Monday through Friday. No blasting shall occur on weekends or holidays.

b) Notice of Blasting Events. Prior to any blasting event, notice shall be provided to nearby residents as described in SPS 307, Wisconsin Administrative Code. In addition, the operator shall maintain a list of residents within ¼ mile of the site who wish to be notified of blasts. Residents need to communicate with operator regarding such requests.

c) All blasting on the site must conform to all requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.

d) Fly rock shall be contained within the permitted mineral extraction area.

30) Any fuel storage on-site shall comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment. All excavation equipment and vehicles shall be fueled, stored, serviced, and repaired on lands at least 3 feet above the highest water table elevation to prevent against groundwater contamination from leaks or spills.

31) In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

32) This CUP is limited to RG Huston only. CUP #2673 is non-transferrable to a different operator.

33) Berms and landscaping shall be established and maintained.

34) Noise Limitation shall not exceed 75 decibels at a point 100 feet away from the property line. The decibel level shall be measured in DbA for average over a 15-minute period.

35) Back-up alarms - The on-site traffic flow shall be designated to establish minimal backing up of vehicular traffic during normal work operations. Whenever possible, the operator shall utilize alternatives to standard backup beeps, for instance, those making a sweeping sound if approved by MSHA.

36) Engine breaking is prohibited for all vehicles either entering, leaving or driving onsite.

37) The Town of Christiana may request documentation of any Dane County inspections and permit renewals.

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

02674

PETITION: CUP 02674
APPLICANT: DENNIS AND BEVERLY SMITHBACK
LOCATION: 575 LONDON RD, SECTION 27, TOWN OF DEERFIELD
CUP DESCRIPTION: limited family business (tattoo parlor)

Attachments: [CUP #2674](#)

[CUP 2674 Staff Report](#)

[CUP 2674 Town Action](#)

[CUP 2674 APP](#)

[CUP 2674 MAP](#)

In support: Dennis Smithback

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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.

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

1. Any conditions required for specific uses listed under s. 10.103 (see below).
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 # 2674:

13. The business shall be limited to a tattoo parlor.

14. Hours of operation shall be from 8 am to 10 pm

15. The parking of vehicles is prohibited on London Road.

16. Before operating, the tattoo parlor shall obtain all necessary permits and licenses from Dane County Public Health and the State of Wisconsin.

17. The sanitary for the bathroom in the accessory building must connect to an approved/permitted sanitary system. Sanitary fixtures must be removed when the limited family business ceases to operate or the CUP terminates.

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

19. Human habitation is not allowed in the accessory building.

20. Any sign for the tattoo parlor must be unlit and comply with section 10.800 of Dane County Ordinances.

21. The conditional use permit shall become null and void upon the sale of the property or the tattoo business to an unrelated third party.

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

02675

PETITION: CUP 02675
APPLICANT: STEPHEN & MARY TILTON TR
LOCATION: 120 AARBACK ROAD, SECTION 1, TOWN OF ALBION
CUP DESCRIPTION: property maintenance shed

Attachments: [CUP #2675](#)

[CUP 2675 Staff Report](#)

[CUP 2675 Town Action](#)

[CUP 2675 APP](#)

[CUP 2675 MAP](#)

In support: Stephen Tilton

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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. Any conditions required for specific uses listed under s. 10.103 (none).
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

02676

PETITION: CUP 02676
APPLICANT: STEVEN AND JOAN ZIEGLER
LOCATION: 4772 CAPITOL VIEW RD, SECTION 4, TOWN OF MIDDLETON
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

Attachments: [CUP #2676](#)
[CUP 2676 Staff Report](#)
[CUP 2676 Town Action](#)
[CUP 2676 Rental House Rules](#)
[CUP 2676 APP](#)
[CUP 2676 MAP](#)

In Support: Steve Ziegler
Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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.

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

1. Any conditions required for specific uses listed under s. 10.103 (see below).
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 # 2676 (Town conditions):

13. The Conditional Use Permit (CUP) approval is for Steve Ziegler and/or Joan Ziegler and limited to parcel number 038/0708-041-8650-0, also known as 4772 Capitol View Road.

14. This Conditional Use Permit shall expire three (3) years after the effective date. Owner-applicants may renew the CUP by successfully obtaining a new CUP prior to the expiration date.

15. 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.

16. If the transient or tourist lodging operation is abandoned for one year or more, this conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

17. Failure to comply with any imposed conditions, or to pay reasonable Town/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 the revocation.

18. The owner-applicants shall comply with all licensing and permitting requirements for short-term rentals, including the owner-applicants applying for, obtaining, and maintaining an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health plus providing the annual water test sample (bacteriology/coliform) required by said lodging rental license.

19. The rental shall be limited to six (6) overnight renters unless the onsite wastewater sewage disposal system is approved for a greater amount, in which case the rental shall be limited to the amount approved for the onsite wastewater sewage disposal system up to a maximum of eight (8) overnight renters. Use of the property, including rental, shall be in full compliance with the sanitary permit for the property.

20. A maximum of twelve (12) people may be on premises (for gatherings, etc.)

21. The maximum number of allowable rental days within a 365-day period is 365 days. The landowner must notify the Town Clerk in writing when the first rental within a 365-day period begins.

22. Quiet hours shall be 10:00pm to 8:00am, all days of the week.

23. Fireworks are prohibited.

24. The owner or their designated emergency contact person shall be available within one (1) hour to address any problems.

25. Emergency contact information shall be provided to the neighbors, the Town of Middleton, and Dane County Zoning Division.

26. The owner or operator shall provide the Town of Middleton Clerk with a copy of the current rental agreement and house rules no later than the date of issuance of the CUP. In the event the agreement is modified in any manner, the modified agreement must be provided to the Town of Middleton Clerk within ten (10) calendar days of the date the modified agreement is placed in use.

27. The rental period shall be a minimum of three (3) nights.

28. Regarding off-street parking, all vehicles shall be parked on the driveway surface or inside the existing attached two-car garage, and maintain adequate access for emergency vehicles. Street parking shall not be permitted.

29. Trees in the existing vision corner for the driveway shall be trimmed to provide clear vision to a height of 8' feet from the ground.

30. That the CUP materials shall be reviewed by the Attorney for the Town.

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

[02677](#)

PETITION: CUP 02677

APPLICANT: SHANE BAKKEN

LOCATION: 2551 DOOR CREEK ROAD, SECTION 18, TOWN OF PLEASANT SPRINGS

CUP DESCRIPTION: limited family business (excavating contractor)

Attachments: [CUP #2677](#)

[CUP 2677 Staff Report](#)

[CUP 2677 Town Action](#)

[CUP 2677 Site Plan](#)

[CUP 2677 MAP](#)

[CUP 2677 - March 2025 violation letter](#)

[CUP 2677 APP](#)

In support: Shane Bakken

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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.

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

1. Any conditions required for specific uses listed under s. 10.103 (see below).
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 applicable to Limited Family Businesses per 10.103(12):

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. Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings. The design and size of the structures is subject to conditions set forth in the conditional use permit.

15. Sanitary fixtures in the building are prohibited.

16. 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, POSTLER and RITT

02678

PETITION: CUP 02678

APPLICANT: KYLE R HERRITZ

LOCATION: 2001 RATHERT RD, SECTION 11, TOWN OF COTTAGE GROVE

CUP DESCRIPTION: accessory building over 12 feet in average height

Attachments: [CUP #2678](#)

[CUP 2678 Staff Report](#)

[CUP 2678 Town Action](#)

[CUP 2678 APP](#)

[CUP 2678 MAP](#)

In support: Kyle Herritz

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal 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. Any conditions required for specific uses listed under s. 10.103 (none).
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

02679

PETITION: CUP 02679
APPLICANT: GOBEL DAIRY LLC
LOCATION: 7263 COUNTY HIGHWAY A, SECTION 16, TOWN OF MONTROSE
CUP DESCRIPTION: two new farm residences

Attachments: [CUP #2679](#)

[CUP 2679 Staff Report](#)

[CUP 2679 Town Action](#)

[CUP 2683 Density Study](#)

[CUP 2679 Density Study](#)

[CUP 2679 APP](#)

[CUP 2679 MAP](#)

Bollig was excused at 7:15pm

In Support: Justin Gobel

Opposed: none

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 4-0-1.

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

- 1. Any conditions required for specific uses listed under s. 10.103 (see below).**
- 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 # 2679:

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 this section. Continued use of 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 Zoning Committee shall require the recording of a notice document with the Register of Deeds on the subject property notifying current and future owners of the provisions of conditions #13 and #14 above.

16. CUP would become invalid if Gobel Dairy LLC goes out of business or undergoes a name change. If the CUP becomes invalid, the homes would need to be removed unless there is a timely application for a new CUP or a request to rezone and create new residential lots for the homes.

17. Under this CUP, occupancy of the 2 farm residences is limited to the following:

- a. A person who is both the owner and farm operator of the farm.
- b. A parent or child of the owner and farm operator of the farm.
- c. An individual who earns more than 50 percent of his or her gross income from the farm.
- d. Total occupancy for each residence shall be limited to (a) any number of individuals related by blood, adoption, foster care, domestic partnership or marriage, or (b) no more than five unrelated individuals.

Ayes: 4 - DOOLAN, KRONING, POSTLER and RITT

Absent: 1 - BOLLIG

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

12167

PETITION: REZONE 12167

APPLICANT: STEVEN AND SUSAN WEINBERGER

LOCATION: NORTH OF 1612 HILLSIDE RD, SECTION 35, TOWN OF CHRISTIANA

CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural Residential District

REASON: rezone an existing lot for residential use using transfer of development rights

Attachments: [12167 Ord Amend](#)

[12167 Staff Update](#)

[12167 Town Action](#)

[12167 Density Study \(updated TDR sending property\)](#)

[12167 MAP](#)

[12167 APP rev](#)

Bollig returned at 7:19pm

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

1. The TDR-R (Transfer of Development Rights-Receiving) overlay zoning district shall be applied to the proposed RR-2 receiving parcel (lot 2, CSM 11701).
2. A deed notice document shall be recorded on the proposed RR-2 parcel indicating the lot was created by a transfer of development rights and that no further land divisions are permitted under comprehensive plan policies (lot 2, CSM 11701).
3. Owner of the TDR sending property (Skaar Family Trust) shall record an agricultural conservation easement acknowledging the transfer of one development right and prohibiting nonfarm development on a minimum of 35 acres from tax parcel 0612-173-8000-9 (NE 1/4 of the SW 1/4, Section 17, Township 6 North, Range 12 East, Town of Christiana).
4. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcel 0612-173-8000-9).

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

F. Plats and Certified Survey Maps

[2025 LD-007](#) Sugar River Vista - Final Plat
Town of Verona
Consideration of the July 8, 2025 conditional approval and execution of the plat pursuant to established committee policy.
Staff recommends the chairperson to sign and date the final plat and proceed with recording.

Attachments: [conditions](#)

[SRV - Final Plat 2025-06-10](#)

[12045 Staff Update](#)

A motion was made by KRONING, seconded by POSTLER, consideration of the July 8, 2025 conditional approval and execution of the final plat pursuant to established committee policy. The motion carried by the following vote: 5-0. Chair DOOLAN signed the final plat.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG to adjourn the meeting at 7:24 PM. The motion carried unanimously.