



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, January 28, 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 January 28, 2025 Zoning and Land Regulation Committee meeting to order at 6:31 PM.

Staff present: Violante, Lane, Holloway, Everson, Hilbert, Allan, and McCallum.

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-476](#)

January 28th ZLR Committee meeting registrants

Attachments: [January 28th ZLR registrations](#)

C. Consideration of Minutes

[2024
MIN-383](#)

January 14, 2025 ZLR Committee Meeting Minutes

Attachments: [01-14-2025 ZLR Work Meeting Minutes](#)

A motion was made by KRONING that the Minutes be approved. 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

12125

PETITION: REZONE 12125
APPLICANT: ADAM AND NICOLE CARRICO
LOCATION: 8177 COUNTY HIGHWAY G, SECTION 25, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District and RR-2 Rural Residential District TO
RM-16 Rural Mixed-Use District
REASON: combining three tax parcels into one lot with a single zoning district

Attachments: [12125 Ord Amend](#)
[12125 Staff Report](#)
[12125 Town Action](#)
[12125 APP](#)
[12125 MAP](#)

In support: Adam Carrico

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. The applicant records a deed restriction prohibiting further subdivision of the lot.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12126](#)

PETITION: REZONE 12126
APPLICANT: TIMOTHY & DIANE HAAK
LOCATION: 170 FEET WEST OF 5337 LINCOLN ROAD, SECTION 15, TOWN OF OREGON
CHANGE FROM: AT-35 Agriculture Transition District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [12126 Ord Amend](#)

[12126 Staff Report](#)

[12126 Town Action](#)

[12126 Density](#)

[12126 APP](#)

[12126 MAP](#)

In support: Diane Haak, Nicole Haak

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

1. Applicants shall record a deed restriction on the balance of FP-35 zoned land prohibiting further nonfarm residential development (tax parcel # 0509-151-8501-0), as the development rights on the original Arden & Ethel Denton farm have been exhausted.

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

12127

PETITION: REZONE 12127
APPLICANT: DALE & CINDY VETHE
LOCATION: WEST OF 510 COUNTY HWY A, SECTION 35, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: create one residential lot - transfer of development right

- Attachments:** [12127 Ord Amend](#)
[12127 Staff Report](#)
[12127 Town Action](#)
[12127 Density Study \(Gunnulson TDR sending property\)](#)
[12127 APP](#)
[12127 MAP](#)

In support: Dale Vethe

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. The TDR-R (Transfer of Development Rights-Receiving) overlay zoning district shall be applied to the proposed 2-acre RR-2 receiving parcel (proposed Certified Survey Map lot 1).**
- 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 (proposed Certified Survey Map lot 1).**
- 3. Owner of the TDR sending property (Gunnulson) shall record a deed restriction acknowledging the transfer of one development right and prohibiting division or further development on the following described 35 acres: The East 5 acres of the SW ¼ of the NE ¼, Section 34, Town 6 North, Range 12 East AND the West 30 acres of the SE ¼ of the NE ¼, Section 34, Town 6 North, Range 12, Town of Christiana, Dane County, Wisconsin (tax parcels 0612-341-9000-3 and 0612-341-9500-8).**
- 4. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcel 0612-341-9000-3 and part of tax parcel 0612-341-9500-8).**

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

[12128](#)

PETITION: REZONE 12128
APPLICANT: ROGER AND LYNN KORFMACHER
LOCATION: SOUTH OF 2896 FEMRITE DR, SECTION 29, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District and NR-C Natural Resource
Conservation District TO FP-1 Farmland Preservation District
REASON: create two agricultural lots

Attachments: [12128 Ord Amend](#)
[12128 Staff Report](#)
[12128 Town Action](#)
[12128 Density Study](#)
[12128 APP](#)
[12128 MAP](#)

In support: Brian Korfmacher

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 FP-1 lands may be divided into either two or three agricultural lots via certified survey map, subject to approval by the Town of Cottage Grove.**
- 2. The certified survey map shall be recorded within 180 days, an extended delayed effective date to allow additional time for the land surveying.**

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

[12129](#)

PETITION: REZONE 12129 - **WITHDRAWN**
APPLICANT: HINCHLEY REVOCABLE TRUST (C/O VANGUARD RENEWABLES)
LOCATION: 1000 FEET WEST OF 600 COUNTY HWY PQ, SECTION 10, TOWN OF
CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO FP-B Farmland Preservation
Business District
REASON: change zoning to allow for an anaerobic digester - agricultural related use

Attachments: [12129 APP - WITHDRAWN](#)
[12129 MAP](#)
[12129 Email withdrawing petition](#)

No action taken by Committee.

[12130](#)

PETITION: REZONE 12130
APPLICANT: FRED & LINDA MARCH
LOCATION: 1952 BARBER DRIVE, SECTION 26, TOWN OF DUNN
CHANGE FROM: MFR-08 Multi-Family Residential District TO SFR-08 Single Family Residential District
REASON: combine parcels to create one residential lot for an existing residence.

Attachments: [12130 Ord Amend](#)
[12130 Staff Report](#)
[12130 Town Action](#)
[12130 APP](#)
[12130 MAP](#)

In support: Gary Auerswald, Fred March

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

[12131](#)

PETITION: REZONE 12131
APPLICANT: DIANE E ERB
LOCATION: NORTH OF 1378 SUTTER RD, SECTION 2, TOWN OF PERRY
CHANGE FROM: FP-35 Farmland Preservation District TO RM-8 Rural Mixed-Use District and RR-2 Rural Residential District
REASON: create three residential lots

Attachments: [12131 Staff Report](#)
[12131 Density study](#)
[12131 APP](#)
[12131 MAP](#)

A motion was made by KRONING, seconded by BOLLIG, that the Zoning Petition be postponed due to no town action at this time. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12132](#)

PETITION: REZONE 12132
APPLICANT: KARIN & RUDELLE MEYER
LOCATION: 5631 HODGSON ROAD, SECTION 18, TOWN OF MAZOMANIE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-4 Rural Residential District, RR-4 Rural Residential District TO RM-16 Rural Mixed-Use District
REASON: shifting of property lines between adjacent land owners

Attachments: [12132 Ord Amend](#)
[12132 Staff Report](#)
[12132 Town Action](#)
[12132 APP](#)
[12132 MAP](#)

In support: Bruce Hill

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

[12134](#)

PETITION: REZONE 12134
APPLICANT: MARY RAUTMANN AND MARC MORRICK (C/O JENNY DELORME)
LOCATION: SOUTH OF 539 COUNTY HIGHWAY PB, SECTION 28, TOWN OF MONTROSE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating one residential lot

Attachments: [12134 Ord Amend](#)
[12134 Staff Report](#)
[12134 Town Action](#)
[12134 Density](#)
[12134 APP](#)
[12134 MAP](#)

In support: Jennifer DeLorme, Heidi Delorme, Ed Short

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

1. Applicants shall record a Shared Driveway Agreement and Ingress/Egress easement.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12135](#)

PETITION: REZONE 12135
APPLICANT: LEE AND JUSTINE HELLENBRAND
LOCATION: 6200 COUNTY HIGHWAY TT, SECTION 5, TOWN OF MEDINA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District and
FP-1 Farmland Preservation District
REASON: separate existing residence and non-tillable land from the farm on one residential
lot and two agricultural lots

Attachments: [12135 Ord Amend](#)

[12135 Staff Report](#)

[12135 Town Action](#)

[12135 APP](#)

[12135 MAP](#)

In support: Justine Hellenbrand

**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.**

**1. The applicant shall record a deed restriction on Lots 1 & 2 to tie the lots
together under common ownership and prevent them from being sold separately.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12136](#)

PETITION: REZONE 12136
APPLICANT: STEVEN M AND PAUL C WOLFE
LOCATION: CTH V WEST OF STH 73, SECTION 9, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District
REASON: creating one residential lot

- Attachments:** [12136 Ord Amend](#)
[12136 Staff Report](#)
[12136 Town Action](#)
[12136 Density Study receiving property](#)
[12136 Density Study sending property](#)
[12136 APP](#)
[12136 MAP](#)

In support: Tyler Wilkinson

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.

- 1. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the proposed residential lot.**
- 2. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcel 0912-091-9002-0).**
- 3. A deed notice shall be recorded on CSM Lot 1 that indicates it was created by a transfer of development rights.**
- 4. A deed restriction shall be recorded on tax parcel #0912-091-9002-0 stating the following:**
 - a. Further residential/nonfarm development is prohibited. The housing density rights on this portion of the original O.W. Hughes farm have been exhausted per the Town Comprehensive Plan density policies.**

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

02648

PETITION: CUP 02648
APPLICANT: PAOLI CHEESE FACTORY ASSOCIATION LLC
LOCATION: 6858 PAOLI ROAD, SECTION 2, TOWN OF MONTROSE
CUP DESCRIPTION: indoor entertainment or assembly, outdoor entertainment, and commercial indoor lodging

Attachments: [CUP 2648 Staff Report](#)
[CUP 2648 Town Action](#)
[CUP 2648 Site pics 2025-01-23](#)
[CUP 2648 Site Plans](#)
[CUP 2648 APP](#)
[CUP 2648 MAP](#)
[CUP #2648](#)

A motion was made by KRONING, seconded by BOLLIG, 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, including Town of Montrose alcohol licenses. 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 # 2648:
13. No more than the following number of people may be on the premises at any one time, associated with each specific use of the property:
 - a. Indoor commercial lodging (hotel), no more than 28 guests.
 - b. Indoor assembly, no more than 107 patrons total, consisting of the following:
 - i. Formal restaurant, no more than 60 patrons;
 - ii. Casual restaurant / café, no more than 15 patrons;
 - iii. Bar, no more than 32 patrons.
 - c. Outdoor entertainment, outdoor assembly, no more than 84 patrons or guests.
14. Hours of operation shall be limited to the following:
 - a. Hotel, 24 hours a day, 7 days a week.
 - b. Retail and café uses, 7:00 a.m. to 8:00 p.m., 7 days a week.
 - c. Formal restaurant and bar, 11:00 a.m. to 9:00 p.m., Wednesday through Sunday. The restaurant and bar will be closed on Monday and Tuesday.
15. The operation shall not employ more than 24 employees in total, with no more than 16 employees on the site at any one time.
16. At least 79 off-street parking spaces must be provided, consistent with s. 10.102(8).
17. Outdoor entertainment allows for music on Sunday through Thursday to end no later than 8:00pm, and on Friday and Saturday to end no later than 11:00pm.
18. This Conditional Use Permit will expire three years after the date of final approval. Continuance of covered activities after the expiration date requires approval of a new conditional use permit.
19. If there are complaints about the volume of the music, the town may require decibel restrictions with a new conditional use permit process.
20. The parking area in front of the building shall be striped for parallel parking only, no angled or 90-degree parking shall be allowed unless otherwise approved by the Dane County Highway Department.

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

[02649](#)

PETITION: CUP 02649 - **WITHDRAWN**
HINCHLEY REVOCABLE TRUST (C/O VANGUARD RENEWABLES)
LOCATION: 1000 FEET WEST OF 600 COUNTY HWY PQ, SECTION 10, TOWN OF
CHRISTIANA
CUP DESCRIPTION: Agriculture-related use - Anaerobic Digester

Attachments: [CUP 2649 APP - WITHDRAWN](#)
[CUP 2649 MAP](#)
[CUP 2649 Email withdrawing petition](#)

No action taken by Committee.

[2024 OA-023](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF
ORDINANCES, REGARDING THE REVIEW PROCESS FOR CONDITIONAL
USE PERMITS

Sponsors: DOOLAN, KRONING and POSTLER

Attachments: [OA 23 2024 Staff Memo](#)
[2024 OA-23](#)
[OA-023 Town Vote Tally Sheet \(as of 1-22-25\)](#)
[OA 23 Rutland Chair Statement of Concerns](#)
[OA 23 email - lgl](#)
[OA 23 email - lgl - 2](#)
[OA 23 email - Wood](#)

In opposition: Mary Knutson, Mary Celley, Robyn Wood, Tim Wood, Jodi Igl, Kent Knutson. Neither support or oppose: James Huycke.

A motion was made by KRONING, seconded by BOLLIG, that the Ordinance Amendment be postponed to allow townships to take action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024 OA-034](#) **AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF
ORDINANCES, UPDATING FLOOD INSURANCE STUDY PROVISIONS**

Sponsors: DOOLAN and KRONING

Attachments: [2024 OA-034](#)
[2024 OA-034 FISCAL NOTE](#)
[2024 OA-034 Proof of Publication](#)
[2024 OA-034 Staff Report](#)

Supervisor Ritt was excused at 7:38pm.

A motion was made by BOLLIG, seconded by KRONING, that the Ordinance Amendment be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,DOOLAN,KRONINGandPOSTLER

Excused: 1 - RITT

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

F. Plats and Certified Survey Maps

G. Resolutions

[2024
RES-288](#) PROVIDING OFFICIAL ENDORSEMENT FOR THE BEAD PROGRAM

Sponsors: GLAZER, POSTLER, ROSE and KRONING

Attachments: [2024 RES-288](#)

A motion was made by KRONING, seconded by POSTLER, that the Resolution be postponed to the February 11, 2025 Zoning & Land Regulation Committee meeting. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,DOOLAN,KRONINGandPOSTLER

Excused: 1 - RITT

H. Ordinance Amendment

[2024 OA-023](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING THE REVIEW PROCESS FOR CONDITIONAL USE PERMITS

Sponsors: DOOLAN, KRONING and POSTLER

Attachments: [OA 23 2024 Staff Memo](#)

[2024 OA-23](#)

[OA-023 Town Vote Tally Sheet \(as of 1-22-25\)](#)

[OA 23 Rutland Chair Statement of Concerns](#)

[OA 23 email - lgl](#)

[OA 23 email - lgl - 2](#)

[OA 23 email - Wood](#)

See action above.

[2024 OA-034](#) AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF ORDINANCES, UPDATING FLOOD INSURANCE STUDY PROVISIONS

Sponsors: DOOLAN and KRONING

Attachments: [2024 OA-034](#)

[2024 OA-034 FISCAL NOTE](#)

[2024 OA-034 Proof of Publication](#)

[2024 OA-034 Staff Report](#)

See action above.

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG that the meeting be adjourned at 7:51 PM. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,DOOLAN,KRONINGandPOSTLER

Excused: 1 - RITT