

Dane County



Minutes

Tuesday, November 23, 2021

6:30 PM

ZOOM Webinar ID: 893 5786 3168

Virtual meeting

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

A. Call to Order

Chair Bollig called the November 23, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm.
Staff present: Allan, Everson, and Violante.

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

No comments.

Present 5 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, TIM KIEFER, and SARAH SMITH

[2021
RPT-681](#)

November 23, 2021 ZLR Registrants

C. Consideration of Minutes

[2021
MIN-448](#)

Minutes of the November 9, 2021 Zoning and Land Regulation Committee meeting

A motion was made by KIEFER, seconded by DOOLAN, that the November 9, 2021 minutes be approved. The motion carried by a voice vote, 5-0.

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

[11763](#)

PETITION: REZONE 11763
APPLICANT: DUANE & BRENDA SIEGENTHALER
LOCATION: 7965 RITSCHARD ROAD, SECTION 36, TOWN OF PRIMROSE
CHANGE FROM: SFR-1 Single Family Residential District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: expanding existing residential lot

In support: Duane Siegenthaler

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

1. Parcel 0507-364-8920-8 be deed restricted against further residential development.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11764](#)

PETITION: REZONE 11764
APPLICANT: HANNA'S S & T LLC
LOCATION: 77 SIRLOIN STRIP, SECTION 35, TOWN OF MADISON
CHANGE FROM: GC General Commercial District TO MFR-08
Multi-Family Residential District
REASON: 114-unit multi-family development

A motion was made by Peters, seconded by Kiefer, to move consideration of CUP 2545 up on the agenda to be taken up along with petition 11764 since it is the same proposal. The motion carried by a voice vote.

Registered in support: Simon Hanna, Tina Ahedo, Olga Quintanilla-Hanna, Steve Shulfer, Tommy Hanna, Jeffrey Richter, Charles McCall, Sheri Carter

Registered in opposition: Andresa Torres, Jose Garcia, Lizette Shaffer Altamirano, Lilitana Loera, Alex DeSena, Asly Warren, Karla Sanchez, Caitlin Willenbrink, Donna Vukelich-Selva, Maria Torres, Kate Blood, Luis Sanchez, Pedro Zepeda Samano, Stephanie Salgado, Raquel Tapia Orozco, Thyra Lindberg, Herman Whiterabbit, Yesenia Villalpando-Torres, Erica López

A motion was made by KIEFER, seconded by SMITH, that the Zoning Petition be postponed due to public opposition and no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02545](#)

PETITION: CUP 02545
APPLICANT: HANNA'S S & T LLC
LOCATION: 77 SIRLOIN STRIP, SECTION 35, TOWN OF MADISON
CUP DESCRIPTION: residential development in the general commercial zoning district - 114-unit multi-family development

Registered in support: Simon Hanna, Tina Ahedo, Olga Quintanilla-Hanna, Steve Shulfer, Tommy Hanna, Jeffrey Richter, Charles McCall, Sheri Carter

Registered in opposition: Andresa Torres, Jose Garcia, Lizette Shaffer Altamirano, Lilitana Loera, Alex DeSena, Asly Warren, Karla Sanchez, Caitlin Willenbrink, Donna Vukelich-Selva, Maria Torres, Kate Blood, Luis Sanchez, Pedro Zepeda Samano, Stephanie Salgado, Raquel Tapia Orozco, Thyra Lindberg, Herman Whiterabbit, Yesenia Villalpando-Torres, Erica López

A motion was made by KIEFER, seconded by SMITH, that the Zoning Petition be postponed. The applicant has indicated their intent to withdraw the CUP. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11765](#)

PETITION: REZONE 11765
APPLICANT: JEFFREY & ANN RIEGERT
LOCATION: 3363 PETERSON ROAD, SECTION 12, TOWN OF DUNN
CHANGE FROM: RR-4 Rural Residential District TO RR-8 Rural Residential District, FP-1 Farmland Preservation District TO RR-8 Rural Residential District
REASON: expand existing residential lot

In support: Jeff Riegert

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

1. **A building envelope shall be depicted on the 9.64 acre one lot Certified Survey Map. All buildings constructed on the property shall be located within the building envelope area.**
2. **Owner shall record deed restriction on the 9.64 acre proposed RR-8 parcel, stating the following:**
 - a. **Future land division of the property is prohibited.**
 - b. **The development rights for this property have been exhausted and further residential development of the property is prohibited.**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02540](#)

PETITION: CUP 02540
APPLICANT: DANE COUNTY WASTE & RENEWABLES
LOCATION: NORTH AND EAST OF 3087 LUDS LANE, SECTION 30, TOWN OF COTTAGE GROVE
CUP DESCRIPTION: electric generating facility - 178-acre solar array farm

In support: Bill French, Dave Merritt, Dean Zuba

A motion was made by DOOLAN, seconded by SMITH, that the Conditional Use Permit be postponed. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02541](#)

PETITION: CUP 02541
APPLICANT: PERRY HAUGE LOG CHURCH PRESERVATION ASSOCIATION, INC.
LOCATION: 1359 COUNTY HIGHWAY Z, SECTION 7, TOWN OF PERRY
CUP DESCRIPTION: expanding existing cemetery

In support: Peter Lewis

In opposition: Gary Boley and Patricia Harper (via email)

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02542](#)

PETITION: CUP 02542

APPLICANT: STEPHEN KUHN

LOCATION: 4216 MORRIS PARK ROAD, SECTION 8, TOWN OF DUNN

CUP DESCRIPTION: transient and tourist lodging

In support: Stephen Kuhn

In opposition: Scott Hangartner, Mark Jung, Bob Marek

A motion was made by KIEFER, seconded by DOOLAN, that the Conditional Use Permit be postponed due to written opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02543](#)

PETITION: CUP 02543

APPLICANT: TIM J SCOTT

LOCATION: 7002 LITTLE LAKES ROAD, SECTION 27, TOWN OF MONTROSE

CUP DESCRIPTION: limited family business-general building contractor

In support: Kevin Grinvalsky

A motion was made by KIEFER, seconded by SMITH, that the Conditional Use Permit be approved with conditions. The motion carried by the following vote: 5-0.

1. Use shall be limited to an office, showroom and limited storage associated with a family-run contractor business.
2. Outdoor storage will be limited to one trailer, to be stored on the Little Lakes Road side of the property, and well away from mapped floodplains. Outdoor storage of materials is prohibited. All other activities must take place within the first floor of the barn, as shown on the site plan.
3. Operating hours are Monday through Friday, 8:00 a.m. to 6:00 p.m., with not more than four weekend meetings with clients per month.
4. All client meetings shall be by appointment only, not to exceed five meetings per month. Aside from owner's personal vehicles, no more than two passenger vehicles associated with clients shall be on the premises at any one time.
5. All outdoor lighting must be downward-directed and designed to avoid spill onto neighboring properties.
6. One on-premise wall sign is permitted, not to exceed 4' by 8' in size.
7. No hazardous, toxic or explosive materials may be stored on the premises.
8. 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.
9. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
10. 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.
11. 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.
12. 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.
13. Existing sanitary facilities and other plumbing on the second floor of the barn shall be disconnected and capped, as specified by the zoning administrator. Onsite wastewater sewage disposal systems 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.
14. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
15. At least two off-street, gravel or paved parking spaces must be provided, consistent with s. 10.102(8). At the request of the Town of Montrose, the

landowner must provide alternative parking locations that meet all requirements of s.10.102(8) and are completely outside the right-of-way of Little Lakes Road.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02544](#)

PETITION: CUP 02544

APPLICANT: PAOLI CHEESE FACTORY ASSOCIATION LLC

LOCATION: 6858 PAOLI ROAD, SECTION 2, TOWN OF MONTROSE

CUP DESCRIPTION: indoor entertainment or assembly; outdoor entertainment; commercial indoor lodging

In support: Nicolaas Mink

A motion was made by SMITH, seconded by DOOLAN, that the Conditional Use Permit be postponed. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

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

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

2021 Discussion and possible action on having in-person ZLR Committee
DISC-052 meetings

No action taken by the committee. Staff to provide update on applicability of ZLR Rules & Procedures at the December 14th committee meeting.

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by PETERS, seconded by DOOLAN, that the November 23, 2021 meeting be adjourned at 8:42pm. The motion carried by a voice vote: 5-0.

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com.

NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.