



Dane County

Minutes - Final Unless Amended by Committee

Board of Adjustment

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Thursday, January 23, 2025

6:30 PM

Hybrid Meeting: Attend in person at the City
County Building, Room 357.

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

A. Call To Order

Chair Long called the meeting to order at 6:30 PM and introduced the members of the Board.

Also present: Staff: Hans Hilbert, Assistant Zoning Administrator.

Present 4 - Secretary SUE STUDZ, ALEXANDER ELKINS, GEORGE CORRIGAN, and AL LONG

B. Public Comment for any Item not listed on the Agenda

No public comments were made.

C. Consideration of Minutes

1. [2024 MIN-384](#) Minutes of the November 21, 2024 public hearing

Sponsors: Board of Adjustment

Attachments: [11-21-2024 PH Minutes](#)

STUDZ to approve the minutes. Motion carried.

Ayes: 4 - STUDZ, ELKINS, CORRIGAN and LONG

2. [2024 MIN-385](#) Minutes of the January 9, 2025 site inspection meeting

Sponsors: Board of Adjustment

Attachments: [01-09-2025 SI Minutes](#)

STUDZ to approve the minutes. Motion carried.

Ayes: 3 - STUDZ, ELKINS and LONG

Abstain: 1 - CORRIGAN

D. Public Hearing for Appeals

1. [2024](#)
[BOA-005](#) Appeal 3731. Appeal by Windy Hill Family Farm, LLC (Christopher T. Nelson, agent) requesting a variance from minimum required setback to a road as provided by section 10.102(9)(a)2.c., Dane County Code of Ordinances, to permit the construction of a barn at 8 Craig Rd, being a tract of land in the SE ¼ of the SE ¼, Section 12, Town of Albion.

Sponsors: Board of Adjustment

Attachments: [Appeal 3731 Staff Report](#)
[Variance ltr-Trick 2025](#)
[Windy Hill Family Farm LLC Variance Application w Attachments](#)
[DCPZP-2008-00760](#)

Chair Long opened the public hearing.

Assistant Zoning Administrator, Hans Hilbert, provided a staff report of the appeal and answered questions of the Board.

Attorney Chris Nelson, along with property owners Cheri and Bill Trick, spoke in favor of the variance request and answered questions of the Board.

Hilbert relayed that the Zoning Administrator had no concerns or other comments related to the appeal.

Two neighbors provided testimony in support of the variance request:
Claude Rademacher
David Boie

No parties spoke in opposition to the appeal and the Chair stated that a rebuttal was not needed.

Facts of the Case:

Existing:

- *After a previous barn was destroyed by fire, a replacement barn foundation was permitted and completed between 2008 and 2011. The 2008 permit expired prior to the completion of the new barn, and the barn has not been completed.*

Proposed

- *Owners propose to complete the barn as planned and approved in 2008.*

Communications: Town of Albion, July 25, 2024 acknowledgement, January 8, 2025 recommending approval.

Conclusions:

1) Unnecessary Hardship: It would be unreasonable to require a property owner to relocate an existing structure and building that had previously been approved and been continued to be developed over time due to a technical change during the comprehensive rewrite of the zoning ordinance in 2018.

2) Unique Limitations of the Property: A barn has existed in the proposed site since prior to the current family ownership dating back to the 1950's. The applicant had previously

obtained relief in 1995 determining that relief was warranted. The road creating the setback encroachment was constructed after the original barn existed.

3) No Harm to Public Interests: The Town of Albion Board and Public Works Director supports the variance and did not point out any safety concerns. Previous safety concerns (from the 1995 variance) were mitigated with traffic control that is still in place.

STUDZ to approve 33 feet of relief from the required front setback as proposed to allow the completion of the barn. Motion carried.

Ayes: 4 - STUDZ, ELKINS, CORRIGAN and LONG

E. Appeals from Previous Meetings

F. Reports to Committee

G. Other Business Authorized by Law

H. Adjournment

STUDZ to adjourn. The Board adjourned by consensus at 8:47 pm.