



# 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?*

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Tuesday, July 27, 2021

6:30 PM

Remote Meeting

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**ZOOM Webinar Meeting ID: 861 7002 5452**

The July 27, 2021 Zoning and Land Regulation Committee meeting is being held virtually. The public can access the meeting with the Zoom application or by telephone.

To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

[https://us02web.zoom.us/webinar/register/WN\\_qr1izh6KRWOXI2YNTqaD7A](https://us02web.zoom.us/webinar/register/WN_qr1izh6KRWOXI2YNTqaD7A)

This link will be active until the end of the meeting.

To join the meeting by phone, dial 1-888-788-0099.

When prompted, enter the following Webinar ID: 861 7002 5452

If you want to submit a written comment for this meeting, or send handouts for committee members, please send them to [plandev@countyofdane.com](mailto:plandev@countyofdane.com)

**PROCESS TO PROVIDE PUBLIC COMMENT: ANY MEMBERS OF THE PUBLIC WISHING TO REGISTER TO SPEAK ON/SUPPORT/OPPOSE AN AGENDA ITEM MUST REGISTER USING THE LINK ABOVE (even if you plan to attend using your phone).**

Registrations to provide public comment will be accepted until 1 hour prior to the beginning of the meeting.

If you join the meeting with Zoom, when the item you have registered for is before the board/committee, you will be promoted to a panelist. Once a panelist, you can turn on your webcam and you will be able to unmute yourself.

If you join the meeting with your phone, when the item you have registered for is before the board/committee, you will be unmuted and hear, "the host would like you to unmute your microphone, you can press \*6 to unmute." Please press \*6.

*Interpreters must be requested in advance; please see the bottom of the agenda for more information.*

*Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.*

*Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntawm qhov txheej txheem rau cov ntaub ntawv ntxiv.*

## A. Call to Order

Chair Bollig called the meeting of the July 27, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm. Supervisor Tim Kiefer is excused.  
Staff present: Everson, Standing and Violante

**Present** 4 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, and SARAH SMITH

**Excused** 1 - TIM KIEFER

[2021](#) July 27, 2021 ZLR Committee Meeting Registrants  
[RPT-304](#)

**Attachments:** [July 27th Registrants](#)

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

There were no public comments for items not listed on the agenda.

## C. Consideration of Minutes

[2021](#) Minutes of the July 13, 2021 Zoning and Land Regulation Committee meeting  
[MIN-167](#)

**Attachments:** [7-13-21 ZLR Work meeting minutes](#)

A motion was made by PETERS, seconded by DOOLAN, that the July 13, 2021 Minutes be approved. The motion carried by the following vote: 4-0.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

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

[11711](#)

PETITION: REZONE 11711  
APPLICANT: PATRICK J LEMAHIEU / ELOISE ANDERSON  
LOCATION: 5347 MISSOURI ROAD, SECTION 22, TOWN OF MEDINA  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11711 Ord Amend](#)  
[11711 Staff Report.pdf](#)  
[11711 Town Action Report.pdf](#)  
[11711 Density](#)  
[11711 Map](#)  
[11711 APP](#)

*In favor: Patrick LeMahieu*

**A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

[11712](#)

PETITION: REZONE 11712  
APPLICANT: BUSSIAN LIVING TR  
LOCATION: NORTH OF 7750 KRAUS ROAD, SECTION 5, TOWN OF YORK  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11712 Ord Amend](#)  
[11712 Staff Report.pdf](#)  
[11712 Town Action Report.pdf](#)  
[11712 Density.pdf](#)  
[11712 Map](#)  
[11712 APP](#)

**A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for approval with the following condition. The motion carried, 4-0.**

**1. The owner shall record a deed restriction on the balance of the FP-35 zoned land prohibiting further development in accordance with town plan policies (tax parcels 0912-052-9500-2; 0912-052-9550-3; 0912-052-9500-2; 0912-052-9000-8).**

[11713](#)

PETITION: REZONE 11713  
APPLICANT: TODD JOURDAN & NANCY SPELSBERG  
LOCATION: 3795 OAK PARK ROAD, SECTION 20, TOWN OF DEERFIELD  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District,  
SFR-08 Single Family Residential District TO RR-8 Rural Residential District  
REASON: separating existing residence from farmland

- Attachments:** [11713 Ord Amend](#)  
[11713 Staff Report](#)  
[11713 Town Action Report](#)  
[11713 Density](#)  
[11713 Map](#)  
[11713 APP](#)

*In favor: Nancy Spelsberg, Todd Jourdan*

**A motion was made by DOOLAN, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11714](#)

PETITION: REZONE 11714  
APPLICANT: JACOB & LINDA REPPEN  
LOCATION: 444 ALBION ROAD, SECTION 27, TOWN OF ALBION  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District  
REASON: creating one residential lot

- Attachments:** [11714 Ord Amend](#)  
[11714 Staff Report](#)  
[11714 Town Action Report](#)  
[11714 Density](#)  
[11714 Map](#)  
[11714 APP](#)

*In favor: Jacob and Linda Reppen*

**A motion was made by SMITH, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

11715

PETITION: REZONE 11715  
APPLICANT: SYED, GHOUSIA, AND IMRAN NIZAMUDDIN  
LOCATION: 9039 COUNTY HIGHWAY S, SECTION 5, TOWN OF SPRINGDALE  
CHANGE FROM: AT-35 Agriculture Transition District TO RR-4 Rural Residential District  
REASON: creating four residential lots

**Attachments:** [11715 Ord Amend](#)  
[11715 Staff Report.pdf](#)  
[11715 Town Action Report.pdf](#)  
[11715 density.pdf](#)  
[11715 Map](#)  
[11715 APP](#)

*In favor: Syed Nizamuddin*

**A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval with the following conditions. The motion carried, 4-0.**

- 1. Within 90 days of the effective date of this petition, the landowner must record shared driveway access easements and maintenance agreements that conform to all requirements of s. 75.19(8)(f), Dane County Code.**
- 2. The recorded CSM must show all recorded easement boundaries.**
- 3. The owner shall record a deed restriction on the four proposed lots prohibiting further division.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11716](#)

PETITION: REZONE 11716  
APPLICANT: F E MANAGEMENT LLC  
LOCATION: 1151 BERLIN, SECTION 5, TOWN OF MEDINA  
CHANGE FROM: RR-4 Rural Residential District TO GC General Commercial District  
REASON: change zoning to allow the existing barn to be used for event venues

**Attachments:** [11716 Staff Report.pdf](#)  
[11716 - Written Opposition](#)  
[11716 Opposition petition2](#)  
[11716 Map](#)  
[11716 APP](#)

*In favor: Edward Armbricht, Darlene Rattalick, Dobie Gutweiler, Lisa Handrow, Kris Hebel, John Retallick, CJ Knutson, Steve and Michelle Nampel, Sue Peck, Lisa Sands*

*In opposition: Ryan and Colleen Burke, Kim Kohler, Justin and Amanda Pries*

**A motion was made by SMITH, seconded by PETERS, that the Zoning Petition be postponed due to no town action and opposition presented by neighboring landowners. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11717](#)

PETITION: REZONE 11717  
APPLICANT: R MARSHALL & ARLENE COLBURN  
LOCATION: NORTH OF 4335 SCHNEIDER DRIVE, SECTION 20, TOWN OF DUNN  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11717 Ord Amend](#)  
[11717 Staff Report](#)  
[11717 Town Action Report](#)  
[11717 Density](#)  
[11717 Map](#)  
[11717 APP](#)

*In favor: Catherine Sewall, Scott Reinert*

**A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

11718

PETITION: REZONE 11718  
APPLICANT: NORBERT HAAG C/O VIRGIL HAAG  
LOCATION: 656 PERRY CENTER ROAD, SECTION 23, TOWN OF PERRY  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District  
REASON: expand existing residential lot

- Attachments:** [11718 Ord Amend](#)  
[11718 Staff Report.pdf](#)  
[11718 Town Action Report.pdf](#)  
[11718 Map](#)  
[11718 APP](#)

*In favor: Virgil Haag*

**A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

11719

PETITION: REZONE 11719  
APPLICANT: ARLIN O TEIGEN  
LOCATION: 1069 TAYLOR LANE, SECTION 8, TOWN OF DUNKIRK  
CHANGE FROM: RR-1 Rural Residential District TO RR-4 Rural Residential District, AT-35  
Agriculture Transition District TO RR-4 Rural Residential District  
REASON: expanding an existing residential lot

- Attachments:** [11719 Ord Amend](#)  
[11719 Staff Report.pdf](#)  
[11719 Town Action Report.pdf](#)  
[11719 Density.pdf](#)  
[11719 Map](#)  
[11719 APP](#)

*In favor: Charles Nahn*

**A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11720](#)

PETITION: REZONE 11720  
APPLICANT: JOHN F BECKER  
LOCATION: SOUTH OF 4313 BUCKLEY ROAD, SECTION 8, TOWN OF BURKE  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-8 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11720 Staff Report.pdf](#)  
[11720 Town Action Report.pdf](#)  
[11720 APP Revised.pdf](#)  
[11720 Map.pdf](#)

*In favor: John Becker*

**A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be postponed to allow for the applicant to work with planning staff further on the issues needing more detail. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11721](#)

PETITION: REZONE 11721  
APPLICANT: MELVIN F & KENDA SHOTLIFF  
LOCATION: LAKE KEGENSA ROAD, SECTION 27, TOWN OF RUTLAND  
CHANGE FROM: RR-4 Rural Residential District TO FP-1 Farmland Preservation District, FP-1 Farmland Preservation District TO RR-4 Rural Residential District  
REASON: rezone existing residential lot back to farmland preservation , create new residential lot

**Attachments:** [11721 Ord Amend](#)  
[11721 Staff Report.pdf](#)  
[11721 Town Action Report.pdf](#)  
[11721 Density \(Sending prop\).pdf](#)  
[11721 Density \(Receiving Prop\).pdf](#)  
[11721 Map](#)  
[11721 APP](#)

*In favor: Mel Shotliff*

**A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER



[11722](#)

PETITION: REZONE 11722  
APPLICANT: RADL LIVING TR, JEFF & EDIE  
LOCATION: 6776 COUNTY HIGHWAY KP, SECTION 27, TOWN OF ROXBURY  
CHANGE FROM: RR-4 Rural Residential District TO FP-B Farmland Preservation Business  
District  
REASON: allow for a farm business on the property

**Attachments:** [11722 Ord Amend](#)  
[11722 Staff Report.pdf](#)  
[11722 Town Action Report.pdf](#)  
[11722 APP.pdf](#)  
[11722 Map](#)

*In favor: Chris Aultman*

**A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

11723

PETITION: REZONE 11723  
APPLICANT: CODY AND CARLI EILENFELDT  
LOCATION: EAST OF 983 NULAND ROAD, SECTION 33, TOWN OF DEERFIELD  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11723 Ord Amend](#)  
[11723 Staff Report](#)  
[11723 Town Action Report](#)  
[11723 Density \(TDR Sending Property\)](#)  
[11723 Deerfield Limited TDR Policies](#)  
[11723 TDR sending property map & legal description](#)  
[11723 Map](#)  
[11723 APP](#)

*In favor: Cody Eilenfeldt*

A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for approval subject with the following conditions. The motion carried, 4-0.

1. The TDR-R Receiving area overlay zoning district shall be assigned to the RR-4 lot. A notice document shall be recorded on the RR-4 zoned property indicating that the lot was created as a result of a transfer of development rights.
2. The TDR-S Sending area overlay zoning district shall be applied to the ~160 acre Skaar farm in section 31 (tax parcels: 0712-314-8500-1, 0712-313-9500-0, 0712-313-8000-7, and 0712-312-9500-1).
3. The owner of the sending property shall record a deed restriction on a minimum of 35 acres of the property prohibiting non-farm development in accordance with town plan policies (tax parcel #0712-312-9500-1).

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11724](#)

PETITION: REZONE 11724  
APPLICANT: LAVON M HOFLAND C/O PAUL KOJO  
LOCATION: 1442 LAKE KEGONSA ROAD, SECTION 2, TOWN OF RUTLAND  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District  
REASON: separating existing residence from farmland

**Attachments:** [11724 Ord Amend](#)  
[11724 Staff Report.pdf](#)  
[11724 Town Action Report.pdf](#)  
[11724 Density.pdf](#)  
[11724 Map](#)  
[11724 APP](#)

*In favor: Paul Kojo*

**A motion was made by SMITH, seconded by DOOLAN, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[11725](#)

PETITION: REZONE 11725  
APPLICANT: GORDON & ASHLEY BRUNNER  
LOCATION: 4419 COUNTY HIGHWAY F, SECTION 7, TOWN OF VERMONT  
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District,  
FP-35 Farmland Preservation District TO RR-1 Rural Residential District  
REASON: creating one residential lot for the existing residence and creating two agricultural  
lots

**Attachments:** [11725 Ord Amend](#)  
[11725 Staff Report.pdf](#)  
[11725 Town Action Report.pdf](#)  
[11725 Map](#)  
[11725 APP](#)

*In favor: Gordon Brunner*

**A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

11726

PETITION: REZONE 11726  
APPLICANT: WILLIAM & MARILYN IBACH  
LOCATION: WEST OF 9208 JIM GARFOOT CIRCLE, SECTION 17, TOWN OF CROSS PLAINS  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11726 Ord Amend](#)  
[11726 Staff Report.pdf](#)  
[11726 Town Action Report.pdf](#)  
[11726 Density.pdf](#)  
[11726 Map](#)  
[11726 APP](#)

*In favor: Ibach*

**A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

02522

PETITION: CUP 02522  
APPLICANT: RYAN MALMGREN & STACY RIEU  
LOCATION: 2279 DAHLK CIRCLE, SECTION 24, TOWN OF SPRINGDALE  
CUP DESCRIPTION: limited family business - sail manufacturing

**Attachments:** [CUP 2522 Staff Report.pdf](#)  
[CUP 2522 Town Action Report.pdf](#)  
[CUP 2522 Map](#)  
[CUP 2522 APP revised.pdf](#)

*In favor: Stacy Rieu*

**A motion was made by PETERS, seconded by SMITH, that the Conditional Use Permit be approved with the following conditions. The motion carried, 4-0.**

1. All operations of the limited family business must take place entirely within the approved 56'x30' residential accessory building, as shown on the site plan.
2. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.
3. The limited family business activity shall be limited to the production and manufacturing of sails.
4. The conditional use permit shall automatically expire on sale of property or sale of the business to an unrelated third party.
5. Customer hours are by appointment only.
6. Outdoor amplified loudspeakers are prohibited.
7. No signs shall be allowed by the road.
8. Sanitary fixtures (sink and toilet) may be permitted to be installed as part of the limited family business.
9. Prior to the installation of any sanitary facilities in the accessory building, the applicant must have the sanitary system on the property inspected by a licensed plumber, to determine its suitability for the increased demand. Any deficiencies must be corrected, at the owner's expense, to bring the system up to current plumbing code requirements. Sanitary fixtures (sink and toilet) shall be removed from the accessory building if the Limited Family Business use is ever abandoned, or if this conditional use permit expires or is terminated.
10. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan, as revised July 12, 2021.
11. New and existing buildings proposed to house a conditional use must be located, constructed and maintained to meet the all zoning and building code requirements for accessory buildings in the RR-4 zoning district.
12. 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.
13. 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.
14. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
15. Off-street parking must be provided, consistent with s. 10.102(8).

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 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. 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.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

02523

PETITION: CUP 02523  
APPLICANT: TYROL PROPERTIES, LLC  
LOCATION: 3506 BOHN ROAD, SECTION 28, TOWN OF VERMONT  
CUP DESCRIPTION: transient or tourist lodging

**Attachments:** [CUP 2523 Staff Report.pdf](#)  
[CUP 2523 Town Action Report.pdf](#)  
[CUP 2523 Map](#)  
[CUP 2523 APP](#)  
[CUP 2523 septic inspection report- Tyrol.pdf](#)

*In favor: Nathan McGree, Nicole Schram*

**A motion was made by DOOLAN, seconded by SMITH, that the Conditional Use Permit be approved with the following conditions. The motion carried, 4-0.**

1. The conditional use permit shall expire upon the sale of the property.
2. All management staff will be employees of the landowner. No more than three personnel shall be on the premises at one time.
3. Noise levels from amplified sound are limited to no more than 65 decibels (dBA scale), as measured from the property line, at any one time. Outdoor amplified sound is prohibited between the hours of 9 p.m. and 9 a.m.
4. No more than three bedrooms on the premises shall be rented out, to no more than six overnight guests. No more than twelve persons shall be on the premises at any one time.
5. If the landowner provides to the zoning administrator a sanitary system inspection report, completed by a licensed plumber, which shows the sanitary system is capable of adequately handling the additional demand, occupancy limits may be increased. Under such circumstances, occupancy shall be determined by the capacity of the sanitary system. Under any circumstances, no more than four bedrooms shall be rented out, to no more than ten overnight guests, and no more than twenty persons shall be on the premises at any one time.
6. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
7. 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 Uniform Dwelling Code.
8. 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.
9. 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.
10. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
11. At least six off-street parking spaces must be provided, consistent with s. 10.102(8).
12. 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.

13. 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.

14. 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.

15. 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.

16. 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. 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.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER



02524

PETITION: CUP 02524

APPLICANT: TYROL PROPERTIES LLC

LOCATION: 3487 BOHN ROAD, SECTION 33, TOWN OF VERMONT

CUP DESCRIPTION: outdoor assembly events - continuation of halloween and christmas events

**Attachments:** [CUP 2524 Staff Report.pdf](#)  
[CUP 2524 Town Action Report.pdf](#)  
[CUP 2524 Map](#)  
[CUP 2524 APP](#)

*In favor: Nathan McGree, Nicole Schram*

A motion was made by DOOLAN, seconded by SMITH, that the Conditional Use Permit be approved subject to the following conditions. The motion carried, 4-0.

1. The conditional use permit shall expire upon the sale of the property.
2. Outdoor assembly events in the RE zoning district are limited to:
  - a. A “haunted tour” occurring Fridays and Saturdays in October, October 31, and the first Friday and first Saturday of November, and;
  - b. A “Christmas village” occurring the third and fourth Friday and Saturday in November and the first and second Friday and Saturday in December.
3. Hours of operation for the haunted tour use are limited to 6:30 p.m. to midnight.
4. Hours of operation for the Christmas Village are limited to noon to 5:00 p.m.
5. No more than 1,200 guests shall be onsite at any one time for any outdoor assembly event.
6. Guests for the haunted tour shall travel in groups no larger than 6 people, monitored by employees to keep groups spread out, and to keep them moving through the site. Employees will have communication equipment to notify supervisors of emergencies or concerns.
7. Outdoor event-specific amplified speakers or sound equipment are limited to the areas indicated on the preapproved event operations plan. For the haunted tour, outdoor amplified sound is limited to (1) the ticket and waiting area as shown on the approved site plan, and (2) to low-volume “special effect” sounds (e.g. to simulate thunder) within five (5) feet of the tour path. Under no circumstances should noise levels of the amplified sound exceed 77 db(a), as measured at any of the property’s boundaries.
8. Outdoor lighting associated with events shall be as indicated on the preapproved event operations plan. Outdoor event-specific lighting for the haunted tour will be limited to building and lift lighting as required for safety, and low-level pathway lighting, shielded to direct light downward, not to exceed 1 lux intensity and amber or yellow (not blue or white) in color. Lighting will be turned off after guests depart.
9. The physical development and operation of the haunted tour, including portable restrooms, designated parking and temporary or permanent signage, must substantially conform to the approved site plan, operational plan and phasing plan. To allow the tour to remain fresh for repeat visitors, the tour route and temporary structures may differ from the site plan as long as they are not located significantly closer to neighboring properties.
10. Event plans:

a. At least thirty days prior to the start of any outdoor assembly events in each calendar year, the landowner shall file an event plan, approved by the zoning administrator, addressing, at a minimum the following issues:

- the number of events proposed each year
- the maximum expected attendance at each event
- off-street parking, to meet standards in s. 10.102(8)
- days and hours of operation
- ingress and egress
- sanitation
- trash / recycling collection and disposal
- proposed signage
- other public safety issues

b. Event plans must be filed with the following:

- the zoning administrator
- town clerk
- servicing fire department
- emergency medical service provider
- Dane County Sheriff's Department and any local law enforcement

agency.

11. New and existing permanent buildings proposed to house the 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.

12. 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.

13. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements, including town liquor licenses. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.

14. 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.

15. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.

16. Off-street parking must be provided, consistent with s. 10.102(8).

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.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

02525

PETITION: CUP 02525  
APPLICANT: HEARTLAND FARM SANCTUARY, INC  
LOCATION: 424 US HIGHWAY 151, SECTION 6, TOWN OF ALBION  
CUP DESCRIPTION: agriculture entertainment and farm related exhibitions (animal sanctuary)

**Attachments:** [CUP 2525 Staff Report.pdf](#)  
[CUP 2525 Town Action Report.pdf](#)  
[CUP 2525 Map](#)  
[CUP 2525 APP](#)  
[CUP 2525 Site & Operations Plans.pdf](#)

*In favor: Jen Korz*

**A motion was made by PETERS, seconded by SMITH, that the Conditional Use Permit be approved subject to the following conditions. The motion carried, 4-0.**

- 1. Signage to improve traffic flow back to Hwy 51 and to reduce traffic into the no outlet end of Ramsey Rd.**
- 2. Conditions required for agricultural entertainment uses listed under s. 10.103(3) (as applicable for any event anticipated to have over 200 persons in attendance at any one time during a day).**
- 3. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, and phasing plan.**
- 4. 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.**
- 5. 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.**
- 6. 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.**
- 7. 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.**
- 8. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.**
- 9. Off-street parking must be provided, consistent with s. 10.102(8).**

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

[2021 OA-002](#) AMENDING CHAPTER 10 THE DANE COUNTY CODE OF ORDINANCES,  
REVISING VARIOUS SIGN REGULATION PROVISIONS

**Sponsors:** BOLLIG

**Attachments:** [2021 OA-002 Staff Memo](#)

[2021 OA-002](#)

[2021 OA-002 FISCAL NOTE](#)

A motion was made by PETERS, seconded by DOOLAN, that the Ordinance Amendment be postponed to allow further time for towns to take action and directing staff to work with the Dane County Towns Association to resolve concerns and issues that have been identified. The motion carried by the following vote: 4-0.

**Ayes:** 4 - BOLLIG,PETERS,DOOLANandSMITH

**Excused:** 1 - KIEFER

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

Please note that a public hearing has already been held for the agenda items listed below. Additional testimony will not be taken on the items unless requested by the Committee members.

## F. Plats and Certified Survey Maps

## G. Resolutions

## H. Ordinance Amendment

[2021 OA-002](#) AMENDING CHAPTER 10 THE DANE COUNTY CODE OF ORDINANCES,  
REVISING VARIOUS SIGN REGULATION PROVISIONS

**Sponsors:** BOLLIG

**Attachments:** [2021 OA-002 Staff Memo](#)  
[2021 OA-002](#)  
[2021 OA-002 FISCAL NOTE](#)

*See committee action under section D, above.*

## I. Items Requiring Committee Action

## J. Reports to Committee

## K. Other Business Authorized by Law

## L. Adjourn

A motion was made by PETERS, seconded by SMITH, that the meeting be adjourned at 7:34 PM. The motion carried by a voice vote, 4-0.

Questions? Contact Planning and Development Staff, 266-4266, or [plandev@countyofdane.com](mailto: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.*