



Dane County

Meeting Agenda - Final

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?

Tuesday, June 23, 2020

6:30 PM

Remote Meeting: Call: 1-877-309-2073 Access
Code: 588-340-037

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The June 23rd Zoning and Land Regulation Committee meeting is being held remotely in accordance with public health requirements to protect our community from the COVID-19 pandemic. The public can access the meeting in the following manner:

By phone, call: 1-877-309-2073 and use Access Code: 588-340-037 or via computer at: <https://global.gotomeeting.com/install/588340037> Note: You will be placed on hold until the Host joins.

If you would like to speak on an agenda item, you must **PRE-REGISTER** in **ADVANCE** by calling 1-608-266-9078. Registrants must provide their full name, 10-digit phone number, and the agenda item they wish to speak about. Anyone wishing to speak is strongly encouraged to pre-register as soon as possible.

Registrations will be accepted until 30 minutes prior to the meeting. During the meeting, Staff will place you on mute until the petition item is before the committee. Registrants will have 5 minutes to express their concerns.

If you have any questions regarding an agenda item, please contact the Zoning Administrator by phone at 1-608-266-9078, or by email at lane.roger@countyofdane.com.

- A. Call to Order
- B. Public comment for any item not listed on the agenda
- C. Consideration of Minutes

[2020 MIN-047](#) Minutes of the May 26, 2020 Zoning and Land Regulation Committee meeting

Attachments: [5-26-20 ZLR public hearing minutes.pdf](#)

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

[11559](#) PETITION: REZONE 11559
APPLICANT: ALEXANDER C MCKENZIE
LOCATION: 1000 FEET SW OF 9812 GREENWALD ROAD, SECTION 26, TOWN OF VERMONT
CHANGE FROM: FP-35 (General Farmland Preservation) District TO RR-2 (Rural Residential, 2 to 4 acres) District
REASON: creating one residential lot

Attachments: [11559 Staff Report.pdf](#)
[11559 Town.pdf](#)
[11559 Density.pdf](#)
[11559 Map](#)
[11559 APP](#)

[11560](#) PETITION: REZONE 11560
APPLICANT: MICHAEL G COYLE
LOCATION: NORTH OF 3575 TIMBER LANE, SECTION 25, TOWN OF CROSS PLAINS
CHANGE FROM: RR-4 (Rural Residential, 4 to 8 acres) District TO FP-1 (Small Lot Farmland Preservation) District
REASON: removing development rights from property

Attachments: [11560 Staff Report.pdf](#)
[11560 Town.pdf](#)
[11560 Map](#)
[11560 TDR Easement.pdf](#)
[11560 TDR Notice.pdf](#)
[11560 APP](#)

[11561](#)

PETITION: REZONE 11561
APPLICANT: JACLYN E TRACY
LOCATION: 4727 RUTLAND-DUNN TOWN LINE ROAD, SECTION 31, TOWN OF DUNN
CHANGE FROM: SFR-1 (Single Family Residential, 1 to 2 acres) District TO RR-1 (Rural Residential, 1 to 2 acres) District
REASON: Change zoning district to allow for the construction of a larger accessory building

Attachments: [11561 Staff Report.pdf](#)

[11561 Town.pdf](#)

[11561 Map](#)

[11561 APP](#)

[11562](#)

PETITION: REZONE 11562
APPLICANT: CAROLYN J BRADT
LOCATION: 8283 RILEY ROAD, SECTION 2, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 (Agriculture Transition) District TO RR-4 (Rural Residential, 4 to 8 acres) District, RR-8 (Rural Residential, 8 to 16 acres) District TO AT-35 (Agriculture Transition) District, RR-8 (Rural Residential, 8 to 16 acres) District TO RR-4 (Rural Residential, 4 to 8 acres) District
REASON: creating one residential lot and transfer of lands between adjacent landowners

Attachments: [11562 Staff Report.pdf](#)

[11562 Town.pdf](#)

[11562 Density.pdf](#)

[11562 Map](#)

[11562 APP](#)

[11563](#)

PETITION: REZONE 11563
APPLICANT: BRIAN HENNING
LOCATION: NORTHEAST OF 6471 COUNTY HWY TT, SECTION 33, TOWN OF YORK
CHANGE FROM: FP-35 (General Farmland Preservation) District TO RR-1 (Rural Residential, 1 to 2 acres) District
REASON: creating one residential lot

Attachments: [11563 Staff Report.pdf](#)

[11563 Town.pdf](#)

[11563 Density](#)

[11563 Map](#)

[11563 APP](#)

[11564](#)

PETITION: REZONE 11564
APPLICANT: MICHAEL G COYLE
LOCATION: SOUTH OF 7989 W MINERAL POINT ROAD, SECTION 25, TOWN OF CROSS PLAINS
CHANGE FROM: FP-35 (General Farmland Preservation) District TO RR-4 (Rural Residential, 4 to 8 acres) District
REASON: creating one residential lot

Attachments: [11564 Staff Report.pdf](#)
[11564 Town.pdf](#)
[11564 Density.pdf](#)
[11564 Map](#)
[11564 TDR Easement.pdf](#)
[11564 TDR Notice.pdf](#)
[11564 Deed Restrictions.pdf](#)
[11564 APP](#)

[11565](#)

PETITION: REZONE 11565
APPLICANT: STEVEN W SMITH
LOCATION: SOUTH OF 5585 COUNTY ROAD J, SECTION 26, TOWN OF VERMONT
CHANGE FROM: FP-35 (General Farmland Preservation) District TO RR-2 (Rural Residential, 2 to 4 acres) District
REASON: creating 2-acre residential building site on a 49-acre property

Attachments: [11565 Staff Report.pdf](#)
[11565 Town.pdf](#)
[11565 Density.pdf](#)
[11565 Map](#)
[11565 APP](#)

[11566](#)

PETITION: REZONE 11566
APPLICANT: AVOIDANCE ACRES EXCHANGE LLC
LOCATION: 2710 HIGHWAY MN, SECTION 5, TOWN OF PLEASANT SPRINGS
CHANGE FROM: FP-35 (General Farmland Preservation) District TO RR-1 (Rural Residential, 1 to 2 acres) District
REASON: creating 1 acre residential building site on 38 acre property

Attachments: [11566 Staff Report.pdf](#)
[11566 Town.pdf](#)
[11566 Density](#)
[11566 Map](#)
[11566 APP](#)

[CUP 02493](#)

PETITION: CUP 02493
APPLICANT: JOSEPH PATRICK EUGSTER
LOCATION: 3865 STATE HIGHWAY 138, SECTION 10, TOWN OF RUTLAND
CUP DESCRIPTION: EXPAND AGRICULTURAL ACCESSORY USES ON THE FARM

Attachments: [CUP 2493 Staff Report.pdf](#)
[CUP 2493 Site Plans.pdf](#)
[CUP 2493 Map](#)
[CUP 2493 App.pdf](#)

[CUP 02495](#)

PETITION: CUP 02495
APPLICANT: PETERSON TR, PHILIP L & CAROL L
LOCATION: 5900 COUNTY HIGHWAY D, SECTION 5, TOWN OF OREGON
CUP DESCRIPTION: proposed landscape business

Attachments: [CUP 2495 Staff Report.pdf](#)
[CUP 2495 Town.pdf](#)
[CUP 2495 Map.pdf](#)
[CUP 02495 APP](#)

[CUP 02497](#)

PETITION: CUP 02497
APPLICANT: DD ACRES LLC
LOCATION: 7085 SCHUMACHER ROAD AND LANDS SOUTH AND WEST THERE OF,
SECTION 21, TOWN OF VIENNA
CUP DESCRIPTION: mineral extraction

Attachments: [CUP 2497 Staff Report.pdf](#)
[CUP 2497 Town.pdf](#)
[CUP 2497 Map](#)
[CUP 2497 APP](#)

[CUP 02499](#)

PETITION: CUP 02499
APPLICANT: JONATHAN T KETZLER & MARY E MCSWEENEY
LOCATION: 1048 SEVERSON ROAD, SECTION 13, TOWN OF MONTROSE
CUP DESCRIPTION: allow sanitary plumbing fixtures inside an agricultural accessory building

Attachments: [CUP 2499 Staff Report.pdf](#)
[CUP 2499 Town.pdf](#)
[CUP 2499 Map](#)
[CUP 2499 APP](#)

[CUP 02500](#)

PETITION: CUP 02500
APPLICANT: HEARTLAND COMMUNITY CHURCH OF ROCKFORD INC / WOLF PAVING
LOCATION: EAST OF 5423 REINER ROAD, SECTION 24, TOWN OF BURKE
CUP DESCRIPTION: mineral extraction accessory use - stockpiling and processing concrete and asphalt pavements for the purpose of recycling and reuse

Attachments: [CUP 2500 Staff Report.pdf](#)
[CUP 2500 Madison Letter of Concern](#)
[CUP 2500 Map](#)
[CUP 2500 APP](#)

[2020 OA-003](#)

Amending Chapter 82 of the Dane County Code of Ordinances, incorporating amendments to the Town of Middleton Comprehensive Plan into the Dane County Comprehensive Plan

Sponsors: RIPP, BOLLIG, ERICKSON, GRAY and PETERS

Attachments: [2020 OA-003](#)
[OA 2020-003 staff memo](#)
[Land Use Chapter Amendment 2020 05 13](#)
[9.3 Future Land Use Map 2020-03-04](#)
[2040 Comprehensive Plan](#)
[Community notice](#)

Legislative History

5/22/20 County Board referred to the Zoning & Land Regulation Committee
This resolution was referred to the Zoning & Land Regulation Committee

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

[11444](#)

PETITION: REZONE 11444
APPLICANT: ROBERT LANGE
LOCATION: SOUTH OF 1026 COUNTY HIGHWAY N, SECTION 16, TOWN OF DUNKIRK
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11444 Staff UPDATE](#)
[11444 Town.pdf](#)
[11444 Density](#)
[11444 Town PC Minutes](#)
[11444 APP](#)

Legislative History

8/27/19 Zoning & Land Regulation postponed to the Zoning & Land
Committee Regulation Committee

A motion was made by WEGLEITNER, seconded by PETERS, to postpone until the town action report is received. The motion carried by the following vote: 4-0. Passed

[11521](#)

PETITION: REZONE 11521
APPLICANT: JOHN VOSEN
LOCATION: 4622 ROCKY DELL ROAD, SECTION 5, TOWN OF MIDDLETON
CHANGE FROM: AT-5 Agriculture Transition District TO LC Limited Commercial District and various districts to RR-8 Rural Residential
REASON: increase the size of an existing limited commercial zoning area and expand the size of the existing residential lot

Attachments: [11521 Staff Report UPDATE](#)
[11521 Letter of opposition](#)
[11521 Staff emails](#)
[11521 Map](#)
[11521 MIDDLETON Revised.pdf](#)

Legislative History

2/25/20 Zoning & Land Regulation postponed to the Zoning & Land
Committee Regulation Committee

A motion was made by PETERS, seconded by WEGLEITNER, to postponed due to no town action and inconsistencies with the Town of Middleton Comprehensive Plan. The motion carried by the following vote: 3-0. Passed

[11557](#)

PETITION: REZONE 11557
APPLICANT: KRENZ LIVING TR
LOCATION: 9 SHADY WILLOW ROAD, SECTION 35, TOWN OF RUTLAND
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District
REASON: dividing an existing residential lot to create an additional lot

Attachments: [11557 Staff Update.pdf](#)
[11557 Town.pdf](#)
[11557 Density \(TDR sending property\).pdf](#)
[11557 Sending Property owner consent.pdf](#)
[11557 Sending Property Notice of Remaining Splits.pdf](#)
[11557 Map](#)
[11557 APP](#)

Legislative History

5/26/20 Zoning & Land Regulation postponed to the Zoning & Land
Committee Regulation Committee
A motion was made by PETERS, seconded by SMITH, that the Zoning Petition
be postponed until Town Action is received. The motion carried by the following
vote: 5-0. Passed

F. Plats and Certified Survey Maps

[2020 LD-003](#) Banovetz proposed 2-lot Certified Survey Map
Town of Cottage Grove
Staff recommends approval.

Attachments: [Report](#)
[Banovetz CSM Review 6 2020](#)
[BANOVETZ CSM \(3-27-20\)](#)

[2020 LD-004](#) Ripp Farms proposed Land Division Waiver request from Ch. 75.19(6)(b)
Town of Dane
Staff does not support the waiver to allow the creation of the lot to have no
frontage along Benson Road.
Staff suggests the proposed Certified Survey Map to be revised to include
additional lands to meet the minimum of 66 feet of public frontage.

Attachments: [Report](#)
[Pet 11570 Variance app](#)

G. Resolutions

H. Ordinance Amendment

[2020 OA-003](#) Amending Chapter 82 of the Dane County Code of Ordinances, incorporating
amendments to the Town of Middleton Comprehensive Plan into the Dane
County Comprehensive Plan

Sponsors: RIPP, BOLLIG, ERICKSON, GRAY and PETERS

Attachments: [2020 OA-003](#)
[OA 2020-003 staff memo](#)
[Land Use Chapter Amendment 2020 05 13](#)
[9.3 Future Land Use Map 2020-03-04](#)
[2040 Comprehensive Plan](#)
[Community notice](#)
Legislative History

5/22/20 County Board referred to the Zoning & Land
Regulation Committee
This resolution was referred to the Zoning & Land Regulation Committee

I. Items Requiring Committee Action

[2020 ACT-053](#) Site Plan Review for the relocation of a farm residence within the FP-35
Farmland Preservation Zoning District
Applicant: Kyle and Ashley Scheel
Location: 5676 State Hwy 73, Section 15, Town of Medina

Attachments: [Site Plan Review Scheel, Sect 15, Medina.pdf](#)

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

Questions? Contact Roger Lane, Planning and Development Department, 266-4266,
lane.roger@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.