



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?

Tuesday, May 23, 2023

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 meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Dan Everson, Hans Hilbert, Rachel Holloway, Roger Lane, Todd Violante

Present 3 - MICHELE DOOLAN, TIM KIEFER, and MELISSA RATCLIFF

Excused 2 - JERRY BOLLIG, and KATE MCGINNITY

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

No comments made by the public.

[2023](#)
[RPT-112](#)

May 23, 2023 ZLR Registrants

Attachments: [May 23 registrants](#)

C. Consideration of Minutes

[2023](#)
[MIN-101](#)

May 9, 2023 ZLR Committee Meeting Minutes

Attachments: [May 9, 2023 ZLR Work Meeting Minutes](#)

A motion was made by RATCLIFF, seconded by KIEFER, that the minutes of the May 9, 2023 ZLR Committee meeting be approved. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIG and MCGINNITY

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

[11940](#) PETITION: REZONE 11940
APPLICANT: KOREY A KAHL
LOCATION: 10016 US HIGHWAY 14, SECTION 23, TOWN OF BLACK EARTH
CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District
REASON: shifting of property lines between adjacent land owners

Attachments: [11940 Ord Amend](#)
[11940 Staff Report](#)
[11940 Town Action](#)
[11940 Map](#)
[11940 APP](#)

In Support: Korey Kahl
Opposed: None

A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[11941](#) PETITION: REZONE 11941
APPLICANT: GERALD & JOAN SCHULTZ
LOCATION: 4112 N. BIRCH TRAIL, SECTION 14, TOWN OF CROSS PLAINS
CHANGE FROM: FP-35 Farmland Preservation District TO RR-16 Rural Residential District, RR-8 Rural Residential District TO RR-16 Rural Residential District
REASON: shifting of property lines between adjacent land owners

Attachments: [11941 Ord Amend](#)
[11941 Staff Report](#)
[11941 Town Action](#)
[11941 Map](#)
[11941 APP](#)

In Support: Danny Lochner
Opposed: None

A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[11942](#)

PETITION: REZONE 11942
APPLICANT: HENNY AND ARLEN LUND
LOCATION: 1898 PLEASANT DRIVE, SECTION 25, TOWN OF
CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural
Residential District
REASON: separating existing residence from farmland

Attachments: [11942 Ord Amend](#)
[11942 Staff Report](#)
[11942 Town Action](#)
[11942 Density Study](#)
[11942 Map](#)
[11942 APP](#)

In Support: David Riesop, Alan Lund
Opposed: None

**A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition
be recommended for approval. The motion carried by the following vote: 3-0.**

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[11943](#)

PETITION: REZONE 11943
APPLICANT: KEITH & LORI RIPP JT REV TRUST
LOCATION: 7187 COUNTY HWY V, SECTION 21, TOWN OF DANE
CHANGE FROM: FP-35 Farmland Preservation District TO RM-8 Rural
Mixed-Use District
REASON: separating existing residence from farmland

Attachments: [11943 Ord Amend](#)
[11943 Staff Report](#)
[11943 Town Action](#)
[11943 Density](#)
[11943 Map](#)
[11943 APP](#)

In Support: Keith Ripp, Taylor Ripp
Opposed: None

**A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition
be recommended for approval. The motion carried by the following vote: 3-0.**

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[11944](#)

PETITION: REZONE 11944
APPLICANT: FAUST IRREV TR (SHARON FAUST)
LOCATION: EAST OF 4551 MEADOWVIEW ROAD, SECTION 6, TOWN
OF DUNN
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural
Residential District
REASON: creating one residential lot

Attachments: [11944 Ord Amend](#)
[11944 Staff Report](#)
[11944 Town Action](#)
[11944 Email in support](#)
[11944 Density](#)
[11944 Map](#)
[11944 APP](#)

In Support: Sharon Faust, Janice and Jesse Faust
Opposed: None

A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 3-0.

- 1. A deed restriction shall be recorded on tax parcels 0610-061-8030-2 and 0610-061-9530-5 stating the following:**
 - a. Further land divisions for residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights have been exhausted per the Town Comprehensive Plan density policies.**

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[11945](#) PETITION: REZONE 11945
APPLICANT: HOWARD H HANSON JR
LOCATION: EAST OF 9265 REIBLE ROAD, SECTION 19, TOWN OF ROXBURY
CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural Residential District
REASON: zoning to allow for residential use

Attachments: [11945 Ord Amend](#)
[11945 Staff Report](#)
[11945 Town Action](#)
[11945 Map](#)
[11945 APP](#)

In Support: Howard Hanson
Opposed: None

A motion was made by RATCLIFF, seconded by KIEFER, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

[02594](#) PETITION: CUP 02594
APPLICANT: TRIERWEILER CONSTRUCTION & SUPPLY COMPANY
LOCATION: 4381 MARSH ROAD, SECTION 26, TOWN OF BLOOMING GROVE
CUP DESCRIPTION: temporary concrete batch plant in the Wingra Quarry

Attachments: [CUP 2594 Staff Report](#)
[CUP 2594 Town Action](#)
[CUP 2594 Madison Letter](#)
[CUP 2594 DOT Project Map USH 12-18 and CTH AB](#)
[CUP 2594 Map](#)
[CUP 2594 APP](#)
[CUP 2594 Letter of opposition - CCRD.pdf](#)
[CUP 2594 Letter of opposition - Lost Creek.pdf](#)

A motion was made by KIEFER, seconded by RATCLIFF, to suspend the rules to allow additional testimony by members of the public who registered late. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN,KIEFERandRATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

A motion was made by KIEFER, seconded by RATCLIFF, to suspend the rules to allow additional testimony by members of the public who registered late. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIG and MCGINNITY

In Support: Nick Petit (Trierweiler Construction & Supply Co.), Buck Sweeney (Axley Brynerson), Kevin McMullen (WI Concrete Pavement Assn.), Brian Oppman (Trierweiler)
Opposed: Meredith Hughey, Sarah Baumgartner, Scott and Sue Turner, Joy Ableman, Sabrina Tolley, Julia Hunter, Kara Ripley, Marci-Rae Kukula, Michael Glowacki, Lisa Crane, Chawalee Pochanayon, Amy Ward, Michael Kukula, Tracy Thompson, Mitchell Shellenberger, Jessica Shellenberger, Craig Clauson, Mitchell Shellenberger, Michelle Voeck, Barbara White, Isaac Padrnos, Judy Patten, Matthew Young

A motion was made by RATCLIFF, seconded by KIEFER, that this Zoning Petition be postponed due to public opposition. The motion carried by the following roll call vote: 2-1.

Ayes: 2 - DOOLAN and RATCLIFF

Noes: 1 - KIEFER

Excused: 2 - BOLLIG and MCGINNITY

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

[02591](#) PETITION: CUP 02591 - WITHDRAWN
APPLICANT: DAN AND MARLENE LA FLEUR
LOCATION: 3440 MEADOW ROAD, SECTION 32, TOWN OF
MIDDLETON
CUP DESCRIPTION: small animal boarding facility

Attachments: [CUP 2591 WITHDRAWN \(La Fleur\) Middleton Sec 32.pdf](#)
[CUP 2591 Staff Update](#)
[CUP 2591 Town Action](#)
[CUP 2591 APP rev 04-17-23](#)
[CUP 2591 Narrative Revised](#)
[CUP 2591 Floor Plans 02-28-23](#)
[CUP 2591 Four Paws Business Plan Revised 2-28-23](#)
[CUP 2591 Parking Plan 04-17-23](#)
[CUP 2591 Scaled Site Plans Revised 02-28-23](#)
[CUP 2591 State Approved Overall Site Plan](#)
[CUP 2591 State Approved Drainage Plan](#)
[CUP 2591 Building Section Plans](#)
[CUP 2591 APP original](#)
[CUP 2591 Map](#)

Zoning Administrator Roger Lane informed the Committee that the applicants have withdrawn CUP petition #2591 for animal boarding, and have submitted a new application requesting fewer animals.

F. Plats and Certified Survey Maps

G. Resolutions

[2023](#)
[RES-065](#) ACCEPTING WISCONSIN PUBLIC SERVICE COMMISSION
BROADBAND EQUITY, ACCESS, AND DEPLOYMENT PLANNING
GRANT FUNDS

Sponsors: RATCLIFF, GLAZER and MCGINNITY

Attachments: [2023 RES-065](#)
[2023 RES-065 Fiscal Note](#)

A motion was made by RATCLIFF, seconded by KIEFER, that the Resolution be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIG and MCGINNITY

H. Ordinance Amendment

[2023 OA-009](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING SALVAGE OPERATIONS

Sponsors: DOOLAN and ENGELBERGER

Attachments: [2023 OA-009](#)

[Sub 1 to 2023 OA-009 \(PROPOSED - DOOLAN\)](#)

[2023 OA-009 Fiscal Note](#)

[2023 OA-009 Staff Memo ZLR](#)

In Support: None

Opposed: None

Neither in Support nor Opposed: Renee Lauber, DCTA Executive Director

A motion was made by DOOLAN, seconded by KIEFER, to introduce Substitution 1 (Sub. 1) to the ordinance amendment. The motion carried by the following vote: 3-0.

A motion was made by DOOLAN, seconded by KIEFER, that the Ordinance be postponed to the Zoning & Land Regulation Committee's 6/27/2023 meeting to allow time for Town input. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIG and MCGINNITY

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by RATCLIFF, seconded by KIEFER, to adjourn the meeting at 8:27 P.M. The motion carried unanimously.