



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, February 23, 2021

6:30 PM

Remote Meeting

ZOOM meeting Webinar ID: 864 7633 5279

The February 23, 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_SQIQUTOrRgyAOiRrkt3UA

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: 864 7633 5279

If you want to submit a written comment for this meeting, or send handouts for committee members, please send them to lane.roger@countyofdane.com

PROCESS TO PROVIDE PUBLIC COMMENT: ANY MEMBERS OF THE PUBLIC WISHING TO REGISTER TO SPEAK ON/SUPPORT/OPOSE 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.

A. Call to Order

Chair Bollig called the February 23, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm.

Staff present: Everson, Lane, Violante

Youth Governance Member present: Baluck Deang

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

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

No comments made by the public.

[2020
RPT-797](#)

Feb 23rd ZLR meeting registrants

Attachments: [Feb 23rd ZLR meeting registrants.pdf](#)

C. Consideration of Minutes

[2020
MIN-440](#)

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

Attachments: [2-9-21 ZLR work meeting minutes.pdf](#)

A motion was made by PETERS, seconded by DOOLAN, to approve the minutes of the February 9, 2021 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

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

[11648](#)

PETITION: REZONE 11648
APPLICANT: SCREAMIN' NORWEGIAN FARMS LLC
LOCATION: EAST OF 1884 SKAAR ROAD, SECTION 26, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO SFR-1 Single Family Residential District
REASON: Transfer of Development Rights to create one residential lot

Attachments: [11648 Ord Amend.pdf](#)

[11648 Staff Report](#)

[11648 COTTAGE GROVE](#)

[11648 Map](#)

[11648 Town.pdf](#)

In favor: Tim Thorson

Opposed: None

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

1. A notice document shall be recorded on the southerly SFR-1 zoned property (proposed 1.99 acre parcel) indicating that the lot was created as a result of a transfer of development rights.
2. TDR-S zoning shall be assigned to parcel 0711-351-9240-1.
3. A deed restriction shall be recorded on parcel 0711-351-9240-1 prohibiting residential development on the property.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11649](#)

PETITION: REZONE 11649
APPLICANT: SCHWENN REV LIVING TR, MARVIN O & DIXIE L
LOCATION: SOUTH OF 7562 COUNTY HWY PD, SECTION 8, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO UTR Utility, Transportation and ROW District
REASON: establish a parcel that conforms to the zoning ordinance to facilitate the sale of the parcel

Attachments: [11649 Ord Amend.pdf](#)
[11649 Staff Report.pdf](#)
[11649 Town.pdf](#)
[11649 Map](#)
[11649 APP](#)

In favor: Marvin and Dixie Schwenn
Opposed: None

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

1. A deed restriction shall be recorded on property limiting the land use to agricultural uses.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11650](#)

PETITION: REZONE 11650
APPLICANT: SHARON M HEIN
LOCATION: 7215 TRI COUNTY ROAD, SECTION 13, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: separating existing residence from farmland

Attachments: [11650 Ord Amend.pdf](#)
[11650 Staff Report.pdf](#)
[11650 Town.pdf](#)
[11650 Map](#)
[11650 APP](#)

In favor: Tim Coulson
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11651](#)

PETITION: REZONE 11651
APPLICANT: CHRISTOPHER A SAWYER
LOCATION: 7233 COOPER ROAD, SECTION 18, TOWN OF YORK
CHANGE FROM: RR-2 Rural Residential District TO SFR-08 Single Family Residential District
REASON: zoning change to allow for reduced rear yard setback for a residence that was constructed w/o a zoning permit

Attachments: [11651 Ord Amend.pdf](#)
[11651 Staff Report.pdf](#)
[11651 Town.pdf](#)
[7233 Cooper Rd - Violation Notice - October 28, 2020.pdf](#)
[11651 Map](#)
[11651 APP](#)

In favor: Chris Sawyer

Opposed: None

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

- 1. The owner shall record with the Register of Deeds a Private Onsite Wastewater Treatment System (POWTS) covenant, on a form specified and required by Dane County Environmental Health Division, stating that no more than 10 individuals will be living in the 5 bedroom home that the septic system was sized for.**
- 2. The previous residential structure shall be removed from the property no later than June 30, 2021.**
- 3. The property shall be deed restricted to prohibit future land division of the property.**
- 4. The property shall be deed restricted to limit the land use to one single-family residence. The living space above the garage is to be used by the family members only and the space shall not be rented out as a separate unit.**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11652](#)

PETITION: REZONE 11652
APPLICANT: LARRY G SKAAR
LOCATION: NORTH OF 3475 N STAR ROAD, SECTION 28, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11652 Staff Report.pdf](#)
[11652 Previous Deed Restriction.pdf](#)
[11652 Map](#)
[11652 APP](#)

In favor: Larry Skaar, petitioner, had requested that the petition be postponed in order for the application to be amended to a commercial zoning district.
Opposed: None

A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be postponed at the request of the applicant. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11653](#)

PETITION: REZONE 11653
APPLICANT: JON O BALDOCK (Alan Miller)
LOCATION: 6394 GRANDVIEW ROAD, SECTION 13, TOWN OF VERONA
CHANGE FROM: RR-2 Rural Residential District TO AT-B Agriculture Transition - Business District
REASON: change zoning district to allow for an agricultural consulting and research company

Attachments: [11653 Ord Amend.pdf](#)
[11653 Staff Report.pdf](#)
[11653 Town.pdf](#)
[11653 Map](#)
[11653 APP revised.pdf](#)

In favor: Matt Fleming and Allan Miller
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11654](#)

PETITION: REZONE 11654
APPLICANT: AUSTIN A JACOBS (Rick Winch)
LOCATION: 1961 COUNTY HWY PB, SECTION 26, TOWN OF VERONA
CHANGE FROM: UTR Utility, Transportation and ROW District TO RR-2 Rural Residential
District, RR-4 Rural Residential District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11654 Staff Report.pdf](#)

[11654 Map](#)

[11654 APP](#)

In favor: Rick Winch

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11655](#)

PETITION: REZONE 11655
APPLICANT: POSSIN LIVING TR, ORIS & ELAINE A
LOCATION: 1357 TOWER DRIVE, SECTION 2, TOWN OF DUNKIRK
CHANGE FROM: SFR-08 Single Family Residential District TO RR-1 Rural Residential District,
FP-35 Farmland Preservation District TO RR-1 Rural Residential District, FP-35 Farmland
Preservation District TO FP-1 Farmland
Preservation District
REASON: expanding the size of an existing residential lot

Attachments: [11655 Ord Amend.pdf](#)

[11655 Staff Report.pdf](#)

[11655 Town.pdf](#)

[11655 Map](#)

[11655 APP](#)

In favor: Dale Beske

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

11656

PETITION: REZONE 11656
APPLICANT: KYLE RAASCH
LOCATION: 1478 LAKE KEGONSA RD, SECTION 2, TOWN OF RUTLAND
CHANGE FROM: RM-8 Rural Mixed Use District TO LC Limited Commercial District, RM-8
Rural Mixed Use District TO RR-4 Rural Residential District
REASON: Creating a Limited Commercial lot to separate metal working shop from the existing
residence

Attachments: [11656 Ord Amend.pdf](#)

[11656 Staff Report.pdf](#)

[11656 Town.pdf](#)

[11656 Map](#)

[11656 APP](#)

In favor: Kyle Raasch, Helge Helgeson, and Jill Helgeson

Opposed: None

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

- 1. The owner shall record a deed restriction on lots 1 & 2 of the Certified Survey Map prohibiting the properties from being sold separately.**
- 2. The owner shall record a deed restriction on the LC (Limited Commercial) zoned parcel placing the following limitation on the property:**
 - a. The land uses shall be limited to the existing metalworking and powder coating shop operating on the property. A Conditional Use Permit shall be obtained for the Light Industrial land use.**
 - b. Business activities shall be limited to the hours of 7:00 am to 8:00 pm, Monday through Friday.**
 - c. Outdoor storage that is within the existing two (2) containers which are situated on railroad ties is permitted. Additional outdoor storage of materials or equipment shall be screened from view with a minimum of a six-foot-high barrier with at least 90% opacity. Site plan approval shall be obtained from the Town Board and from the Dane County Zoning Committee for any additional outdoor storage prior to installation of screening and placement of materials and equipment.**
 - d. All hazardous materials or chemicals shall be housed and stored in appropriate containers as outlined by government agencies and manufacturer's instructions, whether indoors or outdoors.**
 - e. All outdoor light fixtures shall be down lit. The fixtures shall comply with dark sky requirements. The posts for parking lot lighting shall be no higher than 25 feet.**
 - f. An existing stand of mature trees currently provides a natural buffer with the residential property to the north. This existing natural buffer shall be maintained. If the trees are removed, then the owner will be required to install vegetative screening meeting the requirements of the county zoning ordinance section 10.102(12).**
 - g. All new, expanded or additional parking areas or areas used for vehicular movement shall be paved with concrete or asphalt surfacing.**
 - h. On site customer visits shall be by appointment only.**
 - i. Billboards shall be prohibited on the property. Temporary advertising signs shall be prohibited on the property. Lighted signage shall be prohibited on this**

property although approved signage (see below) that becomes illuminated by virtue of security lighting is permitted.

j. Business name or other informational signage is permitted if such signage conforms to the Dane County sign ordinance. The owner shall consult with Dane County Zoning personnel and shall receive written approval prior to installation of any business name or informational signage.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02513](#)

PETITION: CUP 02513

APPLICANT: LOUISA ENZ

LOCATION: 2206 COLLADAY POINT DR, SECTION 23, TOWN OF DUNN

CUP DESCRIPTION: transient and tourist lodging

Attachments: [CUP 2513 Staff Report.pdf](#)

[CUP 2513 Map](#)

[CUP 2513 APP](#)

In favor: Louisa Enz

Opposed: David Gilles and George Corrigan. Concerns were expressed that the land use was operating illegally for years; the short term rental should be owner occupied; the land use may conflict with the residential neighborhood; the land use conflicts with the Town's Comprehensive Plan policies; and concerns regarding trash pick up.

A motion was made by PETERS, seconded by KIEFER, that the Conditional Use Permit 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

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

11634

PETITION: REZONE 11634
APPLICANT: KRANTZ REAL ESTATE LLC
LOCATION: 2650 N NINE MOUND ROAD, SECTION 16, TOWN OF VERONA
CHANGE FROM: LC Limited Commercial District TO GC General Commercial District
REASON: changing zoning district to allow for an additional building to be constructed for an existing electrical contracting business

Attachments: [11634 Ord Amend.pdf](#)
[11634 Staff Update \(2\).pdf](#)
[11634 Prelim Plans.pdf](#)
[11634 Town.pdf](#)
[11634 Letters of opposition.pdf](#)
[11634 Map](#)
[11634 APP.pdf](#)

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

1. A deed restriction be recorded on the property to limit the land uses to an electrical/contractor business. The restriction shall limit a maximum of 20 vehicles being parked outside and require Town Site Plan approval for the construction of any future buildings.
2. A site plan, landscaping plan, and lighting plan shall be approved by the Town Board prior to the issuance of a zoning permit for the proposed building.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by KIEFER, seconded by PETERS, to adjourn the February 23, 2021 Zoning and Land Regulation Committee meeting at 7:42pm. The motion carried unanimously.

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