

Dane County



Minutes

Tuesday, February 25, 2025

6:30 PM

See below for additional instructions on how to attend the meeting and provide public testimony.
Hybrid Meeting: Attend in person at the City County Building in Room 354; or Attend virtually via Zoom.

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?

This meeting is being conducted on land now known and recognized as Dane County, Wisconsin. We acknowledge that this land is at the same time the ancestral, traditional, & contemporary land of the Ho-Chunk, Sauk & Kickapoo nations.

A. Call to Order

Chair DOOLAN called the February 25, 2025 Zoning and Land Regulation Committee meeting to order at 6:30 PM

Staff present: Hilbert, Holloway, Everson, Allan, Kodl, Violante

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, JEFFREY KRONING, DON POSTLER, and MICHELE RITT

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

No comments

[2024](#)
[RPT-558](#)

February 25, 2025 ZLR registrants

C. Consideration of Minutes

A motion was made by BOLLIG, seconded by KRONING, that the February 11, 2025 meeting minutes be approved. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024](#)
[MIN-430](#)

February 11, 2025 ZLR Committee meeting minutes

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

[12137](#)

PETITION: REZONE 12137
APPLICANT: THOMAS AND AMY VILS
LOCATION: SOUTH OF 10078 COUNTY HIGHWAY Y, SECTION 22, TOWN OF MAZOMANIE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District
REASON: create two residential lots and one agricultural lot

In support: Thomas Vils

A motion was made by KRONING, seconded by BOLLIG, that the Zoning Petition be postponed due to allow for additional time for a wetland delineation and other site information. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12138](#)

PETITION: REZONE 12138
APPLICANT: SHAUN AND SARA ANDERSEN
LOCATION: 363 AND 379 HEIMAN LANE, SECTION 14, TOWN OF DEERFIELD
CHANGE FROM: RR-2 Rural Residential District TO RR-8 Rural Residential District, RR-8 Rural Residential District TO RR-4 Rural Residential District
REASON: reconfigure two residential lots by adjusting interior lot line

In support: none

Opposed: none

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12139](#)

PETITION: REZONE 12139
APPLICANT: RDC WESTPORT FARMS LLC
LOCATION: EAST OF KENNEY DRIVE AND SHANNON WAY INTERSECTION, SECTION 22, TOWN OF WESTPORT
CHANGE FROM: Wetland Status to Non-wetland Status
REASON: removal of a wetland area from the wetland inventory map in order to construct a road

In support: none

Opposed: none

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12140](#)

PETITION: REZONE 12140
APPLICANT: MICHAEL AND NANCY BARTH
LOCATION: 3140 STH 73, SECTION 3, TOWN OF CHRISTIANA
CHANGE FROM: RM-16 Rural Mixed-Use District TO HC Heavy Commercial District
REASON: zoning to allow for a landscaping contractor business

In support: Kayla Sipple, Tyler Papenfuss, Michael Rumpf, Kerry Marren, Mike and Nancy Barth

A motion was made by BOLLIG, seconded by KRONING, that the Zoning Petition be postponed to allow for more time for the flood study and other site information. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

BOLLIG was excused at 7:30 pm.

[12141](#)

PETITION: REZONE 12141
APPLICANT: BALWINDER & RAJINDER SEERHA
LOCATION: 8773 AIRPORT ROAD, SECTION 6, TOWN OF MIDDLETON
CHANGE FROM: AT-5 Agriculture Transition District TO SFR-08 Single Family Residential District
REASON: creating one residential lot

In support: Ivraj Seerha

A motion was made by POSTLER, seconded by KRONING, that the Zoning Petition be postponed to allow time for town action. The motion carried by the following vote: 4-0-1

Ayes: 4 - DOOLAN, KRONING, POSTLER and RITT

Excused: 1 - BOLLIG

BOLLIG returned at 7:35 pm.

[12142](#)

PETITION: REZONE 12142
APPLICANT: MOYER FAMILY ENTERPRISES LLC
LOCATION: 583 DANKS ROAD, SECTION 24, TOWN OF RUTLAND
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District, RR-2 Rural Residential District TO FP-35 Farmland Preservation District
REASON: separate existing residence from the farm land and reduce the size of an existing (vacant) residential lot

In support: Paul Spetz, Jeff Moyer

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

A deed restriction shall be recorded on proposed Lot 2 (current tax parcel 0510-244-9501-0) stating the following:

a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Oscar Tofte farm have been exhausted per the Town Comprehensive Plan density policies.

Ayes: 5 - BOLLIG, DOOLAN, KRONING, POSTLER and RITT

[12143](#)

PETITION: REZONE 12143
APPLICANT: JOYCE AUHTUNG C/O DAVE AUHTUNG
LOCATION: 1316 SUN PRAIRIE ROAD, SECTION 19, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: create lot for existing residence and create one residential lot

In support: David Auchtung

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

Applicant shall show the location of the existing septic drainfield on the certified survey map.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12144](#)

PETITION: REZONE 12144
APPLICANT: TIMOTHY J KREFT AND SARAH ROWE
LOCATION: 2447 COUNTY HIGHWAY AB, SECTION 14, TOWN OF DUNN
CHANGE FROM: RR-2 Rural Residential District TO SFR-08 Single Family Residential District
REASON: adjusting the interior boundary of two residential lots

In support: Tim Kreft

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[12145](#)

PETITION: REZONE 12145
APPLICANT: TOWN OF DUNKIRK
LOCATION: VARIOUS LOCATIONS, TOWN OF DUNKIRK
CHANGE FROM: Various Zoning Districts (see application)
REASON: blanket rezone to correct zoning map errors

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

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[02651](#)

PETITION: CUP 02651
APPLICANT: WINGRA REAL ESTATE LLC
LOCATION: 4381 MARSH ROAD, SECTION 26, TOWN OF BLOOMING GROVE
CUP DESCRIPTION: temporary concrete batch plant

In support: Nick Petit

A motion was made by KRONING, seconded by BOLLIG, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 5-0.

Standard Conditions for all CUPs:

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. 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.
4. 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.
5. 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.
6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. 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.
10. 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.
11. 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.
12. 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.

Conditions specific to CUP # 2651:

13. The batch plant shall only be used for contracted WisDOT road construction projects.

14. The conditional use permit shall expire on December 31, 2026.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

[2024 OA-033](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE Town of MAZOMANIE Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

A motion was made by BOLLIG, seconded by KRONING, that the Ordinance be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

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

F. Plats and Certified Survey Maps

[2024 LD-023](#) Preliminary Plat - Sugar River Vista
Town of Verona
Acceptance and schedule for future consideration

A motion was made by POSTLER, seconded by BOLLIG, that the preliminary plat be accepted and scheduled for future consideration. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KRONING,POSTLERandRITT

G. Resolutions

H. Ordinance Amendment

[2024 OA-033](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE Town of MAZOMANIE Comprehensive Plan INTO THE DANE COUNTY COMPREHENSIVE PLAN

No action taken (see public hearing section above).

I. Items Requiring Committee Action

J. Reports to Committee

[2024 RPT-520](#) February update on the 2024 Zoning Map Review project

Planning and Development Director Todd Violante provided an update to the Committee on the status of the zoning map review project.

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG, seconded by DOOLAN, that the meeting be adjourned at 8:08 PM. The motion carried unanimously.