



# 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, December 13, 2022

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 6:30 PM in Room 354 of the City-County Building.

Staff present: Violante, Lane, Holloway, Everson, Hilbert

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, KATE MCGINNITY, and MELISSA RATCLIFF

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

No comments made by the public.

[2022](#)  
[RPT-595](#)

December 13, 2022 ZLR Registrants

**Attachments:** [Dec 13 2022 ZLR Registrants](#)

#### C. Consideration of Minutes

[2022](#)  
[MIN-448](#)

Minutes of the November 15, 2022 Zoning & Land Regulation Committee meeting.

**Attachments:** [11-15-22 ZLR Public Hearing Minutes](#)

A motion was made by BOLLIG, seconded by MCGINNITY, that the minutes be approved. The motion carried by the following vote:

**Ayes:** 4 - BOLLIG, DOOLAN, KIEFER and MCGINNITY

**Abstain:** 1 - RATCLIFF

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

[11909](#)

PETITION: REZONE 11909  
APPLICANT: CRYSTAL LAKE PARK LLC  
LOCATION: SOUTH OF N550 GANNON ROAD, SECTION 2, TOWN OF ROXBURY  
CHANGE FROM: NR-C Natural Resource Conservation District TO RE Recreational District  
REASON: town-initiated rezone for consistency with previous (pre zoning ordinance rewrite) zoning district.

**Attachments:** [11909 Ord Amend](#)  
[11909 Staff Report](#)  
[11909 Town Action](#)  
[11909 Exhibits](#)  
[11909 Map](#)  
[11909 App](#)  
[11909 Town comments - Steinberg](#)

*In support: Town Plan Commission Chair H. Adam Steinberg, Steve Bodenschatz, Alicia Bodenschatz, Charles Sweeney, Alan Deming*  
*Opposed: None*

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

**1. The rezone shall apply only to the areas currently above 874.6 feet in elevation (the established Base Flood Elevation).**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11910](#)

PETITION: REZONE 11910  
APPLICANT: CEDAR CREEK VALLEY LLC (JULIETTE SCHICK)  
LOCATION: 2631 COUNTY HIGHWAY J, SECTION 14, TOWN OF SPRINGDALE  
CHANGE FROM: AT-35 Agriculture Transition District TO RR-4 Rural Residential District  
REASON: expanding residential lot boundary

**Attachments:** [11910 Staff Report](#)  
[11910 Map UPDATE.pdf](#)  
[11910 App](#)

*In support: Juliette Schick*  
*Opposed: None*

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

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11911](#)

PETITION: REZONE 11911  
APPLICANT: RONALD & BARBARA HENNINGS LIVING TR  
LOCATION: 6260 SOMMER VALLEY CIR, SECTION 4, TOWN OF BURKE  
CHANGE FROM: RR-4 Rural Residential District TO RR-1 Rural Residential District, RR-4 Rural Residential District TO RR-2 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11911 Staff Report](#)

[11911 Map](#)

[11911 App](#)

*In support: Ronald and Barbara Hennings*

*Opposed: None*

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

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11912](#)

PETITION: REZONE 11912  
APPLICANT: DOROTHY M JOHNSON  
LOCATION: 1343 STARR SCHOOL RD, NORTH AND SOUTH OF 1383 STARR SCHOOL RD, SECTION 2, TOWN OF RUTLAND  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District and RR-2 Rural Residential District  
REASON: separate existing farmstead from farm and create 3 additional residential lots

**Attachments:** [11912 Staff Report](#)

[11912 Density Study \(20 acre parcel\)](#)

[11912 Density Study \(subject property\)](#)

[11912 Map](#)

[11912 App](#)

*In support: Agent Michael Rumpf*

*Opposed: None*

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

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11913](#)

PETITION: REZONE 11913  
APPLICANT: NORSMAN INVESTMENTS LLC  
LOCATION: 1161 US HIGHWAY 14, SECTION 7, TOWN OF RUTLAND  
CHANGE FROM: RR-8 Rural Residential District TO HC Heavy Commercial District  
REASON: create a 2.8-acre commercial lot for a material storage business

**Attachments:** [11913 Staff Report](#)

[11913 Town Action Report](#)

[11913 Example building exhibit](#)

[11913 Map](#)

[11913 App rev](#)

*In support: David Norsman*

*Opposed: None*

**A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning Petition be postponed due to staff concerns with the need to clarify the Town's conditions. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[02579](#)

PETITION: CUP 02579  
APPLICANT: BMS PROPERTIES LLC  
LOCATION: 2416 COUNTY RD MN ABUTTING COUNTY RD N, SECTION 33, TOWN OF  
COTTAGE GROVE  
CUP DESCRIPTION: expansion of existing dog kennel operation

**Attachments:** [CUP 2579 Staff Report](#)  
[CUP 2579 Town Action](#)  
[CUP 2579 Revised Site Plan](#)  
[CUP 2579 Map](#)  
[CUP 2579 App](#)  
[CUP #2579](#)

*In support: Benjamin Larson*  
*Opposed: None*

**A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be approved with conditions. The motion carried by the following vote: 5-0.**

- 1. Any conditions required for specific uses listed under s.10.103 of County Ordinances;**
- 2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan;**
- 3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of 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 county 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 county 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 and circulation must be provided, consistent with s. 10.102(8) of County Ordinances;**
- 9. If 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 County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or 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 must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the 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;

12. 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;

13. 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 reasonable opportunity to correct any violations prior to revocation;

14. The facility shall be run as described in the petition for the pet boarding facility and crematorium.

15. Hours of operation shall be Monday through Saturday 6:00am to 6:00pm, and Sunday 3:00pm to 6:00pm.

16. The maximum number of employees shall not exceed 12 on site at any one time (except for staff meetings).

17. The maximum number of boarded pets shall be 50, until the new kennel building is fully constructed at which time the number of boarded pets shall not exceed 100.

18. There shall be no outside storage.

19. Outdoor activities are limited to a fenced-in play area for dogs and a swimming pool for dogs.

20. Outdoor lighting shall be determined at the design review phase with the Town of Cottage Grove when a building permit is applied for. All lighting shall be directed downward and away from adjacent properties and public rights-of-way, and shall be designed to minimize ambient light spill.

21. All signs modified or constructed on the property shall require a County sign permit and shall comply with Dane County zoning regulations for signage and lighting.

22. The existing residence shall be remodeled within 90 days to meet the commercial building code requirements.

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[2022  
OA-044](#)

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF  
ORDINANCES, REGARDING CONDITIONAL USE PERMIT APPEALS

**Sponsors:** DOOLAN

**Attachments:** [2022 OA-044 Staff Memo\\_ZLR.pdf](#)  
[2022 OA-044](#)  
[2022 OA-044 Fiscal Note](#)

*In support: DCTA Executive Director Renee Lauber, Town of Deerfield Plan  
Commissioner Jim Maple  
Opposed: None*

**A motion was made by RATCLIFF, seconded by BOLLIG, that the Ordinance be postponed until the January 24th Zoning and Land Regulation Committee meeting. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

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

[11870](#)

PETITION: REZONE 11870  
APPLICANT: TYROL PROPERTIES LLC  
LOCATION: NORTH OF 3487 BOHN RD, SECTION 28, TOWN OF VERMONT  
CHANGE FROM: NR-C Natural Resource Conservation District TO RE Recreational District  
REASON: rezone to allow expansion of parking area for tyrol basin

**Attachments:** [11870 Ord Amend](#)  
[11870 Staff Update](#)  
[11870 Staff Report.pdf](#)  
[11870 Town Action Report.pdf](#)  
[11870 parking area concept.pdf](#)  
[11870 parking area - zoom.pdf](#)  
[11870 staff correspondence.pdf](#)  
[11870 Map](#)  
[11870 APP](#)

*In support: None  
Opposed: None*

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

- 1. The parking lot shall be developed per the submitted plans.**
- 2. The applicant shall obtain erosion control and stormwater management permit approvals from the Land and Water Resources Department.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[02577](#)

PETITION: CUP 02577  
APPLICANT: REGENT OF UNIV OF WIS 310 PETERSON BLDG  
LOCATION: 3725 SCHNEIDER DRIVE, SECTION 27, TOWN OF DUNN  
CUP DESCRIPTION: solar array electric generating facility - 15 acres

**Attachments:** [CUP 2577 Staff Update](#)

[CUP 2577 Town Action](#)

[CUP 2577 Distance to homes buffer](#)

[CUP 2577 Terrain Elevation Map](#)

[CUP 2577 KRC Solar ZLR meeting slides 2022-11-15](#)

[CUP 2577 Decommissioning Plan - UW Kegonsa Stantec  
2022-12-07](#)

[CUP 2577 Alliant UW Plan Set final 2022-11-10](#)

[CUP 2577 Supplemental and Updated Documents](#)

[CUP 2577 Solar Panel info sheet](#)

[CUP 02577 Environmental Impact Assessment](#)

[CUP 2577 Map](#)

[CUP 2577 App](#)

[CUP 2577 Public comment in opposition - Martinson](#)

[CUP 2577 Public comment in opposition - Ace](#)

[CUP 2577 Public petition in opposition](#)

[CUP 2577 Public comment in opposition - Pertzborn](#)

[CUP 2577 Public comment in opposition - Tiedt](#)

[CUP 2577 Vickerman testimony.pdf](#)

[CUP 2577 Public comment in support - Hundt](#)

[CUP 02577 ZLR Public Comment Response 2022-11-21](#)

[CUP #2577](#)

**A motion was made by BOLLIG, seconded by KIEFER, tot suspend the rules to allow additional testimony. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF



*In support: Amanda Thomas*

*Opposed: Kimberly Pertzborn*

A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be approved with conditions. The motion carried by the following vote: 5-0.

1. The permit holder shall plant vegetation in a manner which helps buffer, screen, break up, or soften views of the solar panels and associated buildings from the public road or adjacent residences. Plantings shall be provided according to the conceptual vegetation plan and "Sample Wisconsin Native Plantings" list submitted on October 28, 2022; in addition at least 3 trees shall be planted on the north end between the panels and Schneider Drive.
2. Solar panels and associated structures (excluding fencing or driveways) may not cover more than 5 acres of prime soils (see site plan).
3. Solar panels and associated structures cannot be more than 14 feet in height, with view considerations as detailed under Condition #1.
4. Any external lighting shall be limited to lighting that is necessary for safety and lighting for interpretive signage. All lighting must be dark skies compliant. All lighting must be downward facing, shaded, cannot spill over on neighboring property lines, dark skies compliant, and be shut off from 10 pm to 7 am.
5. Construction must occur between 7 am and 7 pm.
6. Any hazardous, toxic, or explosive materials stored or used on site must be stored, used, and disposed of in accordance with state and federal laws.
7. The area beneath the solar panels must be planted with native, pollinator-friendly vegetation or be used for agricultural activities such as crop production or grazing. The native, pollinator-friendly vegetation must be maintained to avoid other vegetation from growing under the panels.
8. All new wires associated with the CUP shall be located underground, including all wires that transfer electricity from the solar panels to another location beyond the CUP boundary, except overhead wires may be installed between existing poles when underground wiring is not feasible.
9. Fencing shall be limited to the fencing shown on the site plan, must include locks and shall be no taller than 8 feet. No barbed wire or razor wire fencing is permitted.
10. The main sign is limited to 32 square feet per Dane County Sign Ordinances.
11. A third driveway access from Schneider Drive will not be permitted. A temporary construction driveway can be placed on Schneider Drive with Town of Dunn approval.
12. Permit holder shall abide by the terms of the decommissioning plan, which must be in a recordable form acceptable to the Town of Dunn and must be approved by the Town of Dunn prior to CUP approval by the Dane County Zoning and Land Regulation Committee.
13. Solar panels that are no longer functional must be recycled according to the best practices at the time in order to mitigate environmental contamination.
14. Periodic information and reports will be made available to the Town of Dunn or the public, which discusses the research and learning activities which have occurred at the solar array.
15. The CUP area shall not exceed 15 acres in size.
16. Holder of the CUP is required to obtain all necessary local, county, state, and federal permits and licenses related to the electric generating facility.
17. The CUP will terminate upon decommissioning of the solar project.
18. The CUP area must be located outside of the Town of Dunn's 100 foot wetland setback.

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

02578

PETITION: CUP 02578  
APPLICANT: BRETT LUNDE  
LOCATION: 1576 SPRING ROAD, SECTION 3, TOWN OF DUNKIRK  
CUP DESCRIPTION: 195' self-support communication tower

**Attachments:** [CUP 2578 Staff Update - 120922](#)

[CUP 2578 Town Action](#)

[CUP 2578 RF Engineering Report](#)

[CUP 2578 Updated Photosimulations 112922](#)

[CUP 2578 Photo Simulations \(Initial\)](#)

[CUP 2578 - Certified Fall Letter](#)

[CUP 2578 - FCC compliance certification](#)

[CUP 2578 Supplement - Updated Notarized Sworn Statement](#)

[CUP 2578 Supplement - Updated FAA No Hazard Determination](#)

[CUP 2578 Supplement - Notice to Other Carriers](#)

[CUP 2578 Supplement - Updated Construction Drawings and Site  
Plan \(092922\)](#)

[CUP 2578 APP](#)

[CUP 2578 Map](#)

[CUP #2578](#)

**A motion was made by KIEFER, seconded by RATCLIFF, to suspend the rules to allow additional testimony. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

*In support: Derek McGrew (CelluSite LLC)*

*Opposed: Bill Hasz*

**A motion was made by RATCLIFF, seconded by MCGINNITY, that the Conditional Use Permit be approved with conditions. The motion carried by the following vote: 5-0.**

**Conditions applicable to all CUPs from section 10.101(7)(d)2.a.:**

- 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 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.**
- 12. 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.**
- 13. 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.**

Conditions of approval specific to communications towers (derived in part from section 10.103(9)(d)).

1. The communication tower approved under CUP 2578 is intended to support installation of mobile service facility(ies) as defined under sec. 66.0404, Wisconsin Statutes, and shall be designed to support, without substantial modification, at least four users (the primary user and three collocation sites). Such collocation sites shall be made available at a minimum height of 150 feet above ground level or higher. A Wisconsin-licensed Structural Engineer shall approve and stamp the tower design, and certify that the tower can support at least four users.
2. Visual screening and/or landscaping shall be installed around the fenced tower compound to minimize the aesthetic impact of the tower and compound area. The compound area shall be fenced with hedgeline style fencing and a minimum of 3 trees shall be planted. The permit holder must present plans for the fencing and tree plantings to the Zoning Administrator for review and approval prior to installation. Any trees planted shall be maintained in viable growing conditions.
3. The proposed structure shall not be lighted nor shall it be painted a color incompatible with the environment.
4. The tower owner shall make the collocation sites required hereunder available for the placement of technologically compatible antenna arrays and equipment upon contractual provisions which are standard in the industry and at prevailing market rates allowing the permit holder to recoup the cost of providing the collocation sites and a fair return on investment.
5. No lease or deed restriction on property that is proposed for the location of a mobile service support structure or mobile service facility shall preclude the owner or lessee from entering into agreements, leases, or subleases with other providers or prohibit collocation of other providers.
6. Upon written inquiry by the committee, the holder of a Conditional Use Permit issued under this section shall have the burden of presenting to the committee credible evidence establishing to a reasonable certainty the continued compliance with all applicable standards and conditions placed upon the conditional use permit. Failure to establish compliance with the standards and conditions shall be grounds for revocation of the permit. In the event the committee determines that it is necessary to consult with a third party to ascertain compliance with the standards and conditions, all reasonable costs and expenses, except travel expenses, associated with such consultation shall be borne by the holder of said conditional use permit. Failure to pay such costs and expenses or provide information requested by the committee shall be grounds for revocation of the conditional use permit.
7. Within 90 days of approval of the conditional use permit, or prior to issuance of a zoning permit for construction of the approved communication tower, whichever comes first, the tower owner shall provide Dane County with a bond, or evidence of an existing bond, in the amount of \$20,000 ensuring performance of owner's obligation to remove any communication tower, array or any other equipment or structure placed or erected pursuant to the conditional use permit, including payment for such removal by Dane County or its agent, in the event the permit is revoked or the use permitted thereunder ceases for a continuous period of 12 months. Said bond shall expressly state that it will remain in full force and effect for a period of at least six months after the surety provides Dane County written notification of expiration or termination of the surety's obligation under the bond. Applicant shall remove any communication tower, array or any other equipment or structure placed or erected pursuant to the conditional use permit

no less than 60 days prior to the termination or expiration of the bond required hereunder.

8. If the mobile service facility(ies) to be provided from the communication tower are not installed within 1 year of the date of conditional use permit approval, or if the mobile service facility(ies) are later removed, or cease to be used for a continuous period of 12 months, the county zoning committee may take action to revoke the conditional use permit. In the event the permit is revoked, the tower owner shall remove the tower within 60 days of the county zoning committee action. If the tower is not removed within the 60 days, the county may enter upon the premises and remove the tower at the expense of the tower owner.

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

## F. Plats and Certified Survey Maps

[2022 LD-014](#) Handel 2-Lot Certified Survey Map - Land Division Waiver  
Town of Black Earth  
Applicant is seeking a waiver from Ch.75.19(6)(b)

**Attachments:** [Report](#)  
[SCAN0014](#)  
[11780 Staff Update.pdf](#)

A motion was made by BOLLIG, seconded by RATCLIFF, that the Land Division waiver be approved to allow Lot 1 to have no public road frontage. The motion carried by the following vote: 5-0.

**Finding of fact:** Lot 1 can not be used for residential development and no new lots will be created.

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[2022 LD-015](#) Final Plat - Lazy M Estates (formerly Meier Farm)  
Town of Middleton  
Staff recommends conditional approval

**Attachments:** [conditional approval](#)  
[210797 Lazy M Estates \(11-16-22\)](#)  
[21-26](#)  
[11742 Staff ReportUPDATE](#)

A motion was made by RATCLIFF, seconded by BOLLIG, that the final plat be approved conditionally. The motion carried by the following vote: 5-0.

1. All final plats shall comply with the requirements of chapter 236 of the Wisconsin Statutes.
2. Rezone Petition #11742 is to become effective and all conditions are to be timely satisfied.
  - Recording of an approved subdivision plat.
3. All public land dedications are to be clearly designated “dedicated to the public.”
  - English Daisy Court and Bell Vine Court extensions designated dedicated to the public.
  - OUTLOT 1 IS TO BE PRIVATELY HELD AND MAINTAINED, AND IT IS RESERVED FOR THE PURPOSE OF OPEN SPACE.
4. Utility easements are to be provided.
  - Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines
5. All owners of record are to be included in the owner’s certificate. Middle initials are required and in addition, a certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.  
County records indicate the following owners:
  - MEIER REV LIVING TR, ROGER J
  - MEIER REV LIVING TR, ROGER J & VERNON E MEIER
6. Comments from the Highway department are to be satisfied:
  - CTH S is a controlled access highway.
  - No access to be designated across the frontage of CTH S except in the area of the two permitted accesses.
  - Any change of use, from Private entrance, of two existing access requires a permit from the Highway Department.
  - Right of way appears to be correct.
7. Comments from the Dane County Surveyor are to be satisfied:
  - No comments
8. Comments from the Dane County Public Health department are to be satisfied:
  - Public Health has no objections to this preliminary plat.
9. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established, prior to any land disturbance.
10. Compliance with Ch. 14.46 DCCO, Stormwater Control Permit is to be established, prior to any land disturbance
11. All references within the Owner’s Certificates to the Dane County Natural Resources Committee is to be changed to Dane County Zoning and Land Regulation Committee.
12. The required approval certificates are to be executed.

- Town of Middleton
- Dane County Treasurer
- Dane County Zoning and Land Regulation Committee

13. The recordable document is to be submitted to the committee for review and approval.

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

## G. Resolutions

[2022  
RES-257](#) REQUEST STATE TO REVISE THE CURRENT REAL ESTATE TRANSFER FEES REVENUE SHARING FORMULA

**Sponsors:** MILES and ENGELBERGER

**Attachments:** [2022 RES-257](#)

*In attendance: Register of Deeds Kristi Chlebowski*

**A motion was made by RATCLIFF, seconded by BOLLIG, that Resolution 2022 Res-257 be recommended for approval. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

## H. Ordinance Amendment

[2022  
OA-044](#) AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING CONDITIONAL USE PERMIT APPEALS

**Sponsors:** DOOLAN

**Attachments:** [2022 OA-044 Staff Memo\\_ZLR.pdf](#)

[2022 OA-044](#)

[2022 OA-044 Fiscal Note](#)

*Action already taken.*

## I. Items Requiring Committee Action

[2022  
ACT-216](#) Site Plan Review for the relocation of a farm residence within the FP-35 Farmland Preservation Zoning District  
Applicant: Kolton and Elizabeth Urso  
Location: 4056 Mahoney Road, Section 9, Town of Dunn

**Attachments:** [Site Plan Review, Urso, Sec 9, Dunn.pdf](#)

**A motion was made by BOLLIG, seconded by RATCLIFF, that the site plan be approved. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

## J. Reports to Committee

[2022](#) Approved Certified Survey Map applications  
[RPT-546](#)

**Attachments:** [Dec 2022](#)

## K. Other Business Authorized by Law

## L. Adjourn

A motion was made by RATCLIFF, seconded by BOLLIG, to adjourn the December 13, 2022 Zoning and Land Regulation Committee meeting at 8:40pm. The motion carried unanimously.

*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.*