

Dane County



Minutes

Tuesday, April 22, 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 April 22, 2025 Zoning and Land Regulation Committee meeting to order at 6:31 PM

Staff present: Violante, Lane, Holloway, Everson

Present 3 - JERRY BOLLIG, MICHELE DOOLAN, and DON POSTLER

Excused 2 - JEFFREY KRONING, and MICHELE RITT

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

No comments

[2025](#)
[RPT-025](#)

April 22, 2025 ZLR Registrations

C. Consideration of Minutes

[2024](#)
[MIN-612](#)

April 8, 2025 ZLR Committee meeting minutes

A motion was made by BOLLIG, seconded by POSTLER, that the Minutes be approved. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG,DOOLANandPOSTLER

Excused: 2 - KRONINGandRITT

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

12133

PETITION: REZONE 12133
APPLICANT: KELLY CONNOR (GINTHER)
LOCATION: EAST OF 9204 GEM VIEW LANE, SECTION 17, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District TO RR-4 Rural Residential District and
RM-8 Rural Mixed-Use District
REASON: creating two residential lots

In support: Kelly Connor

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

- 1. The layout of the lots shall meet the Shared Access easement requirements in s.75.19(8) of Dane County Land Division Ordinance.**
- 2. A deed restriction shall be recorded on proposed CSM Lot 4 (current tax parcel 0607-173-9051-0) stating the following:**
 - a. Lot 4 (zoned AT-35) shall have no further buildings or further land divisions.**
- 3. A deed notice shall be recorded on Lots 1-3 of the proposed CSM (current tax parcel 0607-202-8485-0 and part of tax parcel 0607-173-9051-0) stating the following:**
 - a. Further land divisions are prohibited. The housing density rights for the original Ginther Family Limited Partnership farm have been exhausted per the Town Comprehensive Plan density policies.**

Ayes: 3 - BOLLIG, DOOLAN and POSTLER

Excused: 2 - KRONING and RITT

12146

PETITION: REZONE 12146
APPLICANT: DOUGLAS AND CARIE NELSON
LOCATION: WEST OF 1206 CTH B, SECTION 20, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

Supervisor Kroning arrived at 6:39 p.m.

In support: Carie Nelson

A motion was made by KRONING, seconded by BOLLIG, that the Zoning Petition be recommended for approval with one condition. The motion carried by the following vote: 4-0.

- 1. A deed restriction shall be recorded on tax parcels 0612-203-8500-7, 0612-203-8001-0 and 0612-203-9970-0 stating the following:**
 - a. Further residential/nonfarm development is prohibited on the remaining FP-zoned land. The housing density rights for the original Jacobson farm have been exhausted per the Town Comprehensive Plan density policies.**

Ayes: 4 - BOLLIG, DOOLAN, KRONING and POSTLER

Excused: 1 - RITT

12147

PETITION: REZONE 12147
APPLICANT: STEVEN R GRAMS
LOCATION: 195 COUNTY HIGHWAY BB, SECTION 12, TOWN OF DEERFIELD
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District, RR-1 Rural Residential District, and FP-1 Farmland Preservation District
REASON: creating two residential lots for existing structures and one agricultural lot

Supervisor Ritt arrived at 6:43 p.m.

In support: Steven Grams

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

- 1. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to proposed Lot 3 of the certified survey map.**
- 2. A deed notice shall be recorded on CSM Lot 3 that indicates it was created by a transfer of development rights.**
- 3. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcel 0712-212-9550-0).**
- 4. A deed restriction shall be recorded on tax parcel 0712-212-9550-0 stating the following:**
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Ramon Storlie farm have been exhausted per the Town Comprehensive Plan density policies.**
- 5. A shared access easement shall be provided through Lot 1, for access to Lot 2 and Lot 3.**

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

12148

PETITION: REZONE 12148
APPLICANT: ESTATE OF ELIZABETH FREY
LOCATION: 596 AND 616 COUNTY HWY B, SECTION 22, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District; FP-1 Farmland Preservation District and RM-8 Rural Mixed-Use District TO RM-16 Rural Mixed-Use District
REASON: adjust property line between adjacent landowners and consolidate parcels into one lot

In support: Michael Rumpf

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, POSTLER and RITT

12149

PETITION: REZONE 12149
APPLICANT: G&G BROTHERS PROPERTIES LLC
LOCATION: 2655 AND 2659 HIGHLAND RD, SECTION 11, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: create three residential lots including two for existing residences

In support: Dan Higgs

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

12151

PETITION: REZONE 12151
APPLICANT: JAMES & KAREN BREUNIG
LOCATION: 7200 INAMA ROAD, SECTION 16, TOWN OF ROXBURY
CHANGE FROM: SFR-08 Single Family Residential District TO HAM-R Hamlet Residential District
REASON: shifting of property lines between adjacent land owners

In support: Jim Breunig

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

12152

PETITION: REZONE 12152
APPLICANT: WILMER LARSON
LOCATION: EAST OF 2177 UPHOFF ROAD, SECTION 15, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District,
FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District
REASON: creating one residential lot and an agricultural lot

In support: Wilmer Larson

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

12153

PETITION: REZONE 12153

APPLICANT: WAYNE AND MILLICENT BRATTRUD

LOCATION: 1187 COUNTY HIGHWAY JG, SECTION 12, TOWN OF PERRY

CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District

REASON: create one rural mixed-use lot for existing residence and one agricultural lot

In support: Wayne Brattrud, James Baker

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.

1. One housing density right will remain on proposed Lot 2 (the 54.6-acre agricultural lot).

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

02656

PETITION: CUP 02656
APPLICANT: THOMAS AND CHRISTINA WATSON
LOCATION: 1746 STATE HWY 73, SECTION 34, TOWN OF CHRISTIANA
CUP DESCRIPTION: agricultural entertainment activities 10 or more days per calendar year
(update existing permit)

In support: Andy Watson

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.

- 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 # 2656:

13. This conditional use permit shall be for the following seasonal agricultural entertainment activities to occur annually from May through October: farm to table dinners, including pizza nights on the farm, and cooking classes.

14. Hours of operation of the agricultural entertainment activities shall be limited to the following times from May to October:

a. Dinners/Pizza Nights: Saturdays and Sundays from 2:00pm-9:00pm

b. Cooking classes: Sunday-Saturday (7 days per week) 1:00pm-9:00pm

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

[02657](#)

PETITION: CUP 02657

APPLICANT: WARM BELLY NOBLE LLC (FRANCIS WISNIEWSKI)

LOCATION: 4311 VILAS HOPE RD, SECTION 7, TOWN OF COTTAGE GROVE

CUP DESCRIPTION: agricultural entertainment for events more than 10 calendar days per year (update existing permit)

In support: Francis Wisniewski

A motion was made by BOLLIG, seconded by KRONING, that the Conditional Use Permit be postponed to allow for additional review of traffic impacts and site lighting. The motion carried by the following vote: 5-0.

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

Supervisor Bollig was excused at 7:14 pm

02658

PETITION: CUP 02658

APPLICANT: PAUL AND JESSICA SCHROEDER

LOCATION: 4653 PINE MANOR CIR, SECTION 6, TOWN OF MIDDLETON

CUP DESCRIPTION: accessory building over 12 feet in average height

In support: Paul Schroeder

A motion was made by KRONING, seconded by Postler, 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: 4-0-1

Standard Conditions for all Conditional Use Permits from 10.101(7):

- 1. Any conditions required for specific uses listed under s. 10.103 (none).**
- 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 # 2658:

- 13. All Town Ordinances shall be complied with during the life of the CUP.
- 14. The Conditional Use approval is limited to tax parcel 0708-064-2534-5, also known as 4653 Pine Manor Circle.
- 15. The Town specifies the following:
 - a. The outdoor lighting is acceptable as proposed.
 - b. The proposed two-car detached garage being 31.4 ft from the front property line is acceptable.
 - c. The accessory structure's maximum 19.5' height and median roof height of 14.5' is acceptable.
 - d. A driveway permit shall be required from the Town of Middleton to construct the driveway as proposed.

Ayes: 4 - DOOLAN,KRONING,POSTLERandRITT

Excused: 1 - BOLLIG

02659

PETITION: CUP 02659

APPLICANT: WINGRA REAL ESTATE LLC

LOCATION: 3690 RUTLAND-DUNN TOWN LINE RD, SECTION 34, TOWN OF DUNN

CUP DESCRIPTION: temporary concrete batch plant for Wis DOT road projects

Supervisor Bollig returned at 7:16 pm

In support: David Melum

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 Conditional Use Permits from 10.101(7):

- 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 # 2659:

13. The Conditional Use Permit shall only be valid for a parcel of land located in Section 34 and Section 35 of the Town of Dunn, within the area described in the CUP petition legal description until December 31, 2025, and shall become void prior if concrete operations are concluded by Michels Road & Stone LLC, if the property is sold by Wingra Real Estate LLC, or if the following conditions below are not followed.
14. General hours are 6:00 AM to 7:00 PM Monday through Saturday.
15. The maximum number of trucks per hour at any given time shall be 25.
16. The route of truck traffic shall be limited to Rutland Dunn Townline Road and Lake Kegonsa Road in order to access Highway 51 or State Road 138.
17. Trucks may not be parked or stored within the road right-of-way.
18. All outdoor lighting for the concrete operations shall be directed downward and away from adjacent properties and public rights-of-way, and no light shall spill over neighboring property lines.
19. Water trucks shall be used, as necessary, to limit dust formation from stockpiles and access roads.
20. All trucks and equipment shall only use white or grey noise backup alarms.
21. Noise from the CUP operation shall be limited to 70 dBA measured at the property line.
22. Wingra Real Estate LLC or Michels Road & Stone LLC must provide appropriate dumpsters for proper waste disposal.
23. Wingra Real Estate LLC or Michels Road & Stone LLC must provide sanitary facilities per OSHA standards.
24. All requirements and conditions of Wingra Real Estate LLC's and Michels Road & Stone LLC WPDES permit must be complied with.
25. Upon the expiration of the CUP permit or cessation of concrete operations, Wingra Real Estate LLC or Michels Road & Stone LLC shall restore the site to its pre-concrete operation condition, by removing all concrete batch plant equipment, materials, and structures.
26. Where applicable and as necessary, the site shall be re-graded and free of debris or contamination.
27. Wingra Real Estate LLC or Michels Road & Stone LLC shall notify the Town of Dunn in writing a minimum of two weeks prior to starting concrete operations for the 2025 Highway 51 DOT projects. Both the Town Highway Department and Wisconsin Department of Transportation (DOT) shall subsequently inspect the road conditions of the truck routes before the start of the CUP activities.
28. Wingra Real Estate LLC or Michels Road & Stone LLC shall notify the Town of Dunn in writing within two weeks of completion of the 2025 Highway 51 DOT projects. Both the Town Highway Department and Wisconsin Department of Transportation (DOT) shall subsequently inspect the road conditions of the truck routes.
29. Any road damage(s) resulting from the CUP activities must be promptly repaired by Wingra Real Estate LLC or Michels Road & Stone LLC.
 - a. If the damage is hazardous, repairs should be made immediately.
 - b. For minor damages, repairs must be completed within four weeks of the completion of the 2025 Highway 51 DOT projects.
30. Michels Road & Stone LLC shall provide emergency contact information to the Town and neighbors within 300 feet of the parcel and shall respond within 30 minutes to calls from these neighbors regarding CUP violations.

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

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

F. Plats and Certified Survey Maps

2025 LD-001 Final Plat - Kennedy Hills First Addition
Town of Cottage Grove
Staff recommends conditional approval

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

1. Rezone Petition #12048 is to become effective and all conditions are to be satisfied prior to the recording of the CSM. (County Board approved the Petition on July 18, 2024)

- Recording of an approved plat.
- Up to 50 residential lots may be platted on the SFR-08 zoned land.
- The TDR-S (Sending Area) overlay zoning district shall be applied to tax parcels 0711-123-8000-9 and 0711-123-9500-2 (Badger Farms LLC).
- The TDR-R (Receiving Area) overlay zoning district shall be applied to the portion of the proposed SFR-08 property corresponding to tax parcel 0711-101-8502-0.
- A deed notice shall be recorded on the receiving area property indicating that the SFR-08 zoned property was created by a transfer of development rights.
- Two separate agricultural conservation easements prohibiting nonfarm development on a minimum of 35 acres shall be recorded on each of the following two identified sending properties:

a. Tax parcel 0711-364-9000-6 (Duane and Linda Skaar)

b. Tax parcels 0711-123-8000-9 and 0711-123-9500-2 (Badger Farms LLC)

2. All public land dedications are to be clearly designated “dedicated to the public.”

3. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Town of Cottage Grove.

4. All street names shall be consistent with chapter 76 of the Dane County Ordinances.

• Quercus Drive approved by Dane County Surveyor on December 17, 2024.

• Scenic Oak Drive and Wooded Ridge Trail are continuations of established streets.

5. 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

6. As per Ch. 14.45 and 14.46 of the DCCO, an erosion control plan and a stormwater permit shall be approved by the Dane County Land and Water Resource department prior to any land disturbing activities associated with this plat.

7. All owners of record are to be included in the owner’s certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant. County records indicate the following owners:

• DUNROVEN RIDGE LLC

8. The required approval certificates are to be executed.

• Town of Cottage Grove

• Dane County Treasurer

• Dane County Zoning and Land Regulation Committee

9. The Town approval certificate shall be amended to include language that accepts the public road dedications.

10. The Dane County approval certificate is to reflect Michele Doolan as the chair.

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

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 BOLLIG to adjourn the meeting at 7:22 PM. The motion carried unanimously.