



# Dane County

## Meeting Agenda - Final-revised

### 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?*

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Tuesday, April 25, 2023

6:30 PM

Hybrid Meeting: Attend in person at the City  
County Building in Room 354; or Attend virtually  
via Zoom.

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See below for additional instructions on how to attend the meeting and provide public testimony.

The April 25, 2023 Zoning & Land Regulation Committee meeting will be a hybrid meeting. Members of the public can either attend in person or virtually via Zoom.

The public can attend in person at the City County Building, Room 354 (210 Martin Luther King Jr. Blvd, Madison). OR

The public can access the meeting virtually 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://zoom.us/webinar/register/WN\\_GHk5zSaVSlezUJzAi3wl9Q](https://zoom.us/webinar/register/WN_GHk5zSaVSlezUJzAi3wl9Q)

This link will be active until the end of the meeting.

To join the meeting by phone, dial-in using the following toll-free phone number:

1-888-788-0099

When prompted, enter the following Webinar ID: 945 9391 7707

**PROCESS TO PROVIDE PUBLIC COMMENT:**

**IN PERSON:** Any members of the public wishing to register to speak on/support/oppose an agenda item can register in person at the meeting using paper registration forms. **IT IS HIGHLY ENCOURAGED TO REGISTER VIA THE ZOOM LINK ABOVE EVEN IF YOU PLAN ON ATTENDING IN PERSON.**

In person registrations to provide public comment will be accepted throughout the meeting.

**VIRTUAL:** Any members of the public wishing to register to speak on/support/oppose an agenda item **MUST REGISTER USING THE LINK ABOVE** (even if you plan to attend using your phone).

Virtual registrations to provide public comment will be accepted until 30 minutes prior to the beginning of the meeting.

In order to testify (provide public comment) virtually, you must be in attendance at the meeting via Zoom or phone, you will then either be unmuted or promoted to a panelist and provided time to speak to the body.

If you want to submit a written comment for this meeting, or send handouts for board members, please send them to: [plandev@countyofdane.com](mailto:plandev@countyofdane.com)

*Interpreters must be requested in advance; please see the bottom of the agenda for more information.*

*Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.*

*Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntwam qhov txheej txheem rau cov ntaub ntwav ntxiv.*

**A. Call to Order**

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

**C. Consideration of Minutes**

[2023 MIN-044](#) Minutes of the March 28, 2023 Zoning and Land Regulation Committee meeting

**Attachments:** [3-28-23 ZLR Public Hearing Minutes.pdf](#)

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

[11933](#) PETITION: REZONE 11933  
APPLICANT: SEAN GALLAGHER  
LOCATION: NORTH OF 7254 BLACK HILL ROAD, SECTION 16,  
TOWN OF DANE  
CHANGE FROM: FP-1 Farmland Preservation District TO RR-8 Rural  
Residential District  
REASON: rezoning a legal lot of record for single-family use

**Attachments:** [11933 Staff Report](#)  
[11933 New Recorded Easement Agreement 5896048](#)  
[11933 Town Action](#)  
[11933 Map](#)  
[11933 APP](#)

[11934](#) PETITION: REZONE 11934  
APPLICANT: R & J ACRES LLC  
LOCATION: EAST OF 1985 SPRING ROSE RD, SECTION 25, TOWN  
OF SPRINGDALE  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-1 Rural  
Residential District  
REASON: expand size of residential lot

**Attachments:** [11934 Staff Report](#)  
[11934 Town Action](#)  
[11934 Map](#)  
[11934 APP](#)

[11935](#) PETITION: REZONE 11935  
APPLICANT: DAHLK REV LIVING TR (HOWARD & CHRISTINE  
DAHLK)  
LOCATION: 2134 COUNTY HIGHWAY J, SECTION 26, TOWN OF  
SPRINGDALE  
CHANGE FROM: AT-35 Agriculture Transition District TO RR-1 Rural  
Residential District, AT-35 Agriculture Transition District TO RR-2  
Rural Residential District, AT-35 Agriculture Transition District TO  
RR-4 Rural Residential District  
REASON: creating 4 new residential lots

**Attachments:** [11935 Staff Report](#)  
[11935 Town Action](#)  
[11935 Map](#)  
[11935 APP](#)

[11936](#)            PETITION: REZONE 11936  
APPLICANT: ROBERT REYNOLDS  
LOCATION: 38 COUNTY HIGHWAY N, SECTION 33, TOWN OF  
ALBION  
CHANGE FROM: RM-8 Rural Mixed-Use District TO FP-35 Farmland  
Preservation District, RM-8 Rural Mixed-Use District TO RR-2 Rural  
Residential District, RM-16 Rural Mixed-Use District TO FP-35  
Farmland Preservation District  
REASON: reduce the size of a residential lot

**Attachments:**   [11936 Staff Report](#)  
[11936 Town Action](#)  
[11936 Map](#)  
[11936 APP](#)

[11937](#)            PETITION: REZONE 11937  
APPLICANT: KIMBERLY AND TIMOTHY SCHMITT  
LOCATION: 4355 KRUEGER RD, SECTION 11, TOWN OF  
DEERFIELD  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural  
Residential District  
REASON: creating one residential lot

**Attachments:**   [11937 Staff Report](#)  
[11937 Town Action](#)  
[11937 Density](#)  
[11937 Map](#)  
[11937 APP](#)

[11938](#)            PETITION: REZONE 11938  
APPLICANT: TOWN OF MONTROSE C/O JOHN SAYLES  
LOCATION: 1415 RANGE TRAIL, SECTION 3, TOWN OF  
MONTROSE  
CHANGE FROM: LC Limited Commercial District TO HAM-M Hamlet  
Mixed-Use District, NR-C Natural Resource Conservation District TO  
HAM-M Hamlet Mixed-Use District  
REASON: bring property into compliance with existing land use (town  
public works facility)

**Attachments:**   [11938 Staff Report](#)  
[11938 Town Action](#)  
[11938 APP](#)  
[11938 Map](#)

[11939](#)

PETITION: REZONE 11939  
APPLICANT: FREDERICK C WOLF  
LOCATION: NORTH OF 5630 WOLF ROAD, SECTION 15, TOWN OF MAZOMANIE  
CHANGE FROM: RM-16 Rural Mixed-Use District TO LC Limited Commercial District, RM-16 Rural Mixed-Use District TO FP-35 Farmland Preservation District  
REASON: creating a lot for a building contractor office

**Attachments:** [11939 Staff Report](#)  
[11939 Town Action](#)  
[11939 APP](#)  
[11939 Map](#)

[02591](#)

PETITION: CUP 02591  
APPLICANT: DAN AND MARLENE LA FLEUR  
LOCATION: 3440 MEADOW ROAD, SECTION 32, TOWN OF MIDDLETON  
CUP DESCRIPTION: small animal boarding facility

**Attachments:** [CUP 2591 Staff Report.pdf](#)  
[CUP 2591 APP rev 02-28-23](#)  
[CUP 2591 Narrative Revised](#)  
[CUP 2591 Floor Plans 02-28-23](#)  
[CUP 2591 Four Paws Business Plan Revised 2-28-23](#)  
[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](#)

[02592](#)

PETITION: CUP 02592  
APPLICANT: WARM BELLY NOBLE LLC (FRANCIS WISNIEWSKI)  
LOCATION: 4305 & 4311 VILAS HOPE ROAD, SECTION 7, TOWN OF COTTAGE GROVE  
CUP DESCRIPTION: agricultural entertainment for events more than 10 calendar days per year

**Attachments:** [CUP 2592 Staff Report.pdf](#)  
[CUP 2592 Town Action](#)  
[CUP 2592 Map](#)  
[CUP 2592 Site Plans 02-16-2023](#)  
[CUP 2592 Narrative and Event Plan](#)  
[CUP 2592 APP](#)

[2023 ACT-004](#)

RECONSIDERATION OF CUP 2578 FOR A 195' SELF-SUPPORTING COMMUNICATION TOWER LOCATED ON THE PROPERTY AT 1576 SPRING ROAD, SECTION 3, TOWN OF DUNKIRK

**Attachments:** [CUP 2578 Reconsideration - Staff Update Memo](#)  
[CUP 2578 - Opposition letters](#)  
[CUP 2578 - Applicant Airspace Safety ASAC Consultant Report](#)  
[CUP 2578 - Applicant proposed tower lighting details](#)  
[CUP 2578 - WISDOT staff comments on concerns](#)  
[CUP 2578 - WISDOT staff response RE\\_ Summary of airport concerns v](#)  
[CUP 2578 Corporation Counsel letter](#)  
[CUP 2578 Iron Mountain Notice Letter](#)  
[CUP 2578 RF Engineering Report](#)  
[CUP 2578 Updated Photosimulations 112922](#)  
[CUP 2578 Application package](#)  
[CUP 2578 Supplement - Updated FAA No Hazard Determination](#)  
[CUP 2578 Supplement - Updated Notarized Sworn Statement](#)  
[CUP 2578 Supplement - Updated Construction Drawings and Site Plan \(](#)

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

[11921](#) PETITION: REZONE 11921  
APPLICANT: LEAH J BOELTE (LANGE)  
LOCATION: 3094 SUNNYSIDE STREET AND 2398 FAIRVIEW STREET, SECTION 18, TOWN OF PLEASANT SPRINGS  
CHANGE FROM: SFR-08 Single Family Residential District TO MFR-08 Multi-Family Residential District  
REASON: bring existing residential development into compliance with current zoning ordinances

- Attachments:** [11921 Staff Update](#)  
[11921 Town Action](#)  
[11921 Town Plan Policies](#)  
[11921 Map](#)  
[11921 APP](#)  
[11921 Opposed - Smith](#)  
[11921 Opposed - Miller - Murray - Quam - Verstegen.pdf](#)  
[11921 Opposed - True.pdf](#)  
[11921 Opposed - Wienkes.pdf](#)  
[11921 Public Comment - Deutscher.pdf](#)

**Legislative History**

1/24/23	Zoning & Land Regulation Committee	postponed to the Zoning & Land Regulation Committee
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A motion was made by BOLLIG, seconded by KIEFER, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote:  
3-0. Passed

[11928](#) PETITION: REZONE 11928  
APPLICANT: DOUGLAS AND VICTORIA STATZ  
LOCATION: 7437 STATE HWY 113, SECTION 15, TOWN OF DANE  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural Mixed-Use District, RM-16 Rural Mixed-Use District TO FP-1 Farmland Preservation District  
REASON: creating a residential lot for the existing residence and creating an agricultural lot.

- Attachments:** [11928 Staff Update](#)  
[11928 Town Action](#)  
[11928 Email of Concern](#)  
[11928 ROD doc 3266066](#)  
[11928 Map](#)  
[11928 APP](#)

**Legislative History**

3/28/23 Zoning & Land Regulation Committee postponed to the Zoning & Land Regulation Committee  
A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be postponed due to no Town action. The motion carried by the following vote: 4-0. Passed

[11929](#)

PETITION: REZONE 11929  
APPLICANT: GREGORY A THOMPSON  
LOCATION: NW CORNER OF BURKE ROAD AND REINER ROAD,  
SECTION 23, TOWN OF BURKE  
CHANGE FROM: SFR-1 Single Family Residential District TO TFR-08  
Two Family Residential District  
REASON: zoning to allow for duplex residential use

**Attachments:** [11929 Staff Update](#)  
[11929 Town Action](#)  
[11929 Map](#)  
[11929 App](#)

**Legislative History**

3/28/23 Zoning & Land Regulation Committee postponed to the Zoning & Land Regulation Committee  
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: 4-0. Passed

[11931](#)

PETITION: REZONE 11931  
APPLICANT: LINDUS PROPERTIES LLC  
LOCATION: 4281 ACKER RD., SECTION 8, TOWN OF BURKE  
CHANGE FROM: HC Heavy Commercial District TO MI Manufacturing  
and Industrial District  
REASON: zoning to allow an auto salvage yard business

**Attachments:** [11931 Staff Update](#)  
[11931 Town Action](#)  
[11931 Letter of Concern](#)  
[11931 Map](#)  
[11931 App](#)

**Legislative History**

3/28/23 Zoning & Land Regulation Committee postponed to the Zoning & Land Regulation Committee  
A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be postponed until the April 25th ZLR Committee meeting due to public opposition. The motion carried by the following vote: 4-0. Passed





02584

PETITION: CUP 02584  
APPLICANT: JOSEPH AND DIANE RIPP  
LOCATION: SOUTH OF 7839 BONETTI ROAD, SECTION 1, TOWN  
OF DANE  
CUP DESCRIPTION: non-metallic mineral extraction operation,  
temporary concrete batch plant, and temporary asphalt plant

**Attachments:**

- [CUP 2584 Memo to ZLR.pdf](#)
- [CUP 2584 Staff Report.pdf](#)
- [CUP 2584 Vienna requirements for Bonetti Road.pdf](#)
- [CUP 2584 Email in opposition Grams.pdf](#)
- [CUP 2584 Email in opposition Haymes](#)
- [CUP 2584 Email in opposition Hojnacki.pdf](#)
- [CUP 2584 Email in opposition Karls.pdf](#)
- [CUP 2584 Email in opposition Karls 2.pdf](#)
- [CUP 2584 Email in Opposition Niesen K.pdf](#)
- [CUP 2584 Email in Opposition Niesen M.pdf](#)
- [CUP 2584 Email in opposition Stinson.pdf](#)
- [CUP 2584 Letter in opposition Pierce.pdf](#)
- [CUP 2584 Letter in opposition Roth.pdf](#)
- [CUP 2584 Letter in opposition Taylor.pdf](#)
- [CUP 2584 Letter in opposition Wilson.pdf](#)
- [CUP 2584 Performance letters from Tri-County Paving.pdf](#)
- [CUP 2584 Email in opposition - Galle.pdf](#)
- [Written testimony from Mar 28th public hearing.pdf](#)
- [CUP 2584 Email in opposition - Fanney.pdf](#)
- [CUP 2584 App](#)
- [CUP 2584 Map](#)

**Legislative History**

3/28/23	Zoning & Land Regulation Committee	postponed to the Zoning & Land Regulation Committee
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A motion was made by RATCLIFF, seconded by BOLLIG, that the Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 4-0. Passed

[02585](#)

PETITION: CUP 02585  
 APPLICANT: CASEY AND MELISSA HELBACH  
 LOCATION: 6993 APPLEWOOD DRIVE, SECTION 27, TOWN OF  
 MIDDLETON  
 CUP DESCRIPTION: transient or tourist lodging (short-term rental)

***Attachments:***

- [CUP 2585 Staff Update](#)
- [CUP 2585 Town Ltr RE CUP 2585](#)
- [CUP 2585 Applicant's Repsonse to Conditions.pdf](#)
- [CUP 2585 Letter to Town](#)
- [CUP 2585 Staff Report](#)
- [CUP 2585 Town Action](#)
- [CUP 2585 Previous CUP 2566](#)
- [CUP 2585 Map](#)
- [CUP 2585 APP](#)
- [CUP 2585 Email in Opposition - Zilavy.pdf](#)
- [CUP 2585 Email in Opposition VandeBerg.pdf](#)
- [CUP 2585 Email in Opposition - Huntsman.pdf](#)

***Legislative History***

3/28/23	Zoning & Land Regulation Committee	postponed to the Zoning & Land Regulation Committee
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A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be postponed until the April 25th ZLR Committee meeting due to public opposition. The motion carried by the following vote: 4-0. Passed

[02586](#)

PETITION: CUP 02586  
 APPLICANT: TINGTING & DERIK BINGNER  
 LOCATION: 2290 CTH AB, SECTION 23, TOWN OF DUNN  
 CUP DESCRIPTION: transient or tourist lodging (short-term rental)

***Attachments:***

- [CUP 2586 Staff Update](#)
- [CUP 2586 Town Action](#)
- [CUP 2586 Email in opposition Christianson.pdf](#)
- [CUP 2586 Letter of opposition L Carnahan.pdf](#)
- [CUP 2586 Letter of opposition P Carnahan.pdf](#)
- [CUP 2586 Peaceful Stay Pledge](#)
- [CUP 2586 Map](#)
- [CUP 2586 APP](#)

***Legislative History***

3/28/23 Zoning & Land Regulation Committee postponed to the Zoning & Land Regulation Committee  
A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be postponed until the April 25th ZLR Committee meeting due to public opposition. The motion carried by the following vote: 4-0. Passed

## F. Plats and Certified Survey Maps

## G. Resolutions

[2023 RES-042](#) ACCEPTING FEDERAL COMMUNICATIONS COMMISSION AFFORDABLE CONNECTIVITY PROGRAM OUTREACH GRANT FUNDS

**Sponsors:** RATCLIFF

**Attachments:** [2023 RES-042](#)  
[2023 RES-042 FISCAL NOTE](#)

### **Legislative History**

4/21/23 County Board referred to the Zoning & Land Regulation Committee  
This resolution was referred to the Zoning & Land Regulation Committee

4/21/23 County Board referred to the Personnel & Finance Committee  
This resolution was referred to the Personnel & Finance Committee

## H. Ordinance Amendment

## I. Items Requiring Committee Action

## J. Reports to Committee

## K. Other Business Authorized by Law

## L. Adjourn

Questions? Contact Planning and Development Staff, 266-4266, or [plandev@countyofdane.com](mailto:plandev@countyofdane.com).

*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.*

Phone: (608)-266-4266