



# DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703

TO: Dane County Zoning & Land Regulation (ZLR) Committee  
Dawn George, Town of Rutland Clerk

FROM: Alexandra Andros, AICP, Senior Planner

SUBJECT: 2022 DISC-013 Reconsideration of Conditional Use Permit 2563

DATE: September 15, 2022

CC: Todd Violante, AICP, Director of Planning & Development  
Roger Lane, Zoning Administrator

As you are all aware, the application and approval process for conditional use permit (CUP) #2563 for a mineral extraction operation in the town of Rutland took a considerable amount of time and effort. Along the way, numerous documents were presented and provided at both the town and county level. Application materials and supplemental application materials were provided from multiple sources – applicant, surveyor, engineering consultant, attorneys, etc. Maps showing the extent of the CUP area were also presented and discussed during town and county meetings using presentation boards. Ultimately, all of the required application materials were provided. The operator has also been working on an application for a nonmetallic mining reclamation permit as required by Chapter 74 of the Dane County Code of Ordinance (DCCO).

Post committee action and during review of the Chapter 74 permit application, it was discovered that there was a discrepancy between the legal description originally submitted with the conditional use permit application and the CUP area that was eventually approved and ultimately included in the reclamation plan application material. The CUP area was modified over the course of review, but the actual legal description that defined the revised CUP area including the legal non-conforming (NC) area to the north and the area further to the west containing the WisDOT borrow site, were not subsequently revised and submitted.

In order to assure a clear and accurate record, the applicant and we as staff are requesting and recommending that ZLR reconsider CUP 2563 to accept the revised legal description and site plan map to reflect the approved CUP area.