Dane County



Minutes

Tuesday, May 23, 2023

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?

A. Call to Order

Chair Doolan called the meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Dan Everson, Hans Hilbert, Rachel Holloway, Roger Lane, Todd Violante

Present 3 - MICHELE DOOLAN, TIM KIEFER, and MELISSA RATCLIFF

Excused 2 - JERRY BOLLIG, and KATE MCGINNITY

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

No comments made by the public.

2023 May 23, 2023 ZLR Registrants

RPT-112

C. Consideration of Minutes

2023 May 9, 2023 ZLR Committee Meeting Minutes

MIN-101

A motion was made by RATCLIFF, seconded by KIEFER, that the minutes of the May 9, 2023 ZLR Committee meeting be approved. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

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

11940 PETITION: REZONE 11940

APPLICANT: KOREY A KAHL

LOCATION: 10016 US HIGHWAY 14, SECTION 23, TOWN OF BLACK EARTH

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

REASON: shifting of property lines between adjacent land owners

In Support: Korey Kahl Opposed: None

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

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

11941 PETITION: REZONE 11941

APPLICANT: GERALD & JOAN SCHULTZ

LOCATION: 4112 N. BIRCH TRAIL, SECTION 14, TOWN OF CROSS PLAINS

CHANGE FROM: FP-35 Farmland Preservation District TO RR-16 Rural Residential District,

RR-8 Rural Residential District TO RR-16 Rural Residential District REASON: shifting of property lines between adjacent land owners

In Support: Danny Lochner

Opposed: None

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

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

11942 PETITION: REZONE 11942

APPLICANT: HENNY AND ARLEN LUND

LOCATION: 1898 PLEASANT DRIVE, SECTION 25, TOWN OF CHRISTIANA

CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District

REASON: separating existing residence from farmland

In Support: David Riesop, Alan Lund

Opposed: None

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

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

11943 PETITION: REZONE 11943

APPLICANT: KEITH & LORI RIPP JT REV TRUST

LOCATION: 7187 COUNTY HWY V, SECTION 21, TOWN OF DANE

CHANGE FROM: FP-35 Farmland Preservation District TO RM-8 Rural Mixed-Use District

REASON: separating existing residence from farmland

In Support: Keith Ripp, Taylor Ripp

Opposed: None

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

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

11944 PETITION: REZONE 11944

APPLICANT: FAUST IRREV TR (SHARON FAUST)

LOCATION: EAST OF 4551 MEADOWVIEW ROAD, SECTION 6, TOWN OF DUNN CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District

REASON: creating one residential lot

In Support: Sharon Faust, Janice and Jesse Faust

Opposed: None

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

- 1. A deed restriction shall be recorded on tax parcels 0610-061-8030-2 and 0610-061-9530-5 stating the following:
- a. Further land divisions for residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights have been exhausted per the Town Comprehensive Plan density policies.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

11945 PETITION: REZONE 11945

APPLICANT: HOWARD H HANSON JR

LOCATION: EAST OF 9265 REIBLE ROAD, SECTION 19, TOWN OF ROXBURY CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural Residential District

REASON: zoning to allow for residential use

In Support: Howard Hanson

Opposed: None

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

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

02594 PETITION: CUP 02594

APPLICANT: TRIERWEILER CONSTRUCTION & SUPPLY COMPANY LOCATION: 4381 MARSH ROAD, SECTION 26, TOWN OF BLOOMING GROVE CUP DESCRIPTION: temporary concrete batch plant in the Wingra Quarry

A motion was made by KIEFER, seconded by RATCLIFF, to suspend the rules to allow additional testimony by members of the public who registered late. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

A motion was made by KIEFER, seconded by RATCLIFF, to suspend the rules to allow additional testimony by members of the public who registered late. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

In Support: Nick Petit (Trierweiler Construction & Supply Co.), Buck Sweeney (Axley Brynelson), Kevin McMullen (WI Concrete Pavement Assn.), Brian Oppman (Trierweiler) Opposed: Meredith Hughey, Sarah Baumgartner, Scott and Sue Turner, Joy Ableman, Sabrina Tolley, Julia Hunter, Kara Ripley, Marci-Rae Kukula, Michael Glowacki, Lisa Crane, Chawalee Pochanayon, Amy Ward, Michael Kukula, Tracy Thompson, Mitchell Shellenberger, Jessica Shellenberger, Craig Clauson, Mitchell Shellenberger, Michelle Voeck, Barbara White, Isaac Padrnos, Judy Patten, Matthew Young

A motion was made by RATCLIFF, seconded by KIEFER, that this Zoning Petition be postponed due to public opposition. The motion carried by the following roll call vote: 2-1.

Ayes: 2 - DOOLANandRATCLIFF

Noes: 1 - KIEFER

Excused: 2 - BOLLIGandMCGINNITY

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

02591 PETITION: CUP 02591 - WITHDRAWN

APPLICANT: DAN AND MARLENE LA FLEUR

LOCATION: 3440 MEADOW ROAD, SECTION 32, TOWN OF MIDDLETON

CUP DESCRIPTION: small animal boarding facility

Zoning Administrator Roger Lane informed the Committee that the applicants have withdrawn CUP petition #2591 for animal boarding, and have submitted a new application requesting fewer animals.

F. Plats and Certified Survey Maps

G. Resolutions

2023 ACCEPTING WISCONSIN PUBLIC SERVICE COMMISSION BROADBAND RES-065 EQUITY, ACCESS, AND DEPLOYMENT PLANNING GRANT FUNDS

A motion was made by RATCLIFF, seconded by KIEFER, that the Resolution be recommended for approval. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

H. Ordinance Amendment

2023 OA-009 AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING SALVAGE OPERATIONS

In Support: None Opposed: None

Neither in Support nor Opposed: Renee Lauber, DCTA Executive Director

A motion was made by DOOLAN, seconded by KIEFER, to introduce Substitution 1 (Sub. 1) to the ordinance amendment. The motion carried by the following vote: 3-0.

A motion was made by DOOLAN, seconded by KIEFER, that the Ordinance be postponed to the Zoning & Land Regulation Committee's 6/27/2023 meeting to allow time for Town input. The motion carried by the following vote: 3-0.

Ayes: 3 - DOOLAN, KIEFER and RATCLIFF

Excused: 2 - BOLLIGandMCGINNITY

- I. Items Requiring Committee Action
- J. Reports to Committee
- K. Other Business Authorized by Law
- L. Adjourn

A motion was made by RATCLIFF, seconded by KIEFER, to adjourn the meeting at 8:27 P.M. The motion carried unanimously.