

Dane County



Minutes

Tuesday, April 27, 2021

6:30 PM

ZOOM meeting Webinar ID: 861 7086 6016

Remote Meeting

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 Bollig called the April 27, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm.

Staff Present: Allan, Lane, Standing, and Violante

Youth Governance member present: Baluck Deang

Present 5 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, TIM KIEFER, and SARAH SMITH

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

No comments made by the public.

[2021](#)
[RPT-040](#)

April 27th ZLR Registrants

C. Consideration of Minutes

[2021](#)
[MIN-010](#)

Minutes of the April 13, 2021 Zoning and Land Regulation Committee meeting

A motion was made by KIEFER, seconded by PETERS, to approve the minutes of the April 13, 2021 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

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

[11670](#)

PETITION: REZONE 11670
APPLICANT: ROBERT RATTMANN
LOCATION: 2599 HIGHLAND ROAD, SECTION 14, TOWN OF CHRISTIANA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District
REASON: separating existing residence from farmland

In favor: Jim Lowrey

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11671](#)

PETITION: REZONE 11671
APPLICANT: PETER SACHS
LOCATION: 3285 NELSON ROAD, SECTION 24, TOWN OF BURKE
CHANGE FROM: NR-C Natural Resource Conservation District TO RR-8 Rural Residential District, RR-2 Rural Residential District TO RR-2 Rural Residential District
REASON: dividing an existing lot into 2 residential lots

In favor: Pete Sachs

Opposed: None

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be postponed until Town action is received. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11672](#)

PETITION: REZONE 11672
APPLICANT: ROBERT H JOHNSON
LOCATION: 275 US HWY 12&18, SECTION 2, TOWN OF CHRISTIANA
CHANGE FROM: HC Heavy Commercial District TO MI Manufacturing and Industrial District
REASON: change zoning to allow for an automotive recycling and salvage business

In favor: James McFadden

Opposed: None

A motion was made by KIEFER, seconded by SMITH, that the Zoning Petition be postponed due to no Town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11673](#)

PETITION: REZONE 11673
APPLICANT: STEVEN M BLOECHL
LOCATION: 6687 & 6691 DUNLAP HOLLOW ROAD, SECTION 30, TOWN OF ROXBURY
CHANGE FROM: RR-4 Rural Residential District TO RR-16 Rural Residential District, FP-35 Farmland Preservation District TO RR-16 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: reconfiguring lot lines for two existing residences

In favor: Anthony Kasper

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11674](#)

PETITION: REZONE 11674
APPLICANT: KEVIN T CAMPBELL
LOCATION: NORTH OF 9057 COLBY ROAD, SECTION 32, TOWN OF SPRINGDALE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-1 Rural Residential District, RR-1 Rural Residential District TO RM-16 Rural Mixed-Use District
REASON: reconfigure existing residential lot

In favor: Kevin Campbell
Opposed: None

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.
1. A deed restriction shall be recorded on the properties to prohibit further land divisions in accordance with the Town of Springdale Land Use Policies.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11675](#)

PETITION: REZONE 11675
APPLICANT: CHRISTOPHER W NICHOLS
LOCATION: 6413 HENNING ROAD, SECTION 32, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RM-8 Rural Mixed-Use District
REASON: adding lands onto an existing certified survey map lot

In favor: Robin Nichols
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11676](#)

PETITION: REZONE 11676
APPLICANT: RONALD P HEFFRON
LOCATION: 41 CLARKSON ROAD, SECTION 1, TOWN OF MEDINA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: creating one residential lot

In favor: Trevor Heffron, Dan Paulson
Opposed: Kris, Dennis, and Blake Ward

A motion was made by DOOLAN, seconded by KIEFER, that the Zoning Petition be postponed due to public opposition. The motion carried by the following vote: 5-0

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11677](#)

PETITION: REZONE 11677
APPLICANT: SHARON EDWARDS
LOCATION: 7222 PINE ROW ROAD, SECTION 28, TOWN OF VERONA
CHANGE FROM: RM-8 Rural Mixed-Use District TO RR-4 Rural Residential District
REASON: dividing an existing residential lot into two lots

In favor: Sharon Edwards

Opposed: None

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

1. A deed restriction shall be recorded on Lot 2 (east lot) to prohibit residential development on the lot.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11678](#)

PETITION: REZONE 11678
APPLICANT: MATTHEW & BETH HAMACHER
LOCATION: SOUTH OF 3618 COUNTY HWY A, SECTION 14, TOWN OF RUTLAND
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

In favor: Beth Hamacher

Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11681](#)

PETITION: REZONE 11681
APPLICANT: KING REV TR, DOUGLAS B & MARJORIE A
LOCATION: JUST NORTH OF 991 PERRY CENTER ROAD, SECTION 15, TOWN OF PERRY
CHANGE FROM: FP-1 Farmland Preservation District TO RM-8 Rural Mixed-Use District
REASON: creating one residential lot

In favor: Douglas King

Opposed: None

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

1. A driveway access agreement shall be recorded on parcel 0506-151-9901-8 to allow access to the property.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11682](#)

PETITION: REZONE 11682
APPLICANT: TWIN ROCK LLC
LOCATION: SOUTH OF DAIRY RIDGE ROAD AND EAST OF SPRING ROSE ROAD, SECTION 18, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO SFR-1 Single Family Residential District, AT-35 Agriculture Transition District TO SFR-2 Single Family Residential District, AT-35 Agriculture Transition District TO NR-C Natural Resource Conservation District
REASON: new subdivision plat-13 residential lots and 1 outlot.

In favor: Bret Saalsaa, Noa Prieve, and Adam Carrico
Opposed: Rusty Chestmore

A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be postponed due to no Town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11683](#)

PETITION: REZONE 11683
APPLICANT: ROCK CROP LLC
LOCATION: 5636 COUNTY HIGHWAY V, SECTION 16, TOWN OF VIENNA
CHANGE FROM: FP-35 Farmland Preservation District TO FP-B Farmland Preservation Business District
REASON: proposed veterinary clinic

In favor: Andrew Grapa
Opposed: None

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.
1. A deed restriction shall be recorded on the property to limit the land uses to agricultural businesses only.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11684](#)

PETITION: REZONE 11684
APPLICANT: BADGER LAND PROJECT LLC C/O FILIP SANNA
LOCATION: 277 BRUNSON ROAD, SECTION 35, TOWN OF PRIMROSE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District
REASON: separating existing residence from farmland

In favor: Filip Sanna
Opposed: None

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11685](#)

PETITION: REZONE 11685
APPLICANT: BRETT AND TIFFANY SKAAR
LOCATION: 2453 W. STAR ROAD, SECTION 4, TOWN OF PLEASANT SPRINGS
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: separating existing residence from farmland

A motion was made by PETERS, seconded by DOOLAN, to suspend Committee rules to allow the Town Action Report to be accepted after the deadline. The motion carried by the following vote: 5-0

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

*In favor: Brett and Tiffany Skaar
Opposed: None*

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11686](#)

PETITION: REZONE 11686
APPLICANT: DEAN M ZUBKE
LOCATION: 394 CLARKSON ROAD, SECTION 35, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: separating existing residence from farmland

*In favor: Dean Zubke
Opposed: None*

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02516](#)

PETITION: CUP 02516
APPLICANT: CAROLYN J BRADT
LOCATION: 8283 N. RILEY ROAD, SECTION 2, TOWN OF SPRINGDALE
CUP DESCRIPTION: accessory dwelling unit-attached

*In favor: Carolyn Moynihan-Bradt and Marca Andriesse
Opposed: Melanie Lee*

A motion was made by DOOLAN, seconded by PETERS, to postpone action on the CUP due to public opposition and no Town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02517](#)

PETITION: CUP 02517
APPLICANT: GREGORY L STAMN
LOCATION: JUST NORTH OF 1371 STATE HIGHWAY 92, VERONA, WI 53593, SECTION 2,
TOWN OF PRIMROSE
CUP DESCRIPTION: private landing strip

In favor: Trevor Otto

Opposed: None

A motion was made by PETERS, seconded by SMITH, to postpone action on the CUP due to no Town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

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

[02514](#)

PETITION: CUP 02514
APPLICANT: MATTHEW ZUEHLKE
LOCATION: 1331 COUNTY HWY D, SECTION 8, TOWN OF OREGON
CUP DESCRIPTION: limited family business cup for a hvac contractor business

A motion was made by KIEFER, seconded by PETERS, to direct staff to enter the 8 emails in opposition and one email in support that were received after the public hearing into the official record. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

A motion was made by PETERS, seconded by KIEFER, that the Conditional Use Permit be approved with 21 conditions. The motion carried by the following vote: 5-0.

1. The use shall employ no more than one, or one full-time equivalent, employee who is not a member of the family residing on the premises.
2. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.
3. Hours of operation for the Limited Family Business, including deliveries, shall be Monday through Friday, from 7:00 a.m. to 5:00 p.m.
4. All lighting on the site shall be downward-directed and designed to minimize spill onto adjoining properties.
5. All storage of vehicles, trailers, materials, scrap, dumpsters and supplies shall occur indoors.
6. Existing vegetative screening shall be maintained along the southern property line to effectively screen the shed housing the Limited Family Business. Any replacement vegetation or landscaping must meet or exceed the current effectiveness of screening.
7. Vehicles used in the operation of the limited family business shall meet the following standards:
 - a. Daily operation: vehicles must be single-axle, not to exceed 7,000 lbs. gross vehicle weight.
 - b. No more than one vehicle trip per week: one dual-axle vehicle with a gross vehicle weight not to exceed 24,000 lbs.
 - c. No more than one vehicle trip per month: one 40-foot tandem-axle vehicle with a gross vehicle weight not to exceed 30,000 lbs.
8. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
9. Operations of the Limited Family Business will not exceed a peak noise level of 70db (dBa scale), as measured from any property line.
10. The building used for the Limited Family Business shall not exceed 26 feet in height and shall meet all requirements for residential accessory buildings in the RR-4 zoning district. Sanitary facilities installed in the accessory building must be removed upon termination of the Limited Family Business or expiration or termination of the conditional use permit. No more than 4,200 square feet of the accessory building will be used for the Limited Family Business.
11. Prior to construction, the landowner must successfully obtain County Stormwater and Erosion Control Permits from the Department of Land and Water Resources.
12. 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.
13. 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.
14. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
15. Off-street parking must be provided, consistent with s. 10.102(8).
16. If the Dane County Highway, Transportation and Public Works Department determines 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. Driveways and road access points must be designed to safely accommodate the largest vehicle to be used in the operation of the limited family business, and to minimize backing up operations.

17. 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.

18. 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.

19. 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.

20. 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.

21. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11668](#)

PETITION: REZONE 11668
APPLICANT: GALAROWICZ REV LIVING TR, HELEN J
LOCATION: 3784-3830 GALA WAY, SECTION 19, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO SFR-08 Single Family Residential District
REASON: increase the size of 7 existing residential lots

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

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

[2021
ACT-006](#)

Site Plan Review for the relocation of an existing residence within the FP-35 Farmland Preservation Zoning District
Applicant: Anniversary Dream Estates LLC (Herrling)
Location: 4518 State Hwy 78, Section 11, Town of Vermont

A motion was made by PETERS, seconded by DOOLAN, to approve the relocation of the single-family residence. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[2021
ACT-003](#)

Reconsideration of CUP #2509 in order to amend the location of the driveway onto County Highway B

A motion was made by KIEFER, seconded by PETERS, to not accept public testimony on the reconsideration of CUP #2509. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

A motion was made by DOOLAN, seconded by KIEFER, to reconsider Conditional Use Permit #2509 in order to amend the driveway location onto County Highway B at the May 11th Zoning and Land Regulation Committee meeting. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by PETERS, seconded by KIEFER, to adjourn the meeting of the April 27, 2021 Zoning and Lane Regulation Committee at 8:11pm. The motion carried unanimously.

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com