



# Dane County

## Minutes - Final Unless Amended by Committee

### 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, November 28, 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.

#### A. Call to Order

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

Staff present: Violante, Lane, Holloway, Everson and Standing

Town officials present: Carl Walser, Kate Gladding, Tim Yanacheck and Jennifer  
Hanson (Town of Oregon); Town of Rutland Supervisor Nancy Nedveck

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, KATE MCGINNITY, and  
MELISSA RATCLIFF

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

No comments made by the public.

[2023](#)  
[RPT-414](#)

November 28, 2023 ZLR Registrants

**Attachments:** [Nov 28 ZLR registrations final](#)

#### C. Consideration of Minutes

[2023](#)  
[MIN-399](#)

November 14, 2023 ZLR Committee Meeting Minutes

**Attachments:** [11-14-23 ZLR Work Meeting Minutes](#)

A motion was made by BOLLIG, seconded by MCGINNITY, to approve the minutes  
of the November 14, 2023 ZLR Committee meeting. The motion carried by the  
following vote: 5-0.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

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

[11982](#)

PETITION: REZONE 11982  
APPLICANT: DALE & KAREN STENJEM  
LOCATION: 3144 STATE HWY 134, SECTION 1, TOWN OF  
CHRISTIANA  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural  
Residential District  
REASON: separating existing residence from farmland

**Attachments:** [11982 Ord Amend](#)  
[11982 Staff Report](#)  
[11982 Town Action](#)  
[11982 Density Study](#)  
[11982 CHRISTIANA MAP](#)  
[11982 APP](#)

*In support: Dale and Karen Stenjem*  
*Opposed: none*

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

**1. Shared driveway access easement(s) shall be recorded for the adjoining residence at 3148 State Highway 134, as well as for the adjacent agricultural lands.**

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11983](#)

PETITION: REZONE 11983  
APPLICANT: TOM WATSON  
LOCATION: 1746 STATE HWY 73, SECTION 34, TOWN OF  
CHRISTIANA  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RM-8 Rural  
Mixed-Use District and RR-2 Rural Residential District  
REASON: creating one residential lot

**Attachments:** [11983 Staff Report](#)  
[11983 Town Action](#)  
[11983 Density Study - sending property](#)  
[11983 Gunnulson Farm Map](#)  
[11983 CHRISTIANA MAP](#)  
[11983 APP](#)

*In support: Tom Watson*  
*Opposed: none*

**A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning  
Petition be postponed due to allow time for DOT confirmation on the residential  
access. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11984](#)

PETITION: REZONE 11984  
APPLICANT: CRAZY ACRES INC  
LOCATION: SOUTH OF 782 HILLSIDE ROAD, SECTION 23, TOWN OF  
ALBION  
CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural  
Mixed-Use District  
REASON: creating one residential lot

**Attachments:** [11984 Ord Amend](#)  
[11984 Staff Report](#)  
[11984 Town Action](#)  
[11984 Density Study](#)  
[11984 ALBION MAP](#)  
[11984 APP](#)

*In support: Travis Wileman, Dan Higgs*  
*Opposed: none*

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

**1. Surveyor to verify there is a minimum 66' width between the RM-16 lot and the  
La Rusch property (tax parcel 0512-231-8520-1) on the final CSM.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11985](#)

PETITION: REZONE 11985  
APPLICANT: JOEL E HOUGAN  
LOCATION: WEST OF 2390 COUNTY HWY BN, SECTION 22, TOWN OF PLEASANT SPRINGS  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District  
REASON: create one residential lot and two agricultural lots

**Attachments:** [11985 Staff Report](#)  
[11985 Town Action](#)  
[11985 Density Study](#)  
[11985 PLEASANT SPRINGS MAP](#)  
[11985 APP](#)

*In Support: Joel Hougan*  
*Opposed: Robert Endres*

**A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be postponed due to opposition from an adjacent landowner. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11986](#)

PETITION: REZONE 11986  
APPLICANT: MILJ INVESTMENTS (JOHN SCHNEIDER)  
LOCATION: 103 LAKE COURT, SECTION 36, TOWN OF ALBION  
CHANGE FROM: SFR-08 Single Family Residential District TO HAM-R Hamlet Residential District  
REASON: zoning to allow residential home reconstruction

**Attachments:** [11986 Staff Report](#)  
[11986 ALBION MAP](#)  
[11986 APP](#)

*In Support: John Schneider, Imani Jones, Bryan Earleywine*  
*Opposed: None*

**A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11987](#)

PETITION: REZONE 11987  
APPLICANT: TOM & KAREN WADDELL FAMILY TRUST  
LOCATION: 1066 SUN PRAIRIE RD, SECTION 20, TOWN OF YORK  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District  
REASON: separating existing residence from farmland

**Attachments:** [11987 Ord Amend](#)  
[11987 Staff Report](#)  
[11987 Town Action](#)  
[11987 Density Study](#)  
[11987 YORK MAP](#)  
[11987 APP](#)

*In Support: Tyler Wilkinson*  
*Opposed: none*

**A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with no conditions. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11988](#)

PETITION: REZONE 11988  
APPLICANT: MAIER FARMS REAL ESTATE LLC  
LOCATION: 6545 PATTON ROAD, SECTION 33, TOWN OF VIENNA  
CHANGE FROM: RR-2 Rural Residential District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District  
REASON: expanding an existing residential lot

**Attachments:** [11988 Ord Amend](#)  
[11988 Staff Report](#)  
[11988 Town Action](#)  
[11988 Density Study](#)  
[11988 VIENNA MAP.pdf](#)  
[11988 APP Rev.pdf](#)

*In Support: Patrick Maier*  
*Opposed: none*

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be recommended for approval with no conditions. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11989](#)

PETITION: REZONE 11989

APPLICANT: JOSEPH AND ELIZABETH SEMERLING

LOCATION: 2230 & 2240 US HWY 51, SECTION 23, TOWN OF DUNN

CHANGE FROM: RR-2 Rural Residential District TO SFR-08 Single

Family Residential District and RR-1 Rural Residential District

REASON: zoning compliance for land sale

**Attachments:** [11989 Ord Amend](#)

[11989 Staff Report](#)

[11989 Town Action](#)

[11989 DUNN MAP](#)

[11989 APP](#)

*In Support: Cindy Lehr, Joseph Semerling*

*Opposed: none*

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

**1. The CSM for the new lot boundaries shall designate a “No Vehicular Access” restriction along the CTH AB frontage.**

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02609](#)

PETITION: CUP 02609  
APPLICANT: EQUIPMENTSHARECOM INC  
LOCATION: EAST OF 3475 N STAR ROAD, SECTION 27, TOWN OF  
COTTAGE GROVE  
CUP DESCRIPTION: outdoor storage of materials and equipment

**Attachments:** [CUP 2609 Staff Report](#)  
[CUP 2609 Town Action](#)  
[CUP 2609 CSM 16140](#)  
[CUP 2609 Comment Response Letter to Zoning Staff](#)  
[CUP 2609 Site Plan revised 11-17-23](#)  
[CUP 2609 Lighting Plans revised 11-17-23](#)  
[CUP 2609 Comment Response Letter to LWRD](#)  
[CUP 2609 LWRD Prelim Review PRL 2023-11-2](#)  
[CUP 2609 Site Landscaping Lighting Plans 11-02-2023](#)  
[CUP 2609 Site Plans 09-06-2023](#)  
[CUP 2609 COTTAGE GROVE MAP](#)  
[CUP 2609 APP](#)

*In Support: Ajay Sharma*  
*Opposed: none*

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Conditional Use Permit be postponed until January 9, 2024 to allow for the applicant to submit additional information. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

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

[11974](#)

PETITION: REZONE 11974

APPLICANT: R AND R LIVING TR (RAMI ABUROMIA)

LOCATION: 1993 STATE HIGHWAY 92, SECTION 29, TOWN OF  
SPRINGDALE

CHANGE FROM: AT-B Agriculture Transition Business District TO RM-8  
Rural Mixed-Use District

REASON: lot line adjustment and zoning for short-term rental and farm  
business uses

**Attachments:** [11974 Ord Amend](#)

[11974 Staff Update](#)

[11974 Town Action](#)

[11974 SPRINGDALE MAP](#)

[11974 APP](#)

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

1. A deed restriction shall be recorded on proposed lots 1 and 2 of the Certified Survey Map (tax parcels 0607-293-8130-0 & 0607-293-8301-0) stating the following: Further land divisions are prohibited. The housing density rights for the original farm have been exhausted per the Town Comprehensive Plan density policies.

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF



[02603](#)

PETITION: CUP 02603

APPLICANT: R AND R LIVING TR (RAMI ABUROMIA)

LOCATION: 1993 STATE HIGHWAY 92, SECTION 29, TOWN OF  
SPRINGDALE

CUP DESCRIPTION: tourist or transient lodging, and limited farm business

**Attachments:** [CUP 2603 Staff Update](#)

[CUP 2603 Town Action](#)

[CUP 2603 SPRINGDALE MAP](#)

[CUP 2603 APP](#)

A motion was made by BOLLIG, seconded by RATCLIFF, that the Conditional Use Permit be approved based on the findings of fact as noted in the staff report and it has been determined that the CUP 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. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan.
2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of Wisconsin Commercial Building Code or Uniform Dwelling Code.
3. 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 county zoning administrator upon request.
4. 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 county zoning administrator upon request.
5. 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.
6. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
7. Off-street parking and circulation must be provided, consistent with s. 10.102(8) of County Ordinances.
8. If 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.
9. The County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
10. The owner must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the 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.
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. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to revocation. Conditions Unique to CUP 2603
  13. This conditional use permit shall expire in the event the property is sold or transferred to another owner. Continuation or extension of an expired conditional use requires re-application and approval by the Town Board and Dane County.
  14. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health.
  15. The rental shall be limited to 6 overnight guests including 5 adults.
  16. This CUP shall become effective upon Rezone petition 11974 becoming effective for the RM-8 zoning.
  17. Lighting must conform to Town of Springdale Dark Sky Lighting Ordinance.
  18. No outside amplified music or speakers shall be allowed.
  19. No more than 4 full time employees shall be allowed.
  20. Limited Farm Business operations are to occur within the 400 SF existing building.
  21. Scope of the farm stand is limited to farm business for products produced on and off the farm.
  22. The Town retains the option to review and adjust any CUP standards in 24 months.
  23. All of the above conditions must be posted inside the premises as required by Dane County.

**Ayes:** 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

## F. Plats and Certified Survey Maps

## G. Resolutions

[2023  
RES-242](#) AMENDING THE 2024 OPERATING BUDGET TO ALLOCATE FUND FOR BROADBAND EXPANSION

**Sponsors:** RATCLIFF, ROSE, HATCHER, McCARVILLE, ERICKSON, MCGINNITY, HUELSEMANN and ENGELBERGER

**Attachments:** [2023 RES-242](#)  
[2023 RES-242 Fiscal Note](#)

A motion was made by RATCLIFF, seconded by MCGINNITY, that the resolution be recommended for approval. The motion carried by the following vote: 4-0-1 with KIEFER abstaining.

**Ayes:** 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

**Abstain:** 1 - KIEFER

## H. Ordinance Amendment

[2023 OA-049](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, AMENDING THE DANE COUNTY COMPREHENSIVE PLAN, UPDATING THE FARMLAND PRESERVATION PLAN AND DELETING OBSOLETE LANGUAGE

**Sponsors:** DOOLAN, ENGELBERGER and RITT

**Attachments:** [2023\\_OA-49\\_Ordinance\\_Text.pdf](#)  
[2023\\_OA-49\\_Summary\\_Presentation.pdf](#)  
[2023\\_OA-49\\_staff\\_memo.pdf](#)  
[Community\\_notice.pdf](#)  
[Minutes\\_of\\_the\\_September\\_19,\\_2023\\_ZLR\\_Cultural\\_Resources\\_Planning\\_Subcommittee\\_meeting](#)  
[2023\\_09\\_18\\_DRAFT\\_Cultural\\_Resources\\_Plan\\_Language.pdf](#)  
[DATCP\\_FPP\\_certification.pdf](#)  
[FPP\\_Amendment\\_Cover\\_letter\\_Dane\\_County\\_2023.pdf](#)  
[Online\\_Farmland\\_Preservation\\_Plan\\_Map\\_Viewer](#)  
[FPP\\_10\\_Farmland\\_Preservation\\_Plan\\_Map\\_August\\_2023\\_Changes.pdf](#)  
[Farmland\\_Preservation\\_Plan\\_Map\\_E\\_Size\\_2023\\_Submittal.pdf](#)  
[Adopted\\_Dane\\_County\\_Comprehensive\\_Plan](#)  
[2022\\_Adopted\\_Farmland\\_Preservation\\_Plan](#)  
[Comments\\_from\\_Rick\\_Bernstein\\_11-27-2023.pdf](#)  
[Town\\_of\\_Pleasant\\_Springs\\_comments\\_2023-OA-49\\_&\\_2023-OA-58.pdf](#)

*In Support: ZLR Subcommittee on Cultural Resources Chair Rick Bernstein,  
Subcommittee member Tim Yanachek  
Neither in support nor opposed: Town of Rutland Supervisor Nancy Nedveck*

**A motion was made by BOLLIG, seconded by RATCLIFF, that the ordinance amendment be recommended for approval. The motion carried by the following vote: 4-1 on a roll call vote.**

**Ayes:** 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

**Noes:** 1 - KIEFER

[2023 OA-058](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF OREGON COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

**Sponsors:** DOOLAN and BOLLIG

**Attachments:** [2023-OA-58](#)

[2023\\_OA\\_58\\_staff\\_memo.pdf](#)

[2023-OA-58\\_Community\\_notice.pdf](#)

[Link to online Town of Oregon plan viewer](#)

[Ordinance 99 Comprehensive Plan Signed.pdf](#)

[05-2023 Comprehensive Plan Amendments.pdf](#)

[Town of Pleasant Springs comments 2023-OA-49 2023-OA-58.pdf](#)

*In support: Town of Oregon Board Chair Carl Walser, Town of Oregon Clerk Jennifer Hanson, Town of Oregon Supervisor Kate Gladding, Laura Wilmot*

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Ordinance be recommended for approval. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

## **I. Items Requiring Committee Action**

## **J. Reports to Committee**

## **K. Other Business Authorized by Law**

## **L. Adjourn**

**A motion was made by BOLLIG, seconded by RATCLIFF, to adjourn the meeting at 8:22 PM. The motion carried by the following vote: 5-0.**

**Ayes:** 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF