



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?

This meeting is being conducted on land now known and recognized as Dane County, Wisconsin. We acknowledge that this land is at the same time the ancestral, traditional, & contemporary land of the Ho-Chunk, Sauk & Kickapoo nations.

Tuesday, March 26, 2024

6:30 PM

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

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

A. Call to Order

Chair DOOLAN called the March 26, 2024 Zoning and Land Regulation Committee meeting to order at 6:31 PM

Staff present: Violante, Lane, Allan, Holloway, Everson

Present 3 - JERRY BOLLIG, MICHELE DOOLAN, and MELISSA RATCLIFF

Excused 2 - TIM KIEFER, and KATE MCGINNITY

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

No comments made by the public.

C. Consideration of Minutes

[2023](#)
[MIN-560](#)

March 12, 2024 ZLR Committee Meeting Minutes

Attachments: [03-12-2024 ZLR Work Meeting Minutes](#)

A motion was made by BOLLIG, seconded by RATCLIFF, that the March 12, 2024 meeting minutes be approved. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

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

[12017](#)

PETITION: REZONE 12017
APPLICANT: PLYMOUTH STONE LLC (JOSH KLEIN)
LOCATION: SOUTH AND EAST OF 1889 N. KOLLATH RD., SECTION
35, TOWN OF SPRINGDALE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-4 Rural
Residential District
REASON: create 3 new residential lots

Attachments: [12017 Ord Amend](#)
[12017 Staff Report](#)
[12017 Town Action](#)
[12017 Density](#)
[12017 MAP](#)
[12017 APP amended](#)

In support: Josh Klein

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

1. A deed restriction shall be recorded on Lots 1, 2 and 3 of the certified survey map stating the following:
a. Further land divisions for development are prohibited. The housing density rights for the original Robert Kollath farm have been exhausted per the Town Comprehensive Plan density policies.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

[12018](#)

PETITION: REZONE 12018
APPLICANT: JOHN R DONLON
LOCATION: 3685 RIDGE ROAD, SECTION 23 & 24, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District and RR-16 Rural Residential District; RR-2 Rural Residential District TO RR-16 Rural Residential District, FP-1 Farmland Preservation District TO RR-16 Rural Residential District
REASON: consolidate 4 parcels into 2 lots, one agricultural and one residential

Attachments: [12018 Ord Amend](#)
[12018 Staff Report](#)
[12018 Town Action](#)
[12018 COTTAGE GROVE MAP](#)
[12018 APP](#)

In support: Jack Donton, Travis Leeser

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: 3-0.

1. The final CSM shall dedicate the Ridge Road right-of-way to the Town.

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12019](#)

PETITION: REZONE 12019
APPLICANT: LEXI & LUCAS DOBRZYNSKI
LOCATION: SOUTH OF 6078 COUNTY HWY TT, SECTION 8, TOWN OF MEDINA
CHANGE FROM: RR-2 Rural Residential District and FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: increasing the size of an existing residential lot.

Attachments: [12019 Staff Report](#)
[12019 MEDINA MAP](#)
[12019 APP](#)

In support: Lexi Dobrzynski

A motion was made by BOLLIG, seconded by RATCLIFF, that the Zoning Petition be postponed due to the need for access approval. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

12020

PETITION: REZONE 12020
APPLICANT: KEVIN HAHN
LOCATION: NORTH OF 3978 OLD STAGE ROAD, SECTION 28, TOWN
OF RUTLAND
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural
Residential District
REASON: creating one residential lot

- Attachments:** [12020 Ord Amend](#)
[12020 Staff Report](#)
[12020 Town Action](#)
[12020 Density Study](#)
[12020 Pages from Center Rd Quarry Reclamation Plan 2023.01.11](#)
[12020 RUTLAND MAP](#)
[12020 APP](#)

In support: Kevin Hahn

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

Owner shall record a deed restriction on the proposed RR-4 parcel fronting Center Road that states the following:

• "This property is located adjacent to a quarry operation that was approved to operate under a conditional use permit. There is also a non-conforming quarry operation located at the southeast intersection of Old Stage Road and N. Union Road. The landowner or future landowners are hereby notified that the quarry activity involves blasting, heavy vehicle and equipment use, noise, dust, and operations during the evening or early in the morning that may be of nuisance. Any development of this property should take into account the ongoing nearby quarry operations."

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12021](#)

PETITION: REZONE 12021
APPLICANT: DAVE AUCHTUNG
LOCATION: 7003 & 7063 DEANSVILLE ROAD, SECTION 20, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-16 Rural Residential District, RR-2 Rural Residential District TO RR-16 Rural Residential District
REASON: creating two residential lots for existing residences

Attachments: [12021 Ord Amend](#)
[12021 Staff Report](#)
[12021 Town Action](#)
[12021 Density Study](#)
[12021 YORK MAP](#)
[12021 YORK](#)

In support: Dave Auchtung

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

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

[12022](#)

PETITION: REZONE 12022
APPLICANT: RICHARD & JUDITH SCHWENN
LOCATION: 8155 COUNTY HIGHWAY PD, SECTION 12, TOWN OF SPRINGDALE
CHANGE FROM: SFR-08 Single Family Residential District TO AT-35 Agriculture Transition District
REASON: expand the size of a residential lot

Attachments: [12022 Ord Amend](#)
[12022 Staff Report](#)
[12022 Town Action](#)
[12022 SPRINGDALE MAP](#)
[12022 APP](#)

In support: Richard Schwenn, Ed Short

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

1. Shared driveway access easement shall be recorded for the benefit of the proposed residential lot and the adjacent farm owned by Steve and Denise Schwenn.

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12023](#)

PETITION: REZONE 12023
APPLICANT: JEFFREY AND CARMIN SELTZNER
LOCATION: 7295 STATE HIGHWAY 73, SECTION 16, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District
REASON: separating existing residence from farmland

Attachments: [12023 Ord Amend](#)
[12023 Staff Report](#)
[12023 Town Action](#)
[12023 Density Study](#)
[12023 YORK MAP](#)
[12023 APP](#)

In support: Jeff and Carmin Seltzner

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

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12024](#)

PETITION: REZONE 12024
APPLICANT: MIDDLETON, TOWN OF
LOCATION: VARIOUS PLAT/CSM LOTS, SECTIONS 17, 18, 29, 31 AND 32, TOWN OF MIDDLETON
CHANGE FROM: AT-5 Agriculture Transition District TO SFR-08 Single Family Residential District, AT-5 Agriculture Transition District TO NR-C Natural Resource Conservation District, SFR-08 Single Family Residential District TO AT5 Agriculture Transition District
REASON: blanket rezone for various parcels based on town zoning policy

Attachments: [12024 Ord Amend](#)
[12024 Staff Report](#)
[12024 Town Action](#)
[12024 Blanket Rezone Town Map](#)
[12024 MIDDLETON MAP](#)
[12024 APP](#)

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

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12025](#)

PETITION: REZONE 12025
APPLICANT: AARYN & KALI HANDEL
LOCATION: 10146 MATHEWSON RD, SECTION 3, TOWN OF
MAZOMANIE
CHANGE FROM: FP-35 Farmland Preservation District TO RM-16 Rural
Mixed-Use District
REASON: expand size of existing lot

Attachments: [12025 Ord Amend](#)
[12025 Staff Report](#)
[12025 Town Action](#)
[12025 MAZOMANIE MAP](#)
[12025 APP](#)

In support: Handel

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

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

[12026](#)

PETITION: REZONE 12026
APPLICANT: MICHAEL AND YVETTE KINDSCHI
LOCATION: WEST OF 10007 COUNTY HIGHWAY Y, SECTION 23,
TOWN OF MAZOMANIE
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1
Farmland Preservation District
REASON: zoning to enable sale of property for future use

Attachments: [12026 Ord Amend](#)
[12026 Staff Report](#)
[12026 Town Action](#)
[12026 MAZOMANIE MAP](#)
[12026 APP](#)

In support: Mike Kindschi

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

Ayes: 3 - BOLLIG,DOOLANandRATCLIFF

Excused: 2 - KIEFERandMCGINNITY

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

[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 Ord Amend](#)
[11983 Staff Update](#)
[11983 Town Action](#)
[11983 DOT Access Approval](#)
[11983 Density Study - sending property](#)
[11983 Gunnulson Farm Map](#)
[11983 CHRISTIANA MAP](#)
[11983 APP](#)

In support: Dan Higgs, Tom Watson

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: 3-0.

1. Applicant shall record a deed restriction prohibiting nonfarm development on the TDR sending property (tax parcel 061234190209, located in the SW 1/4 of the NE 1/4 of section 34, Town of Christiana).
2. The TDR-S (Sending Area) overlay zoning district shall be applied to tax parcel 061234190209.
3. The TDR-R (Receiving Area) overlay zoning district shall be applied to the proposed RR-2 zoning lot (proposed Lot 1 of the Certified Survey Map).
4. Applicant shall record a notice document on the RR-2 zoned receiving area property indicating that the lot was created as part of a transfer of development rights.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

[12015](#)

PETITION: REZONE 12015
APPLICANT: COONS CONSTRUCTION OF VERONA LLC
LOCATION: EAST OF 7906 RIVERSIDE ROAD, SECTION 30, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO SFR-1 Single Family Residential District, AT-35 Agriculture Transition District TO NR-C Natural Resource Conservation District
REASON: create a 17-lot residential subdivision with one outlot.

- Attachments:** [12015 Ord Amend](#)
[12015 Staff Update](#)
[12015 DC Hwy Email.pdf](#)
[12015 Town Action](#)
[12015 Navigability Determination](#)
[12015 VERONA MAP](#)
[12015 APP](#)
[Feb 27th Dane Co Hwy Dept Comments](#)

In support: Tom Mathies, Mark Geller

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: 3-0.

1. The applicant shall record the final plat with the Dane County Register of Deeds within 2 years of approval.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

- F. Plats and Certified Survey Maps**
- G. Resolutions**
- H. Ordinance Amendment**
- I. Items Requiring Committee Action**

[2023](#)
[ACT-332](#)

Discussion and possible action regarding the violation of conditions of Conditional Use Permit #2610, SN Windy Acres LLC (Scott Niebuhr), 3160 County Hwy J, Section 1, Town of Springdale. The conditional use permit was issued for transient or tourist lodging.

Attachments: [CUP violation, 3160 County Hwy J](#)
[CUP #2610](#)

A motion was made by BOLLIG, seconded by RATCLIFF, to direct staff to monitor the short-term rental websites over the next few months for compliance. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG, seconded by RATCLIFF, that the meeting be adjourned at 7:21 PM. The motion carried by the following vote: 3-0.

Ayes: 3 - BOLLIG, DOOLAN and RATCLIFF

Excused: 2 - KIEFER and MCGINNITY