



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?

Tuesday, October 13, 2020

6:30 PM

"BUDGET" GoTo Virtual meeting: By Phone:

1-877-309-2073 Access Code: 422-219-685

By Computer:

<https://global.gotomeeting.com/join/422219685>

The October 13, 2020 Zoning and Land Regulation Committee meeting is being held remotely in accordance with public health requirements to protect our community from the COVID-19 pandemic. The public can access the meeting in the following manner:

By Phone: 1-877-309-2073 Access Code: 422-219-685

By Computer: <https://global.gotomeeting.com/join/422219685>

If you would like to speak on an agenda item, you must **PRE-REGISTER** in **ADVANCE** by calling 1-608-266-9078. Registrants must provide their full name, 10-digit phone number, and the agenda item they wish to speak about. Anyone wishing to speak is strongly encouraged to pre-register as soon as possible.

Registrations will be accepted until 30 minutes prior to the meeting. During the meeting, Staff will place you on mute until the petition item is before the committee. Registrants will have 5 minutes to express their concerns.

If you have any questions regarding an agenda item, please contact Zoning Administrator Roger Lane by phone at 1-608-266-9078, or by email at lane.roger@countyofdane.com

A. Call to Order

Chair Bollig called the October 13, 2020 Zoning and Land Regulation Committee meeting to order at 6:30pm.

Staff present: Everson, Lane, Parry, and Violante

Youth Governance present: Baluck Deang

Present 4 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, and SARAH SMITH

Excused 1 - TIM KIEFER

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

No comments made by the public.

[2020](#)
[RPT-404](#) October 13th ZLR Committee meeting registrants

Attachments: [October 13th ZLR meeting Registrants.pdf](#)

C. Consideration of Minutes

[2020](#)
[MIN-204](#) Minutes of the September 22, 2020 Zoning and Land Regulation Committee

Attachments: [9-22-20 ZLR public hearing minutes.pdf](#)

A motion was made by PETERS, seconded by DOOLAN, to approve the minutes of the September 22, 2020 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

[2020](#)
[MIN-205](#) Minutes of the September 29, 2020 Zoning and Land Regulation Committee

Attachments: [9-29-20 ZLR meeting minutes.pdf](#)

A motion was made by PETERS, seconded by DOOLAN, to approve the minutes of the September 29, 2020 Zoning and Land Regulation Committee. The motion carried by a voice vote.

D. Budget Discussion and Amendments

[2020](#)
[RPT-337](#) Register of Deeds 2021 Budget Summary

Attachments: [ROD 2021 budget letter.pdf](#)

Kristi Chlebowski presented a summary of the 2021 Register of Deeds Budget.

[2020](#)
[RPT-338](#) Planning and Development 2021 Budget Summary

Attachments: [Planning Development 2021 Budget Slides](#)

Planning and Development Director Todd Violante presented a summary of the 2021 Planning and Development Department budget.

Public: Sunny Kurhajetz suggested an amendment to the budget to create a Clerk I-II position in the Planning and Development Department.

[2020](#)
[ACT-144](#) ZONING & LAND REGULATION COMMITTEE AMENDMENTS TO THE
PROPOSED 2021 CAPITAL BUDGET

[2020](#)
[ACT-143](#)

ZONING & LAND REGULATION COMMITTEE AMENDMENTS TO THE
PROPOSED 2021 OPERATING BUDGET

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

[11509](#)

PETITION: REZONE 11509
APPLICANT: MARY JO JOHNSON
LOCATION: 1552 COUNTY HIGHWAY A, SECTION 18, TOWN OF ALBION
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential
District
REASON: separating existing residence from farmland

Attachments: [11509 Staff Update](#)

[11509 Town.pdf](#)

[11509 Land Division Violation](#)

[11509 Density](#)

[11509 Map](#)

[11509 APP](#)

A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for denial. The motion carried by the following vote: 4-0.

Findings:

1. There are outstanding zoning and land division violations due to the transfer of lands that occurred, resulting in the creation of 3 new parcels of land under 35 acres in size without the required zoning change and Certified Survey Map approvals. These violations will need to be resolved as part of separate rezoning petitions that have yet to be submitted.
2. The proposal is inconsistent with the town comprehensive plan policy requiring roads to meet county standards and requirements.
3. The existing road does not meet the 66' width requirement in 75.19(1)(o) of the county land division ordinance.
4. The proposed lot design and Certified Survey Map would result in a cul-de-sac which exceeds the 1,000' length limit in 75.19(1)(p) of the county land division ordinance.

Ayes: 4 - BOLLIG,PETERS,DOOLANandSMITH

Excused: 1 - KIEFER

[11554](#)

PETITION: REZONE 11554
APPLICANT: MARY JO JOHNSON
LOCATION: SOUTH OF 1552 COUNTY HIGHWAY A, SECTION 18, TOWN OF ALBION
CHANGE FROM: FP-35 General Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11554 Staff Update](#)

[11554 Town.pdf](#)

[11554 Land Division Violation](#)

[11554 Density.pdf](#)

[11554 Map](#)

[11554 APP](#)

A motion was made by DOOLAN, seconded by SMITH, that the Zoning Petition be recommended for denial. The motion carried by the following vote: 4-0.

Findings:

1. The parcel from which the new lot is proposed was unlawfully created as a 20 acre parcel without necessary zoning and Certified Survey Map approvals. If the current petition were approved, it would result in creating yet another unlawful land division by allowing the current 20 acre parcel to be divided.
2. The proposal is inconsistent with the town comprehensive plan policy requiring roads to meet county standards and requirements.
3. The existing road does not meet the 66' width requirement in 75.19(1)(o) of the county land division ordinance.
4. The proposed lot design and Certified Survey Map would result in a cul-de-sac which exceeds the 1,000' length limit in 75.19(1)(p) of the county land division ordinance.

Ayes: 4 - BOLLIG,PETERS,DOOLANandSMITH

Excused: 1 - KIEFER

F. Plats and Certified Survey Maps

[2020 LD-015](#) Chapter 75 Land Division variance request - Rich Eberle (11602)
Town of Dane

Attachments: [Report.mxd](#)

[Eberle Land Division Variance App \(11602\)](#)

[11602 Staff Report.pdf](#)

[11602 Previous Deed Restriction.pdf](#)

In favor: Ron Klaas, Rich Eberle, and Ken Fogo. The applicant requested that the variance be postponed.

A motion was made by PETERS, seconded by SMITH, that the Land Division be postponed until the 10/27/2020 ZLR Committee meeting. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,PETERS,DOOLANandSMITH

Excused: 1 - KIEFER

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

[2020
RPT-375](#) Report of approved Certified Survey Maps

Attachments: [Sep_2020](#)

Assistant Zoning Administrator Everson provided a summary report of the certified survey maps that were processed last month.

[2020
RPT-350](#) Progress Report regarding decisions and concerns on Conditional Use Permit #2496

Attachments: [CUP 2496 Town Action Report & Findings.pdf](#)
[Summary of concerns - CUP 2496.pdf](#)

A motion was made by PETERS, seconded by DOOLAN, to direct staff to enter the September 30th public comment summary report by Zoning Administrator Lane into the official record. The motion carried by the following vote: 4-0.

Zoning Administrator Lane informed the Committee that the Rutland Town Board denied Conditional Use Permit #2496 and no further action was needed by the Committee pursuant to Dane County Code of Ordinances Section 10.101(7)(c)2.c.i.

Ayes: 4 - BOLLIG,PETERS,DOOLANandSMITH

Excused: 1 - KIEFER

[2020
RPT-349](#) 2021 ZLR meeting schedule

Attachments: [2021 ZLR Calendar.pdf](#)

Zoning Administrator Lane presented the 2021 ZLR Committee meeting schedule to the Committee. No comments or changes.

K. Other Business Authorized by Law

L. Adjourn

A motion was made by DOOLAN, seconded by SMITH, to adjourn the October 13, 2020 Zoning and Land Regulation Committee meeting at 7:55pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266,
lane.roger@countyofdane.com