



# 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, July 13, 2021

6:30 PM

Virtual meeting

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Virtual meeting

The July 13, 2021 Zoning and Land Regulation Committee meeting is being held virtually. The public can access the meeting with the Zoom application or by telephone.

To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

[https://us02web.zoom.us/webinar/register/WN\\_TqpS\\_frGSgiWDYiTE8eh4w](https://us02web.zoom.us/webinar/register/WN_TqpS_frGSgiWDYiTE8eh4w)

This link will be active until the end of the meeting.

To join the meeting by phone, dial 1-888-788-0099.

When prompted, enter the following Webinar ID: 821 3734 9420

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

If you want to submit a written comment for this meeting, or send handouts for committee members, please send them to [allan@countyofdane.com](mailto:allan@countyofdane.com)

**PROCESS TO PROVIDE PUBLIC COMMENT: ANY MEMBERS OF THE PUBLIC WISHING TO REGISTER TO SPEAK ON/SUPPORT/OPPOSE AN AGENDA ITEM MUST REGISTER USING THE LINK ABOVE (even if you plan to attend using your phone).**

Registrations to provide public comment will be accepted until 1 hour prior to the beginning of the meeting.

If you join the meeting with Zoom, when the item you have registered for is before the board/committee, you will be promoted to a panelist. Once a panelist, you can turn on your webcam and you will be able to unmute yourself.

If you join the meeting with your phone, when the item you have registered for is before the board/committee, you will be unmuted and hear, "the host would like you to unmute your microphone, you can press \*6 to unmute." Please press \*6.

*Interpreters must be requested in advance; please see the bottom of the agenda for more information.*

*Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.*

*Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntawm qhov txheej txheem rau cov ntaub ntawv ntxiv.*

## **A. Call to Order**

Chair Bollig called the meeting of the July 13, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm.  
Staff present: Everson, Allan and Violante

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

There were no public comments for items not listed on the agenda.

## **C. Consideration of Minutes**

[2021  
MIN-145](#)

Minutes of the June 22, 2021 Zoning and Land Regulation Committee meeting

**Attachments:** [6-22-21 ZLR Public Hearing minutes](#)

A motion was made by PETERS, seconded by DOOLAN, that the June 22, 2021 minutes be approved. The motion carried by a voice vote.

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

Please note that a public hearing has already been held for the agenda items listed below. Additional testimony will not be taken on the items unless requested by the Committee members.

11690

PETITION: REZONE 11690  
APPLICANT: WICOMPANYII LLC  
LOCATION: 4645 STATE HWY 138, SECTION 7, TOWN OF RUTLAND  
CHANGE FROM: HC Heavy Commercial District TO HC Heavy Commercial District  
REASON: amend deed restrictions to allow outdoor storage area for recreational vehicles

- Attachments:** [11690 Ord Amend](#)  
[11690 Staff Update](#)  
[11690 Town Action Report](#)  
[11690 Site Plan](#)  
[11690 Existing Deed Restrictions](#)  
[11690 DOT Letter](#)  
[11690 LWRD Stormwater Prelim Review Ltr](#)  
[11690 Petitioner's memo](#)  
[11690 Neighbor support](#)  
[11690 Map](#)  
[11690 APP](#)  
[11690 CUP 2518 Additional info from applicant](#)

*In favor: Agent Ron Trachtenberg, Tara Pearson, Steve Suter*

**A motion was made by PETERS, seconded by KIEFER, that the petition be recommended for approval with the following condition. The motion carried, 5-0.**

**1. Owners shall record an amendment of restrictions document that retains all existing provisions from the currently recorded deed restriction (document #5410559) and revises the section addressing outdoor storage to read as follows:**

**"Outdoor storage uses shall be limited exclusively to boats and recreational vehicles and located at the southerly end of the property as depicted on the site plan submitted with zoning petition #11690. Ancillary outdoor storage of materials and/or construction equipment / vehicles associated with a permitted commercial use on the property may also be allowed subject to site plan review and approval by the Town Board and County Zoning Committee. Any and all areas used for outdoor storage shall be screened from view with a minimum of six-foot barrier with 90% opacity. All screening shall be maintained in good condition with any repairs made promptly, as needed."**

**Ayes:** 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11699](#)

PETITION: REZONE 11699  
APPLICANT: NATHAN J WAGNER  
LOCATION: 8067 US HIGHWAY 14, SECTION 12, TOWN OF CROSS PLAINS  
CHANGE FROM: FP-35 Farmland Preservation District TO SFR-2 Single Family Residential District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District, SFR-1 Single Family Residential District TO SFR-2 Single Family Residential District  
REASON: increasing the size of a residential lot and creating an agricultural lot

**Attachments:** [11699 Ord Amend](#)  
[11699 Staff Update](#)  
[11699 Town](#)  
[11699 Map](#)  
[11699 Frontage Variance App](#)  
[11699 APP](#)

*In favor: Nathan and Heather Wagner*

**A motion was made by DOOLAN, seconded by SMITH, that the petition be recommended for approval with one condition. The motion carried, 5-0.**

**1. An access easement shall be shown on the CSM across lot 1 for the benefit of lot 2.**

**Ayes:** 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

02518

PETITION: CUP 02518  
APPLICANT: WICOMPANYII LLC  
LOCATION: 4645 STATE HWY 138, SECTION 7, TOWN OF RUTLAND  
CUP DESCRIPTION: allow for the construction of a personal storage facility (mini-warehouses) in accordance with current deed restrictions on property

**Attachments:** [CUP 2518 Staff Update](#)  
[CUP 2518 Town Action Report](#)  
[CUP 2518 Site Plan revised.pdf](#)  
[CUP 2518 DOT Letter](#)  
[CUP 2518 LWRD Stormwater Prelim Review Ltr](#)  
[CUP 2518 Neighbor support](#)  
[CUP 2518 Map](#)  
[CUP 2518 APP](#)  
[11690 CUP 2518 Additional info from applicant](#)  
[CUP #2518](#)

*In favor: Agent Ron Trachtenberg, Tara Pearson, Steve Suter*

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

- 1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, phasing plan, and recorded deed restrictions.**
- 2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the 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 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 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 must be provided, consistent with s. 10.102(8).

8. If the 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 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.

10. 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.

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 a reasonable opportunity to correct any violations prior to revocation.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

## E. Plats and Certified Survey Maps

[2021 LD-002](#) Wagner proposed 2-lot Certified Survey Map (Land Division Waiver)  
Town of Cross Plains  
Staff recommends approval of lot 2 being created with no frontage along a public road along with showing an access easement on the Certified Survey Map for the benefit of Lot 2.

Attachments: [Report](#)  
[210181PRELIMINARYCSM](#)  
[210181-VarianceApplication](#)

A motion was made by DOOLAN, seconded by PETERS, that the Land Division waiver be approved. The motion carried by a voice vote, 5-0.

[2021 LD-003](#) Nichols proposed 2-lot Certified Survey Map (Land Division waiver)  
Town of Medina  
Staff recommends approval of both proposed FP-1 lots not having frontage  
along a public road.

**Attachments:** [Report](#)  
[200442-Nichols \(Medina\)](#)  
[Land Division waiver](#)

A motion was made by PETERS, seconded by DOOLAN, that the Land Division  
waiver be approved. The motion carried by a voice vote, 5-0.

## F. Resolutions

## G. Ordinance Amendment

## H. Items Requiring Committee Action

## I. Reports to Committee

[2021](#) Report of approved Certified Survey maps  
[RPT-243](#)

**Attachments:** [July 2021](#)

## J. Other Business Authorized by Law

## K. Adjourn

A motion was made by KIEFER, seconded by PETERS, that the meeting be  
adjourned at 6:48 PM. The motion carried by a voice vote, 5-0.

*NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations  
to access this service, activity or program, please call the phone number below at least three business  
days prior to the meeting.*

*NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos  
para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a  
continuación tres días hábiles como mínimo antes de la reunión.*

*LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm  
hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov  
kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg pab hnuv ua hauj lwm ua ntej yuav tuaj sib  
tham.*