



# 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, February 8, 2022

6:30 PM

Virtual meeting

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**ZOOM Webinar ID: 956 3749 9125**

#### A. Call to Order

Chair BOLLIG called the February 8, 2022 ZLR meeting to order at 6:30 PM

Staff present: Everson, Lane, Piaget, Standing, Tumula, Violante, and Waldvogel.

**Present** 4 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, and SARAH SMITH

**Absent** 1 - STEVEN PETERS

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

No comments were made by the public.

[2021  
RPT-857](#)

February 8, 2022 Zoning and Land Regulation meeting registrants

**Attachments:** [Feb 8th ZLR Registrants](#)

#### C. Consideration of Minutes

[2021  
MIN-581](#)

Minutes of the January 11, 2022 Zoning and Land Regulation Committee meeting

**Attachments:** [1-11-22 ZLR Work Meeting Minutes.pdf](#)

A motion was made by KIEFER, seconded by SMITH, that the Minutes be approved. The motion carried by the following vote: 3-0-1

**Ayes:** 3 - BOLLIG, KIEFER and SMITH

**Absent:** 1 - PETERS

**Abstain:** 1 - DOOLAN

[2021](#)  
[MIN-582](#)

Minutes of the January 25, 2022 Zoning and Land Regulation Committee meeting

**Attachments:** [1-25-22 ZLR Public Hearing minutes.pdf](#)

A motion was made by SMITH, seconded by DOOLAN, that the Minutes be approved. The motion carried by the following vote: 3-0-1

**Ayes:** 3 - BOLLIG, DOOLAN and SMITH

**Absent:** 1 - PETERS

**Abstain:** 1 - KIEFER

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

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

11775

PETITION: REZONE 11775  
APPLICANT: SMITHA CHINTAMANENI / LYNCH ESTATE  
LOCATION: 5926 COUNTY HWY CV, SECTION 8, TOWN OF BURKE  
CHANGE FROM: GC General Commercial District, RR-8 Rural  
Residential District TO HC Heavy Commercial District  
REASON: consolidate zoning to allow for commercial development

Attachments: [11775 Ord Amend](#)  
[11775 Staff Update](#)  
[11775 City of Madison Letter](#)  
[11775 Site Plan](#)  
[11775 Premier Golf Facility Rendering](#)  
[11775 Madison Future Land Use Map](#)  
[11775 Map](#)  
[11775 APP](#)

*In support: Khris Barber*

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

1. The owner shall record a deed restriction on the property limiting land uses exclusively to the following:
  - Indoor sales
  - Indoor storage and repair
  - Light industrial
  - Office usesExcerpt from Hanson Neighborhood Plan
  - Outdoor sales, display or repair
  - Outdoor storage
  - Personal or professional service
  - Warehousing and distribution facilities
2. The owner shall record a deed restriction on the property prohibiting the installation of any new off premises signs (billboards) on the portion of the property fronting CTH CV. There is one existing billboard.
3. Signage anywhere on the parcel must comply with City of Madison sign regulations and Dane County sign regulations. In the event that the City's sign regulations conflict with Dane County regulations, the more restrictive regulations shall apply.
4. Prior to development on the property, the stormwater management plan shall be submitted by the City of Madison for conformance with the City's requirements (Chapter 37).
5. A 40' setback shall be observed on the western boundary of the property to serve as a buffer and natural screening for the existing adjoining residential area.
6. All outstanding monies owed the Town and incurred in the review of the petition shall be paid in full. This condition must be met or waived by April 29, 2022.

**Ayes:** 4 - BOLLIG, DOOLAN, KIEFER and SMITH

**Absent:** 1 - PETERS

11779

PETITION: REZONE 11779

APPLICANT: WARREN AND MARY ANN OLSEN

LOCATION: 6466 SUNSET DRIVE, SECTION 36, TOWN OF VERONA  
CHANGE FROM: RR-2 Rural Residential District TO MFR-08 Multi-Family  
Residential District

REASON: creating a condominium plat for 4 single-family houses on one  
lot

**Attachments:** [11779 Ord Amend](#)  
[11779 Staff Report REVISED.pdf](#)  
[11779 Olsen Condo REVISED 2022.01.17.pdf](#)  
[11779 Town Action Report](#)  
[11779 Map](#)  
[11779 APP](#)

*In support: Ronald R Klaas*

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

1. A condominium plat shall be recorded with the Register of Deeds. The plat shall be the design as submitted to the Zoning and Land Regulation Committee, dated January 28, 2022.
2. A condominium declaration shall be recorded with the Register of Deeds. The declaration shall be subject to County Staff and Town of Verona approval prior to recording.
3. A deed restriction shall be recorded with the Register of Deeds that:
  - a. Limits the plat to a maximum of 4 units with no unit area being smaller than 3 acres;
  - b. Limits the use to no more than one detached, single family residence on each unit;
  - c. All buildings must be within the setback area identified in the condominium plat;
  - d. One common area for the shared driveway will be provided as part of the plat.
4. A development agreement shall be approved by the Town of Verona for the improvements necessary for the condominium development.
5. The developer shall provide cross sections for the private drive design at the intersection of Sunset Drive. The design shall be approved by the Town Engineer for safety purposes.

**Ayes:** 4 - BOLLIG, DOOLAN, KIEFER and SMITH

**Absent:** 1 - PETERS

11787

PETITION: REZONE 11787

APPLICANT: DANIEL MARSHALL

LOCATION: 253 UNION ROAD, SECTION 35, TOWN OF OREGON

CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District, RR-4 Rural Residential District TO FP-35 Farmland Preservation District

REASON: shifting of property lines between adjacent land owners

**Attachments:** [11787 Ord Amend](#)

[11787 Staff Update.pdf](#)

[11787 Town.pdf](#)

[11787 Map](#)

[11787 APP](#)

*In support: Larry Glusman*

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

**Ayes:** 4 - BOLLIG,DOOLAN,KIEFERandSMITH

**Absent:** 1 - PETERS

11788

PETITION: REZONE 11788  
APPLICANT: THOMAS M AND JULIA A WILLAN  
LOCATION: 4407 VILAS HOPE ROAD, SECTION 7, TOWN OF  
COTTAGE GROVE  
CHANGE FROM: RR-2 Rural Residential District TO FP-B Farmland  
Preservation Business District  
REASON: change zoning to allow permitted uses in the Farmland  
Preservation Business FP-B Zoning District (land use unknown)

**Attachments:** [11788 Staff Update Memo.pdf](#)

[11788 Staff Report](#)

[11788 Town Action Report](#)

[11788 APP](#)

[11788 filed final reply document with staff report.pdf](#)

[11788 COMBINED SUPPLIMENTAL REVISED APPENDIX.pdf](#)

[11788 revised appendix.pdf](#)

[11788 Town land use committee supplemental information.pdf](#)

[11788 Town of Cottage Grove Meeting Recording Links.pdf](#)

[11788 Farm preservation 2012 Staff memo and copy of OAs 12-14.pdf](#)

[11788 FP-B District Excerpt.pdf](#)

[11788 Lane Roger 06-01-2017 FullSize deposition testimony.pdf](#)

[11788 VIDEO TS.BUP](#)

[11788 VIDEO TS.IFO](#)

[11788 VIDEO TS.VOB](#)

[11788 VTS\\_01\\_0.BUP](#)

[11788 VTS\\_01\\_0.IFO](#)

[11788 Map](#)

[11788 exhibit for hearing showing FPB-Names-Addresses on busy  
county and state highways.pdf](#)

[11788 final maps seperated from adopted plan.pdf](#)

[11788 email city of madison regarding rezone01192022 \(003\).pdf](#)

[11788 email chain with board and violante01202022.pdf](#)

[11788 Re\\_Issue at the January 25th ZLR Committee meeting 1.pdf](#)

[11788 RE\\_Issue at the January 25th ZLR Committee meeting 2.pdf](#)

[11788 sent letter to ZLR board regarding January 25th meeting and  
infomation for the February 8 board meeting.pdf](#)

[11788 Lane email.pdf](#)

[11788 pdf final letter to zlr board 020182022 meeting.pdf](#)

*In support: Tom Willan*

**A motion was made by SMITH, seconded by DOOLAN, to direct staff to include**

the following email correspondences and letters to the official record. The motion carried by a voice vote.

1. Lane email dated January 31st
2. Willan pdf "sent letter to ZLR board regarding January 25th meeting and information for the February 8 board meeting
3. Willan pdf "pdf final letter to ZLR board 0201882022 meeting".
4. Willan email "Re\_ Issue at the January 25th ZLR Committee meeting 1".
5. Willan email "RE\_ Issue at the January 25th ZLR Committee meeting 2".

A motion was made by SMITH, seconded by DOOLAN, that the Zoning Petition be postponed to allow for an opinion by Corporation Counsel. The motion carried by the following vote: 3-0-1

**Ayes:** 3 - BOLLIG,DOOLANandSMITH

**Absent:** 1 - PETERS

**Abstain:** 1 - KIEFER

11792

PETITION: REZONE 11792

APPLICANT: TODD AND ANNE CARLSON

LOCATION: WEST OF 1997 SPRING ROSE ROAD, SECTION 25,  
TOWN OF SPRINGDALE

CHANGE FROM: AT-35 Agriculture Transition District TO RR-2 Rural  
Residential District

REASON: creating a residential zoning boundary for a single-family  
residence on a 63-acre property

**Attachments:** [11792 Ord Amend.pdf](#)

[11792 Staff Update.pdf](#)

[11792 Town.pdf](#)

[11792 Density.pdf](#)

[11792 Joint Driveway Easement.pdf](#)

[11792 Map](#)

[11792 APP](#)

*In support: Todd Carlson*

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

A deed restriction shall be recorded on the property which states, "Further division the property listed under tax parcels 0607-254-8503-0, 0607-254-8052-0, 0607-251-9730-0, and 0607-251-9160-0 shall be prohibited."

**Ayes:** 4 - BOLLIG,DOOLAN,KIEFERandSMITH

**Absent:** 1 - PETERS

## F. Plats and Certified Survey Maps

[2021 LD-015](#) Final Plat - Dairy Ridge Heights  
Town of Verona  
Staff recommends conditional approval.

**Attachments:** [conditional approval](#)

[DAIRY RIDGE HEIGHTS PLAT \(1-20-2022\) 20W-369](#)

A motion was made by SMITH, seconded by DOOLAN, that the Land Division be approved with conditions. The motion carried by the following vote: 4-0.

1. Rezone Petition #11682 is to become effective and all conditions are to be timely satisfied.

(County Board approved Zoning Petition #11682 on May 20, 2021)

- ☐ Recording of an approved subdivision plat.
- ☐ Lots 4-13 shall have staggered front yard setbacks.
- ☐ A trail shall be installed in the outlot.
- ☐ Screening shall be approved by the Town Plan Commission.
- ☐ A height limit for all single story residences shall be approved by the Town Plan Commission.
- ☐ Elevation drawings shall be provided by the applicant.
- ☐ A maintenance agreement shall be created as part of the developer's agreement.

2. All public land dedications are to be clearly designated "dedicated to the public."

3. The following note shall be added to the final plat:

- ☐ Application LD 2021-008 was approved by the ZLR Committee on October 12, 2021 to allow Outlot 1 to be created with no frontage along a public road.

4. Utility easements are to be provided.

- ☐ Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines.

5. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established, prior to any land disturbance.

6. Compliance with Ch. 14.46 DCCO, Stormwater Control Permit is to be established, prior to any land disturbance.

**Ayes:** 4 - BOLLIG, DOOLAN, KIEFER and SMITH

**Absent:** 1 - PETERS

[2021 LD-016](#) LJC Properties Certified Survey Map  
Town of Vienna  
Waiver from Ch.75.19(6)(b)

**Attachments:** [Report](#)  
[Dane County Variance application](#)  
[6729 PATTON RD CSM\(11-30-2021\)](#)

A motion was made by SMITH, seconded by DOOLAN, that the Land Division waiver be approved to allow the proposed lot to maintain less than 66 feet throughout the lot. The motion carried by the following vote: 4-0.

Finding of fact: The proposed lot was created in the early 2000's and no additional lots are allowed as there are no splits available for this proposed lot.

Ayes: 4 - BOLLIG,DOOLAN,KIEFERandSMITH

Absent: 1 - PETERS

## G. Resolutions

## H. Ordinance Amendment

## I. Items Requiring Committee Action

## J. Reports to Committee

[2021](#) Approved Certified Survey Maps  
[RPT-814](#)

**Attachments:** [Feb\\_2022](#)

[2021](#) FARMLAND PRESERVATION PLAN UPDATE AND RECERTIFICATION  
[DISC-057](#)

**Attachments:** [FPP\\_2022\\_Introduction.pdf](#)

Senior Planner Brian Standing provided a summary of the recertification process and updates to the program.

A motion was made by KIEFER, seconded by SMITH, to approve the Steering Committee candidate selection as suggested by County Staff. The motion carried by the following vote: 4-0

Ayes: 4 - BOLLIG,DOOLAN,KIEFERandSMITH

Absent: 1 - PETERS

## K. Other Business Authorized by Law

## L. Adjourn

A motion was made by KIEFER, seconded by DOOLAN, that the February 8, 2022 meeting be adjourned at 8:23 PM. The motion carried by the following vote: 4-0.

**Ayes:** 4 - BOLLIG, DOOLAN, KIEFER and SMITH

**Absent:** 1 - PETERS

Questions? Contact Planning and Development Staff, 266-4266, or [plandev@countyofdane.com](mailto:plandev@countyofdane.com).