



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, June 14, 2022

6:30 PM

Virtual meeting

Zoom Webinar ID: 934 0098 1680

Call to order

Chair DOOLAN called the meeting to order at 6:30 PM

KIEFER excused

Staff present: Allan, Everson, Parry, Standing, Waldvogel, Tumula and Violante

Present 4 - JERRY BOLLIG, MICHELE DOOLAN, KATE MCGINNITY, and MELISSA RATCLIFF

Excused 1 - TIM KIEFER

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

No comments

[2022](#)
[RPT-128](#)

June 14, 2022 Registrants

Attachments: [June 14, 2022 ZLR Registrants](#)

C. Consideration of Minutes

[2022](#)
[MIN-074](#)

Minutes of the May 24, 2022 Zoning and Land Regulation Committee meeting

Attachments: [5-24-22 ZLR Public Hearing minutes.pdf](#)

A motion was made by MCGINNITY, seconded by RATCLIFF, that the May 24, 2022 minutes be approved. The motion carried by the following vote: 5-0.

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 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

[11780](#)

PETITION: REZONE 11780

APPLICANT: MARY & GARRET HANDEL

LOCATION: NORTH OF 5133 JOHN WILKINSON ROAD, SECTION 29, TOWN OF BLACK EARTH

CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District, RR-4 Rural Residential District TO RR-8 Rural Residential District, RR-4 Rural Residential District TO FP-1 Farmland Preservation District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District

REASON: expanding existing residential lot

Attachments: [11780 Ord Amend](#)

[11780 Staff Update.pdf](#)

[11780 Town Action Report](#)

[11780 Map](#)

[11780 Email in Opposition - Vine.pdf](#)

[11780 Email in Opposition - Wood.pdf](#)

[11780 APP](#)

In support: Mary & Garret Handel

In opposition: Peter Wood

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

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 1 - KIEFER

11824

PETITION: REZONE 11824
APPLICANT: EPIC SYSTEMS CORPORATION C/O JAMES SCHUMACHER
LOCATION: 7391 COUNTY HWY PD AND LANDS WEST OF NORTHERN LIGHTS ROAD,
SECTION 9, TOWN OF VERONA
CHANGE FROM: AT-35 Agriculture Transition District TO RI Rural Industrial District
REASON: allow for a grading contractor operation

Attachments:

- [11824 Ord Amend](#)
- [11824 Staff Update.pdf](#)
- [11824 Staff Report.pdf](#)
- [11824 Town Action Report.pdf](#)
- [\[1\] Town of Verona Land Use Change Application signed.pdf](#)
- [\[2\] EPIC - Rezone Limited Commercial - Legal Description.pdf](#)
- [\[3\] EPIC - Rezone Limited Commercial - Map.pdf](#)
- [\[4\] Wingra LC Spot Zoning Site Plan.pdf](#)
- [\[5\] Operations Narrative.pdf](#)
- [\[6\] Shared Access Agreement from 1965.pdf](#)
- [\[7\] Temp Driveway and Access Agreement south.pdf](#)
- [11824 App](#)
- [11824 Map](#)

In support: Nathan Lockwood, Jim Schumacher

A motion was made by MCGINNITY, seconded by BOLLIG, that the Zoning Petition be recommended for approval with the following amendment and condition. The motion carried by the following vote: 4-0.

- 1. Amend the zoning petition as proposed by the applicant to rezone 4.9 acres to the LC (Limited Commercial) district.**
- 2. All light fixtures on the site comply with the Town of Verona Dark Sky Ordinance.**

Ayes: 4 - BOLLIG,DOOLAN,MCGINNITYandRATCLIFF

Excused: 1 - KIEFER

11831

PETITION: REZONE 11831
APPLICANT: DUANE HUIBREGTSE
LOCATION: 4579 COUNTY HWY B, SECTION 19, TOWN OF DUNN
CHANGE FROM: RR-8 Rural Residential District TO RR-4 Rural Residential District, FP-35
Farmland Preservation District TO RR-4 Rural Residential District, RM-8 Rural Mixed-Use
District TO FP-35 Farmland Preservation District
REASON: reconfiguration of an existing residential lot

Attachments: [11831 Ord Amend](#)
[11831 Staff Update](#)
[11831 Town Action Report](#)
[11831 Zoning Inspection Report](#)
[11831 Map](#)
[11831 App](#)

In support: Duane Huibregtse

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

- 1. The property must be in compliance with Town of Dunn Ordinance 11-15 within 90 days of Dane County approval of the rezone petition. The petitioner must prove compliance with the Town's ordinance to Dane County Zoning. Items to be cleaned up include at least three motor vehicles with grass growing around them, two boats on trailers, several jugs with what appears to be used motor oil, two lawn mowers, and other debris.**
- 2. The unpermitted structures / enclosures housing roosters and various other materials documented during the June 3, 2022 zoning division inspection of the property must be dismantled and removed from the property within 90 days of Dane County approval of the rezone petition and prior to recording of the Certified Survey Map. The petitioner must prove compliance with this condition to Dane County Zoning.**
- 3. In order to complete this lot line adjustment, within 90 days of Dane County approval of the rezone petition, all of the newly zoned FP-35 land and the existing land zoned FP-35 at Parcel 0610-194-8560-0 shall be added to Parcel 0610-194-9050-6 via a quit claim deed and all FP-35 lands shall be combined into one single parcel.**
- 4. For the new RR-4 zoned property:**
 - a. Approval of a Certified Survey Map with a 2 acre building and driveway envelope depicted on the map. All buildings and driveways constructed on the property shall be located within the building envelope area.**
 - b. A deed restriction shall be recorded on the RR-4 property, stating that future land division of the property is prohibited.**

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 1 - KIEFER

[11835](#)

PETITION: REZONE 11835
APPLICANT: RIAZUL HAQUE
LOCATION: EAST OF 213 KELLOGG ROAD, SECTION 12, TOWN OF ALBION
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating one residential lot

Attachments: [11835 Ord Amend](#)
[11835 Staff Update.pdf](#)
[11835 Town Action](#)
[11835 Density Study](#)
[11835 Wetland Report.pdf](#)
[11835 Map.pdf](#)
[11835 APP Revised.pdf](#)
[11835 ALBION Supplement](#)

In support: Kayla and Nick Schremp

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

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 1 - KIEFER

F. Plats and Certified Survey Maps

[2022 LD-004](#) Agrawal proposed 2-lot Certified Survey Map
Town of Burke
Staff recommends conditional approval

Attachments: [Report](#)
[conditional approval](#)
[BRWB068E6BF4F9E_004609](#)
[Burke Agrawal CSM 06_2022](#)

A motion was made by MCGINNITY, seconded by BOLLIG, that the two-lot Certified Survey Map be approved with conditions. The motion carried by the following vote: 4-0.

1. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.
2. All owners of record are to be included in the owner's certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant. County records indicate the following owners:
 - AGRAWAL LIVING TR
3. The required approval certificates are to be satisfied.
 - Town of Burke
 - City of Madison
 - Dane County
4. The location of the driveway(s) shall be shown.
5. Comments from the Zoning Division are to be satisfied:
 - If the lot is divided the "church" building will be the principal building of the property, it would no longer be considered an accessory building.
 - Accommodations will need to be made for church parking. Either a parking plan needs to be developed or a parking easement needs to be created for the properties.
 - A joint well agreement is to be recorded.
 - A joint driveway agreement (or show second driveway)
 - Provide a parking plan on how the parking for the religious use is going to work on proposed lot 1.

210 Martin Luther King Jr. Blvd. □ City-County Bldg, Room 116 □ Madison, WI 53703-3342 □ Phone: 608.266.9086 □ Fax: 608.267.1540
6. Comments from the Planning Division are to be satisfied:
 - See memo prepared by Senior Planner Alexandra Andros
7. Comments from the Public Health department are to be recognized:
 - The plot plan shows the septic area for the house to be close to the property line. The below dimensioned drawing shows the distribution system to be 79' long starting approximately from the east edge of the house towards the drive. Please confirm that the property line will be $\geq 5'$ from the edge of the distribution system to meet setbacks.
8. Comments from the Dane County Surveyor are to be satisfied:
 - Add a note indicating that all PLSS Witness Monuments were found and verified per the latest tie sheet on file. A-E 7.08(1)(c)
9. The following notations are to be added with respect to the Airport Height

Limitation District:

• Lands covered by this plat are within an area subject to height limitations owing to the operation of aircraft and equipment from a nearby airport. Owners of lands within the area covered by this plat are required by law to restrict the height of trees, other vegetation and man-made structures to less than the height limitations set forth in that certain map dated April 24, 2008, entitled 'Height Limitation Zoning Map, Dane County Regional Truax Field, Madison, Wisconsin', said map being on file in the Dane County Clerk's office.

• Lands covered by this plat are located within an area subject to heightened noise levels emanating from the operation of aircraft and equipment from a nearby airport.
10. The recordable document is to be submitted for review and approval.

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 1 - KIEFER

G. Resolutions

[2022
RES-060](#)

AWARD OF AGREEMENT FOR CONSULTING SERVICES FOR THE DANE COUNTY REGIONAL HOUSING STRATEGY

Sponsors: RATCLIFF, HYNES, ENGELBERGER, HUELSEMANN and DOOLAN

Attachments: [2022 RES-060](#)

[2022 RES-060 FISCAL NOTE](#)

[RES 60 PD RHS presentation to ZLR 6.14.22](#)

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.

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Excused: 1 - KIEFER

7. [2022
RES-037](#)

CONTINUATION OF THE DANE COUNTY BROADBAND TASK FORCE

Sponsors: RATCLIFF, MCGINNITY, ERICKSON, DOOLAN, HUELSEMANN, HATCHER, DOWNING, KIGEYA, ENGELBERGER, JOERS, WRIGHT, RIPP, RITT, PELLEBON, GLAZER and MILES

Attachments: [2022 RES-037](#)

[2022 RES-037 FISCAL NOTE](#)

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

Ayes: 4 - BOLLIG,DOOLAN,MCGINNITYandRATCLIFF

Excused: 1 - KIEFER

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

[2022](#) FARMLAND PRESERVATION PLAN UPDATE
[RPT-094](#)

Attachments: [ZLR 2022_06_14_update.pdf](#)

Planning division staff gave a presentation on the Farmland Preservation Plan update process.

K. Other Business Authorized by Law

Chair Doolan noted that the June 28th ZLR Committee Public Hearing would be held as a virtual meeting. The first hybrid meeting of the ZLR Committee is slated for July 12th.

L. Adjourn

A motion was made by RATCLIFF, seconded by MCGINNITY, that the June 14th meeting be adjourned at 8:08 PM. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,DOOLAN,MCGINNITYandRATCLIFF

Excused: 1 - KIEFER

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 peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.