



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 25, 2022

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 meeting of the ZLR Committee to order at 6:30 pm in Room 354 of the City-County Building.

Staff present: Andros, Everson, Holloway, Lane, Standing, Violante

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, KATE MCGINNITY, and MELISSA RATCLIFF

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

No comments made by the public.

[2022
RPT-468](#)

October 25, 2022 ZLR Registrants

Attachments: [Oct 25 ZLR registrants](#)

C. Consideration of Minutes

[2022
MIN-364](#)

Minutes of the October 19, 2022 Zoning and Land Regulation Committee meeting

Attachments: [10-19-22 ZLR Meeting Minutes.pdf](#)

A motion was made by BOLLIG, seconded by RATCLIFF, that the minutes of the October 19, 2022 meeting be approved. The motion carried by the following vote: 4-0-1.

Ayes: 4 - BOLLIG,DOOLAN,MCGINNITYandRATCLIFF

Abstain: 1 - KIEFER

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

[11888](#)

PETITION: REZONE 11888
APPLICANT: OREGON, TOWN OF
LOCATION: EAST OF 5900 COUNTY HWY A, SECTION 19, TOWN OF OREGON
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-1 Rural Residential District
REASON: expanding cemetery

Attachments: [11888 Ord Amend.pdf](#)

[11888 Staff Report](#)

[11888 Town Action](#)

[11888 Map](#)

[11888 App](#)

In support: Wayne Ace, Jennifer Hanson

Opposed: None

A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11890](#)

PETITION: REZONE 11890
APPLICANT: SCOTT AND SARA STOLTENBERG
LOCATION: EAST OF 6924 SAM ROAD, SECTION 3, TOWN OF DANE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-1 Rural Residential District
REASON: creating one residential lot

Attachments: [11890 Ord Amend.pdf](#)

[11890 Staff Report.pdf](#)

[11890 Town Action.pdf](#)

[11890 Map](#)

[11890 App](#)

In support: Sara Stoltenberg

Opposed: None

A motion was made by MCGINNITY, seconded by BOLLIG, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11891](#)

PETITION: REZONE 11891
APPLICANT: TIMOTHY AND ELIZABETH PIERCE
LOCATION: 3480 COUNTY HIGHWAY JG, SECTION 27, TOWN OF VERMONT
CHANGE FROM: RR-2 Rural Residential District TO FP-35 Farmland Preservation District, FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: Shifting an existing residential spot zone to the north end of the property

Attachments: [11891 Ord Amend](#)
[11891 Staff Report](#)
[11891 Town Action](#)
[11891 Site Plan](#)
[11891 Map](#)
[11891 App](#)

In support: Tim Pierce
Opposed: None

A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be recommended for approval with condition. The motion carried by the following vote: 5-0.

1. The existing home must be demolished within 6 months after the construction of the new home is complete.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11892](#) PETITION: REZONE 11892
APPLICANT: SALLY STUESSY
LOCATION: FRENCHTOWN ROAD WEST OF 6227 COUNTY HIGHWAY
D, SECTION 19, TOWN OF OREGON
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural
Residential District, FP-35 Farmland Preservation District TO FP-1
Farmland Preservation District, FP-35 Farmland Preservation District TO
FP-1 Farmland Preservation District
REASON: create new residential lot with 3-lot csm

Attachments: [11892 Ord Amend.pdf](#)

[11892 Staff Report](#)

[11892 Town Action](#)

[11892 Map](#)

[11892 App](#)

In support: Ed Short, Tommy Stuessy

Opposed: None

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning
Petition be recommended for approval with condition. The motion carried by the
following vote: 5-0.**

**1. Owner shall record a deed restriction on the FP-1 parcels (proposed lots 2 and
3) prohibiting residential development.**

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11893](#) PETITION: REZONE 11893
APPLICANT: MIKE LAUFENBERG
LOCATION: 3128 K&R ROAD, SECTION 5, TOWN OF SPRINGDALE
CHANGE FROM: AT-35 Agriculture Transition District TO LC Limited
Commercial District
REASON: allow for contractor and building trade businesses

Attachments: [11893 Ord Amend](#)

[11893 Staff Report](#)

[11893 Town Action](#)

[11893 Map](#)

[11893 App](#)

In support: Michael Laufenberg, Todd Seiler

Opposed: None

**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: 5-0.**

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

A motion was made by KIEFER, seconded by BOLLIG, that the Zoning Petition be reconsidered in order to take additional testimony on the petition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

Ms. Johnson asked a question about fire inspections for the building.

A motion was made by RATCLIFF, seconded by BOLLIG, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 5-0.

1. Hours of operation shall be limited to: Monday-Friday 6 AM to 6 PM, Saturday 6 AM to noon.
2. There shall be a maximum of 3 employees per business.
3. Six parking stalls shall be provided as depicted on the site plan.
4. No signage allowed.
5. No retail sales allowed.
6. Indoor storage of materials shall be associated with contracting business only. No personal storage or rental storage facility is allowed.
7. Lighting shall conform to the Town of Springdale's Dark Sky Ordinance.
8. The business spaces shall not be used as a dwelling or living space.
9. The on-site septic system shall be approved by Dane County Public Health. The system shall be maintained in compliance with applicable regulations.
10. An address shall be assigned to the building.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

11894

PETITION: REZONE 11894
APPLICANT: SANDRA L JENSEN
LOCATION: EAST OF EXISTING HOME ON 3180 BURKE RD, SECTION 24, TOWN OF BURKE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-1 Rural Residential District
REASON: creating two residential lots

Attachments: [11894 Ord Amend.pdf](#)

[11894 Staff Report](#)

[11894 Town Action](#)

[11894 Revised CSM](#)

[11894 Map](#)

[11894 App](#)

In support: Stacey Jensen

Opposed: None

A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning Petition be recommended for approval with condition. The motion carried by the following vote: 5-0.

1. The applicant shall obtain approval from the City of Madison.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

11895

PETITION: REZONE 11895
APPLICANT: STEVEN DORSHORST
LOCATION: NORTH OF 4257 SMITH DR, SECTION 7, TOWN OF DEERFIELD
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District
REASON: separating existing residence from farmland

Attachments: [11895 Ord Amend.pdf](#)
[11895 Staff Report](#)
[11895 Town Action](#)
[11895 Density \(subject property\)](#)
[11895 Density \(TDR Sending Property\)](#)
[11895 Map](#)
[11895 APP](#)

In support: David Dinkel, David Riesop
Opposed: None

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 5-0.

1. Owner shall record a deed restriction prohibiting nonfarm development on the balance of FP-35 zoned land from the TDR sending property (tax parcels 0712-072-9500-2, 0712-071-8501-0, and 0712-071-9001-0).
2. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcels 0712-072-9500-2, 0712-071-8501-0, and 0712-071-9001-0).
3. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the proposed residential lot.
4. A deed notice shall be recorded on the proposed residential lot indicating that it was created as part of a Transfer of Development Rights.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

Bollig was excused at 7:18pm.

[11896](#)

PETITION: REZONE 11896
APPLICANT: GROUNDSWELL CONSERVANCY INC (MIKE FOY)
LOCATION: 10440 LAWS DRIVE, SECTION 21, TOWN OF MAZOMANIE
CHANGE FROM: FP-1 Farmland Preservation District TO RR-8 Rural
Residential District
REASON: combine lots for residential use

Attachments: [11896 Ord Amend.pdf](#)
[11896 Staff Report](#)
[11896 Town Action](#)
[11896 Density - Bushnell](#)
[11896 Density - Laws](#)
[11896 Map](#)
[11896 APP](#)

In support: Mike Foy, Angela West Blank
Opposed: None

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

- 1. The Certified Survey Map shall identify a buildable area that is outside of the floodplain and the 75-foot wetland setback.**
- 2. The CSM shall depict a "no build area" on the steep slopes as shown on the presented map. A note shall be added to the Certified Survey Map stating that, "Buildings are prohibited in the "no build area" as part of the condition of approval by Dane County Zoning and Land Regulation Committee under Zoning Petition 11896."**

Ayes: 4 - DOOLAN,KIEFER,MCGINNITYandRATCLIFF

Excused: 1 - BOLLIG

Bollig returned to the meeting at 8:25pm.

[11897](#)

PETITION: REZONE 11897
APPLICANT: KARL AND CARI DAHL
LOCATION: EAST OF 3637 EARLWYN ROAD, SECTION 26, TOWN OF
COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural
Residential District
REASON: creating one residential lot

Attachments: [11897 Ord Amend.pdf](#)

[11897 Staff Report](#)

[11897 Town Action](#)

[11897 Rezone map cul-de-sac](#)

[11897 Density](#)

[11897 Map](#)

[11897 APP](#)

In support: Karl Dahl

Opposed: None

**A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning
Petition be recommended for approval with condition. The motion carried by the
following vote: 5-0.**

**1. A 120' diameter cul-de-sac (90' pavement width) shall be added to the end of
Earlwyn Road.**

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11898](#)

PETITION: REZONE 11898
APPLICANT: STEVEN & PAUL WOLFE
LOCATION: SOUTH OF 7613 STATE HWY 73, SECTION 9, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District
REASON: creating one residential lot

- Attachments:** [11898 Ord Amend](#)
[11898 Staff Report](#)
[11898 Town Action](#)
[11898 Density - Bertz](#)
[11898 Wetland Delineation](#)
[11898 Map](#)
[11898 APP](#)
[11898 DOT access permit](#)

In support: Tyler Wilkinson
Opposed: None

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: 5-0.

1. Owner shall record a deed notice on the proposed residential lot that indicates it was created by a transfer of development rights.
2. Owner shall record a deed restriction prohibiting nonfarm development on the balance of FP-35 zoned land (parcels 0912-044-9500-2 and 0912-044-9000-7).
3. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the proposed residential lot.
4. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcels 0912-044-9500-2 and 0912-044-9000-7).

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11899](#)

PETITION: REZONE 11899
APPLICANT: STEVEN & PAUL WOLFE
LOCATION: 7663 STATE HIGHWAY 73, SECTION 4, TOWN OF YORK
CHANGE FROM: FP-35 Farmland Preservation District TO FP-B
Farmland Preservation Business District
REASON: separating existing residence from farmland

Attachments: [11899 Ord Amend.pdf](#)

[11899 Staff Report](#)

[11899 Town Action](#)

[11899 App](#)

[11899 Map](#)

In support: Tyler Wilkinson

Opposed: None

A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning Petition be recommended for approval with condition. The motion carried by the following vote: 5-0.

- 1. Owner shall record a deed restriction on the FP-B parcel restricting the allowable land uses to:**
- a. Agricultural uses,**
 - b. Agricultural accessory uses, and**
 - c. Seasonal storage of recreational equipment and motor vehicles in existing buildings.**
 - d. Single-family residence**

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11900](#)

PETITION: REZONE 11900
APPLICANT: UNITED COOPERATIVE
LOCATION: 841 LONDON ROAD, SECTION 28, TOWN OF DEERFIELD
CHANGE FROM: HC Heavy Commercial District TO MI Manufacturing and Industrial District
REASON: bring property into compliance with current zoning requirements for an existing land use

Attachments: [11900 Ord Amend](#)
[11900 Staff Report](#)
[11900 Town Action](#)
[11900 Staff Report](#)
[11900 Map](#)
[11900 App](#)

In support: Joe Berghuis

Opposed: None

Registered neither in support nor opposed: Todd Willis

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Zoning Petition be recommended for approval with conditions. The motion carried by the following vote: 5-0.

1. The property owner shall record a deed restriction on the MI zoned property prohibiting the installation of off-premises advertising signs (billboards) and limiting allowable land uses exclusively to the following:

- a. Contractor, landscaping or building trade operations
- b. Drive-in establishments
- c. Fertilizer manufacturing plants
- d. Fertilizer mixing or blending plants
- e. Governmental, institutional, religious, or nonprofit community uses
- f. Indoor entertainment and assembly
- g. Indoor storage and repair
- h. Indoor sales
- i. Light industrial uses
- j. Off-site parking lot or garage
- k. Office uses
- l. Outdoor sales, display or repair
- m. Outdoor storage
- n. Personal or professional service
- o. Utility services
- p. Vehicle repair or maintenance services
- q. Veterinary clinics
- r. Warehousing and distribution facilities

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02574](#)

PETITION: CUP 02574

APPLICANT: SNIDER FARM LLC (ROGER SNIDER)

LOCATION: 8326 COMMUNITY ROAD, SECTION 23, TOWN OF
PRIMROSE

CUP DESCRIPTION: limited farm business - electrical contractor

Attachments: [CUP 2574 Staff Report](#)

[CUP 2574 Town Action](#)

[CUP 2574 Map](#)

[CUP 2574 APP](#)

[CUP #2574.pdf](#)

In support: Tom Sommers

Opposed: None

A motion was made by BOLLIG, seconded by MCGINNITY, that the Conditional Use Permit be approved with 20 conditions. The motion carried by the following vote: 5-0.

1. The Limited Farm Business activity shall be limited to an electrical contractor business.
2. All operations of the Limited Farm Business must take place entirely within the existing accessory barn building, and adjacent driveway on the same tax parcel, as shown on the CUP application site plan.
3. The limited farm business shall be limited to a maximum of 4 non-family employees.
4. The conditional use permit shall automatically expire on sale of the property or sale of the business to an unrelated third party.
5. Hours of operation shall be limited to Monday-Friday 7:00am to 6:00pm, with exceptions during emergencies.
6. No signs shall be allowed in association with the conditional use.
7. No sanitary fixtures (sink or toilet) are permitted to be installed as part of the limited farm business.
8. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
9. New and existing buildings proposed to house a conditional use must be located, constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
10. 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.
11. 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.
12. 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.

13. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.

14. Off-street parking must be provided, consistent with s. 10.102(8).

15. 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.

16. 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.

17. The owner must post, in a prominent 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.

18. 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.

19. 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.

20. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02575](#)

PETITION: CUP 02575
APPLICANT: JACKIE R KALTENBERG
LOCATION: 1379 HIMSEL RD, SECTION 3, TOWN OF MONTROSE
CUP DESCRIPTION: single family residential in a commercial zoning district

Attachments: [CUP 2575 Staff Report](#)
[CUP 2575 Town Action](#)
[CUP 2575 Map](#)
[CUP 2575 APP](#)
[CUP #2575.pdf](#)

In support: Rachel Peters
Opposed: None

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Conditional Use Permit be approved with 14 conditions. The motion carried by the following vote: 5-0.

1. The CUP is granted to allow the use of the existing single-family home as a residence, on Lot 1 of CSM 2106.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be located, constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. 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.
5. 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.
6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. 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.
10. 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.

11. The owner must post, in a prominent 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.

12. 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.

13. 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.

14. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[02576](#)

PETITION: CUP 02576

APPLICANT: BRIAN AND MONIQUE BILLINGS

LOCATION: 2396 COUNTY ROAD AB, SECTION 14, TOWN OF DUNN

CUP DESCRIPTION: transient or tourist lodging

Attachments: [CUP 2576 Staff Report](#)

[CUP 2576 Town Action](#)

[CUP 2576 Public comment - Rossman](#)

[CUP 2576 Map](#)

[CUP 2576 APP](#)

[CUP #2576.pdf](#)

In support: Brian Billings

Opposed: None

A motion was made by RATCLIFF, seconded by MCGINNITY, that the Conditional Use Permit be approved with 19 conditions. The motion carried by the following vote: 5-0.

1. The rental period shall be between a minimum of 7 days to a maximum of 29 days.
 2. The maximum number of allowable rental days within a 365-day period is 180 days. This 180-day period must run consecutively. The landowner must notify the Town of Dunn Clerk in writing when the first rental within a 365-day period begins.
 3. There shall be no advertising that is inconsistent with Condition #1 and Condition #2. Advertisements must be consistent with Condition #1 and Condition #2 prior to the issuance of a Conditional Use Permit.
 4. Applicant shall not advertise for, nor accept reservations for, more than 4 guests over 12 years old and no more than 4 total guests.
 5. Operator shall designate off-street parking spaces for renters on the property and limit the number of renter vehicles, trailers, and recreational items not to exceed the number of parking spaces the operator provides. Parking space limit shall appear in all advertising for the short-term rental.
 6. Any external lighting shall be restricted to safety lights at the entrance and exits of buildings. Lighting must be dark skies compliant and no light shall spill over neighboring property line.
 7. The CUP will terminate when the property is sold.
- Standard Conditions from s. 10.101(7)(d)2:
8. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
 9. 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.
 10. 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.
 11. 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.

12. 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.

13. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.

14. Off-street parking must be provided, consistent with s. 10.102(8).

15. 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.

16. 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.

17. 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.

18. 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.

19. 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, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[02578](#)

PETITION: CUP 02578
APPLICANT: BRETT LUNDE
LOCATION: 1576 SPRING ROAD, SECTION 3, TOWN OF DUNKIRK
CUP DESCRIPTION: 195' self-support communication tower

Attachments: [CUP 2578 Staff Report](#)

[CUP 2578 Photo Simulations](#)

[CUP 2578 Supplement - Updated Notarized Sworn Statement](#)

[CUP 2578 Supplement - Updated FAA No Hazard Determination](#)

[CUP 2578 Supplement - Notice to Other Carriers](#)

[CUP 2578 Supplement - Updated Construction Drawings and Site
Plan \(092922\)](#)

[CUP 2578 APP](#)

[CUP 2578 Map](#)

In support: Derek McGrew, Jake Remington

Opposed: None

Registered neither opposed nor in support: Shelly Johnson

A motion was made by RATCLIFF, seconded by MCGINNITY, that the Conditional Use Permit be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

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

[11874](#) PETITION: REZONE 11874
APPLICANT: HAHN LIVING TR
LOCATION: NORTH OF 6480 SCHUMACHER RD., SECTION 28, TOWN
OF VIENNA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural
Residential District
REASON: creating one residential lot

Attachments: [11874 Ord Amend](#)
[11874 Staff Update](#)
[11874 Town Action](#)
[11874 Density](#)
[11874 Map](#)
[11874 APP](#)

In support: Lonny Hahn, Dan Paulson, Mac Stevenson
Opposed: None

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning
Petition be recommended for approval with condition. The motion carried by the
following vote: 5-0.**

**1. The owner shall record a Deed Restriction against further non-farm residential
development on the remaining FP-35 zoned land owned by the applicant
(0909-282-8000-8, 0909-281-8500-4, and 0909-281-9000-7).**

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

[11879](#) PETITION: REZONE 11879
APPLICANT: SCHOEPP INCOME TR
LOCATION: 4600 GARFOOT ROAD, SECTION 4, TOWN OF CROSS
PLAINS
CHANGE FROM: FP-1 Farmland Preservation District TO RR-2 Rural
Residential District
REASON: shifting of property lines between adjacent land owners

Attachments: [11879 Ord Amend](#)
[11879 Staff Update](#)
[11879 Town Action](#)
[11879 Map](#)
[11879 APP](#)

In support: Sheryl Hankel
Opposed: None

**A motion was made by BOLLIG, seconded by MCGINNITY, that the Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[11882](#)

PETITION: REZONE 11882
APPLICANT: HOEL-ORVICK FAMILY IRREV TR
LOCATION: 5978 PORTAGE ROAD, SECTION 10, TOWN OF BURKE
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-2 Rural
Residential District
REASON: separating existing residence from farmland

Attachments: [11882 Ord Amend](#)
[11882 Staff Update](#)
[11882 Town Action](#)
[11882 Map](#)
[11882 APP](#)

In support: Mark Orvick, Dan Paulson
Opposed: None

**A motion was made by RATCLIFF, seconded by MCGINNITY, that the Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

F. Plats and Certified Survey Maps

[2022 LD-011](#) Preliminary Plat - Glacier's Trail
Town of Middleton
Acceptance and schedule for future consideration.

Attachments: [acceptance](#)
[map](#)
[Glaciers Trail - Preliminary](#)
[GlaciersTrailMiddletonSection32](#)

**A motion was made by BOLLIG, seconded by MCGINNITY, that the preliminary
plat be accepted and scheduled for future consideration. The motion carried by
the following vote: 5-0.**

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[2022 LD-012](#) Todd Wolf Certified Survey Map
Town of Rutland

Attachments: [Staff Memo \(Wolf CSM\)](#)
[Draft CSM](#)
[Wolf CSM Deed Restriction](#)
[map](#)
[History](#)
[Wolf Parcel Status Determination 2002](#)
[Wolf CSM - 2007 Town of Rutland meeting minutes](#)

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Certified Survey Map be approved with condition. The motion carried by the following vote: 5-0.

1. Owner shall record a deed restriction with the register of deeds prohibiting residential development on the property until such time as a development right is transferred to the property in accordance with town of Rutland plan policies. The restriction shall list the town of Rutland and Dane County as parties with enforcement rights.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

G. Resolutions

H. Ordinance Amendment

[2022 OA-023](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: RATCLIFF and ENGELBERGER

Attachments: [2022 OA-023 Cottage Grove Comp Plan Amendment](#)
[Map-16 Future-Land-Use adopted-7.5.22](#)
[Town-Board-Ordinance-Adopting-Comp-Plan-Update Revised-6.29.22](#)
[Comprehensive-Plan Vision-and-Directions Adopted-7.5.22 no-maps](#)
[Comprehensive-Plan Conditions-Issues Adopted-7.5.22 no-maps](#)
[2022 OA-023 Staff Memo](#)

In support: Town Chair Kris Hampton
Opposed: None

A motion was made by MCGINNITY, seconded by BOLLIG, that the Ordinance Amendment be recommended for approval. The Committee asked the Town to add the "1/4 mile area" to the future land use map by 2024. The motion carried by the following vote: 4-0-1.

Ayes: 4 - BOLLIG, DOOLAN, KIEFER and MCGINNITY

Abstain: 1 - RATCLIFF

[2022 OA-024](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF MEDINA COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: MCGINNITY, WEIGAND and ENGELBERGER

Attachments: [2022 OA-024 Medina Comp Plan Amendment Medina Comprehensive Plan 8_2022.pdf](#)
[05-11-2022 town Mtg Min APPROVED](#)
[Town Resolution](#)
[2022 OA-024 Staff Memo](#)

In support: None

Opposed: None

A motion was made by BOLLIG, seconded by RATCLIFF, that the Ordinance Amendment be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

I. Items Requiring Committee Action

[2022 DISC-022](#) Review the 2023 Zoning and Land Regulation Committee meeting schedule

Attachments: [2023 ZLR Meeting schedule - Working.pdf](#)

The Committee set the 2023 schedule. They decided to remove the February 14th, April 11th, and December 12th meeting dates and shift the December 26th meeting date to December 19th.

J. Reports to Committee

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

Attachments: [ZLR 2022 10 25 FPP update.pdf](#)
[ZLR 2022 06 14 update.pdf](#)

Senior Planner Brian Standing updated the Committee with the progress made on the Farmland Preservation Plan.

Kiefer was excused at 9:12pm.

K. Other Business Authorized by Law

L. Adjourn

A motion was made by BOLLIG, seconded by MCGINNITY, to adjourn the October 25, 2022 Zoning and Land Regulation Committee meeting at 9:15pm. The motion carried unanimously.

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com.