



Dane County

Minutes

Board of Adjustment

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Thursday, September 25, 2025

6:30 PM

Hybrid Meeting: Attend in person at the City
County Building, Room 357.

See below for additional instructions on how to attend the meeting and provide public testimony.

A. Call To Order

Chair Long called the meeting to order at 6:30 pm, introduced the members of the Board and informed those present on the order of the hearing.

Also present: Staff: Assistant Zoning Administrator Hans Hilbert

Present 5 - ARLAN KAY, Secretary SUE STUDZ, Alternate ALEXANDER ELKINS, GEORGE CORRIGAN, and AL LONG

B. Public Comment for any Item not listed on the Agenda

No public comments were made.

C. Consideration of Minutes

1. Minutes of the June 26, 2025 public hearing

KAY to approve the minutes. Motion carried.

Ayes: 4 - KAY, STUDZ, CORRIGAN and LONG

Abstain: 1 - ELKINS

2. Minutes of the September 11, 2025 site inspection meeting

KAY to approve the minutes. Motion carried.

Ayes: 3 - KAY, ELKINS and LONG

Abstain: 2 - STUDZ and CORRIGAN

D. Public Hearing for Appeals

1. Appeal 3737. Appeal by Mike & Lynn Baldwin (Chris Landerud, agent) for a variance from the minimum required shoreland setback Section 11.03(2)1., Dane County Code of Ordinances, to permit removal and replacement of a single family residence at 3408 Quam Dr being Lot 15, Quam's Park, Ole J, Addition To, Section 35, Town of Dunn.

VARIANCES REQUESTED: Purpose: allow the removal and replacement of residence

Shoreland setback variance:

Minimum setback from ordinary high water mark required: 75 feet.

Proposed setback: 35 feet.

VARIANCE NEEDED: 40 feet.

Assistant Zoning Administrator (AZA) Hilbert presented a Staff Report reporting facts of the case.

IN FAVOR: Chris Landerud, agent for owner, spoke in favor of the variance request.

ZONING ADMINISTRATOR'S COMMENTS: Hilbert relayed that the Zoning Administrator stated that the variance request undermines the purpose of the ordinance. The ordinance affords a reduced shoreland setback in certain circumstances, and this property does not qualify for that reduction.

OPPOSED: None.

REBUTTAL: Landerud offered additional comments related to the property and support of the neighborhood.

Chair Long closed the hearing and the Board deliberated the facts of the case. The Board pointed out an inconsistency of the site plan labeling a 30 foot front yard setback, however the ordinance only requires a 20 foot setback. Landerud stated that additional 10 feet of front setback shown on the site plan is due to the presence of overhead utility lines.

KAY to hold the matter in abeyance to allow the applicant to incorporate the property front setback and to determine any restrictions of the utility easement.

Ayes: 4 - KAY, ELKINS, CORRIGAN and LONG

Noes: 1 - STUDZ

2. Appeal 3738. Appeal by Steven Frame (Wade Wyse, agent) for a variance from the minimum required shoreland setback Section 11.03(2)1., Dane county Code of Ordinances, to permit a driveway to a future residence on Lot 2, CSM 13988, Section 30, Town of Vermont.

Assistant Zoning Administrator (AZA) Hilbert presented a Staff Report reporting facts of the case.

IN FAVOR: Steven Frame, owner, spoke in favor of the variance request.

ZONING ADMINISTRATOR'S COMMENTS: Hilbert relayed that the Zoning Administrator stated that this is a situation where variously ordinance regulations and town policies have competing interests. Given the building envelope's location between steep slopes and Ryan Creek, and its associated sensitive environmental areas, siting a driveway on the property is difficult.

OPPOSED: None.

REBUTTAL: None, Chair Long stated a rebuttal was not necessary and allowed Frame to make a closing statement.

VARIANCES REQUESTED: Purpose:

Shoreland setback variance:

Minimum setback from ordinary high water mark required: 75 feet.

Proposed setback: 25 feet.

VARIANCE NEEDED: 50 feet.

COMMUNICATIONS: Town of Vermont: 8/20/2025 acknowledgement.
9/18/2025 Town confirmed that board has approved driveway location and is supportive of variance to allow in the proposed location.

Facts of the Case:

Existing:

Vacant lot with residential building envelope. Property is bound to the west by Ryan Road and Ryan Creek. The northern portion of the lot contains steep slopes. The building envelope is situated between steep slopes and Ryan Creek.

Proposed

Driveway access to building envelope for future residence.

Zoning Notes:

- Citing of driveway on this parcel is difficult due to environmental features and steep terrain and town driveway citing policies.

History

- Rezone 10793 (See staff report)
- CSM 13988
- Violation History: None.

Conclusions:

1) Unnecessary Hardship: Both the Town of Vermont and the Zoning and Land Regulation Committee had previously determined that the property was appropriate for

a residential development and through the rezoning and subdivision process, identified a building envelope for a residential development. It would be unreasonable to not allow access to the propose site.

2) Unique Limitations of the Property: The property is located between steep slopes and Ryan Creek, along with a regulatory floodplain and riparian wetlands along the creek corridor. The proposed driveway is located in the only portion of the lot that would not require direct impacts to the creek and wetlands.

3) No Harm to Public Interests: The proposed driveway's setback will continue to increase as it enters the property, eventually leaving the required shoreland setback, allowing the remainder of development on the property to be outside of the shoreland setback zone. The Town of Vermont has previously approved this driveway location finding that it conforms to Town driveway siting policies.

KAY to approve variance 3738 to permit a driveway on Lot 2, CSM 13988, to a future building site as proposed.

Ayes: 4 - KAY, STUDZ, CORRIGAN and LONG

Noes: 1 - ELKINS

E. Appeals from Previous Meetings

None.

F. Reports to Committee

1. Board of Adjustment roster

Hilbert provided an updated roster to the Board.

G. Other Business Authorized by Law

Election of board chair, vice-chair, secretary

The Board opted to reschedule the election of officers to a future meeting.

H. Adjournment

STUDZ to adjourn. The Board adjourned at 8:51pm.