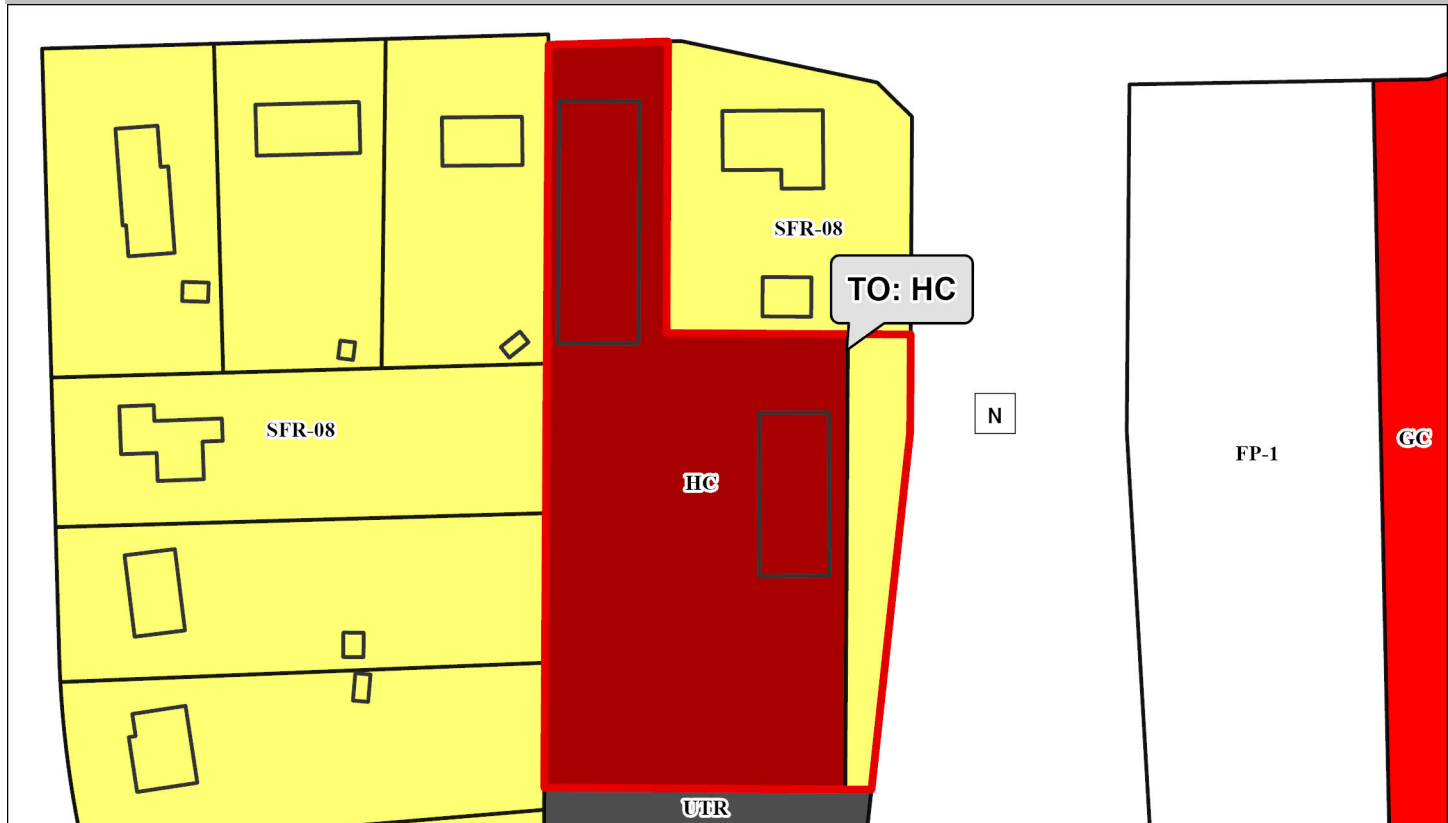


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> October 28, 2025		Petition 12203
	<u>Zoning Amendment Requested:</u> SFR-08 Single Family Residential District TO HC Heavy Commercial District		<u>Town, Section:</u> PLEASANT SPRINGS, Section 9
	<u>Size:</u> 0.22 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> VIRDEBEC II LLC
	<u>Reason for the request:</u> Shifting of property lines between adjacent land owners		<u>Address:</u> 2517 RINDEN ROAD



DESCRIPTION: Applicant propose a rezone in order to shift property lines between two adjacent land owners. The proposal would reduce the size of the residential lot at the corner by squaring it off, and expand the existing commercial site that is used for a storage/mini-warehouse business. The two lots were established via certified survey map (CSM) in 1995. The application states that the residential property was modified by highway right-of-way acquisition for County Highway N. The application states the residential lot may be sold; there are no further development plans at this time.

OBSERVATIONS: The proposed lots meet county ordinance requirements including lot size, public road frontage, maximum lot coverage by buildings. Most of the existing buildings meet the minimum building setbacks required from lot lines. The northern storage building on the HC lot is one foot short of the minimum 10-foot side yard setback; however, this is an existing nonconforming condition that is not affected by this proposed rezone.

The commercial lot was deed restricted in 1995 to limit the allowable land uses to the parking and storage of motor vehicles, warehouses, and mini-warehouses. There is an existing billboard sign on site, which is allowed under the HC zoning. The Chapter 10 zoning ordinance allows billboard signs, but they may not be placed less than 1,000 feet from another billboard sign and are subject to the size and locational requirements.

The property appears to be within the City of Madison’s extraterritorial jurisdiction (ETJ) for review of the land division, being 2.7 miles from the city limits. The property is closer (1.9 miles) to the Village of McFarland’s boundary, but this is beyond the village’s 1.5-mile ETJ. Applicants are advised to contact the City of Madison regarding its ETJ review.

HIGHWAY ACCESS: The property abuts County Highway N, but currently has access from Rinden Road, a town road. No new access will be permitted onto Highway N, due to proximity to I-39 to the south (see email comments from WisDOT).

COMPREHENSIVE PLAN: The property is located in the town's "rural mixed use" planning area. This area is intended to accommodate a mix of rural residences, small scale agricultural uses, and family-run businesses compatible with the town's rural character. The most [applicable policy](#) in the town plan states the following:

"Commercial properties will be regulated with conditional zoning, in order to limit the range and scale of uses, promote the health, safety, and welfare, and to enable the town to review successive uses. Such limitations may include, but are not limited to: restrictions limiting permitted uses or further division of parcels, site design requirements, hours of operation, signage, screening/landscaping, lighting, noise abatement, erosion/stormwater control measures, access, parking, and outside storage facilities."

The property was zoned C-2 in 1995, prior to the current town plan designation, and is subject to deed restrictions limiting uses to "parking and storage of motor vehicles, warehouses, and mini-warehouses." The small area of commercial zoning being requested is located on the opposite side of line of mature arbor vitae trees that screen most of the commercial property from the highway. While zoning the main property to HC for the purposes of mini-warehouses would likely be inconsistent with *current* plan policies, the proposal to incorporate the small area of former ROW appears unlikely to result in a change in land use.

Note that, unless specifically waived by the town and ZLR committee, visual screening meeting [ordinance requirements](#) may be required along the interior boundary between the residential and commercial lot.

For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property.

TOWN ACTION: Town Board recommends approval subject to applicants providing a shared driveway access agreement.

STAFF RECOMMENDATION: As noted above, the Dane County Zoning Ordinance has visual screening requirements for commercial uses within 100 feet of any residence. These apply to commercial lots within 100 feet of a residence, per s. 10.270 and s. 10.102(12). The ordinance states that these requirements may be waived "if the town board and zoning committee find that there will be no significant visual impact, or no negative impact on neighborhood or rural character from the proposed use". Because this is an existing commercial site, with no known concerns and no additional screening recommended by the town board, staff does not recommend additional screening.

Pending any comments at the public hearing, Staff has two recommendations:

- (a) That the ZLR Committee confirm whether a waiver is approved to the visual screening requirements in s. 10.102(12) of Dane County Zoning Ordinances.
- (b) Staff recommends approval of Petition 12203 with the following conditions:
 - 1. A shared driveway access easement and agreement shall be provided for the two lots.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.