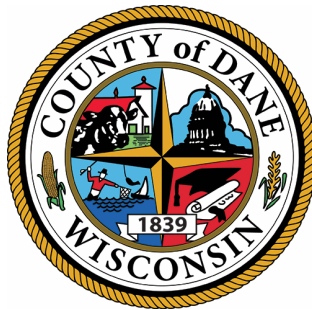


# Dane County



## Minutes

**Tuesday, August 27, 2024**

**6:30 PM**

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

**Hybrid Meeting: Attend in person at the City County Building in  
Room 354; or Attend virtually via Zoom.**

## **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?*

*This meeting is being conducted on land now known and recognized as Dane County,  
Wisconsin. We acknowledge that this land is at the same time the ancestral,  
traditional, & contemporary land of the Ho-Chunk, Sauk & Kickapoo nations.*

**A. Call to Order**

Chair DOOLAN called the August 27, 2024 ZLR Committee meeting to order at 6:30 PM.

Staff present: Violante, Lane, Holloway, Everson

Present 4 - MICHELE DOOLAN, JEFFREY KRONING, DON POSTLER, and MICHELE RITT

Excused 1 - JERRY BOLLIG

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

No comments made by the public.

[2024](#)  
[RPT-235](#)

August 27, 2024 ZLR Registrants

**C. Consideration of Minutes**

[2024](#)  
[MIN-151](#)

July 23, 2024 ZLR Committee Meeting Minutes

A motion was made by KRONING, seconded by POSTLER, to approve the July 23, 2024 meeting minutes. The motion carried by the following vote: 4-0.

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

12073

PETITION: REZONE 12073  
APPLICANT: SPIEGELHOFF PROPERTIES LLC  
LOCATION: 269 RODNEY ROAD, SECTION 2, TOWN OF CHRISTIANA  
CHANGE FROM: HC Heavy Commercial District TO HC Heavy Commercial District  
REASON: revise deed restriction to allow for a new land use (plumbing contractor)

*In support: Ed Spiegelhoff*

*Opposed: none*

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

**A deed restriction shall be recorded on the property (tax parcel 0612-024-8430-0) stating the following:**

- 1. Land uses on the property shall be limited exclusively to the following:**
  - a. Contractor, landscaping, or building trade operations**
  - b. Personal or professional service**
  - c. Indoor storage and repair**
  - d. Indoor sales**
  - e. Outdoor storage**
  - f. Light industrial**
  - g. Office uses**
  - h. Veterinary clinics**
- 2. The installation of off-premise advertising signs (billboards) are prohibited on the property. Business signage shall require a sign permit and shall comply with all applicable restrictions of the Dane County Zoning Ordinance sign regulations.**
- 3. Outdoor lighting shall be directed downward and away from adjacent properties and public rights-of-way, and be designed to minimize ambient light spill.**
- 4. Any outdoor storage shall be screened from public right-of-way of Highway 12/18.**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12074

PETITION: REZONE 12074  
APPLICANT: TAD AND JERI SHUMAKER  
LOCATION: EAST OF 1691 COUNTY HIGHWAY A, SECTION 13, TOWN OF DUNKIRK  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District and FP-1 Farmland Preservation District  
REASON: creating one residential lot

*In support: Dan Higgs, Tad Shumaker*

*Opposed: none*

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

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12075

PETITION: REZONE 12075  
APPLICANT: DANIEL AND SCARLETT TATAJE  
LOCATION: 5612 MIDLAND DRIVE, SECTION 21, TOWN OF BLACK EARTH  
CHANGE FROM: FP-1 Farmland Preservation District TO RR-16 Rural Residential District  
REASON: correct zoning map error

*In support: Chris Cook*

*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning  
Petition be recommended for approval. The motion carried by the following vote:**

**4-0**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12076

PETITION: REZONE 12076  
APPLICANT: JAMES CALDWELL  
LOCATION: 4947 MEEK ROAD, SECTION 1, TOWN OF VIENNA  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District  
REASON: separating existing residence from farmland

*In support: Chris Adams*

*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning  
Petition be recommended for approval. The motion carried by the following vote:**

**4-0.**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12077

PETITION: REZONE 12077  
APPLICANT: WILLIAM MELVIN  
LOCATION: 10435 OLD Y ROAD, SECTION 28, TOWN OF MAZOMANIE  
CHANGE FROM: GC General Commercial District TO RR-1 Rural Residential District  
REASON: zoning to enable continued residential use and zoning compliance

*In support: William Melvin*

*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning  
Petition be recommended for approval. The motion carried by the following vote:**

**4-0.**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12078

PETITION: REZONE 12078  
APPLICANT: ADAM AND NICOLE CARRICO  
LOCATION: WEST OF 8177 COUNTY HIGHWAY G, SECTION 25, TOWN OF SPRINGDALE  
CHANGE FROM: RR-2 Rural Residential District TO SFR-2 Single Family Residential District;  
AT-35 Agriculture Transition District TO SFR-2 Single Family Residential District; SFR-2 Single  
Family Residential District, RR-2 Rural Residential District, and AT-35 Agricultural Transition  
District TO RM-16 Rural Mixed-Use District  
REASON: relocating two existing residential lots

*In support: Adam Carrico*

*Opposed: none*

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

- 1. The applicant records a deed restriction prohibiting further land divisions on  
Lots 1, 2, and 3.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

12079

PETITION: REZONE 12079  
APPLICANT: ALCIVIA  
LOCATION: NORTH OF 410 PIERCE RD, SECTION 26, TOWN OF ALBION  
CHANGE FROM: GC General Commercial District TO HC Heavy Commercial District  
REASON: zoning to allow for propane storage and distribution center

*In support: Rodney Balvitsch, Shawn Demers, Jude Wolf, Dan Rutledge, Andrea Rand*

*Opposed: none*

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

- 1. The applicants shall record a certified survey map with the Dane County  
Register of Deeds for the lot.**
- 2. A deed restriction shall be recorded on the lot stating the following:**
  - a. Land uses on the property shall be limited exclusively to the following:**
    - i. Propane storage and distribution facility**
  - b. Site construction shall conform to the site plans approved as part of Rezone  
Petition 12079.**
  - c. Lighting shall be installed per the plans presented. Lighting shall be limited  
to a maximum of 3,000K color temperature. Outdoor lighting shall be directed  
downward and away from adjacent properties and public rights-of-way, and be  
designed to minimize ambient light spill.**
  - d. The installation of off-premise advertising signs (billboards) are prohibited  
on the property. Business signage shall require a sign permit and shall comply  
with all applicable restrictions of the Dane County Zoning Ordinance sign  
regulations.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

12080

PETITION: REZONE 12080  
APPLICANT: TOREY BYERS AND LORA OLIVERI  
LOCATION: 1722 OAKVIEW DR, SECTION 32, TOWN OF PLEASANT SPRINGS  
CHANGE FROM: SFR-08 Single Family Residential District TO TFR-08 Two Family Residential District  
REASON: consolidate two parcels into one and enable an accessory dwelling unit

*In support: Lora Oliveri*  
*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

12081

PETITION: REZONE 12081  
APPLICANT: TOWN OF OREGON  
LOCATION: MULTIPLE PROPERTIES, SECTION 4, TOWN OF OREGON  
CHANGE FROM: FP-35 Farmland Preservation District TO AT-35 Agriculture Transition District and RE Recreational District, FP-1 Farmland Preservation District TO RM-16 Rural Mixed-Use District  
REASON: Town-initiated blanket rezone of various properties for consistency with updated Farmland Preservation Plan and s.91.38, Wis Stats

*In support: none*  
*Opposed: Rita Kluever*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning Petition be recommended for approval, subject to Rita Kluever's property being removed from the list of parcels being rezoned per her request. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

12082

PETITION: REZONE 12082  
APPLICANT: STEVEN AND SUSAN WEINBERGER  
LOCATION: NORTH OF 1612 HILLSIDE RD, EAST OF 372 HWY A, SECTION 35, TOWN OF CHRISTIANA  
CHANGE FROM: RM-16 Rural Mixed-Use District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District; RR-4 Rural Residential District TO FP-1 Farmland Preservation District  
REASON: Relocate existing residential lot to the northeast corner of the property

*In support: Steven Weinberger*  
*Opposed: none*

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

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

[12083](#)

PETITION: REZONE 12083  
APPLICANT: BORODINLAAN LLC (SINON GALVIN)  
LOCATION: SECTION 28, TOWN OF BLACK EARTH  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-8 Rural Residential District  
REASON: creating one residential lot

*In support: Sinon Galvin*

*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Zoning  
Petition be recommended for approval. The motion carried by the following vote:**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

[12084](#)

PETITION: REZONE 12084  
APPLICANT: JOHN N AND JACQUELYN C WARD  
LOCATION: NORTH OF 4948 FEENSTRA RD, SECTION 33, TOWN OF MEDINA  
CHANGE FROM: FP-35 Farmland Preservation District TO RR-4 Rural Residential District and  
FP-1 Farmland Preservation District  
REASON: create one residential lot and one agricultural lot

*In support: John Ward*

*Opposed: none*

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

- 1. Owner shall record a deed restriction on tax parcel 081227390002 prohibiting nonfarm residential development.**
- 2. The TDR-S (Sending Area) overlay zoning district shall be applied to tax parcel 081227390002.**
- 3. A TDR-R Notice document shall be recorded on the proposed RR-4 parcel indicating that the lot was created as part of an intra-ownership transfer of development rights.**

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

02628

PETITION: CUP 02628  
APPLICANT: HEATHER M KRUSE  
LOCATION: 2046 BARBER DRIVE, SECTION 26, TOWN OF DUNN  
CUP DESCRIPTION: transient or tourist lodging (short-term rental)

*In support: Heather Kruse*

*Opposed: none*

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 4-0.

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (see below).
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 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 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.
12. 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.



**Conditions specific to CUP # 2628:**

13. The short-term rental period shall be between a minimum of 7 days to a maximum of 29 days.
14. 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.
15. There shall be no advertising that is inconsistent with Condition #13 and Condition #14. Advertisements must be consistent with Condition #13 and Condition #14 prior to the issuance of a Conditional Use Permit.
16. Applicant shall not advertise for, nor accept reservations for, more than 6 guests over 11 years old and no more than 6 total guests
17. Applicant 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.
18. 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.
19. Holder of the CUP is required to obtain all necessary local, county, state, and federal permits and licenses related to the transient and tourist lodging operation.
20. The boathouse may not be rented out for human habitation.
21. The CUP will terminate when the property is sold.
22. The house rules include requirements for renters to park on the property (including any trailers or boats), and to prohibit firearms and fireworks by renters.

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

[02629](#)

PETITION: CUP 02629

APPLICANT: SOUTHWEST INVESTMENTS LLC

LOCATION: 7228 PINE ROW RD., SECTION 28, TOWN OF VERONA

CUP DESCRIPTION: proposed new mineral extraction (sand and gravel quarry)

*In support: Michael Marquette, Mark Krumenacher, Jim Nordale, Will Springer, Kirk and Jan Feller*

*Opposed: Sherry Combs, Arnold Jennerman, Jamie Aulik, Brandi Mueller, Cheryll Mellenthin*

*Neither support nor oppose: Maddie Bergstrom, James Brodzeller*

**A motion was made by KRONING, seconded by RITT, that the Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 3-0-1. POSTLER Abstained.**

**Ayes:** 3 - DOOLAN,KRONINGandRITT

**Excused:** 1 - BOLLIG

**Abstain:** 1 - POSTLER

02630

PETITION: CUP 02630  
APPLICANT: RICHARD BARTUSKA AND KELLY MORSCHAUSER  
LOCATION: 4435 OAK PARK RD, SECTION 8, TOWN OF DEERFIELD  
CUP DESCRIPTION: limited family business (woodworking)

*In support: Rich Bartuska*

*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 4-0.**

**Standard Conditions for all Conditional Use Permits from 10.101(7):**

- 1. Any conditions required for specific uses listed under s. 10.103 (see below).**
- 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 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 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.**
- 12. 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.**

**Conditions specific to CUP # 2630:**

- 13. The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.**
- 14. Hours of operation shall be 8:00am to 5:00pm Monday through Friday.**
- 15. There shall be no more than 50 logs stored outside in the location as designed on the operation plan.**
- 16. Sanitary fixtures in the accessory buildings are prohibited.**
- 17. This permit shall automatically expire on sale of the property or the business to an unrelated third party.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

**02631**

PETITION: CUP 02631  
APPLICANT: LORA OLIVERI AND TOREY BYERS  
LOCATION: 1722 OAKVIEW DR, SECTION 32, TOWN OF PLEASANT SPRINGS  
CUP DESCRIPTION: detached accessory dwelling unit (ADU)

*In support: Lora Oliveri*  
*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Conditional Use Permit be postponed due to no town action. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

**02632**

PETITION: CUP 02632  
APPLICANT: ALEJANDRO AND ERIN ARANGO-ESCALANTE  
LOCATION: 2110 DAVIS HILL DRIVE, SECTION 25, TOWN OF VERONA  
CUP DESCRIPTION: nonprofit Head Start daycare center for up to 8 children

*In support: Patty Lofquist, Erin Arango-Escalante, Todd Jindra, Jen Bailey*  
*Opposed: none*

**A motion was made by KRONING, seconded by POSTLER, that the Conditional Use Permit be postponed due to no town action. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

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

12045

PETITION: REZONE 12045

APPLICANT: SUGAR RIVER INVESTORS & MISHPACHA DEUX

LOCATION: LANDS AROUND 2313 SUGAR RIVER ROAD, SECTION 30, TOWN OF VERONA

CHANGE FROM: AT-35 Agriculture Transition District TO SFR-1 Single Family Residential District, SFR-2 Single Family Residential District, and NR-C Natural Resource Conservation District

REASON: create a 58-lot single-family residential subdivision

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

1. The applicant shall submit a preliminary plat and final plat for the proposed lots to Dane County for review and approval, and shall record the final plat with the Dane County Register of Deeds. The rezone will not become effective until a final plat is approved and fully executed by the Town of Verona.
2. Flood study shall be prepared and the final design shall be in compliance with floodplain regulations.
3. The residential lots to be platted along the southwestern boundary shall be 320 feet deep.
4. The development shall be designed to meet Dane County stormwater management and erosion control requirements.

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12061

PETITION: REZONE 12061

APPLICANT: KIP R KALSCHEUR

LOCATION: EAST OF 9180 MINERAL POINT RD AND GARFOOT RD SOUTH OF MOEN RD, SECTION 20, TOWN OF CROSS PLAINS

CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District and RR-1 Rural Residential District with TDR Overlay

REASON: create four new residential lots using transfer of development rights (TDR)

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

1. A conservation easement shall be recorded on the land under parcel number 0707-203-9500-4 to prohibit further residential development.
2. A deed restriction shall be recorded on the land under parcel number 0707-203-9500-4 to terminate the status of the legal non-conforming mineral extraction site.
3. The land under parcel number 0707-203-9500-4 shall be identified as a TDR-S sending area.
4. The proposed lots along Garfoot Road (Lots 3 & 4) shall be identified as TDR-R receiving areas.
5. A deed notice shall be placed on the proposed lots along Garfoot Road (Lots 3 & 4) to identify that the lots were created through the TDR process.

**Ayes:** 4 - DOOLAN, KRONING, POSTLER and RITT

**Excused:** 1 - BOLLIG

12072

PETITION: REZONE 12072

APPLICANT: VALKYRIE FARM LLC (KERRI PHILLIPS)

LOCATION: 1580 & 1586 COUNTY HWY D, SECTION 4, TOWN OF OREGON

CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District

REASON: create one new residential lot and modify an existing residential lot

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

**1. A shared driveway access easement shall be recorded at the time of CSM recording, to ensure future access for the two residential lots as well as the surrounding farm land.**

**Ayes:** 4 - DOOLAN,KRONING,POSTLERandRITT

**Excused:** 1 - BOLLIG

02627

PETITION: CUP 02627

APPLICANT: VALKYRIE FARM LLC (KERRI PHILLIPS)

LOCATION: 1580 COUNTY HIGHWAY D, SECTION 4, TOWN OF OREGON

CUP DESCRIPTION: transient or tourist lodging (short-term rental)

A motion was made by KRONING, seconded by POSTLER, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 4-0.

1. Any conditions required for specific uses listed under s. 10.103 (see below).
  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 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 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.
  12. 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.
- Conditions specific to CUP #2627:
13. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public

Health.

14. The rental shall be limited to 8 overnight guests.

Ayes: 4 - DOOLAN,KRONING,POSTLERandRITT

Excused: 1 - BOLLIG

## F. Plats and Certified Survey Maps

[2024 LD-013](#) Certified Survey Map - Ziegler  
Town of Roxbury  
Staff recommends conditional approval

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

1. This review is specifically for the preliminary Certified Survey Map that was submitted for review. Any alteration, modification and/or revisions made after this review may be subject to a new submittal. County staff reserves the right to require a new application based on the nature and extent of the changes.
2. Compliance with the Dane County Comprehensive Plan is to be established.
  - See attached memo from Curt Kodl, Senior Planner dated 7/22/2024.
3. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.
4. All owners of record are to be included in the owner's certificate. Spouse's signature, middle initials and a certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant. County records indicate the following owners:
  - ROBERT L ZIEGLER & MONICA R ZIEGLER
5. The Owner's Certificate shall be amended to include the following language:
  - We also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee
6. The required approval certificates are to be executed.
  - Town of Roxbury
  - Dane County
7. Comments from the Dane County Surveyor are to be satisfied:
  - This CSM does not appear to be in the NW ¼ of the NW ¼ of Section 34. If that is the case, that designation should be removed from the location heading at the top of each sheet and also from the Surveyor's Certificate description. 236.34(1m)(c) & 236.34(1m)(d)(2)
    - Please remove the parcel numbers from the final CSM, as they will change upon recording.
8. Comments from the WISDOT department are to be satisfied:
  - US Highway 12 is a Controlled Access Highway (Project ID 5300-01-29).
  - The existing private driveway is authorized to be used jointly by two property owners.
    - No additional property owners are authorized to share use of the driveway.
    - Please have the following note added to the CSM:  
US Highway 12 is an Access Controlled Highway pursuant to Project ID 5300-01-29. Owners are responsible to ensure the number and use of access points complies with that identified in recorded documents.
9. Comments from the County Highway department are to be satisfied:



- CTH KP is not a controlled access highway.
- No access to be designated (visually shown) across the frontage of CTH KP along Lot 1 except in the area of the existing access location (SW corner of Lot 1).
- The 29'+ width of Right of Way of CTH KP along the Lot is correct.
- Any change to existing access or change of use requires a new access permit from the Highway Department.
- Remaining Right of Way appears to be correct.

10. The recordable document is to be submitted for review and approval.

Ayes: 4 - DOOLAN, KRONING, POSTLER and RITT

Excused: 1 - BOLLIG

Chair Doolan called a 5 minute recess at 8:51 PM.

## G. Resolutions

## H. Ordinance Amendment

## I. Items Requiring Committee Action

[2024](#)  
[ACT-106](#)

Discussion and possible action regarding program evaluation proposals

The Committee was informed of the opportunity to request program evaluations.

## J. Reports to Committee

[2024](#)  
[RPT-204](#)

CUP 2582 - Mineral extraction report  
K & D Stone  
Town of Rutland

Assistant Zoning Administrator Dan Everson informed the Committee regarding conditional use permit #2582.

## K. Other Business Authorized by Law

## L. Adjourn

A motion was made by POSTLER, seconded by KRONING, to adjourn the meeting at 9:45 PM. The motion carried unanimously.