

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
08/04/2022	DCPCUP-2022-02575
Public Hearing Date	
10/25/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME JACKIE R KALTENBERG	Phone with Area Code	AGENT NAME HEART IN HEART HOLDINGS LLC	Phone with Area Code (608) 438-2629
BILLING ADDRESS (Number, Street) 1379 HIMSEL RD		ADDRESS (Number, Street) 3024 ALLIES LANE	
(City, State, Zip) VERONA, WI 53593		(City, State, Zip) Cross Plains, WI 53528	
E-MAIL ADDRESS		E-MAIL ADDRESS rachelpeters@yahoo.com	

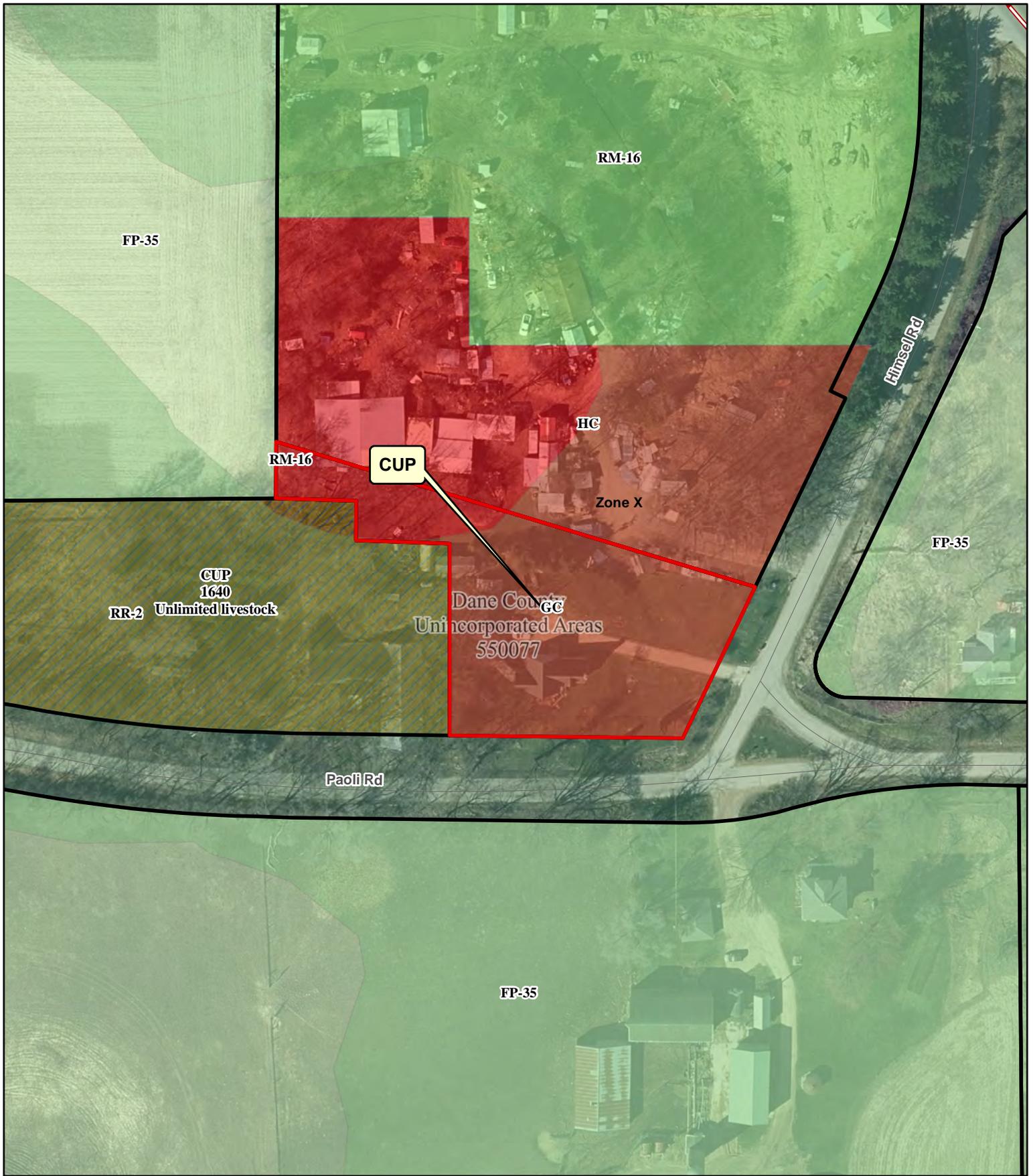
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
1379 HIMSEL RD					
TOWNSHIP MONTROSE	SECTION 3	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0508-033-9340-6		---		---	

CUP DESCRIPTION
Residential - single family residential

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.272(3)(l)	0.8

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials RUH1	SIGNATURE:(Owner or Agent) _____
		PRINT NAME: _____
		DATE: _____

COMMENTS: PROPERTY SUBJECT TO SHORELAND ZONING



Legend

- | | | |
|--|------------|---|
|  | Wetland | Significant Soils |
|  | Floodplain |  Class 1 |
| | |  Class 2 |



CUP 02575
JACKIE R KALTENBERG



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Heart in Heart Holdings LLC	Agent Name:	Rachel Peters
Address (Number & Street):	3024 Allies Lane	Address (Number & Street):	3024 Allies Lane
Address (City, State, Zip):	Cross Plains, WI 53528	Address (City, State, Zip):	Cross Plains, WI 53528
Email Address:	Rachell.Peters@icloud.com	Email Address:	Rachell.Peters@yahoo.com
Phone#:	608-438-2629	Phone#:	608-438-2629

SITE INFORMATION

Township:	Montrose	Parcel Number(s):	0508-033-9340-6
Section:	03, T05N, R08E	Property Address or Location:	1379 Himsel Road, Verona, WI 53593
Existing Zoning:	GC	Proposed Zoning:	GC
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Residential use (for main building/house only)	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Provide a short but detailed description of the proposed conditional use:

Heart in Heart Holdings LLC, which is a business I just started, is a "lessor of real estate". Heart in Heart Holdings will lease one of the buildings on the property to my sole proprietorship, Fit to be Satisfied, for an alterations/sewing business (this falls under permitted uses of current zoning); and would lease the main building/house to myself and my partner for residential use. The request to use the house for residential use is what we need the conditional use approval for. The use of this as a residence makes sense, due to the fact that it is a 1,719 square foot house w/3 bedrooms & 2 bathrooms.

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input checked="" type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: Rachel L. Peters

Date: 7/27/2022

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

There will be no detriment or endangerment to the public health, safety, comfort or general welfare of those surrounding the property because the conditional use requested will only involve myself, my partner, and our children using the house and property to reside in.

2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

Given the fact that neighboring properties have a variety of zonings, which also include houses used as residences, using the house at 1379 Himsel Road for residential purposes shall not negatively impair or diminish the uses, values, or enjoyment of the surrounding properties. If anything, I would hope that having a new family residing in the neighborhood, but help to enhance community within the neighborhood as we look forward to meeting new people and forming positive, neighborly relationships.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

By establishing conditional use of the house as a residence, there would be no impediment of development or improvement of the surrounding properties. There is nothing about using this particular property as a residence that would have any affect on the properties surrounding it because nothing currently needs to be done in order to make it residential-ready and there would be nothing required of the surrounding properties to aid in it's conditional use as a residence.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

There is adequate access to gas, electricity, telephone/internet, and roads on this property in order to have the house used as a residence. All of these utilities are already in place, and currently, no changes need to be made in order to make them adequately accessible. In addition, there appears to be proper grading and drainage on property. There does not seem to be any site improvements that need to be made for residential use.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

No measures should need to be taken to provide ingress and egress to help minimize traffic congestion, as there should not be an increase in traffic as a result of approving the conditional use for the house on this property as a residence. There is a driveway on the property that already allows for proper entrance and exiting to and from the property and onto the public streets.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

If approved for the conditional use of this property as a residence, I agree to conform to all regulations of the district that go along with residential use of this property. If there are regulations that I need to be informed of, then I am certainly happy to read over that material or go over the regulations with whoever is available to go over those particular details with me.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

Considering the fact that the property is used by the current resident (the seller) as a residence, it has already been proven that the conditional use of using the property as a residence is consistent with the adopted town and county comprehensive plans.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

N/A

• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:

N/A

• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

N/A

• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

N/A

• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

N/A

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

<p>Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.</p> <p>Heart in Heart Holdings LLC would technically lease the main building to myself and my partner for residential use. The use of this building by him and myself as a residence makes the most sense, due to the fact that it is a 1,719 square foot house with three bedrooms and two bathrooms. It is set up and designed as a house, and it would be difficult to operate any of the already permitted uses from this main part of the property. There is another building on the property that I will use under the already permitted uses of this property for an alterations/ sewing business under my sole proprietorship, Fit to be Satisfied.</p> <p>There will be no special equipment used for the purpose of residential use of the main building/house. Only sewing machines will be used in the other building. As stated already the house is 1,719 square feet. The other building consists of three connected sections--the section used for the alterations/sewing business is approximately 570 square feet, the next section is approximately 361 square feet, and the third section is approximately 138 square feet. There is also an additional shed on the property that would likely just be used for storage of lawn/ gardening equipment and the like.</p>
<p>List the proposed days and hours of operation.</p> <p>We would be using the house as a residence 365 days a year, 24 hours a day.</p>
<p>List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.</p> <p>0</p>
<p>List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.</p> <p>Not applicable</p>
<p>Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.</p> <p>Not applicable</p>
<p>For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.</p> <p>Not applicable</p>
<p>List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.</p> <p>There is already a well and septic on the property that is appropriate for accommodating use for a single family residence.</p>
<p>List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.</p> <p>Removal of trash and recyclable materials will be consistent with what is required by the town of Montrose or city of Verona.</p>
<p>Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.</p> <p>There will be no increase in traffic for the requested residential use and no changes should need to be made to accommodate this.</p>
<p>Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.</p> <p>Not applicable</p>
<p>Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors. No outdoor lighting will be added that would add to any type of light pollution or that would impact the neighboring properties.</p>
<p>Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800.</p> <p>There will be no signage added with regards to the request for residential use.</p>
<p>Briefly describe the current use(s) of the property on which the conditional use is proposed.</p> <p>The property is currently used as a single family residence. I am not aware of any uses by the seller for any purpose other than residential use.</p>
<p>Briefly describe the current uses of surrounding properties in the neighborhood.</p> <p>The surrounding properties are a variety of uses which include rural residential use, rural mixed use, and general farmland preservation.</p>

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

July 27, 2022

Dane County
Department of Planning and Development
Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703

RE: Conditional Use Application for 1379 Himsel Road, Verona, WI

To whom it may concern:

I am writing this to explain my request for approval of conditional use at the above referenced property. As of July 16, 2022 I have an accepted offer to purchase this property and know that conditional use approval does not transfer with the transfer of ownership.

My LLC, Heart in Heart Holdings LLC, which is a business I just started is technically a "lessor of real estate". Heart in Heart Holdings will lease one of the buildings on the property to my sole proprietorship, Fit to be Satisfied, so that I can operate my sewing and alterations business on this property. This use should already fall under the permitted uses in the current zoning GC of the property.

Heart in Heart Holdings would also like to technically lease the main building to myself and my partner for residential use. The use of this building by him and myself as a residence makes the most sense, due to the fact that it is a 1,719 square foot house with three bedrooms and two bathrooms. It is set up and designed as a house, and it would be difficult to operate any of the already permitted uses from this main part of the property. The current legal description is as follows: LOT 1 CSM 2106 CS8/311&312-7/26/76 DESCR AS SEC 3-5-8 PRT SW1/4SW1/4 (0.822 ACRE) SUBJ TO ESMT AGRMT IN DOC #5148240

With regards to the six standards of a conditional use permit under this property that is currently zoned GC (General Commercial Zoning District), there should be no problem with meeting these standards under the conditional use of utilizing the house/main building for a single family residence, especially because the house has been used by previous owners for this same purpose. Below, I have went on to describe in more specific detail how I believe using the house as a residence meets all six standards.

There will be no detriment or endangerment to the public health, safety, comfort or general welfare of those surrounding the property because the conditional use requested will only involve myself, my partner, and our children using the house and property to reside in.

Given the fact that neighboring properties have a variety of zonings, which also include houses used as residences, using the house at 1379 Himsel Road for residential purposes shall not negatively impair or diminish the uses, values, or enjoyment of the surrounding

properties. If anything, I would hope that having a new family residing in the neighborhood, but help to enhance community within the neighborhood as we look forward to meeting new people and forming positive, neighborly relationships.

By establishing conditional use of the house as a residence, there would be no impediment of development or improvement of the surrounding properties. There is nothing about using this particular property as a residence that would have any affect on the properties surrounding it because nothing currently needs to be done in order to make it residential-ready and there would be nothing required of the surrounding properties to aid in it's conditional use as a residence.

There is adequate access to gas, electricity, telephone/internet, and roads on this property in order to have the house used as a residence. All of these utilities are already in place, and currently, no changes need to be made in order to make them adequately accessible. In addition, there appears to be proper grading and drainage on property. There does not seem to be any site improvements that need to be made for residential use.

No measures should need to be taken to provide ingress and egress to help minimize traffic congestion, as there should not be an increase in traffic as a result of approving the conditional use for the house on this property as a residence. There is a driveway on the property that already allows for proper entrance and exiting to and from the property and onto the public streets.

If approved for the conditional use of this property as a residence, I agree to conform to all regulations of the district that go along with residential use of this property. If there are regulations that I need to be informed of, then I am certainly happy to read over that material or go over the regulations with whoever is available to go over those particular details with me.

I believe the information that I have provided is sufficient in order to meet the requirements necessary for Conditional Use approval. However, if any additional explanations or details are needed please feel free to contact me on my cell phone at 608-438-2629 or via email Rachell.Peters@icloud.com and I will be happy to provide further information or answer any questions.

I appreciate everyone involved with the Town of Montrose taking time to review this matter.

Most Sincerely,

Rachel L. Peters
Owner/Operator
Heart in Heart Holdings LLC

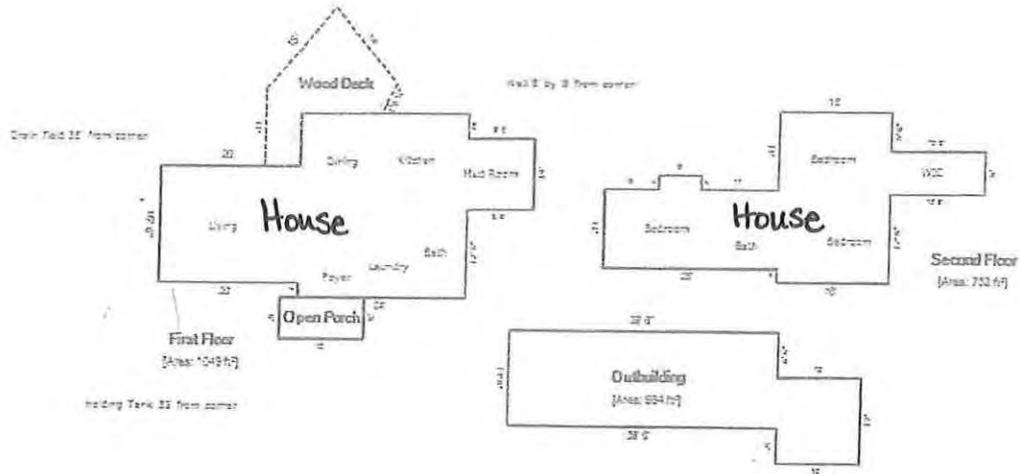
July 31, 2022

Main Building House = 1,719 square feet .82 acres
 Secondary Building = 604 square feet 35,712 square feet
 Extra Shed = * square feet unknown*
 (possibly will remove if permit to build garage requested in future)

SCALE 1" = 50'



1379 Himself Road, Verona, WI 53593



Main Building/House → Building referenced in request for conditional use as a residence.

Plat of Survey

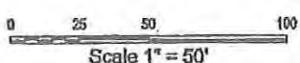
Lot 1, Certified Survey Map Number 2106 located in the SW 1/4 of the SW 1/4 of Section 03, T05N, R09E, Town of Montrosa, Dane County, Wisconsin

I hereby certify that this survey is in compliance with A-E 7 of Wisconsin Administrative Code. I further certify that I have surveyed and mapped the lands described herein, and that this map is a correct representation in accordance with the information furnished.

Carl M. Sandsnes Professional Land Surveyor S-1819



Wisconsin County Coordinate System, Zone Dane



Surveyed by R Palmer
 Drawn by T Thorton
 Checked by C Sandsnes
 Approved by C Sandsnes
 Field Book Pgs
 Date Dec 10, 2010
 Dlr montrosa/section03/mapping
 Dlr cont. survey map
 File Name 15986 - Survey Map

Office Map Number 15986
 Sheet 1 of 1 Sheets

- LEGEND**
- ⊙ Iron Stake Found
 - ⊗ Rebar Found
 - ⊕ 3/4" X 24" Rebar Driven Min. WL 1.13 #/in. ft.
 - △ PK Set
 - () Recorded As

Surveyed By:
Royal Oak Engineering Inc.
 5610 Medical Circle Suite 6
 Madison Wisconsin 53719
 Phone 274-0500 Fax 274-4630

Surveyed For:
 Katie Birkhauser
 1379 Himsel Road
 Verona, WI 53593

CUP Legal Description

Lot 1 of CSM 2106