

Lane, Roger

From: Violante, Todd
Sent: Friday, February 4, 2022 5:28 PM
To: Bollig, Jerome; Doolan, Michele; Smith, Sarah; Kiefer, Timothy; Peters, Steven
Cc: 'Tom Willan'; Julia Willan (julia@ironmanbuildings.com); Lane, Roger
Subject: RE: Issue at the January 25th ZLR Committee meeting
Attachments: Willan Wedding Barn 2019.pdf

Zoning & Land Regulation Committee Members,

In anticipation of this coming Tuesday's (February 8) ZLR work meeting, in follow up to the January 25 public hearing testimony on rezone 11788 by Tom and Julia Willan, I recommend that the email below and attached communication be added to the record on this petition. If the committee supports this recommendation, it would require a formal motion of the committee.

I am also including Mr. and Mrs. Willan in this email for their awareness. The Willans may like an opportunity to respond, and the committee may wish to consider allowing a sufficient opportunity to do so.

Committee members, please do not 'reply to all,' as such electronic communication could create a 'walking quorum' and run the risk of becoming an open meetings violation. Again, this rezone petition is on this coming Tuesday's work meeting agenda.

Thank you, take care, and have a pleasant weekend.

Todd

NOTE: The Dane County Planning & Development Department office is currently closed in response to the COVID-19 pandemic. Staff are working remotely and can be reached via email during regular business hours. This is the best way to communicate with our staff. We're also checking voicemail throughout the day, so please don't hesitate to call, and we'll get back to you as soon as possible. Thank you for your patience and understanding.

More information and updates can be found on our website: <https://danecountyplanning.com/>

Todd A. Violante, AICP, Director
Dane County Planning & Development Department
Room 116, City-County Building
210 MLK, Jr. Blvd.
Madison, WI 53703-3342
Phone: (608) 266-4021
Cell: (608) 535-7520
Fax: (608) 267-1540
Email: violante@countyofdane.com
<https://danecountyplanning.com/>

From: Lane, Roger <lane.roger@countyofdane.com>

Sent: Monday, January 31, 2022 4:13 PM

To: Bollig, Jerome <Bollig.Jerry@countyofdane.com>; Doolan, Michele <Doolan.Michele@countyofdane.com>; Smith, Sarah <Smith.Sarah@countyofdane.com>; Kiefer, Timothy <Kiefer.Timothy@countyofdane.com>; Peters, Steven <Peters.Steven@countyofdane.com>

Cc: Violante, Todd <Violante@countyofdane.com>

Subject: Issue at the January 25th ZLR Committee meeting

Dear Committee members,

At the January 25th ZLR Committee meeting there were statements made by one of the petitioners that claimed that I was untruthful with regards to the information that I provided to the Committee. During the discussion regarding Petition 11788, I stated that I had previous discussions with Mr. Willan, landowner, regarding turning his barn on his property into a wedding barn. Mr. Willan state that my statement was false and he never had such conversation.

As staff to the Committee, I pride myself on being very truthfully with the Committee and strive to provide accurate information so that the Committee can make the best decision on a petition. Mr. Willan's statement casts doubt on this trust.

To support my statement that I made on January 25th, I have attached correspondence between Mr. Willan and myself regarding using the barn on his property for wedding events. This is just one of many examples of Mr. Willan's practices.

If you have any questions or concerns, I would be more than happy to discuss the matter.

Sincerely,

Roger Lane
Dane County Zoning Administrator
(608) 266-9078

Please note that the Dane County Planning & Development office is currently closed in response to the COVID-19 pandemic.

Staff are working remotely and can be reached via email during regular business hours. This is the best way to communicate with us. Staff will be as responsive as possible.

We will also be checking work phone voicemail intermittently throughout business hours.

More information and updates can be found on our website: <https://danecountyplanning.com/>

From: Tom Willan
To: [Lane, Roger](#); [Hampton, Kris Forward](#)
Cc: [Julia Willan](#); [Tom Willan](#); [Gault, David](#); [Kim Banigan](#)
Subject: Regarding our property at 4407 Vilas Hope rd
Date: Wednesday, March 06, 2019 8:54:16 AM

Roger and Kris,

Julia and I want to start out renting our barn out for private events(not open to the public) under 10 per year to start out. We will only be supplying the facility for their personal private use. What do we need as far as zoning permits to proceed? I would also like to build a covered wood bridge from the deck of the new addition to the deck of the barn and finish up the stair cases into the barn and around the inside of the barn. What do we need for permits? I have advertising ready to start and would like to proceed asap. Also we have petitioned the town board to move us into a commercial district, what are our options for rezoning? Kris suggested setting up a meeting to discuss? My last 2 emails regarding our property have gone unanswered and we are entitled to answers and we need answers so we can decide how we proceed? Please respond so we can get things moving along?

Thanks, Tom and Julia

From: Tom Willan
To: [Lane, Roger](#); [Hampton, Kris Forward](#)
Cc: [Julia Willan](#); [Gault, David](#); [Kim Banigan](#); [Tom Willan](#); townboard@towncg.net
Subject: RE: Regarding our property at 4407 Vilas Hope rd
Date: Sunday, March 10, 2019 12:35:36 PM
Attachments: [letter to Dand county zoning regarding wedding barn03102019.pdf](#)

Roger,

Please find attached my clarification letter request regarding our property. It appears in your response that you had an unclear view of what we want to do with our property and why we are legally in our rights to rent our place for private events on our private property. Please let us know as soon as possible. **We have our first wedding booked for early July** and we have a lot of work to get done this spring to get ready for it. I will be up to get the zoning permit for the addition Tuesday or Wednesday, that should be sufficient time for your department to review it. Let me know when it will be ready, and when it would work for you, to meet with Kris and myself to discuss our property? Thanks, Tom

From: Lane, Roger
Sent: Thursday, March 07, 2019 9:14 AM
To: Tom Willan ; Hampton, Kris Forward
Cc: Julia Willan ; Gault, David ; Kim Banigan
Subject: RE: Regarding our property at 4407 Vilas Hope rd

Dear Mr. Willan,

Attached is a letter answering your questions about the proposed development of your property. I have attached information sheets as part of the letter to help you understand the process of obtaining a conditional use permit, changing the zoning of a property, and obtaining zoning permit. I would be happy to meet with you and Town Chair Hampton to discuss the steps involved in obtaining approvals for the proposed development.

Respectfully,

Roger Lane

Dane County Zoning Administrator

From: Tom Willan [<mailto:tom@ironmanbuildings.com>]
Sent: Wednesday, March 06, 2019 8:52 AM
To: Lane, Roger; Hampton, Kris Forward
Cc: Julia Willan; Tom Willan; Gault, David; Kim Banigan
Subject: Regarding our property at 4407 Vilas Hope rd
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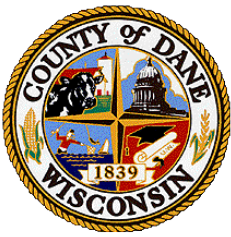
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Roger Lane

Dane County Zoning Administrator

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DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

March 7, 2019

Thomas Willan
4407 Vilas Hope Road
Cottage Grove, WI 53527

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

RE: proposed event barn and construction of a wood bridge and stairs

SITE: 4407 Vilas Hope Road, Section 7, Town of Cottage Grove

Dear Mr. Willan,

This letter is in response to your email regarding proposed changes to your property (attached). I understand from your email that there are three changes proposed. The first one is converting the storage barn into a place of assembly/event hall. The second is constructing a covered bridge that will connect the single-family residence to the storage barn. And third, alteration to the storage barn.

The proposed assembly/event hall involves converting the storage barn into a building used for commercial purposes. If the intent is to only have the commercial activity less than 10 days a year, the land use would be considered a limited family business. See definition below. The property is currently zoned RR-2 Rural Residential Zoning District. Under the RR-2 Zoning District, a limited family business is listed as a conditional use. A conditional use permit would first need to be obtained prior to converting the storage barn into a space for commercial activity. See attached information sheet for guidance on obtaining a conditional use permit. Once a conditional use permit is obtained for a limited family business, a change of use permit (zoning permit) would need to be issued in order for the storage barn to be converted into a structure for commercial activity. See attached information sheet regarding how to obtain a zoning permit.

Your email has language which states that events will be "under 10 per year to start out". I would understand this to mean that you are planning more than 10 events. If you are planning to have more than 10 events, a limited family business is the incorrect category.

If you are intending to convert the storage barn into a building used for assembly/events for more than 10 days per year, then the land use would be considered indoor entertainment or assembly. See definition below. Under the RR-2 Rural Residential Zoning District, indoor entertainment or assembly is not listed as a permitted use or conditional use. The zoning of the property would need to be changed to a different category which lists indoor entertainment or assembly as a permitted or conditional use. One such zoning district would be GC – General Commercial. See attached information sheet regarding the process of changing the zoning on a property. Once the correct zoning is secured, a zoning permit would need to be issued in order to convert the storage barn into an assembly hall. See attached information sheet regarding how to obtain a zoning permit.

The information that you have provide regarding the construction of a wood bridge, decks, and stairs is quite vague. A site plan and construction plans would need to be reviewed to properly answer your questions. A zoning permit would need to be obtained prior to the construction of these features. See attached information sheet regarding how to obtain a zoning permit.

If you feel aggrieved by contents of this letter, you may appeal the contents through the administrative appeal process pursuant to Dane County Code of Ordinances Section 10.101(9) within 30 days of the date of this letter.

If you have any further questions or concerns regarding the proposed changes to your property, please feel free to contact me directly at 266-9078.

Respectfully,



Roger Lane
Dane County Zoning Administrator

Cc: Town of Cottage Grove Clerk
Kris Hampton, Cottage Grove Town Chair

Attachments

10.044(84) Limited family business.

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

10.004(75) Indoor entertainment or assembly.

(a) All land uses which provide entertainment services, 10 or more days per calendar year, entirely within an enclosed building. Such activities often have: 1. operating hours which extend significantly later than other commercial land uses and; 2. event-driven attendance of 50 or more people, who typically arrive and leave the premises as a group, and may congregate outside before and after events. (b) Examples of such land uses include, but are not limited to: restaurants, taverns, theaters, 674 dance clubs, music or performance venues and auditoriums.



DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

March 11, 2019

Thomas Willan
4407 Vilas Hope Road
Cottage Grove, WI 53527

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

RE: Formal interpretation regarding rental of a structure for event purposes

SITE: 4407 Vilas Hope Road, Section 7, Town of Cottage Grove

Dear Mr. Willan,

This letter acts as a formal interpretation as requested regarding the rental of a structure for event purposes. See attached request. Please note that all of this was explained to you in the previously in the letter dated March 7, 2019.

The property located at 4407 Vilas Hope Road in the Town of Cottage Grove currently holds the zoning district classification of RR-2 Rural Residential. The property contains an existing single-family dwelling and an existing accessory building. The land uses presently on the property consists of single family residential and residential accessory building which are both permitted by right within the zoning district.

In your email on March 6, 2019 (see attached) you had stated that you and your wife would like to start renting out your accessory building for private events. In a subsequent email dated March 10, 2019 you had stated that the first wedding has been booked for early July. It is apparent that you are preparing for and scheduling to use the accessory building on your property for something other than uses accessory to your single family residence.

Permitted and conditional uses within a zoning district define how you use the premise or structure. Renting your property for wedding events or other private events is not a permitted use authorized on your property. The proposed land use will change the current residential accessory building into a structure used for the purposes of assembly. The land use involves an increase of traffic and will create parking demands beyond the single family residential land use.

Dane County Code of Ordinances, Chapter 10, Zoning Ordinance, provides that the rental of a structure for assembly events (weddings) for ten or more days a year meets the definition of indoor entertainment or assembly. The rental of the structure provides event-driven attendance. If the events are less frequent, less than 10 days per year, the land use would be considered a limited family business. The rental of the structure is a small family-run commercial operation taking place in an accessory structure. See definitions below.

Prior to the changing the land use on your property, you will need a conditional use permit for a limited family business or a zoning district change will be needed to allow indoor entertainment or assembly. Please see the previous letter dated March 7, 2019.

In addition to the formal interpretation, this letter serves as formal notice that the rental of the existing residential accessory building (barn) for the purposes of a place of assembly prior to the described approvals would be deemed a violation of Dane County Code of Ordinance Section 10. Zoning

Ordinance. If you chose to proceed with your plans without the necessary zoning approval the Dane County Corporation Counsel will seek injunctive relief to prospectively prevent such use.

If you feel aggrieved by contents of this letter, you may appeal the contents through the administrative appeal process pursuant to Dane County Code of Ordinances Section 10.101(9) within 30 days of the date of this letter.

Respectfully,



Roger Lane
Dane County Zoning Administrator

Cc: Town of Cottage Grove Clerk
Kris Hampton, Cottage Grove Town Chair
David Gault, Dane County Corporation Counsel
Todd Violante, Planning and Development Director

Attachments

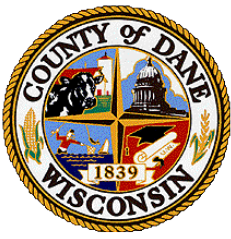
Dane County Code of Ordinances, Section 10

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DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

March 12, 2019

Thomas Willan
4407 Vilas Hope Road
Cottage Grove, WI 53527

RE: Denial of Zoning Permit Application

SITE: 4407 Vilas Hope Road, Section 7, Town of Cottage Grove

Dear Mr. Willan,

The Dane County Zoning Division is in receipt of your zoning permit application via email for improvements to an existing barn on your property. After review, the zoning permit application is hereby denied.

Under Dane County Code of Ordinance Section 10.101(1)(e), Application review - The [zoning] application shall be reviewed to determine if the proposed use of the building and location meets the applicable ordinance requirements and applicable regulations. If the proposal does not meet the requirements or regulations, the application shall be denied and information shall be provided to the applicant identifying the reasons for the denial.

The permit is being denied due to the proposed use not being listed as a permitted use within the RR-2 Rural Residential Zoning District. Your emails dated March 6th and March 10th identify that the barn is being remodeled for the purposes of being rented out for private events.

As noted in my letters dated March 7th and March 11th, a conditional use permit for a limited family business or a zoning change needs to be obtained prior to the issuance of a zoning permit.

If you chose to proceed with your remodeling without the necessary zoning permit, Dane County Corporation Counsel will seek injunctive relief to prospectively prevent such remodeling.

If you feel aggrieved by the contents of this letter, you may appeal the contents through the administrative appeal process pursuant to Dane County Code of Ordinances Section 10.101(9) within 30 days of the date of this letter.

Respectfully,

Roger Lane
Dane County Zoning Administrator

Cc: Town of Cottage Grove Clerk
Kris Hampton, Cottage Grove Town Chair
Jim Trebian, Cottage Grove Building Inspector
Todd Violante, Planning and Development Director
David Gault, Corporation Counsel

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(608)266-4251, Rm. 116

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