

May 6, 2011

Kelly Buss
1912 Barber Dr
Stoughton, WI 53589

RE: Violations occurring at 1912 Barber Dr
Parcel # 0610-264-1132-8

Dear Kelly Buss

On May 03, 2011, the Dane County Zoning Department received a written complaint on your property at 1912 Barber Dr. A site inspection was conducted on May 05, 2011. It was observed that the boathouse is for rent.

Under Dane County Code of Ordinance section **10.16 GENERAL PROVISIONS AND EXCEPTIONS. (1) Use. (a)** Any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district.

(b) The following uses shall be permitted in the districts specified when these uses do not alter the character of the premises in respect to their use for the purposes permitted in that district:

This letter serves as notice that your property at 1912 Barber Dr is in violation of the ordinance. boathouse for rent.

You are hereby instructed to shall comply with Dane County Code of Ordinances (boat house cannot be rented out) within 10 days of the date of this letter. When corrected, please contact the Zoning Department at (608) 266-4374 so that the corrections can be verified.

If the violations are not corrected within the 10 -day time period, citations will be issued for each day in violation.

Your cooperation is appreciated in this matter.

Sincerely,

Scott Schroeckenthaler
Zoning Inspector

CC: Town Clerk

Attach copy of ordinance

1. This section shall apply only to those towns that have filed a resolution with the county clerk indicating the election of the town to come under provisions of this district.

2. This section shall apply only within the A-1, A-2, A-2(1), A-2(2), A-2(4), A-2(8), R-1, R-1A, R-2, R-3, R-3A, R-4, RH-1, RH-2, RH-3 or RH-4 zoning districts.

(c) *Applicability near incorporated municipalities.* The county board may not rezone to the TDR-R overlay district any parcel wholly or partially within the extraterritorial plat review jurisdiction of an incorporated municipality, as defined in s. 236.02(5), Wis. Stats., unless consistent with an adopted town and county comprehensive plan. If there are inconsistencies between the comprehensive plans of the town and the incorporated municipality with extraterritorial jurisdiction, prior to county board action the town and municipal governments must resolve the inconsistencies, following the dispute resolution process set forth in their respective comprehensive plans as required by s. 66.1001(2)(g), Wis. Stats.

(3) *Permitted uses.* All permitted uses in the underlying zoning district, provided all of the following criteria are met:

(a) Each new dwelling unit is accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent with, and at a ratio determined by, an adopted town and county comprehensive plan.

(b) All transferred development rights in (a) above are from TDR-S overlay districts within the same town as the proposed dwelling unit, unless inter-town transfers are expressly authorized in adopted town and county comprehensive plans for both the sending and receiving towns.

(c) The landowner records a notice document for each new dwelling unit that details the number of development rights transferred, describes the sending property or properties, and references the recorded document number of the TDR agricultural conservation easement required under s. 10.158(3)(b).

(d) Copies of any recorded notices and copies of recorded TDR agricultural conservation easements on the sending parcel or parcels in the TDR-S district, must be provided to the zoning administrator before zoning permits will be issued.

(4) *Conditional uses.* All conditional uses in the underlying zoning district, provided all of the following criteria are met:

(a) Any application for a conditional use permit in the TDR-R overlay district that would increase

the number of permanent dwelling units, except for those uses listed in paragraph (b) below, is accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent with, and at a ratio determined by, an adopted town and county comprehensive plan.

(b) *Exceptions.* The following conditional uses are not considered an increase in the number of permanent dwelling units and do not require a transferred development right:

1. community living arrangements, as defined in s. 10.01(16);

2. dependency living arrangements, as defined in s. 10.01(19a);

3. extended care facilities, as defined in s. 10.01(22); and

4. nursing homes, as defined in s. 10.01(42).

(c) All transferred development rights in (a) above are from TDR-S overlay districts within the same town as the proposed dwelling unit, unless inter-community transfers are expressly authorized in adopted town and county comprehensive plans for both sending and receiving areas.

(d) The landowner records a notice document that details the number of development rights transferred, describes the sending property or properties and references the recorded document number of the restrictive covenant required under s. 10.158(3)(b).

(e) Copies of any recorded notices, and copies of recorded TDR agricultural conservation easements on the sending parcel or parcels in the TDR-S district, must be provided to the zoning administrator before zoning permits will be issued.

[HISTORY: 10.159 cr., OA 45, 2009-10, pub. 03/22/10.]

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EXCEPTIONS. (1) Use. (a) Any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district.

(b) The following uses shall be permitted in the districts specified when these uses do not alter the character of the premises in respect to their use for the purposes permitted in that district:

1. In any district, real estate offices and signs advertising property for sale for a period not to exceed one (1) year.

2. In any district, temporary buildings and the temporary storage of materials and equipment