

To: Dane County Zoning and Land Regulation Committee  
Town of Middleton Planning Commission

From: Nancy J Sandy, homeowner  
7664 Payvery Trail, Middleton, Wisconsin; Rocky Dell Neighborhood, Lot 1

Date: January 31, 2020

**RE: Letter of Opposition to Petition 11521 Middleton, Section 5**

I am writing to express my opposition to Petition 11421, which proposes to rezone property along Rocky Dell Road to LC. The land is adjacent to a small parcel of land at 4622 Rocky Dell Road already zoned LC, which is a relic from the 1970s. Additionally, I urge the committee to return the existing LC property to residential or agricultural zoning as it has not been used for commercial purposes in many years. This is consistent with the Town of Middleton comprehensive plan published in 2010, which shows the land is slated for future residential development not commercial development.

I have reviewed the information provided by Mr. Walser. He claims that the site will have two employees and little traffic; however, if the zoning is changed and the building is built there is nothing to hold him or future owners to a commitment to be a "good neighbor." He can expand the business, tear down the existing structures, sell the property, or open another business there. Plus, once the zoning is changed on this property, adjacent property can be targeted for commercial zoning, which would further destroy the aesthetic of the Rocky Dell neighborhood.

I live on the corner of Rocky Dell Road and Payvery Trail. When I purchased the lot, the Town of Middleton maintained Rocky Dell Road as a natural, rural road. In 2008 when the Rocky Dell neighborhood, located west of 4622 Rocky Dell Road, was established, the town issued an extensive deed restriction document to protect the road from development that would detract from this aesthetic. Document #4466854 issued on August 8, 2008, included restrictions on what trees could be cut, where houses could be built, how much grass could be planted and many other environmental details too numerous to mention.

The town went to extraordinary lengths to ensure the vision was preserved. The document reads, "No trees within the area marked 'Tree Preservation Area' on Lot 1...shall be removed except for the removal of dead or diseased trees. Prior to removal of such dead or diseased trees, the owners of the lot shall obtain written permission from the Board of Directors of the Rocky Dell Neighborhood Association, Inc., and the Town of Middleton..." According to the document, I am required to get permission to remove a dead tree; yet this proposal would a commercial structure to be built just a few hundred yards from these very special trees.

Now, a decade after the neighborhood was established and the vision preserved, the town and county must remember the vision for Rocky Dell Road. Building a commercial building on the road is not consistent with the desire for rural preservation or current county and town land use plans. Such a structure does not belong on Rocky Dell Road. In fact, there are no commercial buildings on Airport Road between Pleasant View Road and Cross Plains.

I urge the town and county to not only reject petition 11521 but to also remove the LC zoning from the adjacent lot, preserving Rocky Dell Road's rural charm.

Thank you for your time and attention.

