



## Dane County Planning and Development Department

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

July 30, 2015

Karl Dettmann  
435 Matterhorn Drive  
Verona, WI 53593

RE: Proposed Agricultural Building at 4200 County Hwy P  
Town of Cross Plains

*Housing &  
Economic Development*  
(608)266-4270, Rm. 362

*Planning*  
(608)266-4251, Rm. 116

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

*Zoning*  
(608)266-4266, Rm. 116

Dear Mr. Dettmann,

This correspondence is to express my concern regarding a recent zoning permit, DCPZP-2015-00547, that was issued by the Dane County Zoning Division for the property at 4200 County Highway P in the Town of Cross Plains. The zoning permit allows for a 14,699 sq.ft. agricultural accessory building to be constructed on the premises for the purpose of agricultural production. It was explained that the intention of this building is to assist in the production and storage of grapes that will be produced on the property. It has also been explained that you are in the process of establishing a vineyard on the property as a farming operation. Under Dane County Code of Ordinance Section 10.01(23f) farm is defined as:

**(23f) Farm** means all land under common ownership that is primarily devoted to agricultural use. Agricultural Use is defined as:

**(2a) Agricultural use.** Means any of the following activities conducted for the purpose of producing an income or livelihood: **(a)** Crop or forage production. **(b)** Keeping livestock. **(c)** Beekeeping. **(d)** Nursery, sod, or Christmas tree production. **(e)** Floriculture. **(f)** Aquaculture. **(g)** Fur farming. **(h)** Forest management. **(i)** Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

As you are aware, property is zoned A-1 Exclusive Agriculture and is located in the Agricultural Preservation Area as designated in the Town of Cross Plains Comprehensive Plan. The primary use permitted on this property is agricultural production. Ancillary uses could possibly be permitted in this district in conjunction with an active farm operation. Commercial operations such as, restaurants, wine tasting rooms, wedding/event facilities are prohibited in the A-1 Exclusive Agriculture Zoning District. Also the production of wine from grapes that have not been grown on the property would also be considered a commercial operation and thus prohibited in the A-1 Exclusive Agriculture Zoning District.

Dane County Zoning Division has reviewed the current conditions of the property and have determined that it is not a farm operation. The majority of the property is wooded with steep slope topography. A majority of the crop field has recently been zoned for residential development. The remaining fields, approximately 11 acres, are dormant. There is a single-family dwelling on the property that is used as rental property. The proposed agricultural building is being located in an agricultural field. There is no evidence that the land is devoted to agricultural use.

Please be informed that ancillary uses such as Agricultural Entertainment is a farm based activity and may only occur on the property containing a legitimate farm operation. Given that a farm operation is not present on your property, Agricultural Entertainment is prohibited.

With the existing wooded areas, the recent residential development, and the proposed building, the property has very little land remaining to establish a farm operation. It appears that the majority of land is devoted to items other than agricultural uses. Please note that farms, by definition, must have lands primarily devoted to agricultural uses.

My concern is that the proposed agricultural building is not being constructed for the purposes of agricultural production. The design of the building appears likely to be used for other purposes. The building does not have large overhead doors for the ingress/egress of farm equipment or for the movement of agricultural product. It appears that the building is designed more as an assembly hall.

If the construction of this building is for other purposes, I strongly suggest that you obtain approvals for the intended use prior to the construction of this building. Using this building for commercial purposes will be considered a violation of Dane County Code of Ordinances and operations will be required to cease immediately through injunctive relief.

I have explained the development limitations of this property to you on previous occasions. The Town of Cross Plains Comprehensive Plan designates the area as an Agricultural Preservation Area. This area is intended for agriculture production and not for commercial purposes. Land use conflicts may arise from uses other than agricultural purposes. Please be aware that the Comprehensive Plan may need to be amended to support commercial activity on your property.

The following is a list of land uses permitted in other zoning districts. If the building will be used for these purposes, I would strongly suggest securing the proper zoning prior to the construction of the building.

Banquet hall for wedding and events – C-1 Commercial Zoning District  
Outdoor theater for wedding events – C-1 Commercial Zoning District w/ Conditional Use Permit  
Restaurant / Tavern (tasting room) – C-1 Commercial Zoning District w/ Conditional Use Permit  
Winery / Wine Production (not grown on property) – C-1 Commercial Zoning District

I am making you aware of these facts to avoid conflicts in the future. If you have any questions or concerns, please feel free to call me at (608) 266-9078.

Respectfully,



Roger Lane  
Dane County Zoning Administrator

Cc: Nancy Meinholz, Cross Plains Town Clerk  
Greg Hyer, Town of Cross Plains Chair  
Town of Cross Plain Plan Commission members  
Dane County Zoning and Land Regulation Committee members  
Andy Fieber, Aldo Partners, Inc.





# DANE COUNTY ZONING PERMIT

ZONING PERMIT NO.

Page 1 of 2


DCPZP-2015-00547

OWNER INFORMATION			AGENT/CONTRACTOR INFORMATION			
OWNER NAME KARL R DETTMANN	PHONE (608) 575-2692	AGENT /CONTRACTOR NAME ALDOPARTNERS, LLC	PHONE (608) 209-2183			
BILLING ADDRESS (Number, Street) 435 MATTERHORN DR			ADDRESS (Number, Street) P.O. BOX 45601			
(City, State, Zip) VERONA, WI 53593			(City, State, Zip) MADISON, WI 53744			
E-MAIL ADDRESS KARLDETTMANN@GMAIL.COM			E-MAIL ADDRESS ANDY@ALDOPARTNERS.COM			
PARCEL NO. 0707-152-9670-0		TOWNSHIP TOWN OF CROSS PLAINS		SECTION 15	1/4 NW	1/4 1/4 SE
PROPERTY ADDRESS <small>(Assignment of new address is subject to field verification.)</small>		HOUSE NO. 4200	ST. DIRECTION	STREET NAME COUNTY HIGHWAY P		ST. TYPE
LOT 4	BLOCK	C.S.M. NO. or PLAT NAME CSM 13885				
ZONING DISTRICT A-1Ex Exclusive Ag District	PARCEL ACREAGE 81	PROPOSED PROJECT: <b>New Structure/Addition</b> Description: AGRICULTURAL ACCESSORY BUILDING			CENSUS CODE 329 - Other	
Category <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agricultural <input type="checkbox"/> Other:		SEWER Private		SANITARY PERMIT NO.		
ROAD CLASSIFICATION B-County Highway	REZONE NO.	C.U.P. NO.	VARIANCE NO.	DEED RESTRICTION <input type="checkbox"/> YES <input type="checkbox"/> NO		
SHORELAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	FLOOD ZONE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	WETLAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EC/SW NO. EC2015-0071			
HEIGHT (In Feet) 26	BASEMENT Sq. Ft. 3648		1st FLOOR Sq. Ft. 9033		TOTAL SQUARE FEET 14669	
NO. OF STORIES 2	2nd FLOOR Sq. Ft. 1988		3rd FLOOR Sq. Ft.		PROJECT COST \$600,000.00	
					PERMIT FEE \$1150.18	

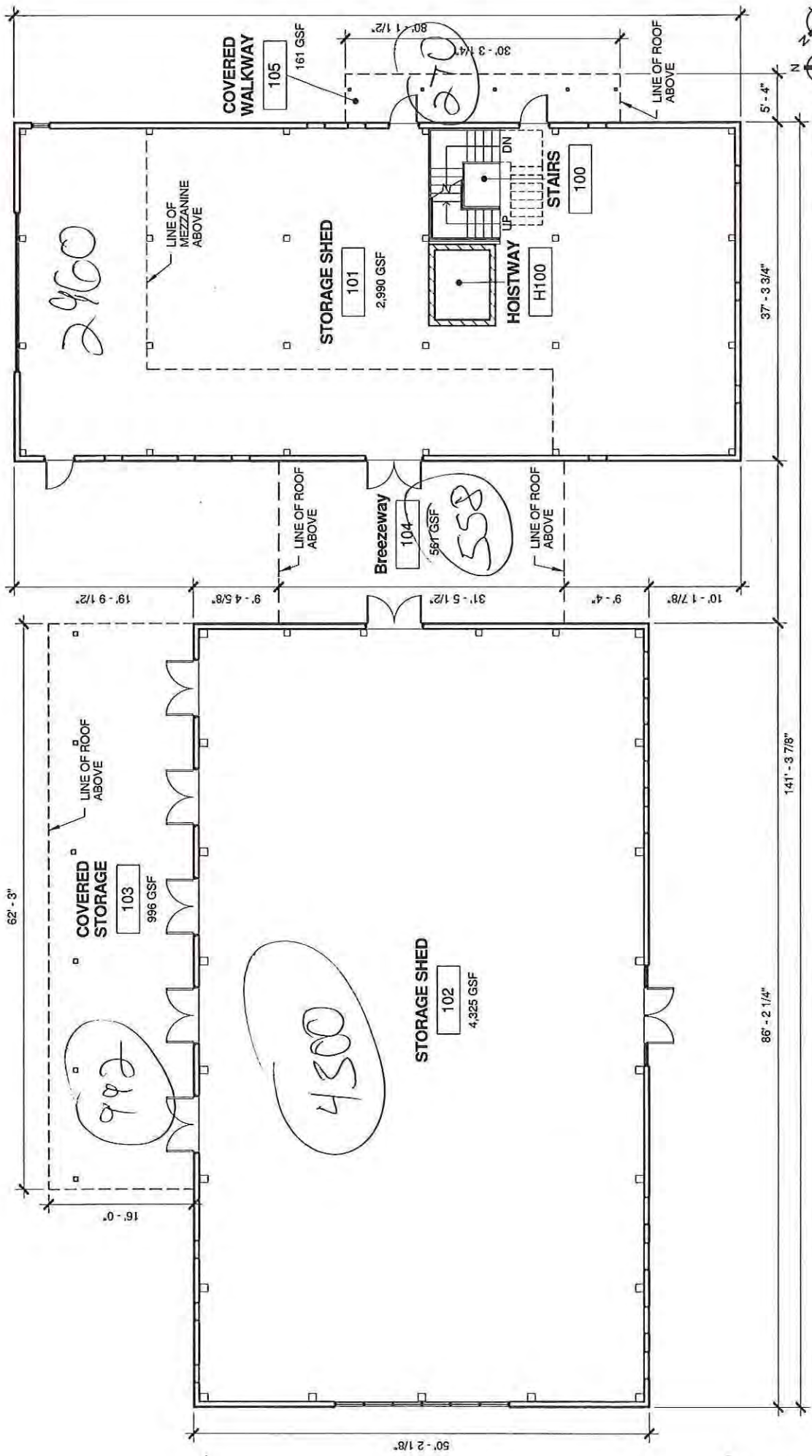
I, the undersigned, am the owner of the property or an authorized agent acting on behalf of the owner of the property. I certify that the work to be performed, as part of this zoning permit, will be constructed as noted on the submitted plans and comply with the applicable zoning ordinances. I understand that failure to comply with any provision or condition of this permit renders this zoning permit null and void and subject to enforcement action.

I acknowledge that I am responsible for complying with State and Federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources web page at [www.dnr.state.wi.us](http://www.dnr.state.wi.us) or contact the Department of Natural Resources Service Center.

I hereby consent to the entry on the permitted premises by Dane County zoning inspectors for the purposes of determining compliance with the zoning ordinances.

Owner & Agent hereby agree to comply with all Dane County Ordinances. Any unauthorized change from the information or plans submitted will invalidate the permit.		SIGNATURE: Owner/Agent 		DATE: 7/20/2015	
OFFICE USE ONLY					
SURVEY REQUIRED ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Initials: <u>AR</u>		DATE ISSUED 07/20/2015 DATE REVIEWED 7/24/15	INITIALS PMK2 8W	1st INSPECTION DATE	INITIALS
				2nd INSPECTION DATE	INITIALS

(form version 03.00.07)



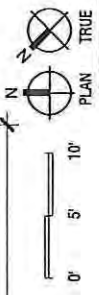
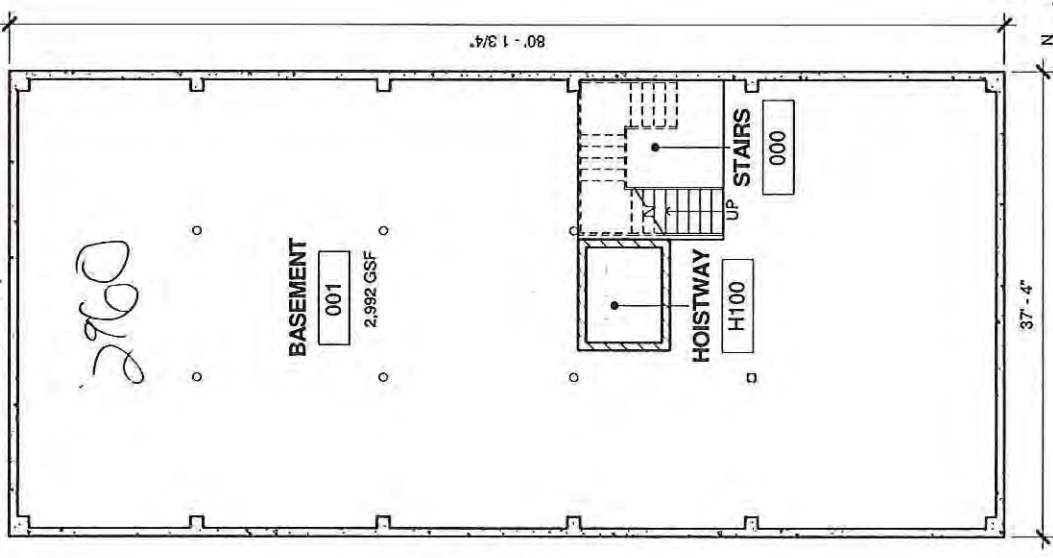
TOTAL BUILDING AREA:	3,648 GSF
BASEMENT:	9,033 GSF
FIRST FLOOR:	1,988 GSF
MEZZANINE:	14,669 GSF
TOTAL:	24,738 GSF

FIRST FLOOR AREA:	7,315 GSF
TOTAL ENCLOSED AREA:	1,718 GSF
TOTAL EXTERIOR COVERED AREA:	9,033 GSF
TOTAL AREA:	14,669 GSF

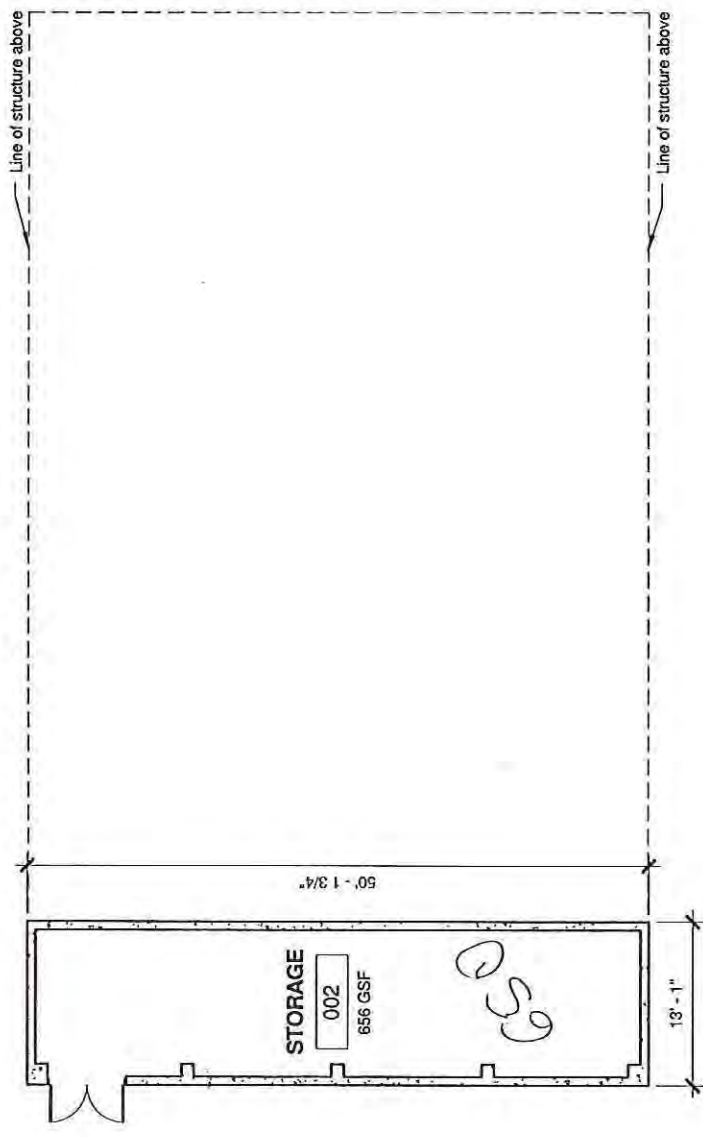
**First Floor Plan**  
 Dettmann Property  
 July 01, 2015  
 P:\2014\2014\_07\01\_Preliminary\Rev\Wedge\2014\_07\_01\_Dettmann Winery - Shell (Breezeway).rvt

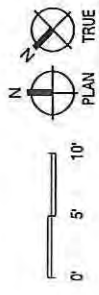
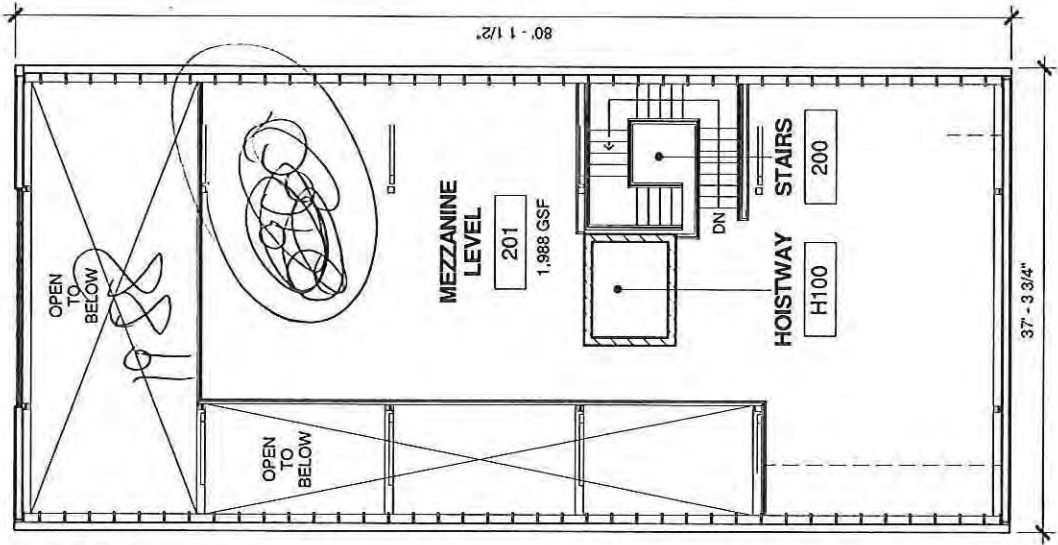


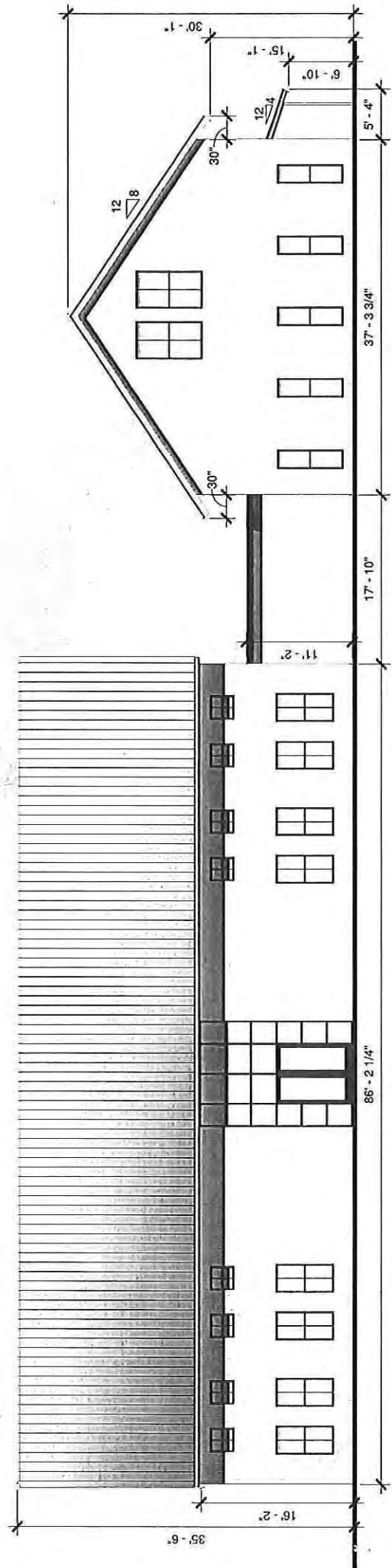
DCP2P-2015-00547 (6 Pgs.)



PRELIMINARY - NOT FOR CONSTRUCTION

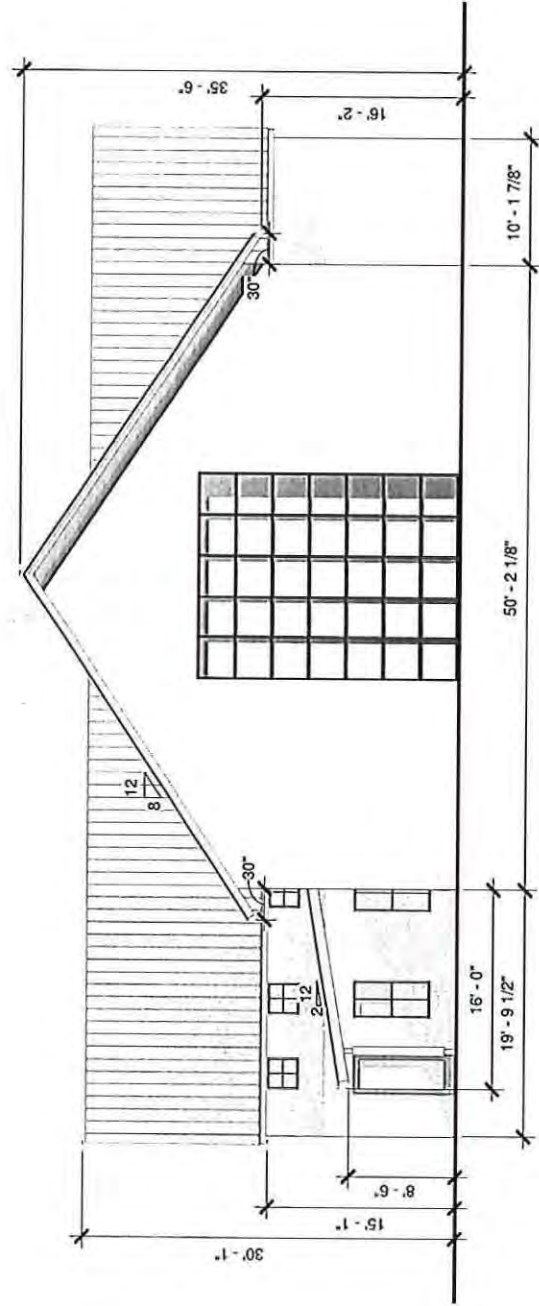






Scale: 1" = 10'-0"  
 0' 5' 10'





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0' 5' 10'