

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
11/13/2023	DCPCUP-2023-02610
Public Hearing Date	
01/23/2024	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME SN WINDY ACRES LLC (Scott Niebuhr)	Phone with Area Code (608) 445-6589	AGENT NAME SAME	Phone with Area Code
BILLING ADDRESS (Number, Street) 3356 VALLEY SPRING RD		ADDRESS (Number, Street) <input type="checkbox"/>	
(City, State, Zip) MOUNT HOREB, WI 53572		(City, State, Zip)	
E-MAIL ADDRESS scottniebuhr34@gmail.com		E-MAIL ADDRESS	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP
3160 County Hwy J		
TOWNSHIP SPRINGDALE	SECTION 1	TOWNSHIP
		SECTION
PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED
0607-012-8730-1	---	---

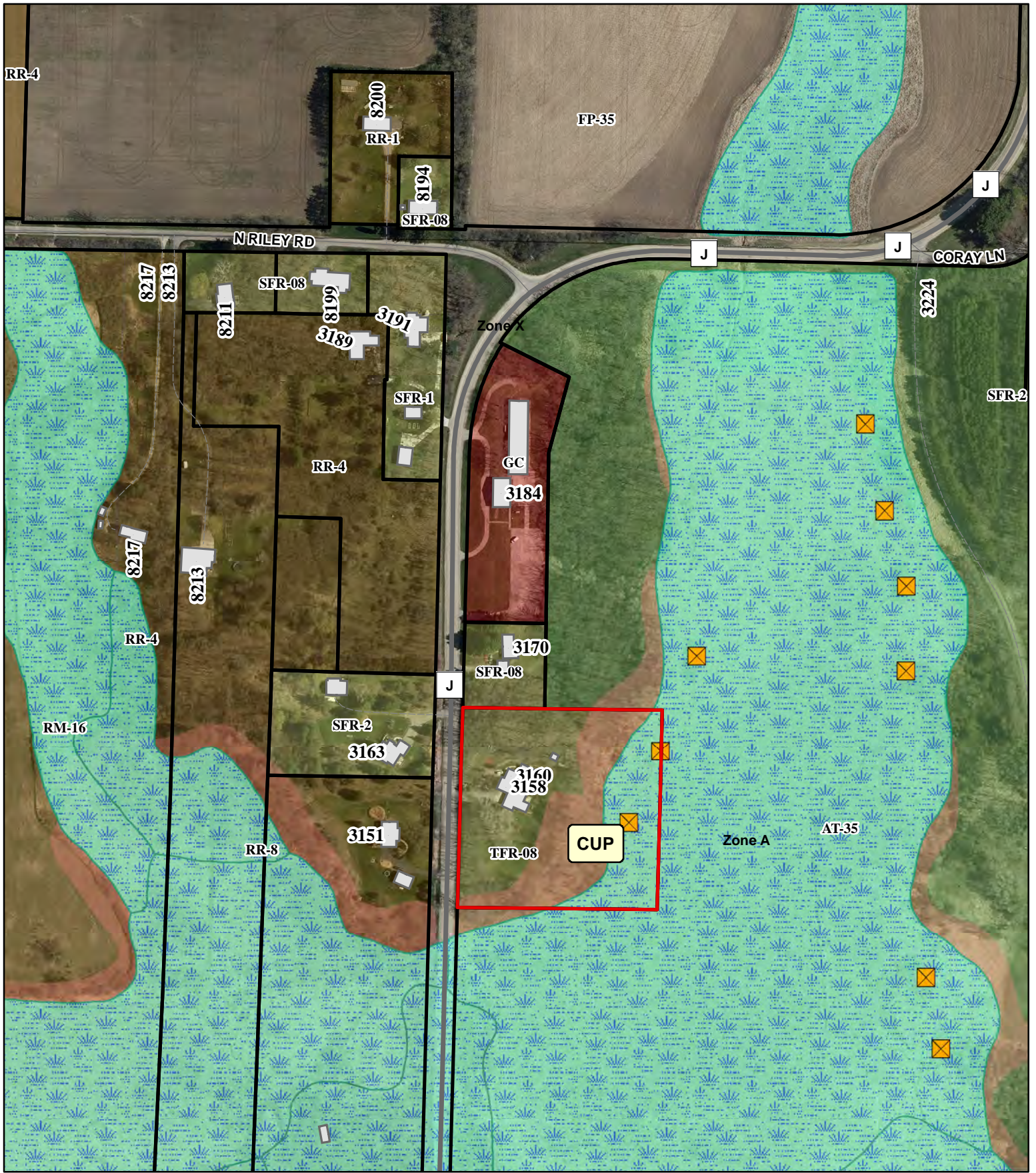
CUP DESCRIPTION

Renew CUP to allow transient or tourist lodging (AirBnB)




DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
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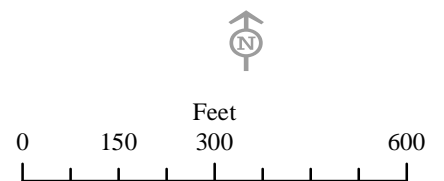
10.254(3) Transient or Tourist Lodging	5.0
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DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE:(Owner or Agent)
<input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	RWL1	
		PRINT NAME:
		DATE:



CUP 2610

-  Wetland
-  Floodway Areas in Zone AE
-  Floodplain





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:	Agent Name:
Address (Number & Street):	Address (Number & Street):
Address (City, State, Zip):	Address (City, State, Zip):
Email Address:	Email Address:
Phone#:	Phone#:

SITE INFORMATION

Township:	Parcel Number(s):	
Section:	Property Address or Location:	
Existing Zoning:	Proposed Zoning:	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):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

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 type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input 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: _____

Date: _____

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):

- | |
|--|
| <p>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.</p> |
| <p>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.</p> |
| <p>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.</p> |
| <p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.</p> |
| <p>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.</p> |
| <p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.</p> |
| <p>7. The conditional use is consistent with the adopted town and county comprehensive plans.</p> |
| <p>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.</p> <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible: |

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

The residence is up to date on its utilities and can easily manage the number of guests permitted during a visit. The residence has a large driveway with access to CTY RD J in Verona. Currently there are no other improvements to be made and is move in ready.

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.

The number of guests is managed and capped to prevent overcrowding. The amount of cars will be capped with the number of guests to ensure an easy and comfortable fit in driveway. The home's driveway has clear visibility to and from CTY RD J, making it easy enter and exit the property.

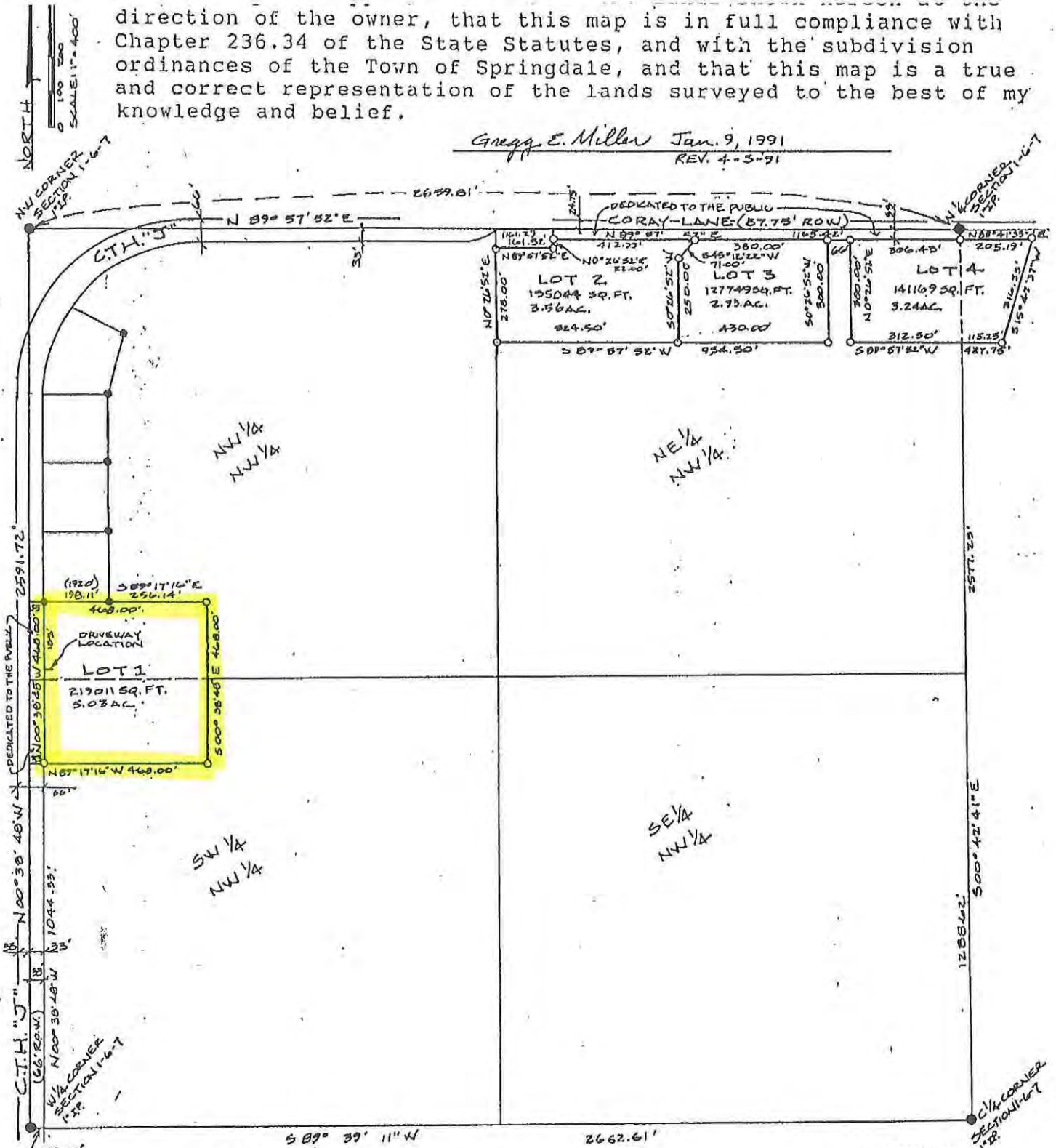
WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

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.

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.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
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.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
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.
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.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
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.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

direction of the owner, that this map is in full compliance with Chapter 236.34 of the State Statutes, and with the subdivision ordinances of the Town of Springdale, and that this map is a true and correct representation of the lands surveyed to the best of my knowledge and belief.

Gregg E. Miller Jan. 9, 1991
REV. 4-3-91



FEE
13
EXEMPT

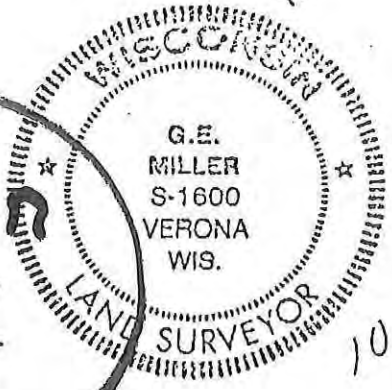
Refer to building site information contained in the Dane County Soil Survey.

LEGEND

- 1" & 2" IRON PIPES MARKING SECTION CORNERS
 - 1" IRON PIPES MARKING EXISTING PARCEL CORNERS
 - 3/4" X 24" REBAR (1.5010/ft.)
 - () RECORD INFORMATION
- PREPARED FOR: DR. JOHN HAMACHER
3224 C.T.H. "J"
VERONA, WI 53593

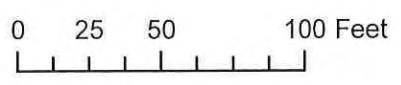
90112

Legal Description
Lot 1 CSM 6374
PAGE 1 OF 2 V. 31, P 45

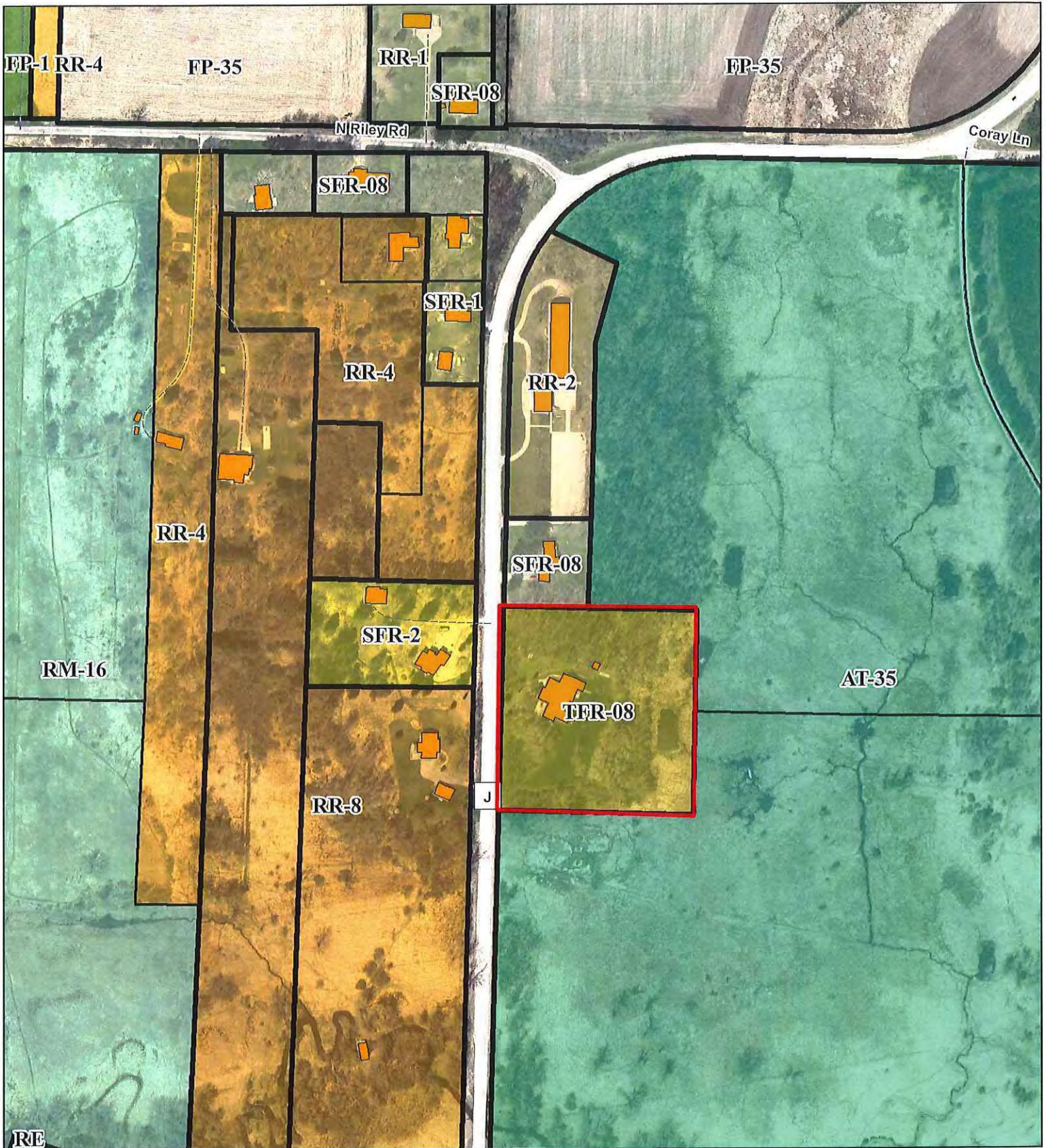


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Site Plan

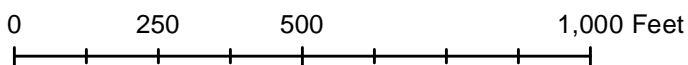
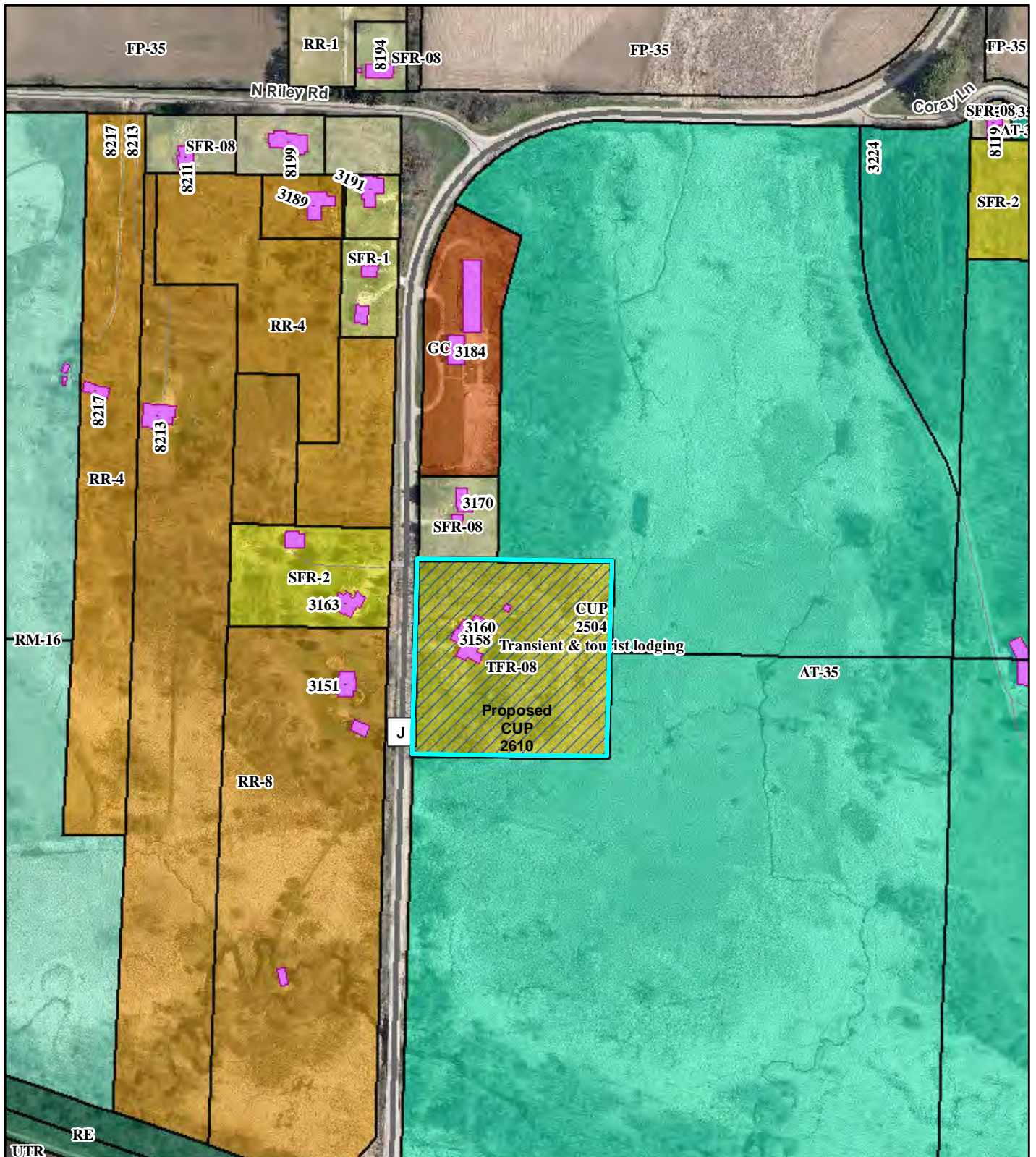


RE



0 150 300 600 Feet

Neighborhood Plan



CUP 2610
 Neighborhood Map
 3160 County Hwy J



Dane County Zoning Division

EXPIRED

City County Building
210 Martin Luther King Blvd., Rm 116
Madison Wisconsin 53703
Phone (608) 266-4266 / (608) 908-3000
Fax (608) 267-1540

**DANE COUNTY
CONDITIONAL USE PERMIT #2504**

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2504 for TRANSIENT OR TOURIST LODGING a conditioned upon Dane County Code of Ordinances Section 10.101(7)(d)2 and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: November 11, 2020

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 3158-3160 County Highway J, Town of Springdale

Legal Description:

Lot 1 of Certified Survey Map 6374, Section 01, T06N, R07E, Town of Springdale, Dane County, Wisconsin

CONDITIONS:

1. Only one side of the duplex shall be rented as transient or tourist lodging. The northern-most unit shall be rented for transient or tourist lodging. The southern-most unit of the duplex may be rented as long-term rental.
2. No more than three bedrooms shall be rented for transient or tourist lodging.
3. No more than 12 people, including both transient guests and permanent residents, shall be on the premises at any one time. The transient or tourist lodging shall have a maximum of 8 people on the premises at any time.
4. No more than 6 vehicles shall be on the premises at any one time. All vehicles must be parked on paved driveway surfaces or inside the existing garage, with adequate access for emergency vehicles.
5. Quiet hours shall be observed between 10 p.m. and 9 a.m. on weekdays, and between 12 a.m. and 9 a.m. on weekends.
6. Peak noise levels shall not exceed 40 decibels [dB(a) scale], as measured at the property line, during quiet hours.

7. Peak noise levels shall not exceed 65 decibels [dB(a) scale], as measured at the property line, during hours other than quiet hours.
8. No more than two dogs, (including those belonging to permanent residents) may be on the premises at any one time. All dogs brought by guests must either be leashed or contained within adequate fenced areas while outside. Dogs must be kept indoors during quiet hours.
9. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health.
10. Landowner will maintain existing trees and other vegetation along the northern, western and southern property lines, or replace such vegetation with landscaping that provides a similar level of visual screening.
11. Any new outdoor lighting shall be downward-directed, designed to minimize ambient spill and shall comply with all applicable requirements of the Town of Springdale Dark Skies Ordinance.
12. The physical development and operation of the conditional use must conform in all respects, to the approved site plan and operational plan.
13. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
14. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation.
15. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site.
16. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to the revocation.
17. If the transient or tourist lodging operation is abandoned for one year or more, this conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.
18. The transient or tourist lodging operation shall automatically expire on the sale of the property or the business to an unrelated third party.
19. The operation of all-terrain vehicles, ATVs, and snowmobiles by occupants of the transient or tourist lodging operation shall be prohibited on the property.
20. Signage is prohibited.
21. Outdoor music and speakers for the amplification of sound or music outdoors are prohibited.
22. Commercial activities and business activities, other than transient or tourist lodging and duplex rental, are prohibited.
23. This Conditional Use Permit shall expire two years after the effective date. Landowner may renew the conditional use permit by successfully obtaining a new CUP prior to the expiration date.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

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

2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220 (1).

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.

EXPIRED