



DANE COUNTY PLANNING & DEVELOPMENT

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

April 13, 2009

Morgan RV Resorts
Attn: Rick McCurley
509 Queensbury Ave.,
Queensbury, NY 12804

Mr. McCurley:

Thank you for taking the time last Friday to talk with us regarding the Crystal Lake RV Resort and the issues resulting from the recent flooding.

In 1966 your parcel, identified as parcel number 0907-022-8000-6, was zoned RE-1 (recreational). In 1976, the Dane County Code of Ordinance was amended allowing only temporary camping structures by right and residences for rent through a conditional use permit.

While non-conforming uses are allowed to continue they are limited by Chapter 10.21(1)(b) Nonconforming Uses. This section states that "no building or premises used as a nonconforming use shall be added to or structurally altered so as to increase the facilities for such nonconforming use.

To date we have had little if any involvement with your property as there have not been instances requiring our attention. It appeared to be zoned correctly and there were no complaints submitted to the contrary. With the adoption of the 2009 Flood Insurance Rate Maps (FIRM) and the recent flooding that occurred our office became involved as a result of Dane County Code of Ordinance Chapter 17, Floodplain Zoning. Through these map revisions resulting in additional administration from our office and as a result of our investigation after the recent flooding we have identified the following issues that will need to be addressed:

- Since 1976 potential permanent residences have been established.
- Current ordinances only allow trailers as temporary or evening parking.
- Identifying temporary and permanent camping units including compliance not only with Dane County ordinances but with Wisconsin Administrative Code as well.
- Structures affected by the flooding have sustained more than 50% damage.
- Structures are placed in the floodplain and are not compliant with Chapter 17.

These issues can be resolved by complying with the standards identified today in both Chapter 10 and Chapter 17, Dane County Code of Ordinance.

*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

As you are aware as of January 2nd, 2009 the FIRM now shows your property to be in the floodplain, Zone A, with a Base Flood Elevation (BFE) of 871'. We have been in contact with the Wisconsin Department of Natural Resources (WDNR) regarding the inconsistencies between the 2003 and the 2009 maps for the property as a whole, Dane and Columbia County. Please be advised that they, WDNR, are as well looking at the historical elevation of 871' to determine whether this elevation still seems appropriate. If that is the case they would proceed with the Letter of Map Revision to correct the map panel in Columbia County. If on the other hand 871' seems to low, then a new flood elevation would be developed ultimately resulting in a "adjusted" BFE.

To address the flooding and compliance issues, we are suggesting that the area below the BFE be filled with soil to an elevation of at least 871'. In order to do so, a Flood Zone Permit will need to be obtained from Dane County Zoning and a Shoreland Erosion Control Permit will need to be obtained from Dane County Land Conservation, (608) 224-3730.

Flood Zone Permit requirements include, but are not limited to:

- Legal Description of the property.
- Location of the proposed project including lot lines or boundaries of the project.
- Existing roads.
- Proposed filling.
- Existing elevations and proposed elevations of any fill.
- Cost of project
- Name of contractor and engineer.
- Certification by a registered professional engineer or architect that the project will be accomplished in compliance with flood plain zoning provisions and regulations.
- \$100.00 Fee.

We appreciate your willingness and the efforts you made thus far to bring your property into compliance. Please do not hesitate to call or email with questions or comments.

Sincerely,

Shawn Widish
Dane County Zoning Inspector
(608) 266-9085

cc: Jeremy Balousek – Land Conservation
David Janda – Emergency Management
Roger Lane – Zoning Administrator
John Bluemke – Zoning Administrator
Peter Conrad – Axley Brynelson, LLP
Carl Sinderbrand – Axley Brynelson, LLP

