

Via E-Mail

October 19, 2021

Dane County Zoning and Land Regulation Committee
City County Building
210 Martin Luther King, Jr. Blvd.
Room 116
Madison, WI 53703

RE: Conditional Use Permit Application – CUP 2537

Dear Members of the Committee:

I am writing to register my family's opposition to the application for a CUP to allow transient or tourist lodging at 7537 Fallen Oak Drive in the Town of Middleton. The application should be denied because the applicant cannot satisfy all of the eight standards for approval. In fact, the past history of the applicant proceeding with illegal lodging at this property is evidence that the standards have not been met.

Standard 1. The proposed land use will not be detrimental to or endanger the neighborhood health, safety, comfort, or general welfare.

Past experience has already demonstrated that the proposed use for the property is detrimental to or endangers the neighborhood's safety, comfort or general welfare. In spite of the applicants' assurances of strict guest policies, neighbors have already had to endure multiple incidents of excessive late night noise and large groups of up to 25 cars parked around the driveway and street.

Moreover, the frequency of the past rentals provides solid grounds for believing the proposed use will continue to impact the comfort and general welfare of the neighborhood. The application states that the applicants had already hosted 35 groups prior to submitting an application for a CUP. With the property only transferring ownership to the applicants in October 2020, hosting 35 groups amounts to the property being rented out almost every weekend between October 2020 and July 2021. This is not an infrequent or occasional property rental; this is a hotel that is likely to continue to generate the same problems for the neighborhood.

Standard 6. The conditional use shall conform to all applicable restrictions of the district in which it is located.

The Covenants for the neighborhood clearly do not permit the type of activity proposed in the application. The Use Restrictions in the Covenants state that "No profession, business, noxious or offensive activity shall be carried on upon any lot, nor shall anything be done on any lot which may be or may become an annoyance or nuisance to the neighborhood." Tourist lodging is a business.

For the above reasons, my family respectfully requests the application for a CUP be denied. Thank you for your consideration.

Sincerely,

Kevin Trost
Spruce Valley Drive
Town of Middleton, WI 53593