

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
09/05/2024	DCPCUP-2024-02643
<b>Public Hearing Date</b>	
11/19/2024	

<b>OWNER INFORMATION</b>	<b>AGENT INFORMATION</b>
--------------------------	--------------------------

OWNER NAME MATTHEW AND MARCIE SCHMIDT	Phone with Area Code (608) 345-5230	AGENT NAME MARCIE SCHMIDT	Phone with Area Code (608) 215-1004
BILLING ADDRESS (Number, Street) 3019 RED HAWK TRL		ADDRESS (Number, Street) 3019 RED HAWK TRAIL	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip) Cottage Grove, WI 53527	
E-MAIL ADDRESS 358lakeshore@gmail.com		E-MAIL ADDRESS 358lakeshore@gmail.com	

<b>ADDRESS/LOCATION 1</b>	<b>ADDRESS/LOCATION 2</b>	<b>ADDRESS/LOCATION 3</b>
---------------------------	---------------------------	---------------------------

<b>ADDRESS OR LOCATION OF CUP</b>	<b>ADDRESS OR LOCATION OF CUP</b>	<b>ADDRESS OR LOCATION OF CUP</b>
358 Lake Shore Drive		
TOWNSHIP ALBION	SECTION 25	TOWNSHIP
		SECTION
<b>PARCEL NUMBERS INVOLVED</b>	<b>PARCEL NUMBERS INVOLVED</b>	<b>PARCEL NUMBERS INVOLVED</b>
0512-254-2111-1	---	---

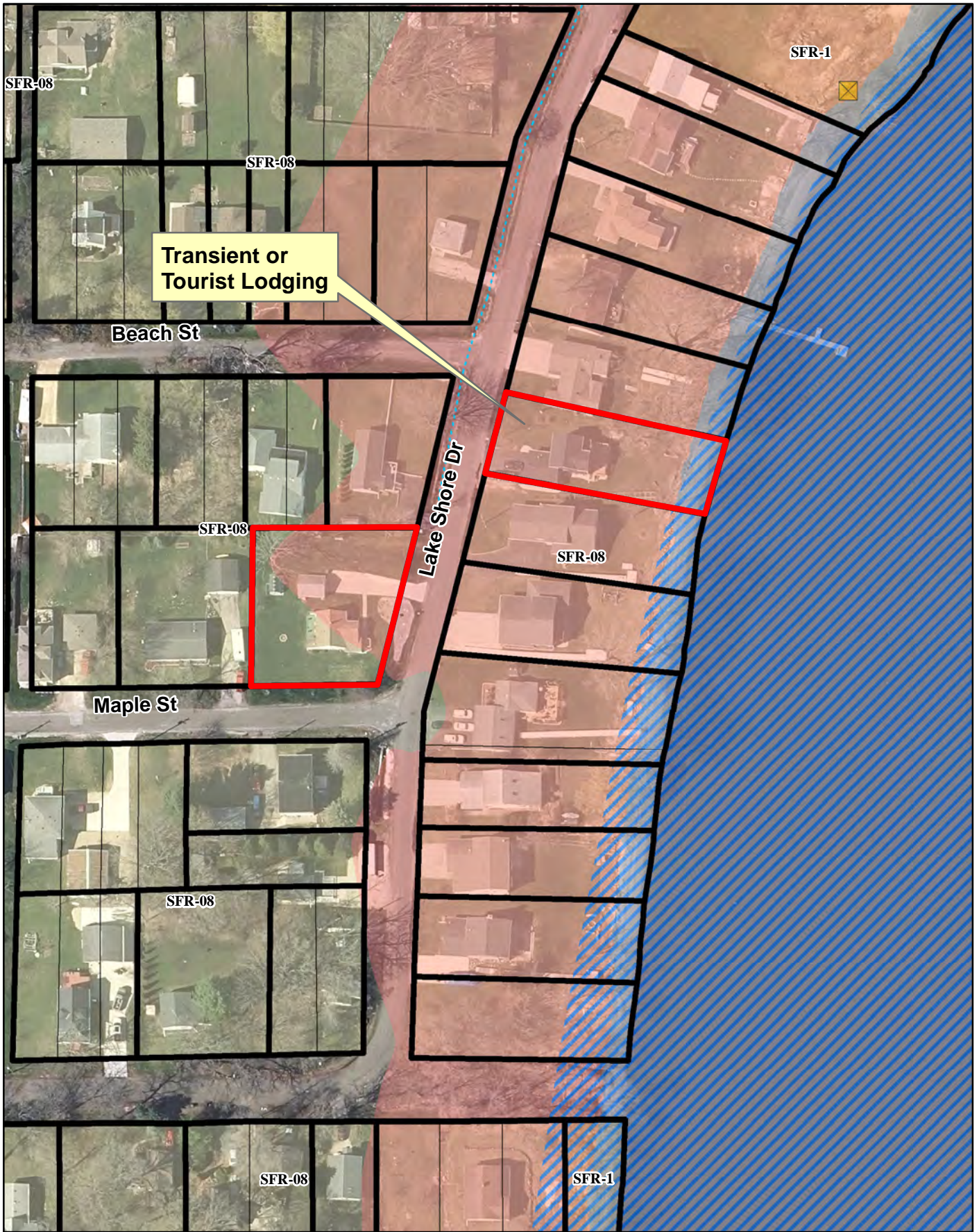
<b>CUP DESCRIPTION</b>
------------------------

Transient or tourist lodging (short-term rental)

<b>DANE COUNTY CODE OF ORDINANCE SECTION</b>	<b>ACRES</b>
--	--------------

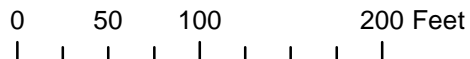
10.251(3)	0.25
-----------	------

<b>DEED RESTRICTION REQUIRED?</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	<b>Inspectors Initials</b>  RUH1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>   
---	--	---



**Legend**

-  Wetland
-  Floodplain



CUP 2643  
Schmidt



**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:	Matthew Schmidt	Agent Name:	Marcie Schmidt
Address (Number & Street):	3019 Red Hawk Trl	Address (Number & Street):	3019 Red Hawk Trl
Address (City, State, Zip):	Cottage Grove, WI 53527	Address (City, State, Zip):	Cottage Grove, WI 53527
Email Address:	358lakeshore@gmail.com	Email Address:	358lakeshore@gmail.com
Phone#:	608.345.5230	Phone#:	608.215.1004

SITE INFORMATION			
Township:	Albion	Parcel Number(s):	0512-254-2111-1
Section:	25	Property Address or Location:	358 Lake Shore Dr. Edgerton, WI 53534
Existing Zoning:	SFR-08	Proposed Zoning:	RM8
		CUP Code Section(s):	10.233(3)

### DESCRIPTION OF PROPOSED CONDITIONAL USE

<p><b>Type of conditional use permit</b> (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):                  Transient and Tourist Lodging</p>	<p><b>Is this application being submitted to correct a violation?</b></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><b>Provide a short but detailed description of the proposed conditional use:</b>                  We are seeking a conditional use permit to use our secondary home as a short term rental for overnight guests. Tourist lodging will provide an additional income stream not only for us, but for the community, as most of our guests seek recommendations for rentals, food and tourist activities in the area.</p>	

### 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 ( <b>non-refundable</b> ), payable to Dane County Treasurer
--	---	--	--	---	--

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: Matthew Schmidt Marcie Schmidt Date: 07/25/24 07/25/24

## 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):

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.

Tourist lodging is well established in the area. We live within 30 minutes of the home and are able to keep a watchful eye on the property. We also forbid any large gatherings, require guests to abide by quiet hours, and avoid disruptive behavior. We also screen all guests prior to booking to ensure their stay is not being used for any large parties or gatherings.

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.

The home will be well kept in both interior and exterior. Our guests must abide by house rules which include no blocking of the street, respect quiet hours, and to keep occupancy within the approved number of guests at all times.

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.

Most homes in our neighborhood are second homes or short term rentals. We anticipate no problems with orderly operation of their rentals or interfering with the enjoyment of their homes.

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

The home has adequate utilities which we maintain, drainage was just improved by the city this spring, and we continue to maintain upkeep and improvements to the home.

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.

We limit the number of vehicles to 4, which will fit in the driveway and/or garage. We also inform each guest of no street parking and do not allow large gatherings.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The house, well and sewer are all up to date to applicable building regulations and codes.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

Our intent with the home is to help increase the revenue stream for other local establishments within the township.

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.

- Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

NA

- Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:

NA

- Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

NA

- Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

NA

- Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

NA

## APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

**A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.**

**SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:**

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

**NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:**

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

**OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:**

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

**ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):**

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

### WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

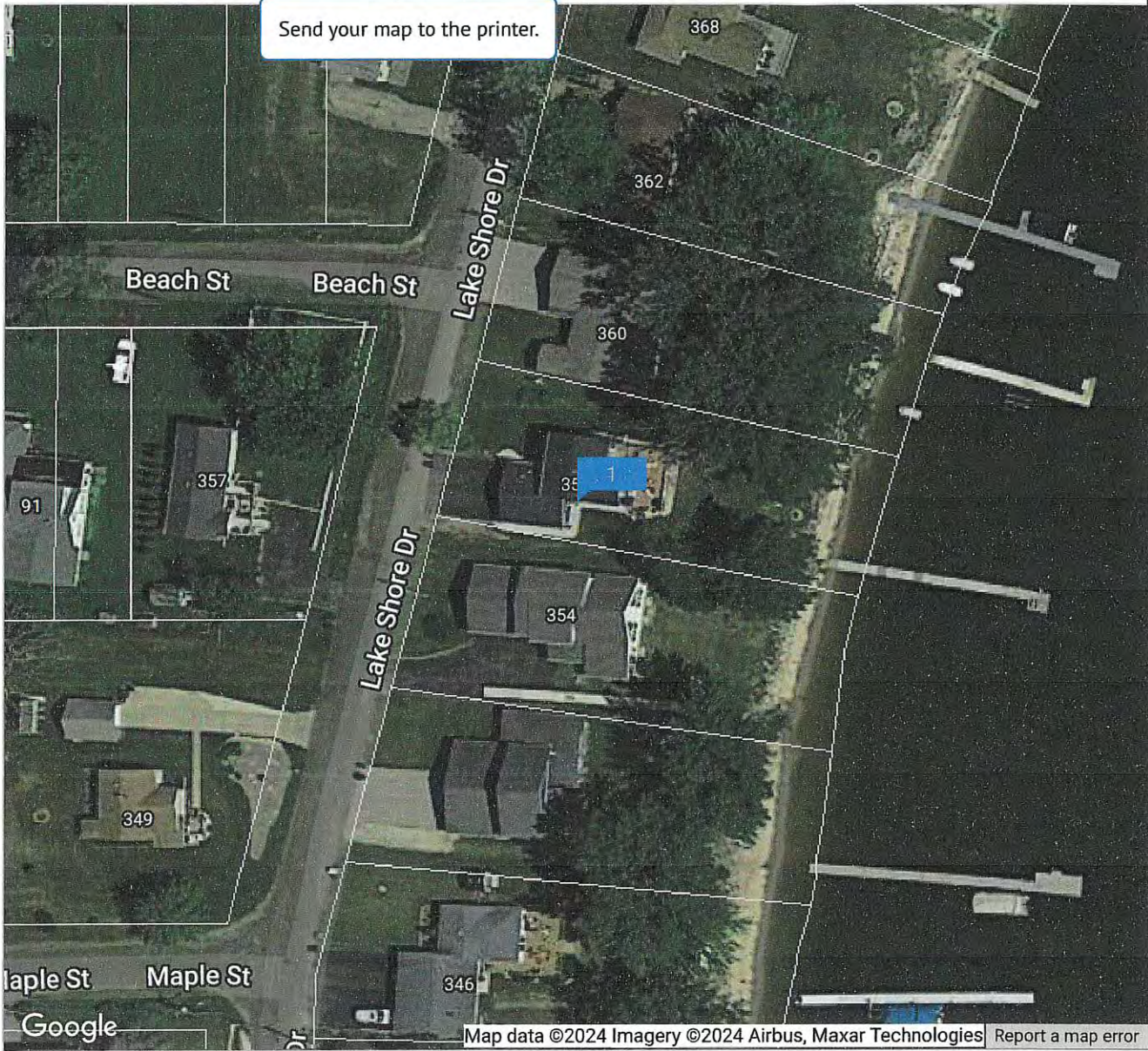
Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

<p>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.</p> <p>We purchased this home in 2022 as a second home for our family. We have 2 boys that are very active in summer sports and quickly found that we were not able to enjoy the home as often as we had hoped. Our proposed tourist lodging permit will allow others visiting the area to enjoy the home in our absence. This will actually help to sustain our home so it is not sitting vacant, as well as bring additional revenue streams to local establishments in the area.</p>
<p>List the proposed days and hours of operation.</p> <p>We offer tthe house for rent 7 days a week throughout the year.</p>
<p>List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.</p> <p>We will own, operate, and maintain the house and require no employees. Guests are limited to 6 per stay.</p>
<p>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.</p> <p>Lodging tourists will not generate unreasonable noise, odors, dust, soot, runoff or polution. We enforce quiet hours and no parties or large gatherings in our house rules so we do not anticipate impacts to neighboring properties.</p>
<p>Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.</p> <p>We have a dining table and chairs on the back deck, along with a pier and firepit.</p>
<p>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 <a href="#">Chapter 11</a> of <a href="#">Chapter 14</a>, Dane County Code.</p> <p>NA</p>
<p>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.</p> <p>We have a well and municipal sewer</p>
<p>List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.</p> <p>Residential trash service will collect garbage weekly as with neighboring homes.</p>
<p>Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.</p> <p>Parking will be limitede to 4 vehicles with driveway and garage parking only. The conditional use permit will cause no additional traffic than an ordinary home.</p>
<p>Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.</p> <p>We will not store any hazardous, toxic or explosive materials on site.</p>
<p>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.</p> <p>Exterior lighting installed at front and rear of home.</p>
<p>Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. <a href="#">10.800</a>.</p> <p>We will not post a sign.</p>
<p>Briefly describe the current use(s) of the property on which the conditional use is proposed.</p> <p>Property is maintained as a 2nd vacation home.</p>
<p>Briefly describe the current uses of surrounding properties in the neighborhood.</p> <p>The majority of the homes in the neighborhood operate as short term rentals or 2nd vacation homes.</p>

Send your map to the printer.



Send your map to the printer.







## Emergency Information

**Home Address:**

358 Lake Shore Drive  
Edgerton, WI 53534

**Homeowners can be reached at:**

Marcie & Matt (608) 345-5230 or (608) 215-1004

### Emergency Contacts: Dial 911 if an emergency

**Medical (4.3 miles)**

**Edgerton Hospital & Health Services**

11101 N Sherman Rd  
Edgerton, WI 53534  
Phone: (608) 884-3441

**Fire (4.2 miles)**

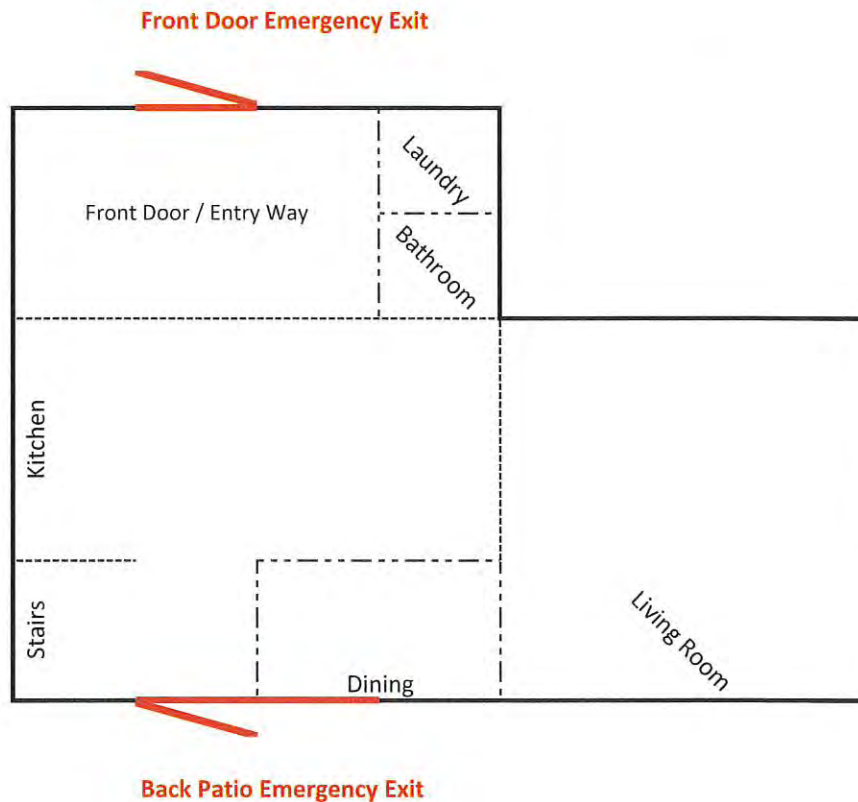
**Edgerton Fire Protection District**

621 N Main Street  
Edgerton, WI 53534  
(608) 884-3327

**Police (4.8 miles)**

**Edgerton Police Department**

215 W Fulton Street  
Edgerton, WI 53534  
(608) 884-3321



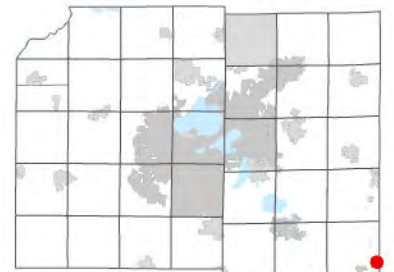
**\*\* Upstairs Level: Take stairs down to to lower level and exit through front door or back door emergency exits.**

# 358 Lake Shore Drive, Town of Albion

## Neighborhood Map



Location in Dane County



9/5/2024

Created by Dane County Planning and Development Department, Zoning Division

## **CUP 2643 Legal Description**

EDGERTON BEACH PARK PLAT, BLOCK 1, NORTH 1/2 LOT 10 AND ALL OF LOT 11