



Dane County Planning & Development

Division of Zoning

July 13, 2021

Dustin and Tessa Maher
7537 Fallen Oak Drive
Verona, WI 53593

Re: Violation occurring at 7537 Fallen Oak Drive
Parcel # 0708-293-0078-5

Dear Dustin and Tessa,

On July 12, 2021, the Dane County Zoning Division received a written complaint on your property at 7537 Fallen Oak Drive. The complaint identified that the dwelling was being rented out for short periods of time under a vacation home website. A web search revealed that this property is in fact being listed on www.vrbo.com as a short-term home rental for periods less than 30 days. The Dane County Code of Ordinance views this type of use as transient or tourist lodging, which is not a permitted use on this property. The current zoning of the property is SFR-08 Single-Family Residential Zoning District. Transient or tourist lodging is only allowed within the SFR-08 Zoning District if a conditional use permit is obtained.

Under the Dane County Code of Ordinances (DCCO), Section 10.004(160) Transient or Tourist Lodging. (a) A residence that rents more than two, but not more than eight, bedrooms to transient guests or tourists, where all of the following apply: 1. Rooms are rented to no more than a total of 20 individuals who are not members of the landowner's family. 2. Length of stay does not exceed twenty-nine (29) consecutive days for each registered guest. (b) Transient lodging houses may include, but are not limited to: bed and breakfasts, hostels and recreational cabins. (c) Transient lodging does not include: incidental room rental, campgrounds, duplexes, multifamily housing, institutional residential, indoor institutional, community living arrangements, rooming houses or indoor commercial lodging.

Under the Dane County Code of Ordinances (DCCO), Section 10.200(2) Zoning Districts. 3. Land uses not listed as either permitted uses or conditional uses are considered to be prohibited in that zoning district.

This letter serves as notice that your property at 7537 Fallen Oak Drive is in violation of the ordinance. The property is currently zoned SFR-08 Single-family residential. A vacation rental, which you are operating from this property, is not a permitted use in the SFR-08 Single-Family Residential Zoning District.

You are hereby instructed to cease and desist operating your vacation rental on this property immediately. You also are required to remove the listing of the home rental from all short-term rental websites for this property. If this is not completed by **August 13, 2021**, citations will be issued against the property owner each day in violation, and/or, a lawsuit will be filed against said property owner.

If you choose to pursue short-term rental of the property, a conditional use permit would need to be obtained which would need approval by both the Town of Middleton and Dane County. Please contact me if you would like information regarding the conditional use permit process.

Your cooperation is appreciated in this matter.

Sincerely yours,

Shawn Widish
Dane County Zoning Inspector
608-266-9085

CC: Town of Middleton, Clerk