

Lane, Roger

From: Tim Miller - ISADEx <tmiller@isadex.com>
Sent: Monday, January 16, 2023 6:29 AM
To: clerktreasurer@pleasantsprings.org; Planning & Development
Subject: Neighbors opposing 3094 Sunnyside Street Zoning Change to MFR-08
Attachments: Zoning_Opposition_Letter.pdf

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To all committee members of Dane County and Town Of Pleasant Springs:

I have taken a great deal of time to carefully consider the request of Ms Leah Lange's Dane County Petition #11921 for rezoning of her two parcels to MFR-08, and I have decided to put my personal friendship with Ms Lange aside as I try to reach an unbiased opinion on whether her rezoning request supports and respects the best interests of our community, because such a zoning change would affect us all. It does not. After discussions with Ms Lange on this matter, and some close neighbors, I am decided I must strongly oppose the zoning change, and hope I can encourage a few others to participate in the meetings if they also oppose it. In doing so, I prepared my reasons and forwarded them via email to others who I learned were opposed to the zoning change.

I quickly realized how many of us are snowbirds - myself included. Communication is limited as we don't all have each others email address, phone numbers, etc... after all, we're neighbors - to talk, we simply walk next door! From a strategic standpoint, I have to compliment Ms Lange's attorney on the timing as it's proven quite difficult to inform and share discussions with neighbors who will be affected the most when the wisest of us are sunning down south this winter. Fortunately, my son forwarded me the County's mailed postcard, otherwise I too would have missed the hearing.

Over the past two weeks more and more neighbors have learned about this zoning request, and while some initially see this as a minor change - most of those I've spoken too are opposed. They've asked me to document our shared reasons for the opposition so they can each simply send 'that' letter, and perhaps add their own comments in own opposition to the zoning change. I'm not sure if this was the best approach, but the timing was short and many of us are out of town.

I've attached my own explanation here, along with reasons for opposing this change. I imagine you'll receive a handful of other letters expressing similar opinions and perhaps even the identical letter. I hope some, or even all, of us can attend the meetings virtually - at both the County and Town level.

Please respect our opinions, and reject this request for rezoning, and forward this letter along with the attachments to the appropriate plan committee members.

Thank you.

Tim Miller (he/him)
3092, 3088 Sunnyside Street
tmiller@isadex.com
Cell (608) 213-4446

January 14, 2023

To: 1) Dane County Zoning and Land Regulation

Room 354, City County Building
210 Martin Luther King Jr Blvd
Madison, WI 53703

Via Email To: plandev@countyofdane.com

2) Town Of Pleasant Springs

Pleasant Springs Town Hall
2354 County Road N
Pleasant Springs WI 53589

Via Email To: clerktreasurer@pleasantsprings.org

The following objection has been prepared by and reviewed by:

- Tim and Lynn Miller, 3092 & 3088 Sunnyside Street
- Joe and Michelle Murray | 3084 Sunnyside Street
- Greg and Claudia Quam | 3107 Sunnyside Street
- And other concerned neighbors....

Neighborhood Opposition To MFR-08 Multi-Family Residential District re-zoning

Petition Number: 11921

3094 Sunnyside Street, 2398 Fairview Street | Leah J Boelte (Lange)

Dear Committee Members:

Thank you for carefully considering and respecting, the interests and rights of the many adjacent and surrounding home owners of our community. With you, we also respect Ms. Leah Boelte's interests and challenges as a rental property owner/investor in our community and who has initiated this re-zoning request.

And while we fully respect her opinion on this matter, many members of our community also strongly disapprove of her request to rezone her parcels. The reasons for our oppositions are stated below.

Please note that a large number of the homeowners affected by this request were traveling during the winter season/holidays, making it difficult or impossible to personally appear and respond on short notice. However, they are joining us with this consolidated letter to jointly oppose the zoning change to MFR-08 (Multi-Family Residential) on those properties.

The reasons shown below are based only on the opinions and personal experiences of Tim and Lynn Miller, Joe and Michelle Murray, and many others in the neighborhood – who for many years have lived and owned homes and property directly beside or close to the two lots being considered for re-zoning. This list doesn't imply that every neighbor has the identical experiences or opinions with every other homeowner. However

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the letter is being sent from the homeowners who agree with these experiences and who also have their own personal experiences and reasons for opposing the re-zoning.

We are united in our opposition, and strongly oppose the zoning change for the following reasons:

- For nearly 100 years now – the homes in our lakeside community have been protected as single-family residential use, supported nicely by one centrally located restaurant/recreation area. As such, each homeowner here has invested heavily so they can reside in this single-family community. We understand the importance of the zoning and have respected its requirements under SFR-08, and maintain our community as such. If the County or Town were to approve such and unplanned, unpermitted, non-conforming, multi-family housing in our neighborhood – simply because it’s been operating illegally as such in recently years, it would severely undermine and adversely affect both the efforts and the financial investment of every homeowner in community.
- The events which have recently transpired, and by which the zoning change is now requested, further demonstrates the property owner’s lack of respect for our single family residential zoning, and the local building requirements. The board’s role is not to issue zoning changes to a non-resident investor who has circumvented permitting and building requirements, as doing so would condones all actions leading up to this request, at the burden of the County, the Town of Pleasant Springs, and area homeowners, specifically:
 - o Ms. Lange extensively renovated a deteriorating second structure in the Winter of 2021-2022 so it could be rented out as an additional single-family home, despite its placement on a small, non-conforming lot and its close proximity to the road. She did this without submitting plans, securing permits and listing licensed contractors so the county and local municipalities could assure compliance and quality. She ultimately bypassed routine, safe building inspections. This clearly demonstrates her willingness to jeopardize the safety of her tenants and the neighboring homes by circumventing regulations for personal profit.
 - o Over the last two years, Ms. Lange has altered the yard directly adjacent to Fairview Street, by placing large parking pads to accommodate RV’s camping. As an absentee property investor, she is to receive free RV camping accommodations elsewhere by providing free RV camping accommodations here that has been advertised on Boondocking.org. Furthermore, we believe Ms. Lange has requested the installation of utilities for these campers, apparently for the purpose of additional rental income. Without regard for current zoning restrictions, the pads remain, and as of this past Fall - RV’s were still parking on the pads.
 - o The last tenant that resided in the Fairview residence, who moved in immediately following the most recent repairs, told a number of neighbors of her decision to break her new 5-year lease pre-maturely. This was due to numerous housing problems she encountered and the surprising arrival of RV’s suddenly arriving to camp beside her house. We personally witnessed a pattern of Ms. Lange renting sub-standard, unpermitted, uninspected, non-conforming housing to tenant after tenant after tenant, each of whom were likely enticed by

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reduced-rent housing in a quiet, residential, rural lake community, but ultimately left due to their dissatisfaction with the housing conditions.

- It is also our opinion that this second structure was never intended to be house. We believe it was a garage that later converted to provide additional income to the property owner:
 - The lots on Sunnyside street align North-South, with each lot containing a house, and in some cases, a garage or shed. Ms. Lange's property is the same as most.
 - Her property has the usual primary residence facing Sunnyside street, and there is a concrete walkway from the house to a smaller second structure behind it, located about 10 feet from the narrow street in back (Sunnyside Terrace). Just as a garage would be placed, both structures are on the same lot. If it were a second house, it likely would have been placed on the second, empty, lot.
 - The second lot has been vacant as long as we can ever recall. It was likely purchased as a side lot and never developed.
 - We understand, and have heard from a number of past tenants, there is no fire number associated with the second structure, the county has no record of issuing permits for building or remodeling a second home on the lot, and there is no postal address for it. There was a question whether an ambulance or fire truck would even know the location of the property if an emergency arose. It has no physical address, and the county has no record of second house existing on the lot.
 - The second structure appears to us to have been built on a small concrete slab, and is much smaller in size than a convention house. It appears to be the size of a typical garage. The primary house is larger, and of different foundation, indicating that a garage or other out-building was added many years after the construction of the primary house.

- This zoning change request is not being made to improve, or sustain, our residential neighborhood by complying with established zoning and building practices. The statement submitted with the request for re-zoning even lacks full transparency, and simply infers some interest to correct a previous oversight. However, that isn't what we've experienced as neighbors. Instead, we've seen low-rent, poor quality housing offer to young families and couples, and without the necessary approval from the agencies charged with making sure housing conforms to legal standards. The efforts taken to avoid such compliance over a number of years only stopped when the behavior was reported to a county agency – after which they immediately issued a stop work order and routinely visited to prevent future violations. Changing the zoning in this situation doesn't correct the problem that was created when the zoning and building codes were disregarded. Instead, in our opinion it would simply legalize the property as sub-standard, non-conforming housing, and passing the burden on to future tenants who seeking low-cost housing. The property could remain without regard to proper codes and construction.

As local residents, we can agree there can always be a strong case made for adding multi-family housing to a community. The impact can be positive when carefully planned and implemented. But it can detrimental in a

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neighborhood if not planned, especially when the structure being rented is uninspected, non-comforting, built without permits, and offered as low-cost housing without regarding to local or county ordinances.

If the County finds a need for multi-family housing in our community, then Ms. Lange (or another owner) is encouraged to provide a conforming plan by which our community will benefit with new buildings that meet current building codes, lot setbacks, parcel size, and parking spaces. Give our community an opportunity to see elevation plans and understand the benefit to our community and your new tenants. Progress can be good and revitalize any community!

However, what is being proposed is that we accept and now condone the admittedly non-conforming conditions Ms. Lange has created and sustained in recent years. Perhaps this started even before her purchase, we don't have evidence of that – but it still doesn't negate the fact that it was illegal and unregulated. To change the zoning to comply now requires the community to ignore and even lower County and Town housing standards by both legalizing such actions, and requiring that she sustain the properties as such. This certainly isn't looking out for our interests as residents, it's only so she can increase her rental income through legalizing non-conforming, unpermitted housing, and benefit even further by selling the parcels as multi-family zoning.

As committee members, you are charged with seeing through such requests as the efforts of one person to profit personally at the gross expense of the greater community. This request for rezoning must be denied.

I encourage the County Planning Committee to see this request for what it is, and use this as an opportunity to replace illegal housing and unpermitted building practices with the standards which were created to provide safe, sustainable housing in the communities we're all proud to call our home.



This letter and additional comments are being submitted by:

Name: _____

Address: _____

Email: _____ Phone: _____

Additional Comments: