

March 13, 2017

TO: Members of the Dane County Board of Adjustments

FROM: Town of Cross Plains Board of Supervisors

Re: Dettmann Appeal

The Town of Cross Plains Board of Supervisors reviewed in detail the history and rationale for Mr. Roger Lane's decisions to terminate two building permits for the Dettmann property. The Town Chair has been in regular and routine contact with Mr. Lane regarding this project. The Town Board believes Mr. Lane has correctly and reasonably applied County zoning standards for agricultural zoning and made decisions consistent with our Town Plan and future goals.

The Town of Cross Plains supports continued use of the property for agricultural uses. The Town Board and Plan Commission have repeatedly indicated to Mr. Dettmann that they have no interest in commercial activities on his property and no interest in modifying, now or in the future, the Town Plan to permit commercial activities. The Town of Cross Plains supports an agricultural accessory building, of a size and scale and quality, appropriate for the permitted and actual agricultural uses and capacity, under existing agricultural zoning, on the property.

The Town does not believe that a building and site plan originally proposed for commercial uses and now marketed for different commercial uses, that are not allowed under Town plan or existing agricultural zoning, can be justified as an agricultural accessory building.

The scale of actual agricultural operations is minimal on the property. The building size and design originally intended for weddings and reception events is too large for the minimal grapes grown on the property. Mr. Dettmann's current and prior marketing all suggest commercial activities – weddings, receptions, wine tasting events and family viewing of a few llamas are not agricultural activities. The construction of an elaborate shooting range for entertaining clients and the creation of several housing development sites on the property are not agricultural activities.

Mr. Dettmann claims a hardship under an argument that bad site soils require building a foundation that accommodates a useable, now or in the future, first story that was not on the County approved plan ignores the fact that the bad site soil was placed and mounded on the property, with Mr. Dettmann's permission, well before obtaining approval for the most recently approved plans. His argument that mounding dirt around, and filling in, a full floor foundation wall will render it a single-story building defies common sense.

Mr. Dettmann has repeatedly stated he purchased and stored the building for weddings, receptions and events, at great expense, prior to discussions with the County and Town. He now proposes to use the building for agricultural purposes to protect his investment and the future potential to convince the County and Town to modify Town plans and zoning to accommodate his original business plans. Mr. Dettmann has participated in the acquisition, through a longtime friend, of a bar and restaurant across the highway. The friend initially declined, for months during the liquor license approval process, to acknowledge a relationship with Mr. Dettmann. Wisconsin business incorporation records clearly documented Mr. Dettman's initial involvement. Mr. Dettmann has stated the property could give him the ability to obtain liquor licenses for an event facility on his site.

The Town does not want commercial operations in this location and does not want to suggest, encourage or facilitate Mr. Dettmann's pursuit of zoning changes because an approved building is easily converted to originally intended commercial operations. The Town also does not want building architecture that suggests commercial operations. The Town believes it will be difficult and not practical for County and Town to monitor and easily enforce any agreements on non-commercial uses of the property or to enforce agricultural zoning restrictions if Mr. Dettmann's desired facility is built. The County's time consuming experiences that resulted in revocation of two building permits and the Town's experience in approving driveway permits with conditions which were not met by Mr. Dettmann are an example of the continued and future enforcement difficulties.

The Town of Cross Plains respectfully requests the Board of Adjustments deny Mr. Dettman's appeal of the County's decision to revoke the building permits and that the County only approve a building that is substantially different than originally proposed and that is of a scale that is consistent with agricultural capacity and use on the property. It would be unfortunate for the Town if the County is unable to enforce existing zoning on the property that is consistent with the Town Plan and Town's expectations. The Town Chair regrets being unable to attend this meeting to answer questions due to a long ago scheduled family vacation.

Respectfully submitted and adopted at the March 13, 2017 Board of Supervisors meeting:


The Board of Supervisors of the Town of Cross Plains



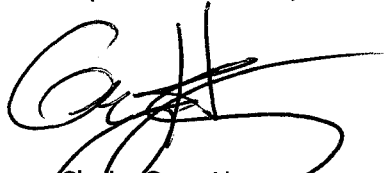
Supervisor Jeff Baylis



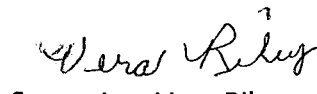
Supervisor Paul Correll



Supervisor Greg Haack



Chair, Greg Hyer



Supervisor Vera Riley