Dane County Conditional Use Permit Application

Application Date	C.U.P Number
04/15/2019	DCPCUP-2019-02470
Public Hearing Date	
06/25/2019	(A)

			SEADER CONTROL OF THE SEASON O		
OWNER I	NFORMATION		No.	AGENT INFORMATION	v de de la
GLACIAL DRUMLIN HOUSE LLC Code (608) 233-9588		AGENT NAME RICHARD WM. K	RICHARD WM. KING (60		
BILLING ADDRESS (Number, Street 1625 CAPITAL AVE	t)		ADDRESS (Number, Street) 1625 CAPITAL AVE		
(City, State, Zip) MADISON, WI 53705		(City, State, Zip) MADISON, WI 53705			
E-MAIL ADDRESS RICHARD@KING-LAW.COM		E-MAIL ADDRESS RICHARD@KING-LAW.COM			
ADDRESS/LOCAT	TION 1	ADDRESS/LO	CATION 2	ADDRESS/LOC	ATION 3
ADDRESS OR LOCATIO	N OF CUP	ADDRESS OR LO	CATION OF CUP	ADDRESS OR LOCA	TION OF CUP
4466 WIND CHIME WAY			*:		
TOWNSHIP COTTAGE GROVE	SECTION 11	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARGEL NUMBERS IN	VOLVED	PARCEL NUMB	ERS INVOLVED	PARCEL NUMBER:	SINVOLVED
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	DANE CC	OUNTY CODE OF ORDI	NANCE SECTION	LE SE LESSE	ACRES
10.244(3)(h) TRANSIENT	OR TOURIS	T LODGING	\		15.7
		DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE:(Owner or Ag	ent))
	96	Yes No	SLJ3	12	-
		Applicant Initials	0200	Richard W	In Vinc
COMMENTS: THIS CONI ATTEMPT TO RESOLVE				DATE: 4/15/	19
	*			//	

Form Version 01.00.03



on behalf of the owner of the property.

Submitted By:

PLANNING DEVELOPMENT

Conditional Use Application

Application Fee: \$495 Mineral Extraction: \$1145 Communications Tower \$1145

Zoning Division Room 116, City-County Building 210 Martin Luther King Jr. Blvd. Madison, Wisconsin 53703-3342 Phone: (608) 266-4266

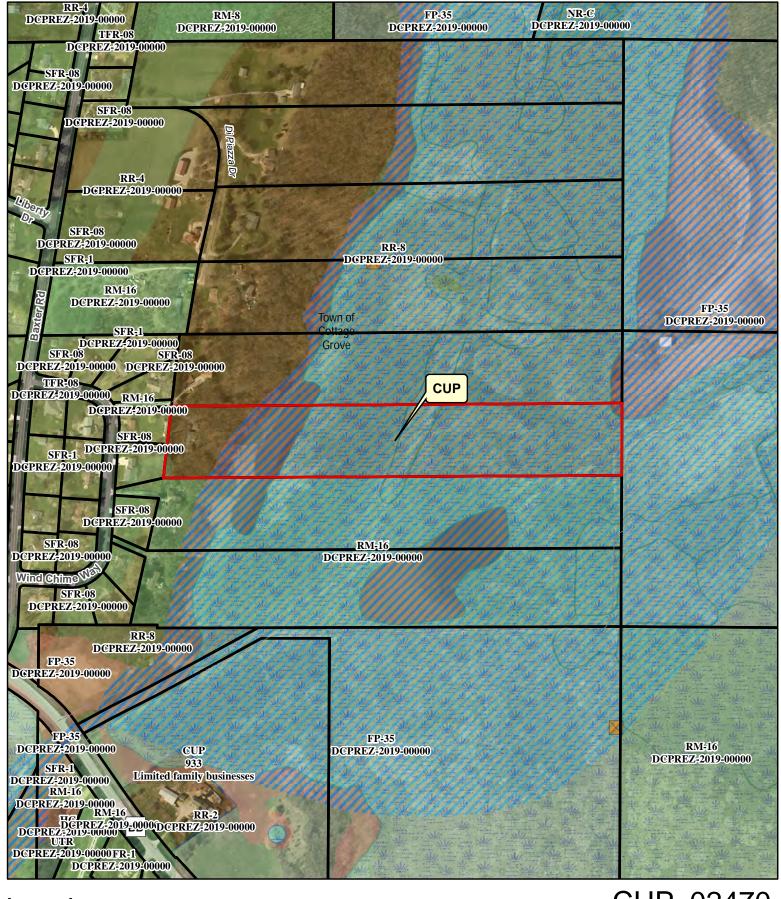
Fax: (608) 267-1540

Items required to be submitted with applicatio	Item	s re	quired	to	be su	bmitted	with	app	licati	OI
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- Written Legal Description of Conditional Use Permit boundaries
- Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)

Owner	GLACIAL ORGINZIN HOUSE, LLC	Agent	RICHARD WM. KING
Address	1625 CAPITAL AVENUE	Address	1625 CAPITAL AVE
	MADISON, WI 53705		MADISON, WI 53705
Phone	608-233-9588	Phone	608-233-9588
Email	RICHARD @ KING-LAW, COM	Email	RICHMED & KING-LAN, COM
Parcel nu	umbers affected: 0/8/07/1-/12-8/60 - 9	Town:	Cottage Grove Section: 11
		Property	Address: 4466 WIND CHIME WAY
			and the second s
	RR-8 NCRRS	2 - 201	9-0000
э Тур	Proposed Zoning District: RR-8 DCRRZ:	NTZT	TOURIST LODGING 10.2440
Typ Sepa	pe of Activity proposed: TRAWSIER rate checklist for communication towers and mineral e	NTZT	TOURIST LODGING 10.2440
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Date:



Legend

Wetland > 2 Acres Significant Soils





600 Feet

CUP 02470 GLACIAL DRUMLIN HOUSE LLC

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

 The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

ESTABLISHMENT, MAINTENANCE AND OPENATION WILL BE LICENSED by DANE COUNTY to ensure USE will not be determented to or CNOANGER THE public health, safety, comfort or general UNE I FAVE.

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.

HOUSE is situated on a large wooden lot with Adequate distance between Neighbors. Guest will sign rental agreement.

3. That 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.

The conditional use will Not impense other development or improvement of the surrounding property.

 That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

All NECESSARY SITE IMPROVEMENTS have been MADE.

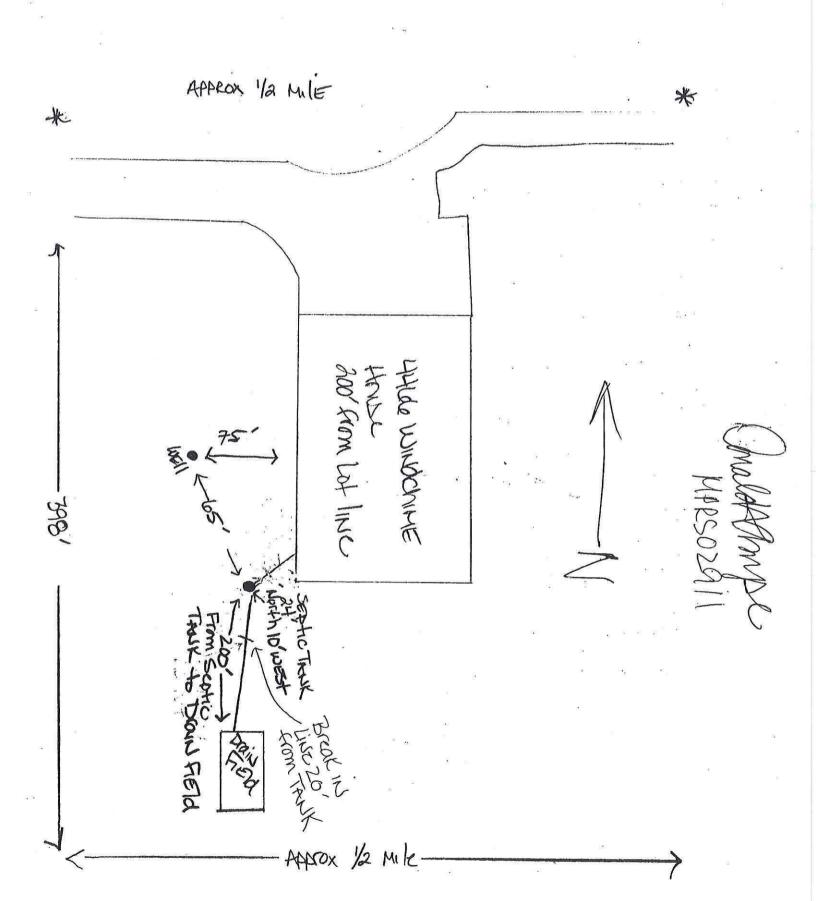
 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Property is ACCESSED by A private driveway. Ample off-stret parking exists.

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

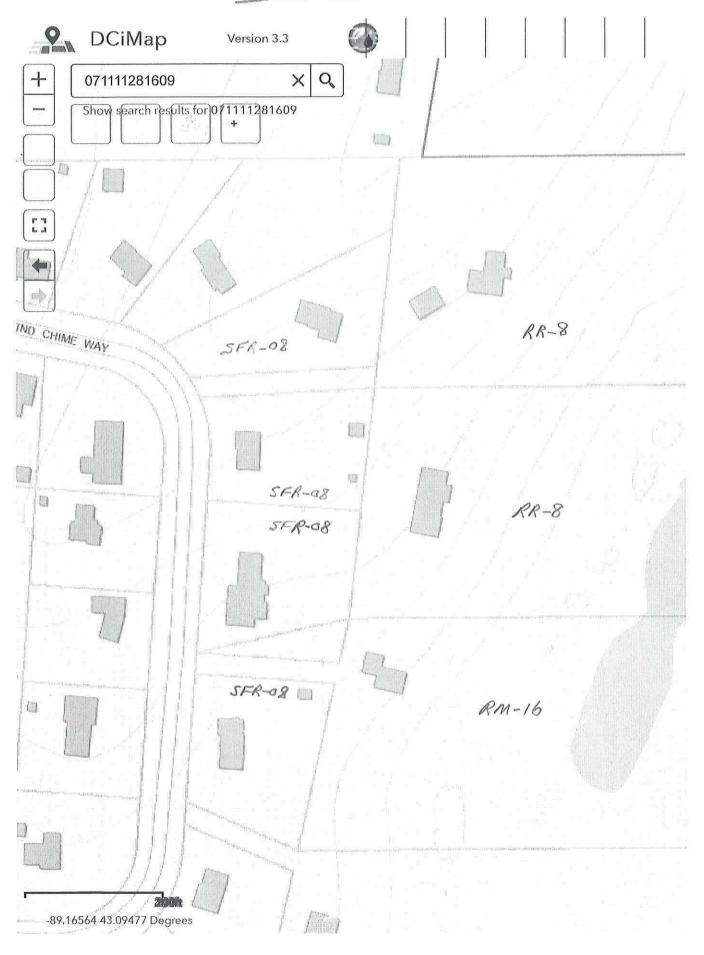
The USE is liceused by Dane County AND shall conform to All applicable regulations. JAMBS OSBORN 4466 WINDCHIME WAY COM. GROUE

NW 4 NW 4 SEC. 11 COM. GROUS





AREA ZONING



Glacial Drumlin House, LLC

OPERATIONS PLAN

The operations plan is to use the existing house and grounds as a vacation rental (transient and tourist lodging for visitors to the Madison area). It will be advertised through Airbnb and V.R.B.O. websites. It will have no specific hours of operation, no employees, outside storage, outdoor activities, outdoor lighting, outside loudspeakers, signage, or trash removal.



SANITARY PERMITAPPLICATION In accord with ILHR 83.05, WIS. Admi. Code

Wis. Adm. Code	95-0377
1 5 4005	STATE SANITADY DEDMIT

	AUG 1 5 1995	STATE SANITARY PERMIT #
-Attach complete plans (to the county copy only) for the 8½ x 11 inches in size.		n 227489
	Dane County Environmental	Check if revision to previous application
-See reverse side for instructions for completing this	application department	STATE PLAN I.D. NUMBER
I. APPLICANT INFORMATION – PLEASE PRINT ALL II	PROPERTY LOCATION	
PROPERTY OWNER OS BOTH	NW 14 NW 14, S //	T 7, N, R 1/ E (or)
PROPERTY OWNER'S MAILING ADDRESS HALOLO WIND Chiny Way	LOT#	BLOCK#
CITY, STATE COVE WI S3527 (608)83		MBER
	CITY:	NEAREST ROAD
Public 1 or 2 Fam. Dwelling-# of bedro	oms PARCEL TAX NUMBER(S)	NEAREST ROAD CHIME
III. BUILDING USE: (If building type is public, check all the	60:40:11	1-8160-9
1 Apt/Condo		
	al Facility/Nursing Home 1	0 Dutdoor Recreational Facility
	andise: Sales/Repairs 1	
		2 Service Station/Car Wash
5 L Hotel/Motel 9 L Office/	Factory 1	3 U Other: Specify
IV. TYPE OF PERMIT: (Check only one in line A. Check I	ine B if applicable)	
A) 1. New 2. Replacement 3. F	Replacement of 4. Reconnec	
System System 1	Tank Only Section S	ystem Existing System
B) A Sanitary Permit was previously issued. P	Permit# Date	Issued
V. TYPE OF SYSTEM: (Check only one)	3	
Non-Pressurized Distribution Pressurized Dis	tribution Experimental	Other
Table me ne las de	00 0-0-44. True	M44 Ualding Tonk
11 Seepage Bed 21 Mound	30 L Specify Type	Holding Tank
12 Seepage Trench 22 In-Groun	a	Dit Deiver
12 ☐ Seepage Trench 22 ☐ In-Groun 13 ☐ Seepage Pit Pressure	a	Pit Privy
12 Seepage Trench 22 In-Groun 13 Seepage Pit Pressure 14 System-In-Fill	a	Pit Privy
12 Seepage Trench 22 In-Groun 13 Seepage Pit Pressure 14 System-In-Fill VI. ABSORPTION SYSTEM INFORMATION:	od 20,	Pit Privy
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12 Seepage Trench 22 In-Groun 13 Seepage Pit Pressure 14 System-In-Fill VI. ABSORPTION SYSTEM INFORMATION:	AREA 4. LOADING RATE 5. PERC.	Pit Privy
12 Seepage Trench 13 Seepage Pit 14 System-In-Fill VI. ABSORPTION SYSTEM INFORMATION: 1. GALLONS PER DAY 450 PROPOSED VII. TANK CAPACITY CAPACITY	AREA 4. LOADING RATE 5. PERC.	Pit Privy 43 Pault Privy 3 Pault Privy 7. FINAL GRADE ELEVATION Feet
12 Seepage Trench 13 Seepage Pit 14 System-In-Fill VI. ABSORPTION SYSTEM INFORMATION: 1. GALLONS PER DAY 4 CAPACITY in gallons Total #6	AREA (sq. ft.) AREA (sq. ft.) Manufacturer's Name Prefab.	Pit Privy 43 Paulit Privy 45 Paulit Privy 46 Paulit Privy 47 Paulit Privy 48 P
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LEGAL DESCRIPTION

A parcel of land located in the North 1/2 of the Northwest 1/4 of Section 11, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows: Commencing at a 1 1/2" iron pipe marking the North 1/4 corner of said Section 11; thence South 00° 02' 22" West along the North-South 1/4 line, 330.0 feet to the point of beginning of this description; thence continue South 00° 02' 22" West, 330.00 feet to a point; thence South 89° 24' 12" West, 2,096.32 feet to a 1" pipe set; thence North 06° 19' 47" East, 330.00 feet to a 1" iron pipe set; thence North 89° 20' 13" East, 2,060.19 feet to the point of beginning of this description.

Together with an easement for egress and ingress described as follows: Beginning at the Southeast corner of Lot 8, East Ridge Addition to American Heritage; thence westerly along the southerly line of said Lot 8 to the easterly line of Wind Chime Way; thence southerly on the easterly line of Wind Chime Way to the Northwest corner of Lot 7 of East Ridge Addition to American Heritage; thence North 86° 42' 16" East along the North line of said Lot 7 a distance of 207.10 feet; thence South 56° 21' 50" East 49.93 feet to the East of line of said Lot 7; thence North 06° 19' 47" East along the West line of the parcel first described above a distance of 60.43 feet to the point of beginning, being partially within the said Lot 7.



PLANNING DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703 Fax (608) 267-1540

May 29, 2018

Glacial Drumlin House LLC 1625 Capital Avenue Madison WI 53705

RE:

Violations occurring at 4466 Wind Chime Way

Parcel # 0711-112-8160-9

Dear Property Owner,

Housing & Economic Development (608)266-4270, Rm. 362

Planning (608)266-4251, Rm. 116

Records & Support (608)266-4251, Rm. 116

Zoning (608)266-4266, Rm. 116

On May 18, 2018, the Dane County Zoning Department received a written complaint on your property located at 4466 Wind Chime Way. The complaint stated that the house was being rented out through Airbnb. The Airbnb website (https://www.airbnb.com/rooms/15371216?s=84_RHg6-) advertises a house for rent, and the house is located to the East of Baxter Road and to the North of County Highway BB in the Town of Cottage Grove. The appearance of the house and property located at 4466 Wind Chime Way match the photos of the house and property on the website. The location of the property located at 4466 Wind Chime Way matches the location of the property advertised on the website. The property is under the ownership of a limited liability company.

The Dane County Code of Ordinances (DCCO) is available at the following: https://danedocs.countyofdane.com/webdocs/pdf/ordinances/ord010.pdf.

Section 10.01(27) of the DCCO states, "(27) Hotel. A building in which board and lodging are provided to the transient public for compensation."

Section 10.16(1) of the DCCO states, "(a) Any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district."

Section 10.13(2)(c) of the DCCO states, "Conditional uses permitted in the C-1 Commercial District. Motels, hotels, taverns, funeral homes and drive-in establishments."

This letter serves as notice that your property at 4466 Wind Chime Way is in violation of the ordinance. The property at 4466 Wind Chime Way is located in the A-2 Agricultural District. Providing lodging to the transient public for compensation is not allowed the A-2 Agricultural District.

You are hereby instructed to stop providing lodging to the transient public for compensation within 15 days of the date of this letter. When the violation has been corrected, please contact the Zoning Department at (608) 266-4266 so that the correction can be verified.

If the violation is not corrected within the 15-day time period, citations will be issued for each day in violation.

In order to resume the current use of the property at a later date, you would need to rezone the property from the A-2 Agricultural District to the C-1 Commercial District, and you would need to obtain a conditional use permit. This would require the approvals of both the Town of Cottage Grove and Dane County, and the process would take several months or more.

Your cooperation is appreciated in this matter.

Sincerely,

Sarah Johnson, johnson.sarah@countyofdane.com, 608-267-3960, Zoning Inspector, County of Dane

CC: Kim Banigan, Town Clerk



PLANNING DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703 Fax (608) 267-1540

October 16, 2018

Richard King Glacial Drumlin House LLC 1625 Capital Avenue Madison WI 53705 Housing & Economic Development (608)266-4270, Rm. 362

Planning (608)266-4251, Rm. 116

Records & Support (608)266-4251, Rm. 116

Zoning (608)266-4266, Rm. 116

RE:

Violations occurring at 4466 Wind Chime Way

Parcel # 0711-112-8160-9

Dear Richard King,

On October 15, 2018, the Dane County Zoning Department received a written complaint on your property located at 4466 Wind Chime Way. The complaint stated that the house was being rented out through Airbnb. The Airbnb website advertises a house for rent, and the house is located to the East of Baxter Road and to the North of County Highway BB in the Town of Cottage Grove. The appearance of the house and property located at 4466 Wind Chime Way match the photos of the house and property on the website. The location of the property located at 4466 Wind Chime Way matches the location of the property advertised on the website. The property is under the ownership of a limited liability company.

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Section 10.13(2)(c) of the DCCO states, "Conditional uses permitted in the C-1 Commercial District. Motels, hotels, taverns, funeral homes and drive-in establishments."

This letter serves as notice that your property at 4466 Wind Chime Way is in violation of the ordinance. The property at 4466 Wind Chime Way is located in the A-2 Agricultural District. Providing lodging to the transient public for compensation is not allowed the A-2 Agricultural District.

You are hereby instructed to stop providing lodging to the transient public for compensation within 15 days of the date of this letter. You are hereby instructed to remove the property from all websites advertising rooms for rent within 15 days of the date of this letter. When the violation has been corrected, please contact the Zoning Department at (608) 266-4266 so that the correction can be verified.

If the violation is not corrected within the 15-day time period, citations will be issued for each day in violation.

Your cooperation is appreciated in this matter.

Sincerely,

Sarah Johnson, johnson.sarah@countyofdane.com, 608-267-3960, Zoning Inspector, County of Dane

CC: Kim Banigan, Town Clerk



PLANNING DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703 Fax (608) 267-1540

December 28, 2018

Glacial Drumlin House LLC c/o Richard King 1625 Capital Avenue Madison WI 53705

RE:

Violations occurring at 4466 Wind Chime Way

Parcel # 0711-112-8160-9

Dear Richard King,

Housing & Economic Development (608)266-4270, Rm. 362

Planning (608)266-4251, Rm. 116

Records & Support (608)266-4251, Rm. 116

Zoning (608)266-4266, Rm. 116

On May 18, 2018, the Dane County Zoning Department received a written complaint on your property located at 4466 Wind Chime Way. The complaint stated that the house was being rented out through Airbnb. The Airbnb website (https://www.airbnb.com/rooms/15371216?s=84 RHg6-) advertised a house for rent, and the house was located to the East of Baxter Road and to the North of County Highway BB in the Town of Cottage Grove. The appearance of the house and property located at 4466 Wind Chime Way matched the photos of the house and property on the website. The location of the property located at 4466 Wind Chime Way matched the location of the property advertised on the website. The property is under the ownership of a limited liability company.

The property located at 4466 Wind Chime Way is located in the A-2 Agricultural Zoning District. Providing board an lodging to the transient public for compensation is not a permitted use in the A-2 Agricultural Zoning District. A building in which board and lodging are provided to the transient public for compensation is considered a hotel. On June 8, 2018, the property was removed from the Airbnb and VBRO websites to correct the zoning violation.

On October 15, 2018, the Dane County Zoning Department received a written complaint on your property located at 4466 Wind Chime Way. The complaint stated that the house was being rented out through Airbnb again. On October 25, 2018, you met with Dane County Zoning staff to discuss the zoning violation. You indicated that you would be requiring a minimum stay of 7 consecutive days for future rentals. Wisconsin State Statutes state that a political subdivision may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer. Therefore Dane County Zoning would not be able to take enforcement actions on the zoning violation.

On December 27, 2018, the Dane County Zoning Department received a written complaint stating that the property located at 4466 Wind Chime Way was being rented out through the Airbnb website, and the complaint stated that transients renting the property were causing problems in the neighborhood. On December 27, 2018, the Airbnb website indicated a required 2 night minimum stay. Therefore, the Dane County Zoning Ordinance is enforceable because the residential dwelling is not being rented for periods of 7 consecutive days or longer.

The Dane County Code of Ordinances (DCCO) is available at the following: https://danedocs.countyofdane.com/webdocs/pdf/ordinances/ord010.pdf.

Section 10.01(27) of the DCCO states, "(27) Hotel. A building in which board and lodging are provided to the transient public for compensation."

Section 10.16(1) of the DCCO states, "(a) Any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district."

Section 10.13(2)(c) of the DCCO states, "Conditional uses permitted in the C-1 Commercial District. Motels, hotels, taverns, funeral homes and drive-in establishments."

Pursuant to Dane County Code of Ordinance Section 10.25(5), a citation has been issued for violation of Dane County Code of Ordinance Section 10.16(1)(a). See enclosed citation.

Please be aware that additional enforcement action may be taken if the zoning violation is not corrected within 7 days.

Respectfully,

Sarah Johnson, Dane County Zoning Inspector, johnson.sarah@countyofdane.com, 608-267-3960

CC: Kim Banigan, Town Clerk

Ordinance Violations Planning and Development Department Corporation Counsel Referral Sheet

DATE: January 7, 2019

Owner Full Name:

Glacial Drumlin House LLC c/o Richard King

Address:

1625 Capital Avenue Madison WI 53705

City, State, Zip: Date of Birth:

Phone #: (608) 233-9588

LOCATION OF PROPERTY: 4466 Wind Chime Way, Town of Cottage Grove

PARCEL NUMBER: 0711-112-8160-9

DATE OF OFFENSE: January 7, 2019

DATE OF FIRST NOTIFICATION: May 29, 2018

NATURE OF OFFENSE (Ordinance/citation type):

Non-permitted use in a district. 10.16(1)(a)

ATTACH CORRESPONDENCE: May 18th written complaint, May 18th website advertisement, May 23rd inspection report, May 29th letter, October 15th written complaint, October 15th website advertisement, October 16th letter, December 26th written complaint, December 27th website advertisement, December 28th citation letter, January 4th written complaint, January 7th website advertisement

ACTION REQUESTED: Cease and desist providing board and lodging to the transient public for compensation for periods of time shorter than 7 consecutive days. Remove listings from all websites advertising rental of property for periods of time shorter than 7 consecutive days.

COMMENTS/SUMMARY: Owner was mailed notification of violation on May 29th. Advertisements of short term rentals were removed from websites on June 8th, 2018. Inspection report dated October 15th shows short term property rental advertised on website again. Owner was mailed second violation notice on October 16th. Inspection report dated December 27th shows property rental advertised on website with a minimum required 2 night stay. Citation issued on December 28th. Inspection report dated January 7th shows property rental continued to be advertised on website with a minimum required 2 night stay.

Mr. Roger W. Lane, III
Dane County Zoning Administrator

Mr. Todd Violante, Director
Dane County Planning and Development

7 32 19
Date
Date

Parcel Number - 018/0711-112-8160-9

Current

< Parcel Parents

Summary Report

Parcel Detail	Less —
Municipality Name	TOWN OF COTTAGE GROVE
State Municipality Code	018
PLSS (T,R,S,QQ,Q)	07N 11E 11 NE NW (Click link above to access images for Qtr-Qtr)
Section	07N 11E 11 (Click link above to access images for Section)
Plat Name	METES AND BOUNDS (Click link above to access images for Plat) METES AND BOUNDS (Click link above to access images for Surveys within Plat)
Block/Building	8 =
Lot/Unit	(Click link above to see images for this Lot)
Parcel Description	SEC 11-7-11 PRT N1/2 NW1/4 COM SEC N1/4 COR TH S00DEG02'22"W ALG N-S 1/4 LN 330.0 FT TO POB TH CONT S00DEG02'22"W 330.00 FT TH S89DEG24'12"W 2096.32 FT TH N06DEG19'47"E 330.00 FT TH N89DEG20'13"E 2060.19 FT TO POB ALSO ESMT IN R3721/55 This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.
Current Owner	GLACIAL DRUMLIN HOUSE LLC
Primary Address	4466 WIND CHIME WAY
Billing Address	1625 CAPITAL AVE MADISON WI 53705

Assessment Summary	More +
Assessment Year	2019
Valuation Classification	G1
Assessment Acres	15.686
Land Value	\$125,500.00
Improved Value	\$187,500.00
Total Value	\$313,000.00

Show Valuation Breakout

Open Book

Starts: 04/15/2019 - 11:00 AM Ends: 04/15/2019 - 01:00 PM

About Open Book

Board Of Review

Starts: 04/30/2019 - 07:00 PM Ends: 04/30/2019 - 09:00 PM

About Board Of Review

Show Assessment Contact Information >

Zoning Information

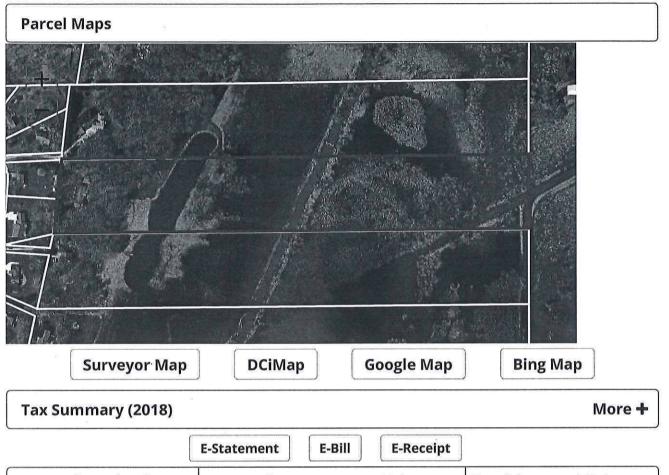
For the most current and complete zoning information, contact the Division of Zoning.

Zoning

RR-8 DCPREZ-2019-00000

NOTICE: Some portion of this parcel either contains or is in close proximity to sensitive environmental features (i.e. shorelands, floodplains, or wetlands), and Dane County regulations may apply. Please contact the Dane County Zoning Division at (608) 266-4266 for additional permitting information.

Zoning District Fact Sheets



Assessed Land Value	Assessed Improvement Value	Total Assessed Value		
\$125,500.00	\$187,500.00	\$313,000.00		
Taxes:		\$5,661.36		
Lottery Credit(-):		\$187.02		
First Dollar Credit(-):		\$77.01		
Specials(+):	a	\$173.55		
Amount:		\$5,570.88		

District Information			
Туре	State Code	Description	
REGULAR SCHOOL	1309	DEERFIELD SCHOOL DIST	
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE	
OTHER DISTRICT	09DG	DEERGROVE EMS	
OTHER DISTRICT	09CG	COTTAGE GROVE FIRE	
DRAINAGE DISTRICT	DDS3	SEPARATION 3 DRAINAGE DIS	

Recorded Documents						
Doc. Type	Date Recorded	Doc. Number	Volume	Page		
QCD	08/07/2017	5347233				

Show More **✓**

DocLink

DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0711-112-8160-9

PLEASE TURN OFF YOUR POP UP BLOCKER TO VIEW DOCLINK DOCUMENTS. If you're unsure how to do this, please contact your IT support staff for assistance. You will be unable to view any documents purchased if your pop up blocker is on.



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City-County Bldg. Room 116
Madison, WI 53703



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