

April 7, 2021

RE: Petition CUP 2516, Applicant Carolyn J Bradt at 8283 N Riley Road

Dear Zoning and Land Regulation Committee members,

Thank you for the opportunity to provide written testimony regarding our thoughts on our neighbor's petition for a conditional use permit. We have also had the opportunity to share our concerns with the Town of Springdale. Our long-time neighbor, Carolyn Bradt, moved away from the property approximately 2 years ago and the house was on the market for some time before the property was split last year, a parcel sold off, and Carolyn's daughter Marca moved into 8283 N Riley Road as a renter. The owner does not live at the property that this permit is for. The renter, Marca, stated during the Springdale planning commission meeting that rental income is necessary for her to eventually afford purchase of the property. I feel strongly that it is not the town's, nor county's, responsibility to help the petitioner be able to afford purchase/mortgage on this property by allowing sanctioned additional renting for the reasons I discuss below.

I would like to address Standard #2 on the application. Our family as well as the other families on this road moved out to the country and to this area for specific reasons: space, quiet, reduced noise, reduced traffic, and nature. While Marca, the current resident of the property, indicates that other properties are not affected by the activities at 8283 N Riley Road, she is incorrect. Since we moved to our neighboring home in 2013 we have seen a variety of different rental activities take place throughout the years that have had a negative impact on the neighborhood. Without going into detail, they were many and diverse and have gradually shaped our opinion of how that property is being utilized in a negative manner. There were instances where safety was a concern. While none of that is relevant to this petition, it is very important to understand that it has shaped our perspective and provides historical context. I question this family's judgement surrounding decision making as it relates to rental opportunities at this property.

In this past year, the traffic to 8283 Riley Rd has significantly increased. Marca runs a business out of her home and there is traffic related to youth camps and retreats. While this permit only addresses the attached dwelling unit that is being rented, the owner/resident does also rent rooms within the home as well as the cottage that is on the property. It wasn't until the night of the March Springdale planning commission meeting that two separate Airbnb/VRBO listings for various spaces on the property were removed. It is my understanding that rentals are being honored through April of this year for the cottage despite the instructions to cease and desist rentals there. In addition, while the permit application states that the unit in question is being rented to a single traveling nurse, there are consistently two cars parked outside of it.

Regarding Standard #4, the access road (Riley Rd) is deteriorating with this increased traffic as well as with the new build (construction traffic) that is occurring as a result of the property split. There are no signs indicating speed limits to visitors and newcomers or signs that indicate children play on this dead-

end street, and speeding is an issue. When the activity at the home is higher, parking spills over onto Riley Circle and at times, visibility on the corner can be poor due to where people have chosen to park their vehicles.

Essentially, it is not just one additional individual and one additional car as the application would lead one to believe. The renter's family (?) is often visiting and/or staying, there are additional rentals within the home itself, the business brings traffic to the home, and the cottage continues to be utilized. The relative solitude one enjoyed owning a home in this neighborhood has declined somewhat and I respectfully disagree with the applicant's assertion that other properties are not affected by the activities at 8283 N Riley Road.

It is our hope that the property will remain a single dwelling unit, without the conditional use permit granted or additional zoning changes entertained.

Thank you for your thoughtful consideration!

Sincerely,

Rebecca and Andy Nelson

3233 N Riley Circle

Verona, WI 53593

From: JanChuckCobb <cobbjc@tds.net>
Sent: Sunday, April 18, 2021 2:48 PM
To: Planning & Development <plandev@countyofdane.com>
Subject: CUP 2516

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

My name is Charles Cobb. I live on North Riley Road, Dane Co., Springdale Township.

I wish to comment on CUP 2516.

Let me establish some credentials for my comments, my observations are not totally unqualified. I received my degree in Civil Engineering. I obtained my engineering license, PE, in two states. I worked in engineering, management, and consulting until I retired.

North Riley Road is about 1/3 of a mile from Co. Tr. J to North Riley Circle. It is a dead end that ends at a cul-de-sac at the end of N. Riley Cr.. There are 3 driveways at the east end, two on north side and one on the south. There are 7 more, two on the south side at about the 1/3 point and one on the north about the 2/3 point. The others are nearer the west end of the road. There is a small rise at the east end that blocks the view of the east three driveways for east bound traffic. This same little rise blocks the view of westbound traffic to see east bound traffic. There was a 3 to 5 foot cut made to build the road. At the west end of No. Riley Rd., a 90 degree right turn on to North Riley Cr. is required.

Those of us on the road know that two of the east end driveways have young children that sometime get in the road. We approach the cut with caution. We also know that we will be making a 90 degree turn at the west end and temper our speed as appropriate. We also know there are young children in the first house on the east side of N. Riley Cr. with a yard side on North Riley Rd.

My lawn extends to the road right of way on the south side. I mow right up to the pavement so I have a good opportunity to observe traffic when mowing.

Since a speed limit for our road is not posted, the statutory limit of 35 mph for residential streets would apply. I have observed cars driving 40-55 mph on our road from west to east. These were people I did not know and cars I did not recognize. My best guess is they are B&B customers or other visitors.

I feel granting CUP 2516 without posting and enforcing a speed limit will create a situation that will endanger kids, pets, and residents along North Riley Rd.

Charles R. Cobb
8211 North Riley Rd.
Verona WI 53593

April 19, 2021

To: Members of the Dane Land Use Committee

From: Jeff and Melanie Lee (8275 N. Riley Road)

Re: 8283 N. Riley Rd CUP request

Good afternoon, we are writing in response to 8283 N. Riley Road's request for an Attached Accessory Dwelling Unit as permitted via a Conditional Use Permit. As the immediate neighbor located at 8275 N. Riley Road, we have concerns about the implications of this zoning change. Since the owner has not provided us any information regarding their plans or intent other than that which was presented at the Town Public Meeting, we are raising our questions and concerns in this letter:

1. Does the property meet the criteria for eligibility to request a conditional use permit for an accessory dwelling unit?

The owner of the property does not reside at the property. Also, the diagram shown at the Town Meeting showed that the area of the space was over the 800 square foot maximum limit. These facts make the property ineligible to issue a conditional use permit for an accessory dwelling unit by the express terms of the zoning ordinance.

2. The intent of seeking this Accessory Dwelling Unit is for the purpose of increasing the overall rental options of the property.

We learned at the Town meeting that property is currently used to lease a portion for short-term rental and the ADU for rental on a long term basis. We strongly oppose the CUP because it would legitimize the use of a single family home in a rural single family neighborhood as a three-dwelling structure with a rental operation. We feel that commercializes the property which would have a significant detrimental impact on the single-family nature of our rural neighborhood and the safety of our kids due to increased traffic and the transient nature of such an operation.

3. Would an ADU approval allow for an expanded short-term rental usage, beyond what is already permitted for a single-family residence that is licensed?

If granting this could result in a legitimized right to operate a rental operation from a single-family home in this quiet neighborhood, we strongly oppose any ability of both the primary and accessory dwelling units having increased rental capacity. The house is not occupied by the actual owner; it is leased to the applicant that occupies it. It has at least one room that is rented for short-term rental on airbnb. Adding the ADU creates yet another "rental unit" for the property – for a total of three. If a CUP is granted, it should carry with it limitations on the kind of rental operations that are permitted. In our view, having the ability to rent both the ADU on any basis and to have the short term rental of any portion the main dwelling unit makes the property something even more dense than a duplex rental property especially since the actual landowner does not occupy the property.

4. If an ADU is permitted, does that change the underlying requirements for sizing of water and septic capabilities of the house? Does it trigger any requirements to upgrade both to current standards? Is the current septic system and well rated/appropriate for such use?

In particular to the question related to septic, we have great concern given the existing septic field's age and proximity to our property and the Sugar River. Our property is directly adjacent to the existing septic system. Failure of that system due to overuse would cause irreparable damage to our property. Further, the health of the Sugar River is dependent upon safe and compliant septic systems located within its watershed. If a conditional use permit is issued, it should be contingent on an inspection of the septic system, any necessary upgrades or replacements and should expressly provide how many total occupants for each dwelling unit will be permitted so as not to risk failure of the system.

With respect to the well, will the conditional use permit require regular testing of the water to ensure its safety for use by the non-permanent occupants who would have a reasonable expectation that the supplied water is safe? How would this be monitored? This is concerning to us because the well is located on our property and we know that we will be legally implicated as the owner of the property on which the well is located if a non-owner occupant is sickened from contaminated water. Unfortunately, we are not permitted to use or test the water ourselves. We should be indemnified if a guest is injured from the well water. We would request that any CUP issued would include the requirement that the property owner indemnify us for any claims arising out of a tenant's/guest's use of the well.

5. There is a shared pond on the property, how is it ensured that the owner or their occupants are insured properly to protect us, as the other owners of the pond, from claims resulting from death or injury of their occupants or anyone using the property through them?

Allowing a rental operation makes that property more of a commercial use, which is different from a typical single-family residential use. Any conditional use permit should specify that the owner and/or occupants of the property carry proper insurance. Further, it should specify that the property owner will indemnify us for death or injury arising from use of the pond by their tenants/guests. Further, any damage to the pond caused by their tenants/guests should be repaired at the property owner's sole cost and expense. We wouldn't anticipate an owner-occupant to cause damage to a private pond that they own, however, a non-owner occupant does not have the same interest in preserving the value of the property.

6. If they are allowed to expand their rental business, what conditions will be put in place to ensure that their guests (at least some guests are vacationers) will respect the single-family nature of the neighborhood?

With the current airbnb business operation, we, along with other neighbors, have experienced random people trespassing all through our properties. How is it ensured that the property line will be respected? Currently, there are property line stakes along the

property line, but, regardless, guests of the airbnb trespass on our property regularly. We have been told that the leasing of the cabin will cease shortly and that should reduce the amount this happens. Regardless, guests need to be properly educated to recognize that the area is not a resort community with common property that is to be shared. This is a neighborhood where neighbors respect other neighbors' property.

If granting the requested CUP means that the rental capabilities of 8283 N. Riley Road are expanded, we will be meaningfully impacted by this decision given the many shared assets between our adjacent properties. This is more complicated than us simply being neighbors because any business they conduct on their property will unavoidably impact us for the reasons specified above and will expose us to an increased risk of legal liability to their guests and tenants.

While our initial inclination would be to always give a neighbor the benefit of the doubt, we are concerned that ultimate outcome of granting this CUP would result in something that feels more like a rental business in this rural single family neighborhood. If a decision is made to grant the CUP, we respectfully request that any conditional use permit contain the reasonable conditions referenced above to ensure the safety of their guests, the Sugar River watershed and protection for us and our neighbors from their business operations.

Sincerely,

Jeff & Melanie Lee

April 19, 2021

TO: Zoning and Land Regulation Committee Members

RE: Petition CUP 2516, Applicant Carolyn J. Bradt at 8283 N. Riley Road

We are writing in opposition of the CUP 2516 petition. The long and short of it is after living next to Carolyn Bradt and her family for the past 18 years, we do not feel they ever have or will meet the majority of the standards for obtaining a Conditional Use Permit.

We refute the applicants answers in regards to the following Standards:

Standard 1:

This is a rural residential neighborhood surrounded by farmland. The Bradt's home and proposed CUP property is right in the middle of our small rural neighborhood and this change does not fit into the neighborhood. We have lots of young children in the neighborhood and the additional traffic this brings is an important safety consideration. We have already experienced cars parked up and down the narrow road over the years with the various activities the Bradts have hosted. Also, keep in mind, N. Riley Road is a narrow, unmarked road with no speed limit signs. There are no sidewalks so this is our only walking path. With the cul-de-sac feature and only local traffic, like it or not, the neighborhood children think it is safe to play in the street without any concern. A transient population will not understand the nature of this cul-de-sac in that regard.

Standard 2:

The CUP change will decrease our property value and the surrounding neighbors. Homeowners purchase property here for the quiet, rural, cul-de-sac location. Many buyers would never want to knowingly purchase a home next to a commercial operation.

Contrary to what Carolyn Bradt states in her application, in the past and to this date, the Bradts have not been able to adequately manage potential nuisances. The use and enjoyment of our property has been negatively affected. We have experienced numerous occasions with people trespassing on our land and using our trails. We have spoken with these strangers only to find out they are renting at the Bradt's property. We have not seen any signage or effort by the Bradts to prevent this from happening. Also, judging from their advertising, it appears that the Bradts are using our property size and trails to attract their renters. What type of liability do we have when their operations spill over onto our land. We question if they have proper insurance coverage to operate rental properties and/or a bed and breakfast.

Standard 4:

The septic is a major issue. I understand from a reliable source that if the Bradts even add one bedroom to the house, they will have to upgrade the septic system to the tune of \$25,000 +/- to bring their sanitary system into compliance with today's standards. Are the Bradts or you prepared to deal with that? A CUP permit should not be issued until the septic system is checked by the proper authorities and upgraded to be in compliance with today's requirements. We don't need septic failure issues in the middle of our neighborhood where most of the homes are clustered and right next to a new

home that is being built.

Finally, the Bradts have continually acted in a way that makes us question their accountability and responsibility to meet CUP standards. It is hard to trust their future actions based on several other experiences we have had with them. For example:

1). We did a land swap with the Bradts last year to help them with their CSM. They agreed in the legal documents to pay their 2020 taxes on the parent parcel. We received a letter on April 8th, 2021 (see attached) from the Dane County Treasurer indicating that the taxes have not been paid by Carolyn Bradt on the parent parcel. I checked with the Dane Country Treasurer and as of April 19, 2021, those taxes are still outstanding.

2). Despite having been shut down on several occasions, the Bradts have continued to operate on-going illegal activities over the years (i.e. various parties which we were told required paid admission, Airbnb & VRBO rentals and bused destination parties to the property). On one occasion the neighbors had to call the police to shut down an unsupervised pool party rental that became overly rowdy.

3). Carolyn Bradt does not live on this property. It is being rented by her daughter, Marca who is then subleasing to tenants. Marca and Carolyn indicated at the Town of Springdale meeting that Marca needs the income from these rentals and this CUP to eventually have the funds to afford to purchase the property. We do not understand how adding a bedroom rental to this property will allow for Marca to buy, occupy and maintain a property of this magnitude.

4). Never once have the Bradts brought this operation to our attention nor did they give us notice or discuss their intentions of the CUP permit. To the best of our knowledge the Bradts have not had open or transparent communications with the neighbors about any of their plans or activities that impact the neighbors.

We could cite many more examples, but to keep this to the point, we strongly feel they cannot qualify to meet many of the CUP requirements and we are against this petition.

Thank you for your consideration. Please contact us with any questions.

Bill & Karen Weber
8271 N. Riley Road
Verona, WI 53593
608-845-9080



DANE COUNTY TREASURER

City-County Building, Room 114
210 Martin Luther King, Jr. Boulevard, Madison, Wisconsin 53703-3342
Telephone (608) 266-4151 • E-mail treasurer@countyofdane.com

T ADAM GALLAGHER
TREASURER

KAY LUND
DEPUTY TREASURER

April 8, 2021

WEBER JT REV TR, WILLIAM H & KAREN A
8271 N RILEY RD
VERONA WI 53593

Re: Dane County Delinquent Taxes
Retired Parent Parcel/s: Current Child Parcel/s: Located at:
0607-021-8551-7 0607-021-8930-0 8283 N RILEY RD 53593

Dear Property Owner:

This letter is to notify you of delinquent taxes attached to your property.

The parent parcel/s listed above were retired to create the respective current parcel/s. Please know that the retired parent parcel/s have delinquent taxes that put the current child parcels in danger of having Dane County begin the tax deed process, which is similar to foreclosure.

If there is any question as to who is responsible for these taxes, you may want to talk to the title company that prepared the title work when you purchased the property.

Because the retired and current parcels are different tax parcels, the tax system does not allow delinquencies to be forwarded from retired parent parcels to their current child parcels. As State Statute and County Ordinance require the Treasurer to charge 1.5% interest and penalty per month (18% per annum) on delinquent property taxes, we recommend paying these delinquent taxes at your earliest convenience.

A statement showing the April 2021 payoff for each above listed retired parcel is enclosed.

If you have any further questions please feel free to contact our office at 266-4151.

Sincerely,


T. Adam Gallagher
Dane County Treasurer

Enc

04/08/2021

UNPAID REAL ESTATE PROPERTY TAX STATEMENT

TAX YEAR	CERTIFICATE NUMBER	TYPE	NET TAX	PRINCIPAL	INTEREST	PENALTY	TOTAL DUE
2020		General	5,815.31	2,907.65	0.00	0.00	2,907.65
		Special	3,022.53	2,888.74	86.66	43.33	3,018.73
		TOTALS FOR PROPERTY		5,796.39	86.66	43.33	5,926.38

0607-021-8551-7
TOWN OF SPRINGDALE
8283 N RILEY RD

AMOUNT DUE FOR MONTH OF:
APRIL 2021

**PLEASE RETURN THIS NOTICE WITH YOUR
PAYMENT**

REMIT TO: DANE COUNTY TREASURER

CAROLYN J BRADT
8283 N RILEY RD
VERONA WI 53593

DANE COUNTY TREASURER
T ADAM GALLAGHER
PO BOX 1299
MADISON WI 53701-1299

April 20, 2021

RE: Petition CUP 2516, Applicant Carolyn J Bradt at 8283 N Riley Road

Dear Zoning and Land Regulation Committee members,

We moved to Riley Circle twelve years ago because we were drawn to the rural setting and the peace and quiet that comes with living on a dead-end residential road in the country. We believed our little road was the “best kept secret” because of its private and remote location. More recently, that description has been used in frequent VRBO and Airbnb listings for this property, significantly reducing the accuracy of “secret” and bringing more people and traffic down our narrow and somewhat deteriorating country road.

Over the past seven years, there have been various events and ongoing rentals in an effort to monetize the property at 8283 N. Riley Road with at least one event requiring a call to the Sheriff. We understand that this public hearing is for a conditional use permit for the apartment but believe that the history of this property and its impact on the neighbors cannot be ignored. While we are sympathetic to Marca’s financial situation, it is wrong for the neighbors to pay the price in terms of reduced enjoyment of their own property, increased traffic, and additional noise as well as the potential reduction in our property values. Further, the owner of the property does not live on the property.

We wrestled with writing this letter as we are less impacted than the neighbors abutting the property but have still been negatively affected. We believe that standard 2 has not been met as the values and enjoyment of neighboring properties have deteriorated over the past several years and that increased traffic is detrimental to all of us who moved to this area because of the quiet, rural atmosphere. As a result, we oppose the conditional use permit.

Thank you,

Jean & Ron Riggs
3259 N. Riley Circle
Verona, WI 53593

-----Original Message-----

From: michael laesch <laesch14@yahoo.com>

Sent: Monday, April 19, 2021 11:40 AM

To: Planning & Development <plandev@countyofdane.com>

Cc: Sara Laesch <laesch29@yahoo.com>

Subject: CUP 8283 N Riley Road

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

Dear Zoning and Land Regulation Committee:

Thank you for sending us the Notice of Public Hearing for CUP 2516 at 8283 N Riley Road.

We do have concerns regarding the CUP for a few reasons and it is our wish that the property would stay a single family residential property without the CUP.

- 1) This is a rural residential area where people that live here have long time ties or plan to have long time ties to the area. Having people coming and going and not knowing who they are gives us concerns because they do not have long term interests in the neighborhood.
- 2) Cars that are not neighborhood residents definitely travel faster down Riley road making it a concern for kids that are riding bikes or individuals walking. Everyone needs to be careful regardless but those that are not residents do not realize the possibilities of children being at play.
- 3) To our surprise we have had individual renters from the the cabin behind 8283 N Riley, at different times, ring our doorbell and ask for items for their stay. One time was for a sponge and another time for a can opener. This is something that you do not expect when moving to the country. It brings concern especially when there are children in some of these homes. I know that the "cabin" is not what is being rented but it is being rented out by the same individuals that rent out the "cabin".
- 4) Vehicles from the renters at 8283 N Riley have parked for days out in the road in front of our house. Everyone in the neighborhood has ample parking in their driveway so there is no need for people to be parking in the road for days blocking site around the bend of other cars passing by. Roads are narrow so it makes it very difficult for 2 cars to pass.
- 5) Personally, we moved to the country for seclusion. We are fearful that if they do receive a CUP it just provides another way to rent out more rooms on their property. In the past they have rented out 1 or 2 rooms in the house, the cabin and this area that they are applying for a CUP. Allowing multiple avenues of rentals could diminish the seclusion and privacy that we desired when moving to the country.
- 6) The owner of this property is Carolyn and she does not live at the property. Isn't this a requirement of a CUP?

We appreciate you considering our objections and concerns regarding the CUP which just adds more rental possibilities.

Thanks,
Mike and Sara Laesch
3236 N. Riley Circle