

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

From: Thomas D. Zilavy <tkzil@charter.net>  
Sent: Monday, March 27, 2023 10:43 PM  
To: Lane, Roger <lane.roger@countyofdane.com>  
Subject: Public Hearing For Helbach CUP #2585

!-----|

|-----!

Mr. Lane: My wife Karen and I are the owners and residents of the home in the Applewood neighborhood located at 6967 Applewood Drive. Our home is located within 600 feet of the Helbach property for which our former neighbors, the Helbachs, seek an extension and amendment of a CUP license from the county of Dane. The Town of Middleton, in which the Helbach's former home is located, has had a public hearing on the issue of the current Helbachs request to renew their CUP for 5 years and to permit 4 night rentals of up to 8 persons. At the Town's hearing it was established that the Helbachs' failed to abide several important conditions which were attached to their grant of a one year license and we are of the opinion that the Helbachs' failure to carry on their business operation in our neighborhood in accordance with the rules they agreed to is a reason to not permit the renewal of the CUP. If somehow the county does see fit to renew the CUP it certainly should not renew it for more than one more year and should absolutely add to the conditions to be observed by the Helbachs the additional ones proposed by the Town of Middleton as expressed in the Town's staff report. We submit that the county, in the process of dealing with the Helbachs' application should get to the bottom of some issues which arise from their initial application for the CUP. In the initial application they represent that they will manage the rental business and continue to live in the home to be rented. It is well known in the neighborhood that the Helbachs live in and are residents of California. We submit their resident status is an important issue because the government policy involved in permitting a resident of Wisconsin to carry on a rental business with the resident's home located in a neighborhood zoned for single family use is different from the policy of permitting a non-resident absentee owner from doing the same thing. The latter, in our opinion degrades the qualities for which single family neighborhood zoning is intended to protect and enhance. The Helbachs failed to provide the name and contact information of a manager of the property who could be contacted in the event problems arose out of a rental arrangement that impacted the public, especially residents of the Applewood neighborhood. The Helbachs' response to that complaint by Applewood residents was that a complainer could just call 911 to have law enforcement take care of the business problem. We consider that response to be unacceptable and shows an unwillingness of the Helbachs to be responsible for the operation of their business operations and another reason to end the CUP. The Helbachs also failed to provide the Town of Middleton with a copy of the lease contract they use as required by the initial grant of a license

to rent after the CUP was granted last year. If somehow the CUP is renewed the Helbachs should not only be obliged to file a copy of the current lease contract with the Town but also their house rules provided to tenants. The rules should be available for review by the Applewood neighborhood association. The initial conditions imposed on the current CUP require the Helbachs to conduct background checks on prospective and actual tenants. If they are permitted to carry on their rental business they should be required to document how background checks are conducted and be required to maintain such records for at least three years and be required to provide copies of such reports to any resident of Applewood who is involved in any legal matter with a former tenant under the Helbachs business operations. The Helbachs have touted the fact that no formal complaints have been filed with any government authority since the inception of the business rental program. That could very well be because the Helbachs never identified any emergency contact. In at least one instance a neighbor had to handle a late night noise problem. At least the tenants who were asked by the neighbor to cease and desist were cooperative .