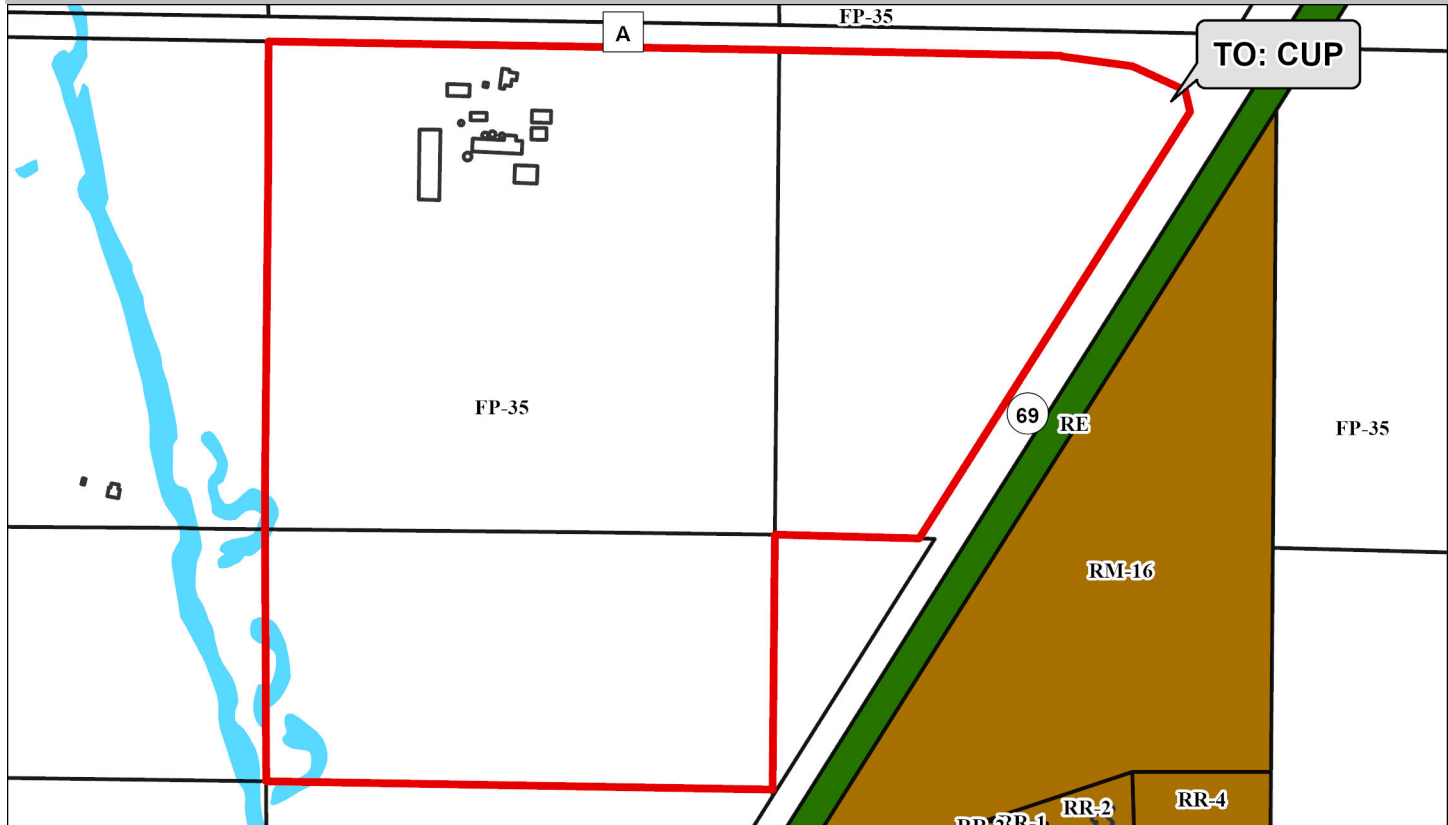


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| <b>Staff Report</b><br><br><br><br><b>Zoning &amp; Land Regulation Committee</b> | <u>Public Hearing:</u> <b>October 28, 2025</b>                                |                         | <b>Conditional Use 02683</b>                         |
|                                                                                                                                                                   | <u>Zoning Amendment Requested:</u><br><b>TO CUP: private landing airstrip</b> |                         | <u>Town, Section:</u><br><b>MONTROSE, Section 22</b> |
|                                                                                                                                                                   | <u>Size:</u> <b>85 Acres</b>                                                  | <u>Survey Required:</u> | <u>Applicant:</u><br><b>JOHN AND LINDA EVERSON</b>   |
|                                                                                                                                                                   | <u>Reason for the request:</u><br><b>private landing airstrip</b>             |                         | <u>Address:</u><br><b>6897 COUNTY HWY A</b>          |



**DESCRIPTION:** Applicant requests a conditional use permit (CUP) to establish (formalize) a private grass air strip on their farm property. The strip runs east and west for approximately 1,500 feet with a 1,000 foot “crosswind” running north and south. The proposal involves no new construction or additional infrastructure; their private plane is stored within an existing barn.

**OBSERVATIONS:** The property is in agricultural use and contains a farmstead that has been existing for many years. The proposed CUP area contains 122 acres of the larger Everson farm. The neighboring land uses are agricultural and open space on all sides. State Highway 69 runs along the east side of the farm.

A private air strip is listed as an allowable conditional use in the FP-35 zoning district.

**RESOURCE PROTECTION:** The western edge of the CUP boundary area is subject to shoreland-wetland zoning regulations, as well as floodplain regulations, due to the presence of the Sugar River that runs through the property. The air strip is already existing. Should any land disturbance be needed in the future, the landowner is advised to contact Dane County Zoning to confirm any permit requirements that may apply.

**COMPREHENSIVE PLAN:** An airstrip for use by the owner of the farm is consistent with FP-35 conditional uses. Should the airstrip benefit the agricultural enterprise, the use will be advancing the plan goals and objectives supporting continued agricultural production. For questions about the town plan, contact Senior Planner Bridgit Van Belleghem at (608) 225-2043 or [VanBelleghem.Bridgit@danecounty.gov](mailto:VanBelleghem.Bridgit@danecounty.gov).

**CONDITIONAL USE PERMIT DECISION MAKING:** “Conditional uses” are those land uses which, because of unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review.

Prior to granting or denying a conditional use, the zoning committee shall make findings of fact based on evidence presented and determine whether the proposed conditional use, with any recommended conditions, meets all of the standards required to obtain a CUP. Below is the list of the applicable standards from Section 10.101(7)(d) of the Zoning Code, and a summary of relevant facts including the applicant’s testimony with regards to meeting the standards.

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

The applicant states that the air strip meets this standard because it is limited use and a very rural location. In addition, the location can enhance public welfare should it need to be used for emergency purposes. Its design has been preliminarily accepted by the WI State Bureau of Aeronautics as a viable placement.

See comments below regarding Highway access under CUP standard #5.

***2. That 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.***

The applicant states that as an FAA-approved air strip of limited scale, frequency and scope it would not affect any neighboring land uses or properties. The rural character would be enhanced by the adoption of this CUP.

***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.***

This standard pertains to whether the proposed conditional use would affect how the surrounding properties could be developed and improved, considering what they are currently zoned for. The applicant states that the surrounding properties are of agricultural use and Farmland Preservation designation, or legacy residences many of which have been existence for decades alongside Everson Farms and its traditional agricultural use.

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

The applicant states that the existing infrastructure is sufficient to serve the needs of the air strip. The existing driveway would be used as well as the existing barn to store their plane.

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

The applicant states that the current driveway access is adequate; no increase is proposed to air or road traffic.

Staff recognizes that this is an existing air strip that has been on the farm for some time. While this CUP is not technically proposing a change of use, the CUP would formalize the existence of the air strip and allow for its use as proposed, which includes use by area farmers for crop dusting. The driveway that provides access to the air strip is located on State Highway 69, and was recently upgraded by WisDOT in 2023 as part of a highway project. Applicant has been advised to contact WisDOT to confirm that the driveway is adequate to provide for both personal use as well as limited use by other area farmers for crop dusting, and medevac/EMS services. Contact Scot Hinkle at 608.246.5334 [scot.hinkle@dot.wi.gov](mailto:scot.hinkle@dot.wi.gov).

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

The proposed use conforms to the applicable regulations of the FP-35 zoning district. FP-35 zoning allows airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm, with a conditional use permit. The strip is at least 100 feet from the property boundary, as required by county code.

***7. That the conditional use is consistent with the adopted town and county comprehensive plans.***

As noted above, the proposal appears consistent with the Town and County Comprehensive Plans.

**8. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220(1).**

**a) The use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district.**

The FP-35 district is intended for a wide range of agriculture and agricultural-accessory uses at various scales, as well as other incidental activities compatible with agricultural use. The applicants state the proposed CUP aligns with the town plan and the family will continue to farm and care for the property.

**b) The use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.**

Applicant states that the use and location are reasonable and appropriate given the prior and existing use of the property.

**c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.**

Applicant states that no farmland will be impacted by the request, that preserving the land and its current use is their priority.

**d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.**

Applicant states that the proposed site plan does not change the existing layout of the parcel or affect any surrounding agricultural uses. Also that Montrose's only approved airstrip has been used and may be used in the future to support aerial applicators that support farm operations.

**e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.**

Applicant states that no proposed changes will be on, or affect, the existing farm land.

**POTENTIAL NUISANCES ASSOCIATED WITH THE CONDITIONAL USE:** The potential nuisances that pertain to airstrips most likely involve noise from plans landing and taking off, and potential conflicts with communication towers in the surrounding area. The CUP application addresses how these potential nuisances are handled, also see below.

Potential conditions of approval specific to this CUP can be developed after public input and deliberation by the Zoning and Land Regulation (ZLR) Committee. Under Dane County Zoning Ordinance section 10.103(4), there are special requirements for air strips:

- (a) All buildings, structures, outdoor airplane or helicopter storage areas shall conform to the setbacks, maximum building height and lot coverage requirements for agricultural or commercial accessory buildings in the underlying zoning district.*
- (b) Runways shall be located a minimum of 100 feet from all lot lines.*
- (c) Runways must be laid out to provide sufficient clear space, either within the property boundaries, or through the use of a recorded avigation easement for safe takeoff and landing. Clear space must meet current WISDOT Bureau of Aeronautics distance-to-height ratios appropriate to the speed of the proposed aircraft.*
- (d) All proposed airports, landing strips or heliports must meet all current requirements of Chapter 114, Wisconsin Statutes, TRANS 57, Wisconsin Administrative Code, or its successor and any applicable standards from the Federal Aeronautics Administration.*
- (e) Applicants must submit, with their conditional use permit application, copies of Wisconsin Department of Transportation airport review applications or approved certificates.*
- (f) The committee and town board may require visual screening, per the standards in s. 10.102(12), provided that such screening will not interfere with airport operations.*

The WSUM (UW Student Radio Station) radio tower is located approximately 1.5 miles west of the proposed airstrip. The applicant is aware of the existing tower and has indicated that it is not a safety concern, that they do not come anywhere near the tower when taking off or landing.

**TOWN ACTION:** The Town Board has approved of the CUP with no conditions.

**STAFF RECOMMENDATION:** Staff believes that the applicant has provided sufficient evidence to address the CUP standards and mitigate the potential concerns. This includes the information outlined above, and is also reflected in the town's recommendation for approval. If the Committee requires additional information on which to base a decision, they may request specific information of the applicant or staff at the public hearing.

Pending any comments at the public hearing, Staff would recommend that (1) the ZLR Committee makes a finding of fact as to whether the proposal meets the CUP standards above, and (2) we recommend approval with the conditions below.

***CUP 2683 Potential Conditions of Approval:***

*Standard Conditions for all Conditional Use Permits from 10.101(7):*

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit.

*Conditions specific to CUP 2683:*

13. Applicant shall verify that the current access permit from the Wisconsin DOT is adequate for use of the existing driveway for the intended use.

Please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@danecounty.gov](mailto:holloway.rachel@danecounty.gov) if you have questions about this petition or staff report.