

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
04/08/2024	DCPCUP-2024-02619
Public Hearing Date	
06/18/2024	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME FOX LIVING TR (TAMMY FOX)	Phone with Area Code (608) 228-4985	AGENT NAME TAMMY FOX	Phone with Area Code
BILLING ADDRESS (Number, Street) 2829 PERRY ST STE 205		ADDRESS (Number, Street) <input type="checkbox"/>	
(City, State, Zip) MADISON, WI 53713		(City, State, Zip)	
E-MAIL ADDRESS tammy@foxproperties4u.com		E-MAIL ADDRESS	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
370 Lake Shore Drive					
TOWNSHIP ALBION	SECTION 25	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-254-2177-3		---		---	

CUP DESCRIPTION

TRANSIENT OR TOURIST LODGING (SHORT-TERM RENTAL)

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
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10.251(3)	0.3
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DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials <p style="text-align:center">RUH1</p>	SIGNATURE:(Owner or Agent) <hr/> PRINT NAME: <hr/> DATE: <hr/>
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Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Agent Name:
Address (Number & Street):	Address (Number & Street):
Address (City, State, Zip):	Address (City, State, Zip):
Email Address:	Email Address:
Phone#:	Phone#:

SITE INFORMATION

Township:	Parcel Number(s):	
Section:	Property Address or Location:	
Existing Zoning:	Proposed Zoning:	CUP Code Section(s):

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: *Terry Top*

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

- | |
|---|
| 1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare. |
| 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. |
| 3. 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. |
| 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use. |
| 5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located. |
| 7. The conditional use is consistent with the adopted town and county comprehensive plans. |
| 8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary. <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible: |

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14 , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).



608-228-4985

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2829 Perry St, Madison, WI 53713

Serving your Commercial, Residential, and Vacation rental needs

Dear Dane County and Town of Albion members:

CUP Application Questions answered -

Please consider my application for a Conditional Use Permit for the house I own at 370 Lake Shore Dr, Edgerton, WI 53534. I plan to meet the 8 standards as noted below:

- 1) The house will be used as a licensed short-term residential rental. My guests will be made aware of the County and Town requirements so that this house is used by my guests in the same manner that my neighbors use their homes. Therefore, there is not an impact to health, safety, comfort or general welfare to those around my home.
- 2) I will upkeep the property in order to ensure my guests will enjoy it; and my neighbors will have continued increased property values because my house is maintained. It will be maintained in a manner better than many others in that neighborhood. The guests that this property will bring to the area will support the local shops, restaurants, and other businesses, bringing additional value to the community. Parties will NOT be allowed as this is disruptive to my neighbors and detrimental to the upkeep of the home. Guests will be made aware of quiet hours, which are currently under review by the Town of Albion. My driveway is paved, and guests will be made aware of the limit to parking on the driveway and that street parking is not allowed.
- 3) No further development of the land or home will be needed in order to rent the house on a short-term basis, so my neighbors will not see an impact or change.
- 4) No improvements are needed in order to rent the house on a short-term basis because it is a home and that is still the manner in which it will be used. The house currently has gas, electric, a well, and municipal sewer and garbage. Traffic flow is low and should not see an increase.
- 5) No additional traffic conflicts should be seen by the CUP change because whether the house is used by an owner or a short-term rental guest, guests would need the same amount of access. We have a paved driveway that is two cars deep and two cars wide, so even if guests bring a boat on a trailer, there is sufficient parking to keep them off of the street.



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- 6) The house will have a short-term rental license granted by Dane County and one granted by the Town of Albion, as well as a fire inspection by the Town of Edgerton Fire Department. I will review and follow the rules of them, and the County and the Fire Department will also ensure that the house is in compliance. No screening is needed, as the use of the property by the short-term rental guests will be the same type of use as the home owners around the home.
- 7) I am aware of the rules and regulations of short-term rental licensing in the County as well as the Town, and have been in contact with Neelu Patil from the Dane County Public Health department, and Julie Hanewall from the Town of Albion to ensure that I can comply. Both the County and Town do have licensing regarding short-term rentals and my property meets those requirements. Guests of the property will use the house in the same manner that my neighbors and their guests use their homes.
- 8) This property is not in FP zoning.



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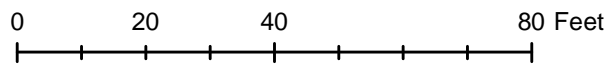
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Narrative/ Operations Plan:

The house at 370 Lake Shore Dr, Edgerton, WI will be rented thru VRBO or Airbnb to short-term guests which will use the house in the manner normally associated with a home to eat, sleep, play and relax with themselves or others. The guests will be there throughout the day and night, and will be made aware of quiet hours which are currently under review at the Town of Albion. My guest is required to send me a photo of their photo id with a valid address so that I or anyone else can be made aware of who is staying in the house.

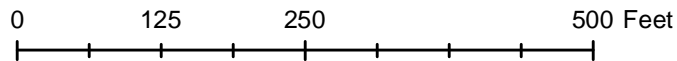
There will not be any employees there, and guests are limited 6 sleeping at the house, per the short-term licensing ordinance. Outside activities would be the same types of activities that my neighbors will be doing such as sitting on the deck, playing in the lake, playing yard games, etc. No noise, odors, or debris that is not commonly associated with living in a home is expected. Storm water will run off the property as it always has, trash will be disposed of in the municipality cans and brought to the end of the driveway for disposal, traffic will either be guests pulling in or other non-related vehicles flowing past all of the neighbors houses on the way to their house, no hazardous materials will be handled.

370 Lake Shore Drive - Town of Albion No change planned



Site Plan Map

370 Lake Shore Drive - Town of Albion



Neighborhood Map

Legal Description:

EDGERTON BEACH PARK PLAT, BLOCK 1 NORTH 1/2 LOT 16 & ALL OF LOT 17