



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2676

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD
PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES
HEREBY:

GRANTS Conditional Use Permit #2676 for a Transient or tourist lodging (short-term rental)
operation conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to
the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: September 16, 2025

CUP EXPIRATION DATE: September 16, 2028

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS
FOLLOWS:

LOCATION: 4772 Capitol View Road, Section 4, Town of Middleton

LEGAL DESCRIPTION: Lot 1 of Certified Survey Map No. 12927, recorded in Vol. 82, pages 145-150 of Dane County Certified Survey Maps as Document No. 466642, Located in the NW ¼ of the NE ¼, and the NE ¼ of the NE ¼, Section 4, T7N, R8E, Town of Middleton, Dane County, Wisconsin.

CONDITIONS:

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 # 2676:

13. The Conditional Use Permit (CUP) approval is for Steve Ziegler and/or Joan Ziegler and limited to parcel number 038/0708-041-8650-0, also known as 4772 Capitol View Road.
14. This Conditional Use Permit shall expire three (3) years after the effective date. Owner-applicants may renew the CUP by successfully obtaining a new CUP prior to the expiration date.
15. This conditional use permit shall expire in the event the property is sold or transferred to another owner. Continuation or extension of an expired conditional use requires re-application and approval by the Town Board and Dane County.
16. If the transient or tourist lodging operation is abandoned for one year or more, this conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.
17. Failure to comply with any imposed conditions, or to pay reasonable Town/County costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to the revocation.
18. The owner-applicants shall comply with all licensing and permitting requirements for short-term rentals, including the owner-applicants applying for, obtaining, and maintaining an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health plus providing the annual water test sample (bacteriology/coliform) required by said lodging rental license.
19. The rental shall be limited to six (6) overnight renters unless the onsite wastewater sewage disposal system is approved for a greater amount, in which case the rental shall be limited to the amount approved for the onsite wastewater sewage disposal system up to a maximum of eight (8) overnight renters. Use of the property, including rental, shall be in full compliance with the sanitary permit for the property.
20. A maximum of twelve (12) people may be on premises (for gatherings, etc.)

21. The maximum number of allowable rental days within a 365-day period is 365 days. The landowner must notify the Town Clerk in writing when the first rental within a 365-day period begins.
22. Quiet hours shall be 10:00pm to 8:00am, all days of the week.
23. Fireworks are prohibited.
24. The owner or their designated emergency contact person shall be available within one (1) hour to address any problems.
25. Emergency contact information shall be provided to the neighbors, the Town of Middleton, and Dane County Zoning Division.
26. The owner or operator shall provide the Town of Middleton Clerk with a copy of the current rental agreement and house rules no later than the date of issuance of the CUP. In the event the agreement is modified in any manner, the modified agreement must be provided to the Town of Middleton Clerk within ten (10) calendar days of the date the modified agreement is placed in use.
27. The rental period shall be a minimum of three (3) nights.
28. Regarding off-street parking, all vehicles shall be parked on the driveway surface or inside the existing attached two-car garage, and maintain adequate access for emergency vehicles. Street parking shall not be permitted.
29. Trees in the existing vision corner for the driveway shall be trimmed to provide clear vision to a height of 8' feet from the ground.
30. That the CUP materials shall be reviewed by the Attorney for the Town.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220.

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.