



Amended 10-21-10

NAME: WILLOW RUN RV CONDOMINIUM ASSOCIATION

TOWN: SUGAR CREEK

A conditional use permit to bring an existing condominium campground into compliance with the requirements of the Walworth County Zoning Ordinance as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, on lands zoned B-5 Planned Commercial Recreation Business District, and described as follows:

All Tax Parcel #'s starting with GWR

Has been APPROVED subject to the following conditions:

1. The Conditional Use for a condominium campground is approved as per the plan submitted subject to this conditional use approval
2. This approval is for a broad scoping master conditional use for the condominium campground as a whole and individual conditional uses for each unit within the condominium plat. The County may take enforcement actions against the conditional use for the condominium as a whole and or the individual unit conditional uses up to and including rescinding actions.
3. Use of the grounds shall be limited to normal camping use as stated in the plan of operations. The camping units shall not be used as a permanent residential home. Establishing permanent residency in Willow Run shall be a violation of this condition, resulting in the revocation of that unit's conditional use permit. Permanent residency is further defined as: Occupancy of any unit of 62 days or more during the official non-camping season which is any time between October 15 and April 15, or based upon the totality of the circumstances the resident uses the property in a manner consistent with the use of a primary home. Unit owners shall provide the required documentation or other documentation as requested by the Willow Run Board of Directors for determination of compliance. The Willow run Board of Directors may choose from subparagraphs a, b, or c to determine a unit owners compliance with residency. Self verification in satisfaction of this condition shall be required by each individual unit owner and /or occupant on an annual basis. The verification information shall be provided to the Board of Directors for Willow Run Condominium Association, who shall then provide the same information to the Walworth County Zoning Agency for filing. Verification can be

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established by satisfying one of the following subparagraphs a. through c. Satisfying of subparagraphs a. through c. does not create the right for a unit owner or occupant to become a permanent resident.

- a. All unit occupants shall submit a notarized residency affidavit to the Condominium Association stating that the camping unit shall not be used as a permanent residential home. If at any time the unit is established to be a permanent residence, the unit occupant understands that ~~its~~ **their** conditional use permit may be rescinded by the Walworth County Zoning Agency. It shall be the unit occupant's obligation to keep the residency affidavit and accompanying information current with the Condominium Association. The residency affidavit shall be accompanied by ~~verification~~ of off site residency including a minimum of one of the following from each of two groups.

- i. Group One:

1. Automobile Registration
    2. Voter Registration
    3. Drivers License Registration
    4. **State Identification Card**

- ii. Group Two:

1. Homestead/Lottery Credit
    2. Income Tax Return, which substantiates permanent residency of unit owner
    3. **Real Estate tax bill for Willow Run Property sent to permanent residency address**
    4. **Utility bills**

- b. A Willow Run Nomad lives in their own motor home, 5th wheel or other mobile unit when absent from Willow Run. The Nomads may use his/her Willow Run address as a permanent residence address, but not a permanent residential home by leaving the unit/Willow Run for at least 120 consecutive days. Proof of such absence in the form of rental receipts and/or Willow Run utility bill will be required.
  - c. Unit owners who have been granted a permanent resident status under the September 22<sup>nd</sup>, 1995 agreement with the County may continue to reside at their current unit until such time as they move from the unit or the unit title is transferred to a new owner. The Condominium Association shall keep record of all such units/owners and provide a list to the County on a yearly basis. The unit owner shall be responsible for notifying the

Condominium Association of any change in unit ownership, which would affect their residency status.

4. The applicant shall be responsible for meeting all requirements of the Condominium Ownership Act (State Chapter 703) and the County Subdivision Control Ordinance. The transfer of ownership of any units may only include, therewith, a fractional interest in the site on which the unit is located and such transfer shall not result in the subdivision of minor subdivision as defined under the Walworth County Subdivision Control Ordinance.
5. This Planned Residential Development (PRD) is approved as a 251-unit condominium subject to a condominium declaration. The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design of the condominium and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the condominium declaration.
6. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.
7. The Condominium declaration must be submitted to the County Land Use and Resource Management Department for filing. Any changes to the condominium declaration, which affect the County's interests therein, must be approved by Walworth County Zoning prior to the effectiveness of the amendment.
8. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County required approvals.
9. The interior campground roads and parking shall meet with the requirements of the zoning code. All road maintenance shall be conducted as agreed to and specified in the plan of operations.
10. The declaration for the Condominium Association must assure that sewerage waste load will not increase over time without providing necessary sewerage capacity.
11. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by the Condominium Association. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the

site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site.

12. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.
13. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations (including those within the condominium declaration). The Condominium declaration must be submitted to the County Land Use and Resource Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the County Land Use and Resource Management Department is inconsistent with County approvals including the plan, amended narrative, ordinances or requirements will require County conditional use review and approval.
14. All camping shall occur in the units as identified on the plan.
15. The project must meet with all State, Federal and local approvals.
16. Hours of operation shall be as stated in the plan of operations. The Condominium Association shall implement quiet hours after 12:00 a.m. until 6:00 a.m. every day.
17. Sufficient adult supervision must be present at all times when the camp is used by children.
18. The total capacity of the camp shall be as identified in the plan of operations.
19. All perimeter fencing shall be maintained as identified on the project plan.
20. The Condominium Association must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
21. Parking must meet with requirements of the county zoning ordinance. All parking across from residential zoning must be setback 25 feet from

the roadway. All parking must be in compliance with County requirements within 60 days of this approval.

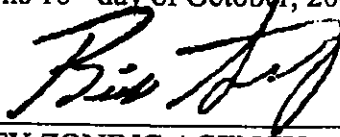
22. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
23. The County reserves the right to rescind this conditional use upon any violation of County regulations.
24. The Willow Run Condominium Association shall establish an acceptable interim enforcement strategy and schedule for bringing the condominium camp and individual units into compliance with the Walworth County Zoning Ordinance. The interim enforcement strategy and schedule shall be submitted to the County for review and approval. The Condominium Association interim enforcement strategy and schedule may establish temporary waivers for violation of the permanent residency prohibitions per unit within the camp between September 1, 2008 and August 31, 2010 subject to a fine in the amount of \$150.00 per year. The County will not take enforcement actions regarding existing residency violations at Willow Run Condominium Camp so long as the Association and individual unit owners abide by the interim enforcement strategy and schedule. Starting September 1<sup>st</sup>, 2010 it is intended that the Willow Run Condominium Campground and individual units within the campground will be in compliance with this conditional use and the Walworth County Zoning Ordinance.
25. The Condominium Association shall provide an updated master plan for the entire campground within one year of this approval. The updated master plan shall be drawn to scale and show all structure located within the condominium campground. The County shall provide the base map to be updated by the Condominium Association to ensure a usable scale for future referencing of updates and amendments. If the Condominium Association fails to submit an updated master plan following one year from this approval then the County shall seek dismissal of the conditional use for the condominium campground. This condition does not require the accuracy of a surveyor and as such, a surveyor is not required by the County to satisfy this condition.
26. The County will review the updated master plan subject to the 1998 structural grandfathering agreement and require all structures that have not received zoning permit approval to obtain an after the fact zoning permit if they comply with the required zoning regulations. If structures are identified on the updated master plan that do not meet the required zoning regulation or have not obtained a zoning permit, the

County will send notice to the unit owner indicating that the structures will be required to be removed or brought into compliance with the zoning regulations within 6 months of the County review of the updated master plan. Failure to bring the individual unit conditional use into conformance with the updated master plan shall result in a County request for rescinding of the individual unit conditional use. If the individual conditional use is rescinded the unit owner will be required to remove all structures from the individual unit and vacate the condominium campground.

27. The master plan updates may be submitted in phases to Walworth County. Those phases shall be reviewed by the County forthwith for compliancy with the current zoning code. Once the updated master plans are approved, those units may request and receive zoning permits for new construction.
28. The applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. All applications for zoning permits shall be signed by the Association president/designee prior to submittal to the County Land Use and Resource Management Office for zoning permit review. The Association signature shall constitute notification to the Association of the unit owner's intent to seek zoning permit approval for the proposed structure and shall not constitute County zoning permit approval for the structure. The Zoning Office prior to issuance of a zoning permit shall further review all structures existing and proposed on the unit. All structures will be required to meet the requirements of the zoning ordinance. After County zoning permit approval, the plan for the proposed structure to be added to an individual unit must be submitted to the Condominium Association for inclusion in the master conditional use plan for the campground. A unit owner's failure to provide a copy of the approved zoning permit and plan to the Condominium Association shall be a violation of the individual unit conditional use and shall be enforceable under the County Zoning Ordinance.
29. The Condominium Association shall submit a list of all Condominium Association board members names and contact information to the County and Town and keep the list current after any election or replacement of board members.

30. Walworth County Zoning Agency understands and recognizes that this development has been approved, developed and improved in 1983.

Dated this 16<sup>th</sup> day of October, 2008.

A handwritten signature in black ink, appearing to read "Rick Stacey", is written over a horizontal line.

COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

