



## Public Hearing Item 4: Conditional Use Permit

Planning & Zoning Committee • May 7, 2024

**Proposed Use:** Campground – Expansion

**Applicable Section(s):** 112.105.02; Table 12.105.02(1); 12.125.12; 12.155.02(3)

**Zoning District(s):** *Existing:* AO-1 Agriculture and Open Space, R-3 Manufactured/Mobile Home Park  
*Proposed:* RC-1 Recreation

**Property Owner(s):** Crystal Lake Park LLC c/o Steve Bodenschatz

**Applicant(s):** Crystal Lake Park LLC c/o Steve Bodenschatz

**Property Location:** Located in the Southwest Quarter of the Southwest Quarter of Section 35, Town 10 North, Range 7 East

**Town:** West Point

**Parcel(s) Affected:** 502.A

**Site Address:** N554 Schoepp Road; N586 Schoepp Road

### **Background:**

Steve Bodenschatz of Crystal Lake Park LLC, owner, requests the Planning and Zoning Committee review and approve a Conditional Use Permit for a campground expansion on the aforementioned property as well as bring the existing uses into compliance with the Columbia County Zoning Code. Parcel 502.A is 27.78 acres in size. Approximately 20 acres of the property is below Crystal Lake. The property is split zoned AO-1 Agriculture and Open Space and R-3 Manufactured/Mobile Home Park, with all lands below Crystal Lake zoned AO-1, and all remaining land zoned R-3 Manufactured/Mobile Home Park. The property is planned for Recreational and Agricultural or Open Space land use on the Columbia County Future Land Use map. The Future Land Use map follows suit of the zoning map, with lands below Crystal Lake planned for Agricultural or Open Space, and all remaining lands planned for Recreational land use. There are 4 active septic systems on the property. All systems were serviced in 2022 and will be due again for maintenance in 2025. There is no wetland present. Land use and zoning of adjacent properties are shown in the table below.

### **Adjacent Land Uses and Zoning**

Direction	General Land Use	Zoning
North	Agriculture and Open Space	A-1 Agriculture
East	Open Water and Campground/Mobile Home Park	AO-1 Agriculture and Open Space, R-3 Manufactured/Mobile Home Park, C-2 General Commercial
South	Open Water	Dane County
West	Agriculture and Single-Family Residence	A-1 Agriculture

### **Analysis:**

Schoepp’s Cottonwood Resort is open April -October. The resort consists of both a manufactured/mobile home park and campground sites. The campground portion of the park is currently considered to be legal nonconforming, as it is operating on land zoned R-3 Manufactured/Mobile Home Park. In addition to this Conditional Use Permit, the owner is also seeking a Plan Amendment and Rezone to bring the existing campground and mobile home park uses into conformance with the Zoning Code.

The property owner is proposing to rezone the property so that it aligns with the current use of the property, as well as add RV/campground sites. 19 new campground sites are proposed, along with 1 new mobile home site. 3 of the camping sites will be reclassified as mobile home sites. These can be viewed on the site plan as sites 37, 39, 52. After all revisions are considered, there will be a total of 33 mobile home sites and 22 campground sites. All proposed campground sites will be seasonal sites. No overnight sites are proposed. There are no resort cabins or caretaker single-family residences on site, and none are proposed. It is important to note that the manufactured/mobile home park portion of the resort (located within proposed Lot 2), is not subject to a Conditional Use Permit; therefore, this request solely applies to proposed Lot 1 and the proposed 22 campsites therein.

The new campground sites, as shown in purple on the attached site plan, are located within newly filled areas. In 2022, the owner obtained a Conditional Use Permit for shoreland filling and grading more than 10,000 square feet to reclaim these areas, which were lost from previous flooding. A floodplain permit was also issued for this work. All proposed campground sites will be at least 35' from the water's edge of Crystal Lake. Camping units are allowed to be located as close as 35 feet from the ordinary high-water mark; however, accessory structures such as decks, sheds, and three-season rooms must be at least 75 feet from the ordinary high-water mark. The Department of Natural Resources identified the ordinary high-water mark to be set at an elevation of 868 feet. A copy of this determination is on file with the Columbia County Planning and Zoning Department.

All new sites are proposed to be tied into the existing systems. Two new lift stations will be installed to assist with servicing the new campground sites. The northern 11 sites will be tied into what is labeled on the site plan as "System B". The southern 11 sites will be tied into "System C".

There are currently three access points from the park to Schoepp Road. The owner is proposing to remove the middle access, so two will remain as part of this proposal. This will bring the park into compliance with Section 12.125.12(17). There is an existing bar and office on the property. This will be tied into the campground parcel, as some limited commercial uses are permitted as part of the campground, provided it provides direct service to the campground patrons. This allowance is noted in Section 12.125.12(1)(a).

A review of the Wisconsin Historical Society (WHS) feature class shows this area as a potential archaeological site. Due to this designation, the property owner will need to contact WHS to discuss the need for any additional archaeological review as part of this proposal. A copy of any WHS determinations should be provided to the Columbia County Planning and Zoning Department. A review of the WIDNR – Natural Heritage Inventory (NHI) Public Portal shows that this project is covered by the Broad Incidental Take Permit/Authorization for No/Low Impact Activities.

Section 12.125.12 outlines requirements for new or expanded campgrounds. This section of the ordinance is attached for reference.

### **Town Board Action:**

The West Point Town Board met on March 14, 2024 and recommended approval of the Conditional Use Permit with conditions.

### **Standards for Review:**

The proposed use complies with the General Criteria of Section 12.150.07(4) of the Columbia County Zoning Ordinance. See Attachment A for more details.

### **Recommendation:**

Staff recommends approval of the Conditional Use Permit for a Campground - Expansion, subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

### **Recommended Findings of Fact:**

1. Upon review of the guidelines in Section 12.150.07(4) of the Columbia County Zoning Ordinance, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
  - a. Crystal Lake Park LLC is the owner of the subject property.
  - b. Stephen J Bodenschatz is the registered agent of Crystal Lake Park LLC.
  - c. Steve Bodenschatz (aka Stephen J Bodenschatz) of Crystal Lake Park LLC is the applicant for a Conditional Use Permit.

- d. Crystal Lake Park LLC is requesting a Rezoning on the subject property to the RC-1 Recreation zoning district.
- e. Crystal Lake Park LLC is requesting a Conditional Use Permit to continue operation of a Campground and expand the use within the RC-1 Recreation zoning district.
- f. The property is already developed with a campground, mobile home park, bar and restaurant on site.
- g. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
- h. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
- i. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
- j. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
- k. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
- l. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

**Recommended Conclusions of Law:**

1. The subject property is located in the Town of West Point and is zoned AO-1 Agriculture and Open Space and R-3 Manufactured/Mobile Home Park.
2. A campground is a conditional use within the RC-1 Recreation zoning district.
3. Steve Bodenschatz of Crystal Lake Park LLC is the petitioner for a Rezoning on the subject property to the RC-1 Recreation district.
4. Steve Bodenschatz of Crystal Lake Park LLC is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Ordinance.
5. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Ordinance.
6. The petitioner is proposing to expand an existing Campground, which is allowed as a Conditional Use under Table 12.105.02(1).
7. The West Point Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Ordinance.
8. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)(b) and 12.150.07 of the Columbia County Zoning Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.
9. The standards of Section 12.125.12 of the Columbia County Zoning Ordinance are applicable.

**Recommended Conditions for the Decision:**

1. This Conditional Use Permit shall become effective upon recording of the Certified Survey Map associated with this request.
2. A deed restriction shall be filed with the Register of Deeds requiring both lots of the proposed Certified Survey Map to be sold/transferred under common ownership.
3. The Conditional Use Permit shall remain in effect as long as the owner obtains an annual campground permit from the Planning and Zoning Department.
4. The owner shall work with the Wisconsin Historical Society to identify any archaeological sites on the property prior to development. A copy of WHS determinations shall be filed with the Planning and Zoning Department.
5. Any amendments to the site plan shall be reviewed and approved by the Planning and Zoning Department, with significant changes, as determined by the Zoning Administrator, being referred to the Town and Committee for action.
6. New lighting provided by the campground shall be oriented so that the lighting element (or transparent shield) is not visible from any adjacent public roads or residential property. The use of shielded

luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.

7. Signage shall comply with Subsection 12.145 of the Columbia County Zoning Code.
8. The provisions of Section 12.125.12 of the Columbia County Zoning Code are hereby incorporated as part of this Conditional use Permit.
9. The owner and operator shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
10. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
11. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) of the Columbia County Zoning Ordinance, or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.
12. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of West Point and Crystal Lake Park LLC; c/o Steve Bodenschatz are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, for which the County has not assumed direct enforcement authority, upon written request by the Town, the County reserves the right to review the Conditional Use Permit.

**Section 12.150.07(4): Criteria for review of all Conditional Uses**  
**Re: Public Hearing Item 4: Crystal Lake Park LLC – Schoepp’s Cottonwood Resort -  
Campground**

*\*Staff comments are italicized after each review item.*

Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making a decision.

- (1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands. *The campground is existing, and the proposed CUP will add 19 new campsites. Issues which could be seen as having the potential to be detrimental appear to be able to be adequately mitigated by the application of conditions of approval, as well as abiding by all permitting requirements.*
- (2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area. *The new sites will essentially be located within the confines of the existing park. The physical character of the area will remain unchanged as the use is existing.*
- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover. *The new sites will be added to areas already filled, graded, etc. Because all earthmoving activities have already been conducted, the addition of campsites in these locations should involve minimal land disturbance and no new erosion.*
- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands. *Filling and grading for the new sites has already been completed in conformance with applicable ordinance.*
- (5) The site has adequate utilities, including if necessary acceptable disposal systems. *The property has 4 septic systems. The new sites will be tied into existing systems. Analysis has already been completed by Arlington Hardware on the existing systems and it was determined that they can handle the additional load. All systems are current on maintenance.*
- (6) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow. *Ingress and egress to the site is from existing driveways located on a town road. The proposed sites are seasonal, and the increase in traffic to/from the property due to the presence of 19 additional sites is not sufficient enough to create congestion or affect traffic flow above and beyond the existing use on the property.*
- (7) The Conditional Use shall conform with the standards of the applicable district(s) in which it is located. *Campgrounds must comply with the conditions of approval as well as the standards set forth within the Columbia County Zoning Code, specifically 12.125.12.*



**SEC. 12.125.12            CAMPGROUND.**

- (1) For the purpose of this section, the following terms and phrases shall be defined as:
  - (a) Service facility: A facility, indoor or outdoor, providing direct services to only those persons camping on site, registered as guests or visitors or persons making a bona fide visit to check out the campground, or otherwise paying for the use of the campground. Examples of a service facility may include, but are not limited to, a restaurant, store, office, sanitary facility, or an area providing storage services to persons camping on site.
  - (b) Recreational facility: A facility, indoor or outdoor, providing recreational activities to only those persons camping on site, registered as guests or visitors or persons making a bona fide visit to check out the campground, or otherwise paying for the use of the campground. Examples of a recreational facility may include, but are not limited to, picnic areas, pools and swimming beach areas, game rooms, or play courts and fields. A recreational facility may be passive or active.
  - (c) Active recreational facility: A recreational facility providing recreational activities that are moderate to high in intensity. Examples of an active recreational facility include but are not limited to pools, swimming beach areas, playgrounds, or play court and fields.
  - (d) Passive recreational facility: A recreational facility providing recreational activities that are low in intensity. Examples of a passive recreational facility include but are not limited to walking trails, natural areas, or wildlife areas.
  - (e) Approved area: One or more approved recreational/service areas delineated by the Department based on an initial or amended approved plan.
- (2) The application for a conditional use permit shall include the following information:
  - (a) A written description of the proposed operation, including proposed months of operation; desired types of camping units; other ancillary uses proposed for the site; and assurances that the campground will be developed and operated in accordance with all approved plans.
  - (b) A campground plan map(s), drawn to scale, and including the proposed layout; location of camp sites, roads, parking areas, site boundaries; topography lines; minimum required yards; existing and proposed buildings and other structures; common recreational/service facilities; water supplies; sanitary waste disposal systems; grading plan and stormwater management system meeting the requirements of this Chapter; covered refuse storage areas; existing natural features including waterways, wetlands, floodplains, and shoreland areas; existing and proposed vegetation and recreation areas, and any other information the Zoning Administrator shall deem necessary. Professional engineering assistance is encouraged in such design, especially of access roadways, camping unit siting, site grading and stormwater management, and utility placement.
- (3) Within 90 days of the adoption of this Code by a town each campground in that town shall submit for the Planning and Zoning Committees consideration and approval the following information which when approved shall serve as the campgrounds initial plan approval:

- (4) A written description of the operation, including months of operation; desired percentage of different desired types of camping units; and other ancillary uses proposed for the site.
- (5) A campground plan map(s), drawn to scale, and including the proposed layout; location of camp sites and types(s) of units each site will accommodate, roads, parking areas, active camping area, site boundaries; existing and proposed buildings and other structures; common recreational/service facilities and areas; water supplies; sanitary waste disposal systems; and covered refuse storage areas.
- (6) A preexisting camping unit that exceeds 400 square feet that is identified in the initial plan shall be considered a legal nonconforming structure.
- (7) Creation, modification or expansion of recreational/service facilities.
- (8) Modification of recreational/service facilities within an approved area is allowed provided a zoning permit is obtained.
- (9) Expansion of existing or creation of new recreational/service facilities outside of an approved area is allowed provided the following conditions are met:
  - (a) The total combined area of new or expanded facilities cannot exceed 15% of the approved area.
  - (b) The boundary of the new or expanded facility is at least 40 feet from exterior campground lot lines, or 100 feet from the nearest residence, whichever is greater.
  - (c) A zoning permit is obtained for the new recreation/service area.
- (10) Expansion or creation of passive recreational facilities shall not require approval.
- (11) Modification of an approved plan which only moves sites or units shall require plan approval by the Planning and Zoning Committee.
- (12) A new Conditional Use Permit shall be required for any of the following:
- (13) Expansion of the number or density of sites or units.
- (14) Creation of new or expansion of existing recreational/service facilities greater than 15% of the current approved area.
- (15) Maintenance and storage structures required for the operation of the campground shall only require a zoning permit.
- (16) No single camping unit shall be occupied by the same party for a period of time longer than six continuous months in any 12-month period, except as may be further limited by State Statutes or Administrative Rules.
- (17) Campground shall have direct access to a public road, with no more than two camp road access points to each abutting public road for the first 100 camp sites, plus one additional access for each 100 sites thereafter.
- (18) Camp sites and access roads shall be located, graded, and maintained so as to provide each site with positive site drainage.
- (19) Minimum lot size for any campground established after March 21, 2012 shall be 10 acres.
- (20) Maximum gross density shall be eight individual camp sites or camping units per acre of active camping area, unless modified by a conditional use permit. Active camping area consists of camp sites and land supporting the camp sites including access roads, recreational facilities, and other permanent campground infrastructure. No more than 10



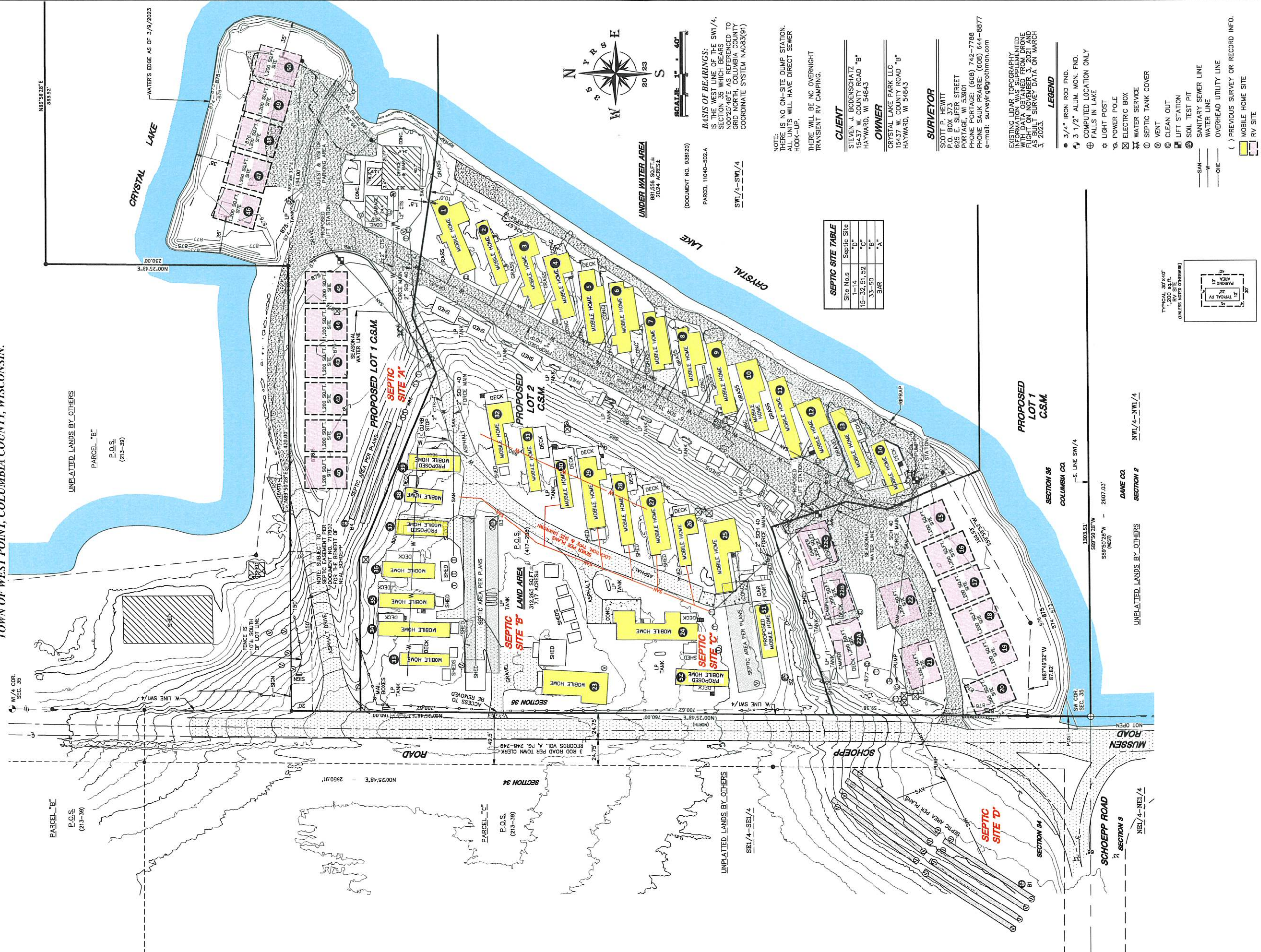
percent of the area used in the calculation of maximum density shall include navigable water, wetlands, or woodlands in which there are no camp sites or units.

- (21) Individual camp sites shall be at least 1,200 square feet in area. Each camp site shall be clearly marked with an alpha or numeric symbol on a sign which is clearly visible from an access road. Annually a map shall be available to the campground occupants and the County indicating active camping area and the layout of the camp sites and their location in that area.
- (22) There shall be a minimum separation of 10 feet between camping units. Any accessory structure on the campsite, such as but not limited to, a deck, porch, awning, or storage structure shall be considered part of the camping unit for purposes of this separation requirement. The total footprint of these accessory structures shall not exceed 400 square feet. Any pre-existing accessory structures that exceed this standard shall be considered a legal nonconforming structure.
- (23) Separate areas may be designated as a campground for group camping in tents. Within each group camping area, no more than 20 tents containing no more than 80 persons per acre shall be permitted. The group camping area must be provided with proper sanitary service as required by State Statutes.
- (24) Each campground may have two single-family dwellings for the private use and occupation of the owners and caretakers of the campground.
- (25) Each campground may, for only those persons camping on site, registered as guests or visitors or persons making a bona fide visit to check out the campground, or otherwise paying for the use of the campground, provide for purchases of sundry supplies, cooked meals, and drinks including alcoholic beverages, if so licensed by the town.
- (26) Each campground may accommodate common recreational/service facilities and amenities such as swimming pools, tennis courts, and other similar facilities. These facilities shall be considered a part of the active camping area.
- (27) New or expanded campgrounds may be required to provide a landscaped transitional yard (see [Section 12.140.06\(2\)\(d\)](#)) along all exterior lot lines and public roads adjacent to the campground.
- (28) Each campground established after March 21, 2012 shall provide a minimum of 200 square feet per camping unit or one continuous acre of common recreation open space, whichever is greater. Yard areas within minimum required setbacks around the perimeter of the campground and land within landscaped transitional yards may not be counted towards meeting this requirement.
- (29) Each campground shall be maintained under a single management so that responsibility can be easily placed for cleaning of common facilities such as water supply, sewage disposal station, toilet, laundry, and washrooms, and refuse areas, and for enforcement of camp site cleanliness.
- (30) For mobile/manufactured homes, camping cabins, resort cabins, park models, yurts, or other permanent or semi-permanent structures or units there shall be a minimum 40-foot landscaped transitional yard between the exterior boundaries of such structures or units and any adjacent properties and public roads.

- (31) The number of resort cabins within a campground shall not exceed 15 percent of the total number of camping units in the campground.
- (32) Each campground shall comply with all state regulations applicable to campgrounds, except as may be permitted through other licenses or approvals from the state.
- (33) In addition to any state required license fee, each operator of a campground shall pay an annual permit, on a form provided by Columbia County to enable the County to confirm compliance with the standards of this chapter and fulfill state reporting requirements. All permits must be obtained by April 31<sup>st</sup> of each year, at which time the management shall provide a map indicating the active camping area and the layout of the campsites and units and their location in the active area.

# Schoepp's Cottonwood Resort Site Plan

BEING A PART OF THE SW1/4 OF THE SW1/4, SECTION 35, T. 10 N., R. 7 E.,  
TOWN OF WEST POINT, COLUMBIA COUNTY, WISCONSIN.



**UNDER WATER AREA**  
881,556 SQ. FT. ±  
20.24 ACRES  
(DOCUMENT NO. 938120)  
PARCEL 11040-502A  
SW1/4-SW1/4

**NOTE:**  
THERE IS NO ON-SITE DUMP STATION.  
ALL UNITS WILL HAVE DIRECT SEWER  
HOOK-UP.  
THERE WILL BE NO OVERNIGHT  
TRANSIENT RV CAMPING.

SEPTIC SITE TABLE	
Site No.s	Septic Site
1-14	"D"
15-32, 51, 52	"C"
33-50	"B"
BAR	"A"

**CLIENT**

STEVEN J. BODENSCHATZ  
15437 W. COUNTY ROAD "B"  
HAYWARD, WI 54843

**OWNER**

CRYSTAL LAKE PARK LLC  
15437 W. COUNTY ROAD "B"  
HAYWARD, WI 54843

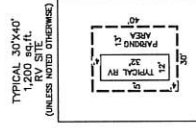
**SURVEYOR**

SCOTT P. HEWITT  
P.O. BOX 373  
625 E. SLIPPER STREET  
PORTAGE, WI 53907  
PHONE: (608) 742-7788  
PHONE FAX: (608) 742-7788  
E-MAIL: surveying@grothman.com

EXISTING LIDAR TOPOGRAPHY  
INFORMATION WAS SUPPLEMENTED  
WITH GPS SURVEY DATA  
AS BUILT SURVEY DATA ON MARCH  
3, 2023.

**LEGEND**

- 3/4" IRON ROD FND.
- ▲ 3 1/2" ALUM. MON. FND.
- ⊕ COMPUTED LOCATION ONLY
- ⊖ FALLS IN LAKE
- ⊙ LIGHT POST
- ⊖ POWER POLE
- ⊖ ELECTRIC BOX
- ⊖ WATER SERVICE
- ⊖ SEPTIC TANK COVER
- ⊖ VENT
- ⊖ CLEAN OUT
- ⊖ LIFT STATION
- ⊖ SOIL TEST PIT
- SAN— SANITARY SEWER LINE
- W— WATER LINE
- OHE— OVERHEAD UTILITY LINE
- ( ) PREVIOUS SURVEY OR RECORD INFO.
- 🚐 MOBILE HOME SITE
- 🚐 RV SITE



SCHOEPP'S COTTONWOOD RESORT SITE PLAN  
FOR  
STEVEN J. BODENSCHATZ  
TOWN OF WEST POINT  
COLUMBIA COUNTY, WISCONSIN

NO.	DATE	REVISION	BY	CHKD	SHEET	OF
					1	1

**GROTHMAN & ASSOCIATES S.C.**  
PROFESSIONAL SERVICES  
625 EAST SLIPPER STREET, P.O. BOX 373 PORTAGE, WI 53901  
PHONE: (608) 742-7788 FAX: (608) 644-8877  
E-MAIL: surveying@grothman.com

THIS INSTRUMENT DRAFTED BY T. KASPER

FILE NO.  
1220-779  
PROJECT NO.  
213-89  
DRAWING NO.  
1220-779CUP