

# Dane County Rezone & Conditional Use Permit

<b>Application Date</b>	<b>Petition Number</b>
07/18/2018	DCPREZ-2018-11337
<b>Public Hearing Date</b>	<b>C.U.P. Number</b>
09/17/2018	DCPCUP-2018-02436

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME EDWARD J & CAROL KNAPTON	PHONE (with Area Code) (608) 222-2269	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 4311 VILAS HOPE RD		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip)	
E-MAIL ADDRESS KNAPTON@CHARTER.NET		E-MAIL ADDRESS	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
4311 VILAS HOPE RD		4305 VILAS HOPE ROAD			
TOWNSHIP COTTAGE GROVE	SECTION 7	TOWNSHIP COTTAGE GROVE	SECTION 7	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0711-073-8390-9		0711-073-8090-2			

REASON FOR REZONE	CUP DESCRIPTION
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AGRICULTURAL PRODUCTION OF PLANTS AND FLOWERS, WHOLESALE/RETAIL SALES OF AGRICULTURAL PRODUCTS, AND OPERATION OF A GARDEN CENTER	AGRICULTURE-RELATED USE (GARDEN CENTER), LANDSCAPING BUSINESS, RESIDENCE FOR AN OWNER OF THE AGRICULTURAL OPERATION (FARM RESIDENCE)
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	A-B Ag-Business District	30.7	10.121(3)(a)and (b).	34
C-2 Commercial District	A-B Ag-Business District	3.3		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS  RWL1	SIGNATURE:(Owner or Agent) <i>Edward and Carol Knapton</i>
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PRINT NAME: Edward and Carol Knapton
DATE: 7/18/18

**Applicant:** Edward and Carol Knapton  
4311 Vilas Hope Road  
Cottage Grove, WI 53527  
Phone: 698-5627  
[Knapton@charter.net](mailto:Knapton@charter.net)

**Proposal:** Mr. and Mrs. Knapton, owner of America's Best Flowers, would like to change the zoning of their property to bring the existing business operation into compliance with current zoning regulations. The request is to change the zoning of the entire property to A-B Agriculture-Business to facilitate the production of plants and flowers on the property and for the wholesale/retail sales of the plants and flowers. A conditional use permit is requested for the operation of a landscaping business, retail sales of other products, and allowing for a residence for an owner of the farming operation.

**Site:** **4305/4311 Vilas Hope Road**  
The property consists of two parcels containing approximately 34 acres  
The site is detailed on the map below:

**Legal Description:** Part of the North ½ of the Southwest ¼ of Section 11, T07N, R07E, Town of Cottage Grove, more fully described as follows: Commencing at the West ¼ corner section; thence N85DEG30'31"E 585.11 FT to the Point of Beginning; Thence N85DEG30'31"E 452.33 FT; thence S0DEG47'51"E 947.87 FT; thence N85DEG32'8"E 692.53 FT; thence S0DEG47'51"E 373.79 FT to the south line of said ½ of the ¼ section; thence S85DEG32'8"W 1721.04 FT to the west section line; thence N1DEG10'58"W 983.42 FT; thence N85DEG42'50"E 584.99 FT; thence; N1DEG10'58"W 339.31 FT to the Point of Beginning. Also Lot 1 of Certified Survey Map #2479.

**Existing Zoning:** The property contains multiple zoning districts. There are 30.7 acres within A-1Ex Exclusive Agriculture Zoning District and there are 3.3 acres within the C-2 Commercial Zoning District. There is a conditional use permit, CUP #1031, to allow for a residence for a watchman/ caretaker.

**Existing Uses:** America's Best flowers has been in business for 41 years. The primary farm operation is growing of flowers within 85,000 square feet of greenhouse space. The operation includes a landscaping division, a wholesale division, and floral division. Activities include growing of agricultural product (plants and flowers), wholesale business of agricultural products, a retail garden center business, a landscaping business operation. The property also contains a residence for the property owner (owner of the farming business).

**Adjacent land uses:** The adjacent land uses located on Vilas Hope Road include an excavating/landscaping business, single-family residences, and a horse boarding facility. Adjacent properties to the north, south, and west are agricultural fields.

**Town Comprehensive Plan:** The Town Plan designates the area within the Agricultural Preservation planning area. The Town Plan allows for the expansion of existing businesses at the Town Board's discretion. The zoning district classification of A-B Agri-Business is designated as an appropriate zoning district within the Agricultural Preservation Planning Area.



# Information for the Conditional Use Permit

## Requested Conditional Uses:

Agriculture related uses: Allow for the retail sales of items related to gardening as part of the garden center, including but not limited to pottery, fertilizer, chemicals, cut flower, landscaping supplies, and seasonal products.

Landscaping supply or contracting business: Allow for the landscaping operations as part of America's Best Flowers landscaping division.

Farm residence: Allow for a residence for an owner of the farming operation (plant production).

**Legal Description:** Part of the N ½ of the Southwest ¼ of Section 11, T07N, R07E, Town of Cottage Grove, more described as follows: Commencing at the West ¼ corner section; thence N85DEG30'31"E 585.11 FT to the Point of Beginning; Thence N85DEG30'31"E 452.33 FT; thence S0DEG47'51"E 947.87 FT; thence N85DEG32'8"E 692.53 FT; thence S0DEG47'51"E 373.79 FT to the south line of said ½ of the ¼ section; thence S85DEG32'8"W 1721.04 FT to the west section line; thence N1DEG10'58"W 983.42 FT; thence N85DEG42'50"E 584.99 FT; thence; N1DEG10'58"W 339.31 FT to the Point of Beginning. Also included is Lot 1 of Certified Survey Map #2479.

## Types of Activities associated with the conditional uses:

Hours of operation: Garden Center: 8am to 8pm. Special Events (4/year) until 10pm.  
Landscaping operation: 6:00am to 8:00pm

Number of Employees: Approximately 30

Anticipated Customers: Varies seasonally from 50 customers up to 1000 customers per day

Outdoor Storage: As part of the landscaping operation mulch, gravel, soil, is stored outside along with the landscaping vehicles and equipment. The garden center displays retail products periodically.

Outdoor Activities: Retail sales of product periodically. Charitable events and markets

Outdoor loudspeakers: None.

Proposed signs: No additional signs. There is an existing freestanding sign along Vilas Hope Road.

Trash removal: Contracted with disposal service.

## Six Standards of obtaining a conditional use permit

1. The establishment will not be detrimental to or endanger the public. The landscaping business and the sales of agricultural products have been conducted on the property since 1990 with no issues. The existing activities will not be changing.
2. The operation will not substantially impair or diminish neighboring property. The business operations are being kept to reasonable hours. There has been no reduction of property values in the neighborhood.
3. The conditional use will not impede the orderly development of the neighborhood. The property is in an established residential neighborhood with limited development due to being in an agriculture preservation planning area. The existing business has been in operation since the 1990's with no complaints.
4. The area has adequate infrastructure for the existing businesses. No additional infrastructure needed.
5. There is an existing driveway entrance that has been approved by the Town of Cottage Grove. Vilas Hope Road is an improved roadway with a painted centerline.
6. All activities on the property are related to the agricultural production of plants and flowers.

EXISTING ZONING

ZONING ORDINANCE AMENDMENT NO. 4810

Amending Section 10.03 relating to Zoning Districts in the Town of

COTTAGE GROVE

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Cottage Grove be amended to include in the A-2 Agriculture and C-2 Commercial District the following described land:

Pet. #4810/860:

Part of NE 1/4 SW 1/4 Section 7, Town of Cottage Grove described as follows:

TO A-2: Commencing at the West quarter corner of said Section 7, said quarter corner being N 01° 10' 58" West, 15.00 feet from a brass cap concrete witness monument of the West line of said Section 7; thence N 85° 30' 30" East along the East-West quarter line of said Section 7, 1037.44 feet to the point of beginning of this description; thence continue N 85° 30' 31" East along said quarter line, 804.79 feet; thence S 00° 47' 51" East, 140.12 feet to a point; thence N 85° 30' 31" East, 170.85 feet to a point on the North-South quarter line of said Section 7; thence S 00° 47' 51" East along said North-South quarter line, 808.21 feet; thence S 85° 32' 08" West, 975.60 feet; thence N 00° 47' 51" West, 947.87 feet and the point of beginning of this description. ALSO TO C-2: Commencing at the South quarter corner of said Section 7, thence N 00° 47' 51" West on quarter line, 1475.94 to the point of beginning. Thence S 85° 32' 08" West, 283.07 feet; thence S 00° 47' 51" East, 153.82 feet; thence S 85° 32' 08" West, 233.58 feet; thence N 00° 47' 51" West, 373.78 feet; thence N 85° 32' 08" East, 516.65 feet; thence S 00° 47' 51" East, 219.96 feet to the point of beginning.

The amendment will be effective, if within 90 days its adoption by Dane County, the owner or owners of the land shall record the following restrictions on said land running in favor of Dane County and the pertinent Town Board as well as the owners of the land:

A. Commercial use of the C-2 Commercial area shall be limited to:

1. a landscape contracting business.
2. sale of materials utilized for landscaping such as gravel, stones, bark, timbers, etc.,.
3. sale of agricultural produce and horticultural stock.
4. equipment that is stored outside may not be located less than 100 feet from the front property line.

REZONE - 9-5-90  
CUP - 8-28-90

EFFECTIVE:



Dear Friends,

Many of you know but just so nothing is hidden I want to share with you the following. On June 7, 2017 I, Edward Knapton, was diagnosed with massive stage four prostate cancer with a Gleason score of 9. The cancer had spread to my pelvic region, covered my spine and was on some of my ribs. I am a veteran having served 4+ years during the Vietnam era and probably got prostate cancer because I was exposed to asbestos on the ship; as I was an E-6 Engineman and was covered in it at times. Other than my time at college and time in the service we have lived near Madison our whole lives. After buying my brothers out we still own 35+ acres of the original farm homestead of 1848. We had to sell off the rest to keep the farm business going in Cottage Grove.

Carol and I have operated our farming business for 41 years and want to leave the world something to help make it better. We have spent a year in trying to sell the business but that fell through. We now realize that it will take too long to sell and I will perhaps die before it is sold and the business will end.

We are in the process of creating an Employee owned company – an ESOP. As I am writing this we have 40 people on the payroll in the two garden centers, about 100,000 sq feet of greenhouse space. Payroll not including owners is over \$500,000 per year.

The zoning needs to be brought up to date at our Cottage Grove site at 4311 Vilas Hope Road. I learned when I went up to Dane County Zoning to talk about the new zoning changes coming, that we were non-conforming. I don't need this stress in my life wondering when I or the future ESOP will get a stop order from Dane County Zoning and the business fails – so it needs to be fixed. I can't live with the stress. Pamela Andros and I discussed a larger zoning district. We would like the larger zoning district to include our growing greenhouses since we sell and have sold for decades our plants, soil, pottery, chemicals, fertilizer, cut flowers, and basically all the things a garden center sells. Not including landscaping we still only after over 28 years sell about 90% plants but the ability to provide garden solutions with the pottery, fertilizer, chemicals, cut flowers, landscape supplies and other things a normal garden center sells allows us to stay in business. Farming and Garden Center Retailing has changed quite bit in 30 years.

Please help us continue this local farm business. We do a lot to support the local community and non profits in Dane County. Carol and I would like our company to continue even after I am no longer here.

God Bless  
Edward and Carol Knapton





July 14, 2018

Dear Pamela,

Thank you and Roger so much for your help. Please forgive me for crying. I am under a lot of stress and the drugs I am taking affect me mentally.

I want to make sure everything is done correctly so there will not be a problem in the future. Though there has been none in almost 3 decades.

Like a lot of garden centers in the US we have a lot of events and have had these for many years. Also like a lot of garden centers we have a landscape division, a wholesale division, and a floral division. We have many talks and many workshops for customers where they make something and take it home. This allows us to compete with businesses like Home Depot and Menards. In addition in the past in our huge parking lot in the summer we had a flea market. Two or three times per summer. In September we also adjust the tables and have an event called Art in the Garden. We invite local artisans to come and set up booths in our greenhouse and while they shop the artisans they also buy flowers. Also we have had boys and girls clubs come and sell food as a way to raise money during our busy time during one or two of our events in May and April as a way to get customers to shop longer. We also are thinking of adding a small Farmers Market as we have none in Cottage Grove.

In the past we had pick your own strawberries and pumpkins and we need to make sure we can do this along with normal farming activities.

We plant flowering containers at the Airport and hotels in the Madison, Rockford, and Milwaukee area. State of Wisconsin, Madison, MATC, HO Chunk, Dane County, and various landscapers also buy from us.

Even with all of the above it is not easy. Farming/Garden Center business is very seasonal. We basically have three seasons. Spring when 80% of our sales occur in 6 weeks. Fall when we sell mums, asters, pansies and other fall related items like pumpkins, gourds, and Indian corn. The Christmas season when we sell wreaths, roping, Christmas Trees, poinsettias and other Christmas plants along with a few Christmas gift items. If you have any questions, please call me at 608-698-5627.

God Bless,  
Edward & Carol Knapton

A handwritten signature in cursive script that reads "Edward + Carol Knapton". The signature is written in black ink and is positioned below the typed name.

| RECEIPT |

MADISON  
MADISON  
210 MARTIN LUTHER KING, JR. BLVD  
CITY TREASURER OFFICE

Application: DCPREZ-2018-11337  
Application Type: DaneCounty/Zoning/Rezone/NA  
Address: 4311 VILAS HOPE RD, TOWN OF COTTAGE GROVE, WI 53527

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Receipt No.	874321					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	10783	\$386.00	07/18/2018	RWL1		

Owner Info.: EDWARD J & CAROL KNAPTON  
4311 VILAS HOPE RD  
COTTAGE GROVE, WI 53527

Work Description:

LOIS RICE  
4300 VILAS HOPE RD  
COTTAGE GROVE WI 53527

ROBERT J HAMMOND  
MARY JO HAMMOND  
4319 VILAS HOPE RD  
COTTAGE GROVE WI 53527

EDWARD J KNAPTON  
CAROL J KNAPTON  
4311 VILAS HOPE RD  
COTTAGE GROVE WI 53527

STRAND FAMILY FARM LLC  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527

EDWARD J KNAPTON  
CAROL J KNAPTON  
4311 VILAS HOPE RD  
COTTAGE GROVE WI 53527

GREG M ZUKOWSKI  
ANN M ZUKOWSKI  
4281 VILAS HOPE RD  
COTTAGE GROVE WI 53527

DOOR CREEK GOLF COURSE INC  
4321 VILAS RD  
COTTAGE GROVE WI 53527

EDWARD D EKLOF  
MARGARET L LARSON-ECKLOF  
4293 VILAS HOPE RD  
COTTAGE GROVE WI 53527

PETER A SERSCH  
DANIELLE R SERSCH  
4316 VILAS HOPE RD  
COTTAGE GROVE WI 53527

EDWARD D EKLOF  
MARGARET L LARSON-ECKLOF  
4293 VILAS HOPE RD  
COTTAGE GROVE WI 53527

KATHERINE A STRAND  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527

HOMBURG LIVING TR BRUCE M  
6002 MILWAUKEE ST  
MADISON WI 53718

DEBBIE RICE  
4083 ORIENT DR  
HERNANDO BEACH FL 34607

NATHANIEL P SNYDER  
MARTHA JAHN SNYDER  
320 FORRESTEN DR  
COTTAGE GROVE WI 53527

STRAND FAMILY FARM LLC  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527



LOIS RICE  
4300 VILAS HOPE RD  
COTTAGE GROVE WI 53527

KRIZAN LIVING TR  
4547 STEIN AVE  
MADISON WI 53714

EDWARD D EKLOF  
MARGARET L LARSON-ECKLOF  
4293 VILAS HOPE RD  
COTTAGE GROVE WI 53527

EDWARD J KNAPTON  
CAROL J KNAPTON  
4311 VILAS HOPE RD  
COTTAGE GROVE WI 53527

STRAND FAMILY FARM LLC  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527

GEORGESON PROPERTY LLC  
122 W WASHINGTON AVE #35  
MADISON WI 53703

EDWARD J KNAPTON  
CAROL J KNAPTON  
4311 VILAS HOPE RD  
COTTAGE GROVE WI 53527

KRIZAN LIVING TR  
4547 STEIN AVE  
MADISON WI 53714

PETER A SERSCH  
DANIELLE R SERSCH  
4316 VILAS HOPE RD  
COTTAGE GROVE WI 53527

ROBERT J HAMMOND  
MARY JO HAMMOND  
4319 VILAS HOPE RD  
COTTAGE GROVE WI 53527

KATHERINE A STRAND  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527

KRIZAN LIVING TR  
4547 STEIN AVE  
MADISON WI 53714

HOMBURG LIVING TR BRUCE M  
6002 MILWAUKEE ST  
MADISON WI 53718

STRAND FAMILY FARM LLC  
4278 VILAS HOPE RD  
COTTAGE GROVE WI 53527

HOMBURG LIVING TR BRUCE M  
6002 MILWAUKEE ST  
MADISON WI 53718

TERENCE J STRAND  
NEDEEN STRAND  
4270 VILAS HOPE RD  
COTTAGE GROVE WI 53527

ST JOHN LE PAMELA R  
STEVEN J LAWVER  
4259 VILAS HOPE RD  
COTTAGE GROVE WI 53527

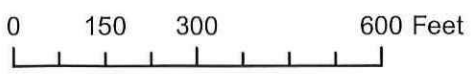
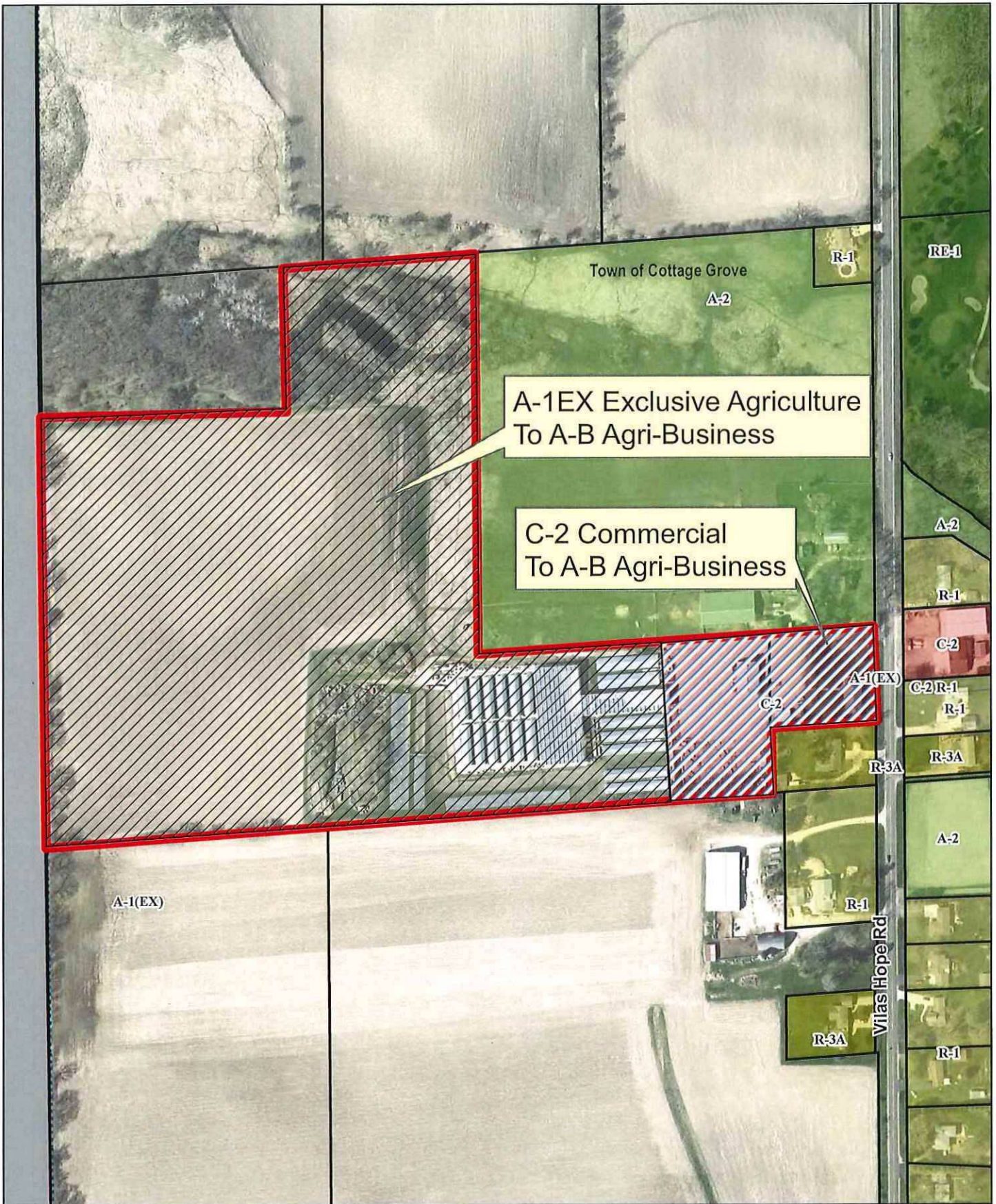
GREG M ZUKOWSKI  
ANN M ZUKOWSKI  
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COTTAGE GROVE WI 53527

DEBBIE RICE  
4083 ORIENT DR  
HERNANDO BEACH FL 34607

COPENHAVER REV TR  
5145 HORSEHEAD LAKE RD  
HARSHAW WI 54529

NATHANIEL P SNYDER  
MARTHA JAHN SNYDER  
320 FORRESTEN DR  
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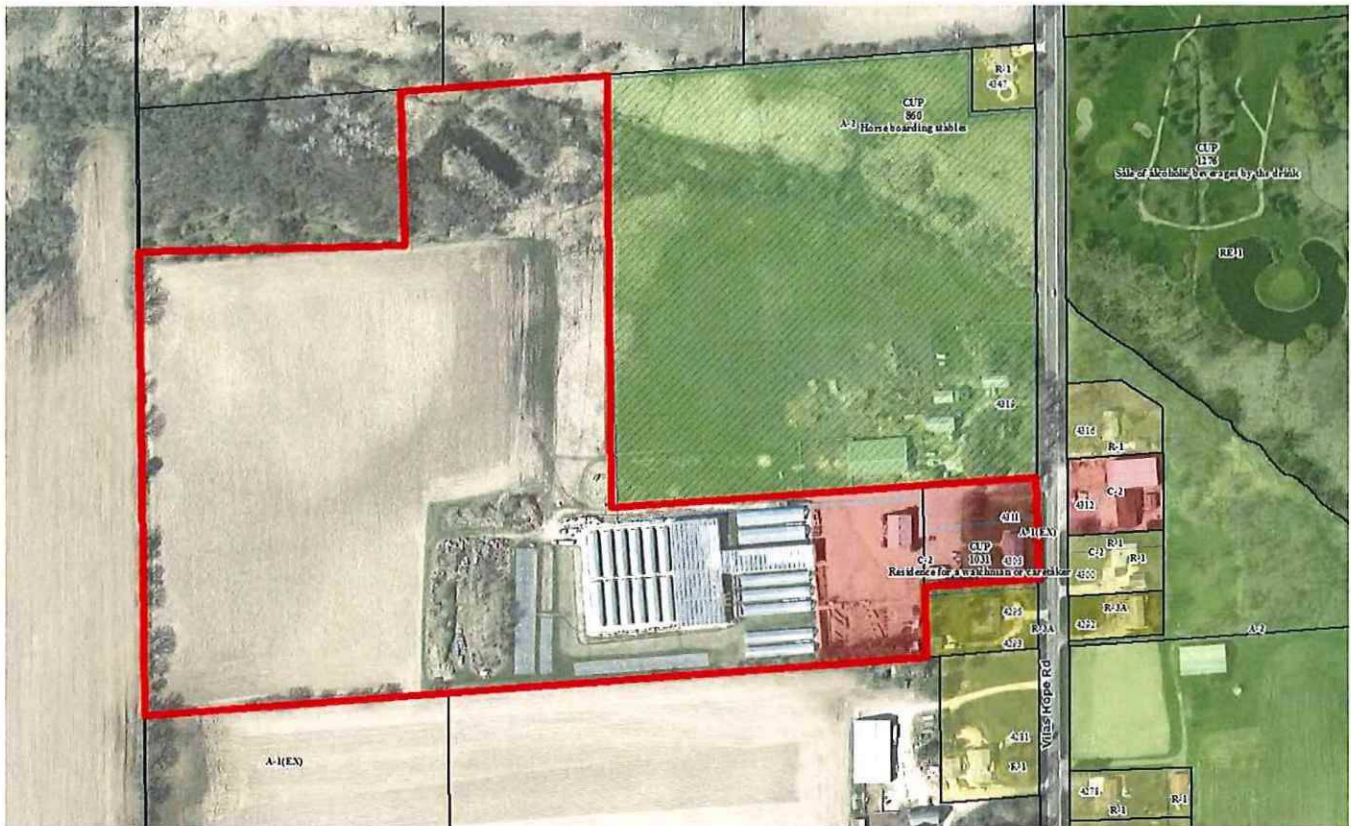
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MARGARET L LARSON-ECKLOF  
4293 VILAS HOPE RD  
COTTAGE GROVE WI 53527



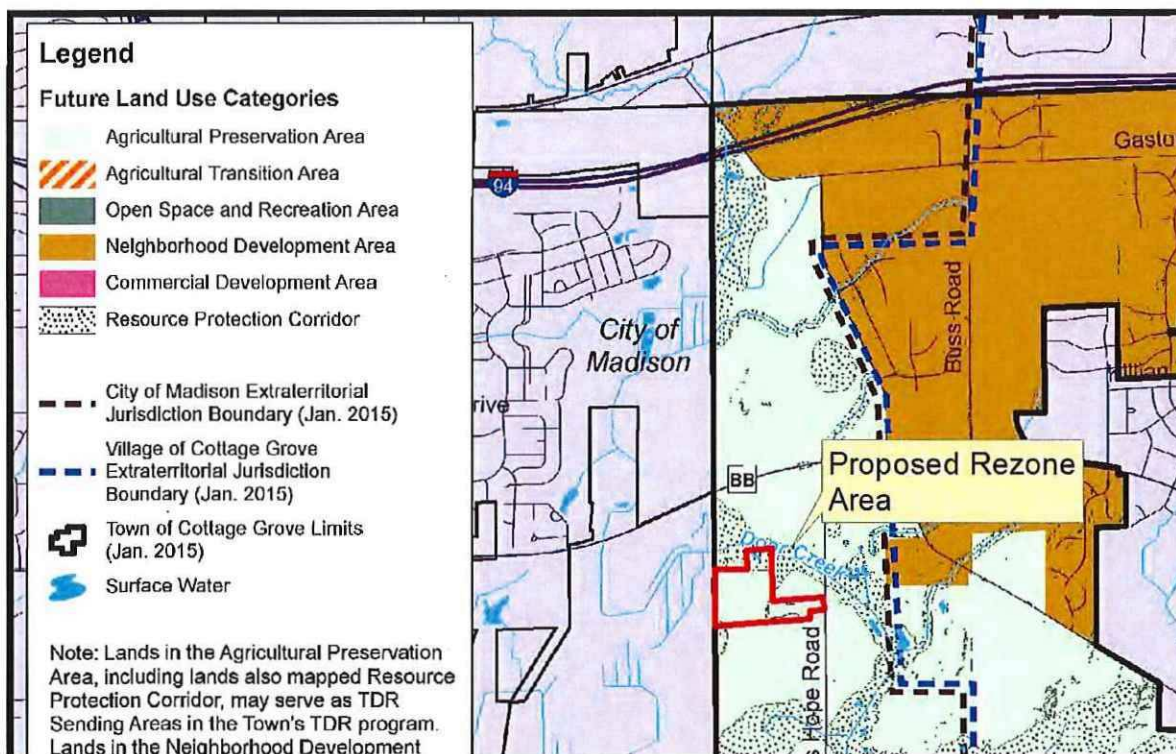
# Zoning District Amendment Map



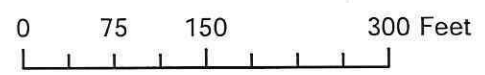
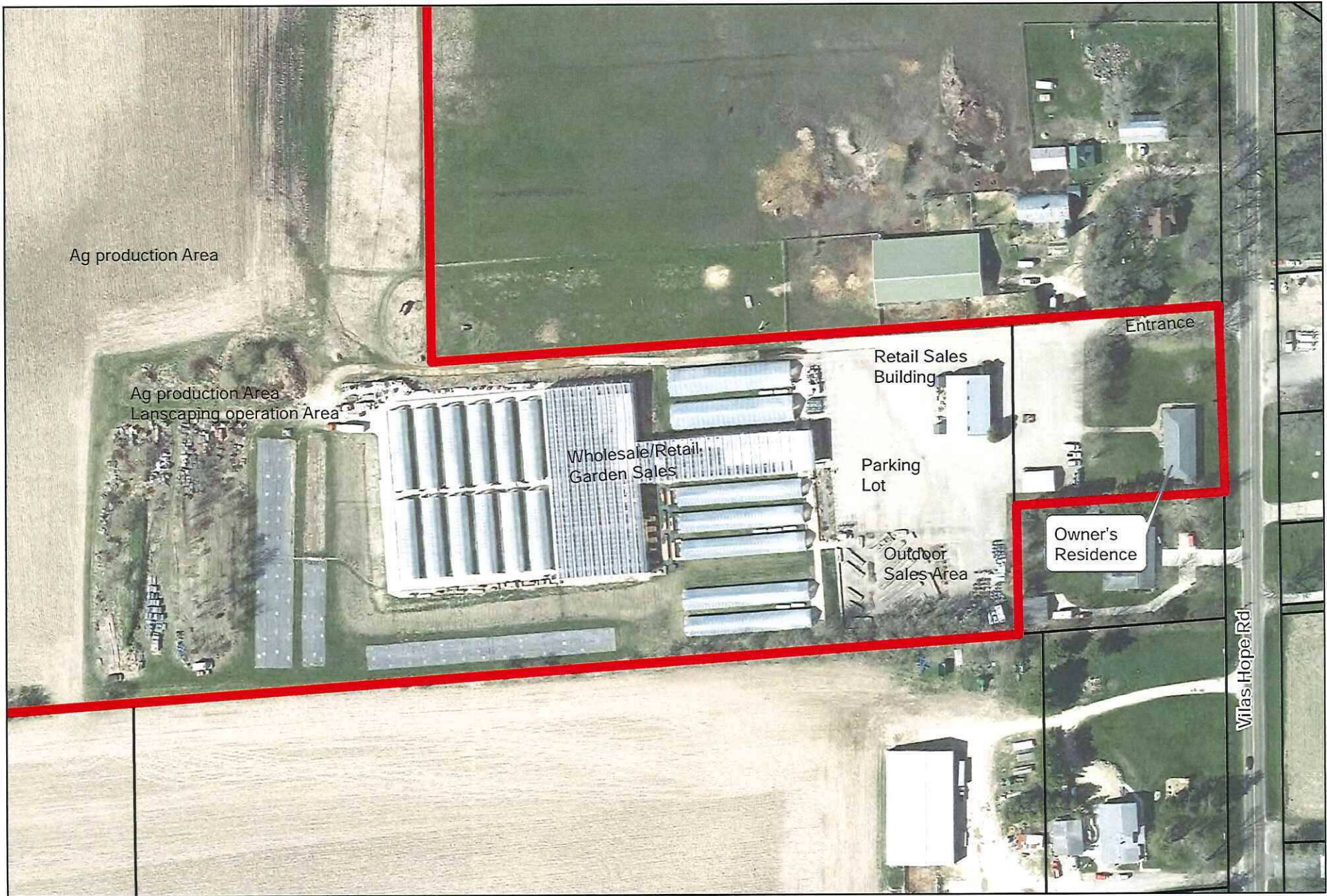
# Existing Zoning/Site Map



# Town Comprehensive Plan Map





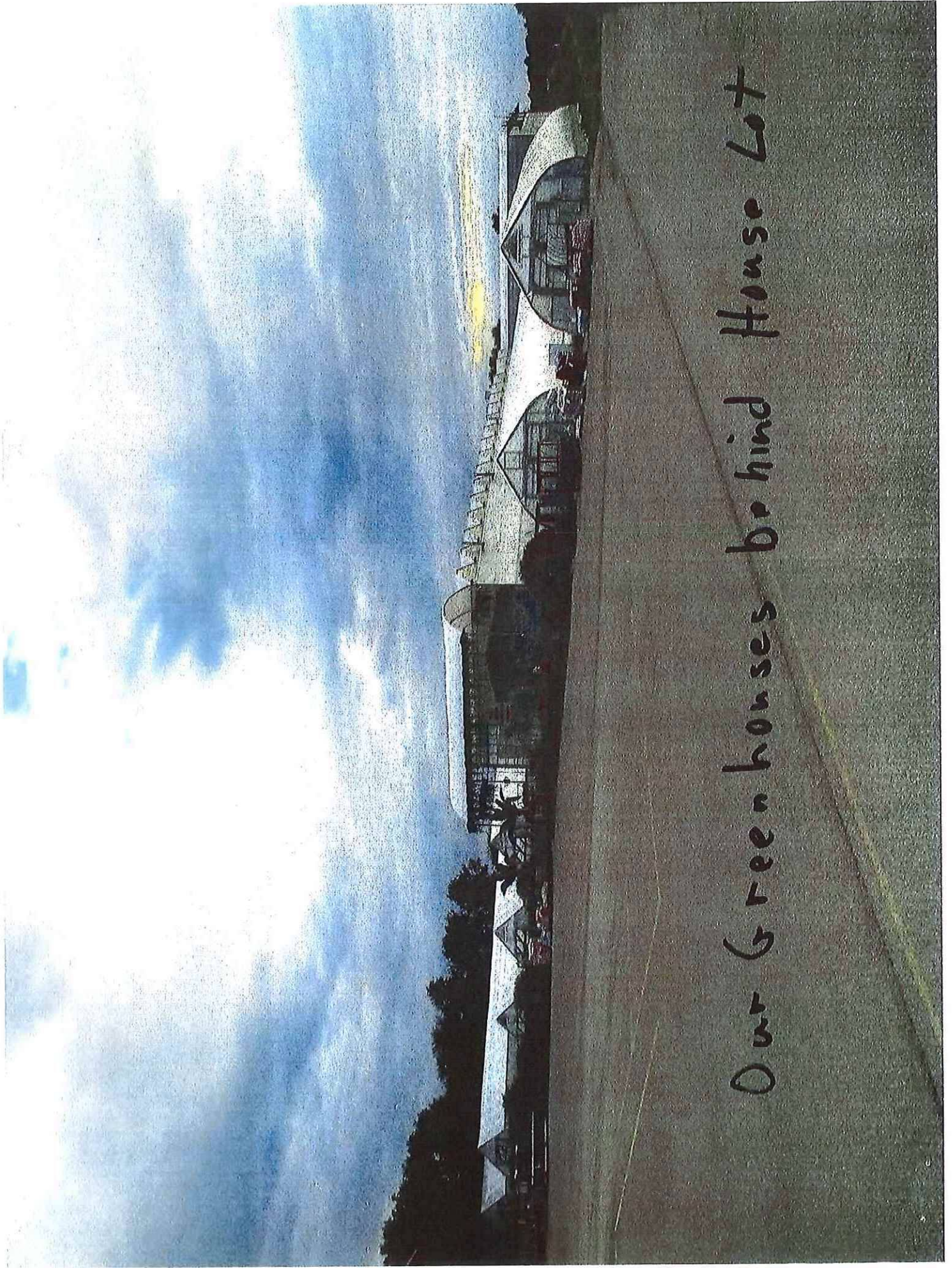


Operations Plan









Our Greenhouses behind House Lot



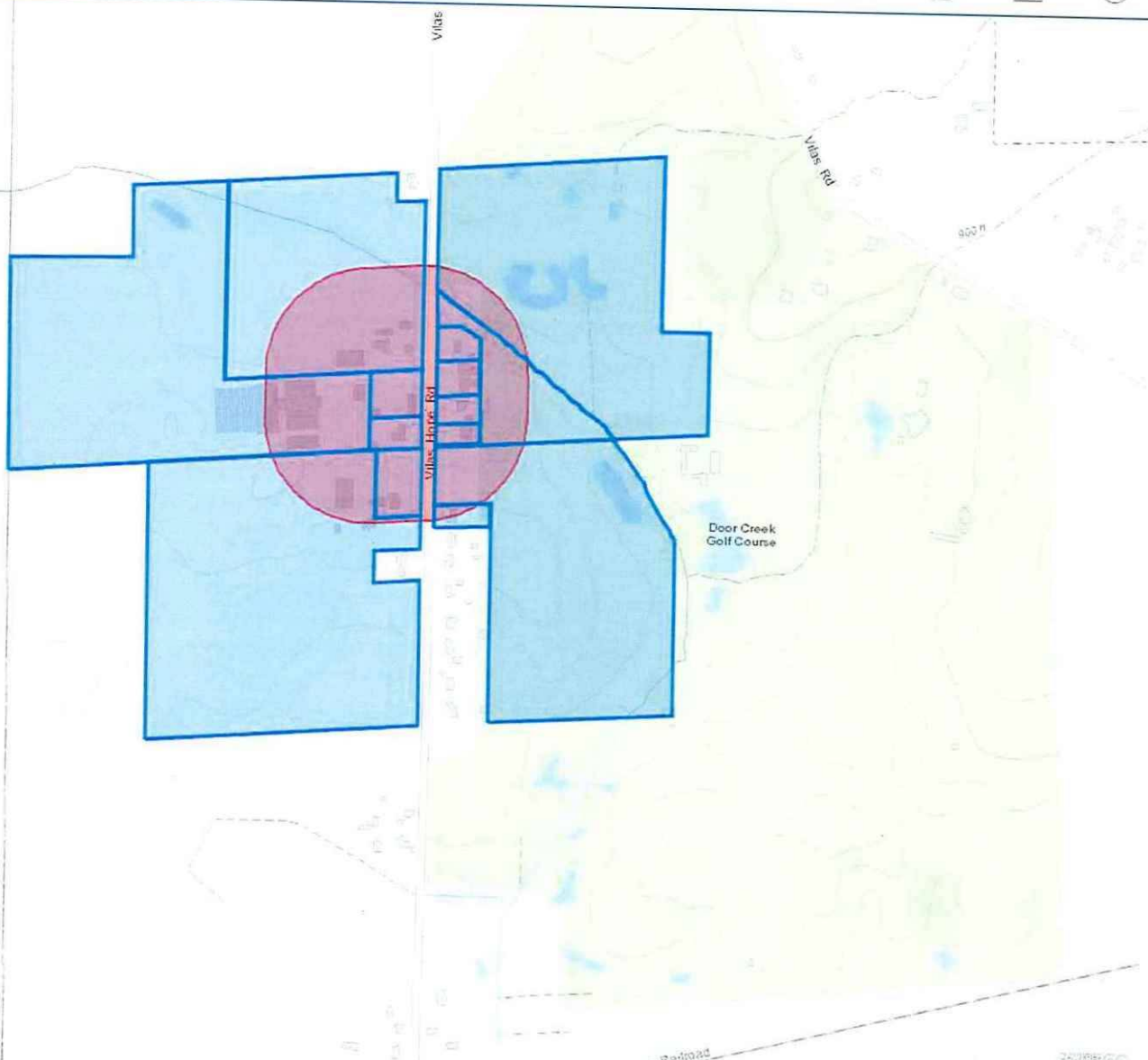
Our C-2 Zoned lot in Front

CHILDREN PRESENT  
DRIVE SLOW

FLOWER SHOP & GARDEN CENTER  
America's  
Best Flowers  
Certi. by Green for All  
5,000+ Flowering Containers  
Fresh Flowers For Parties



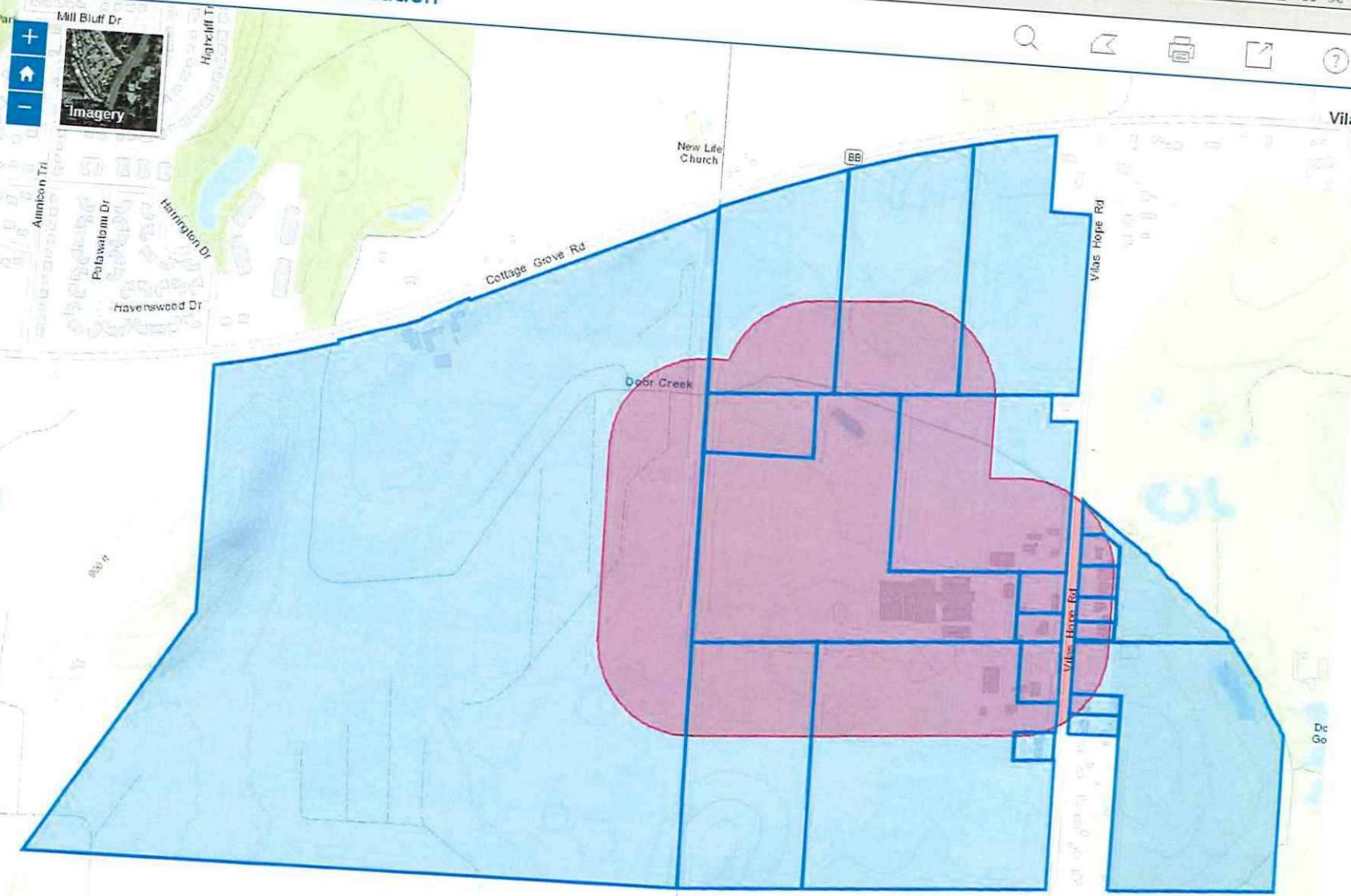




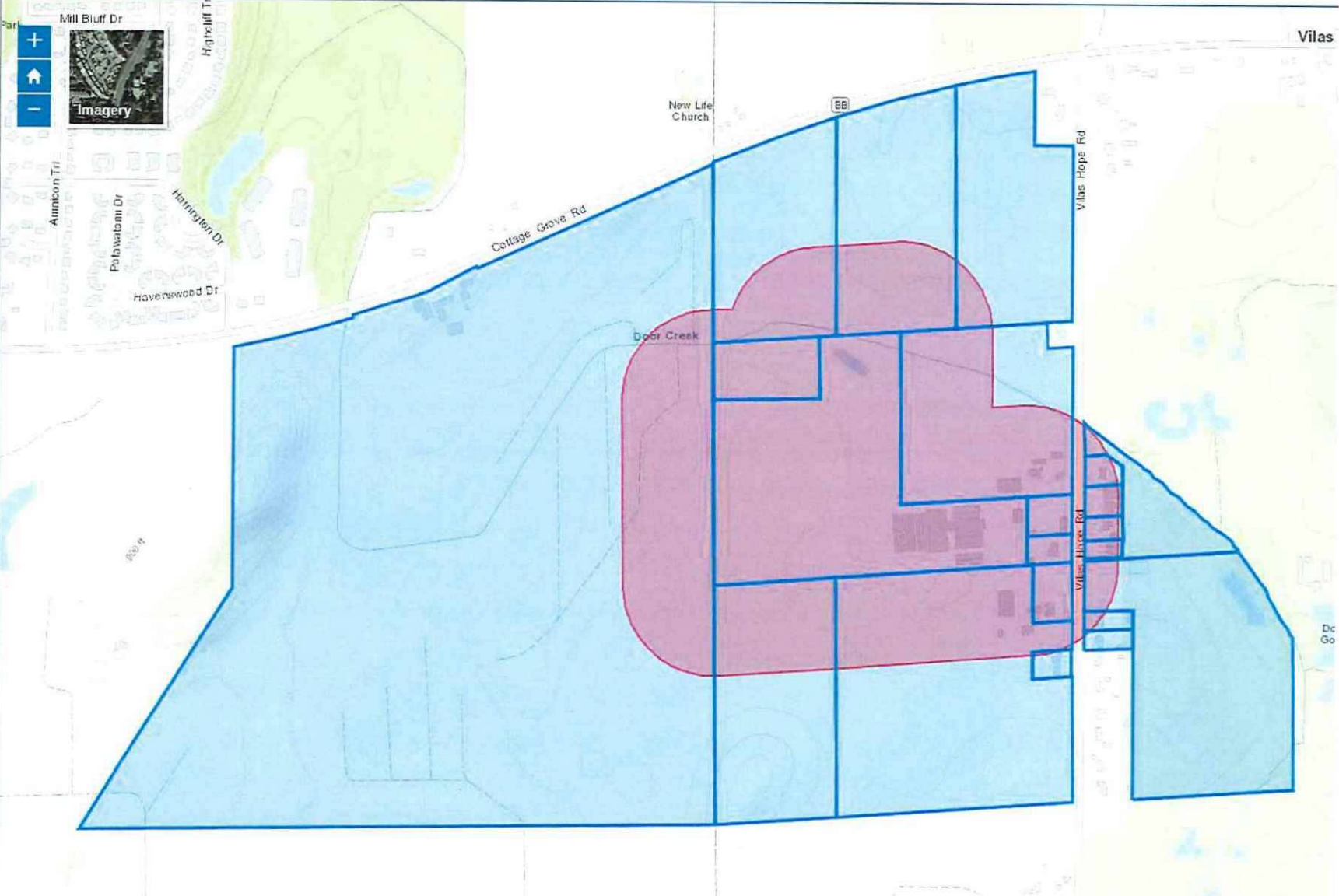
# Dane County Public Notification



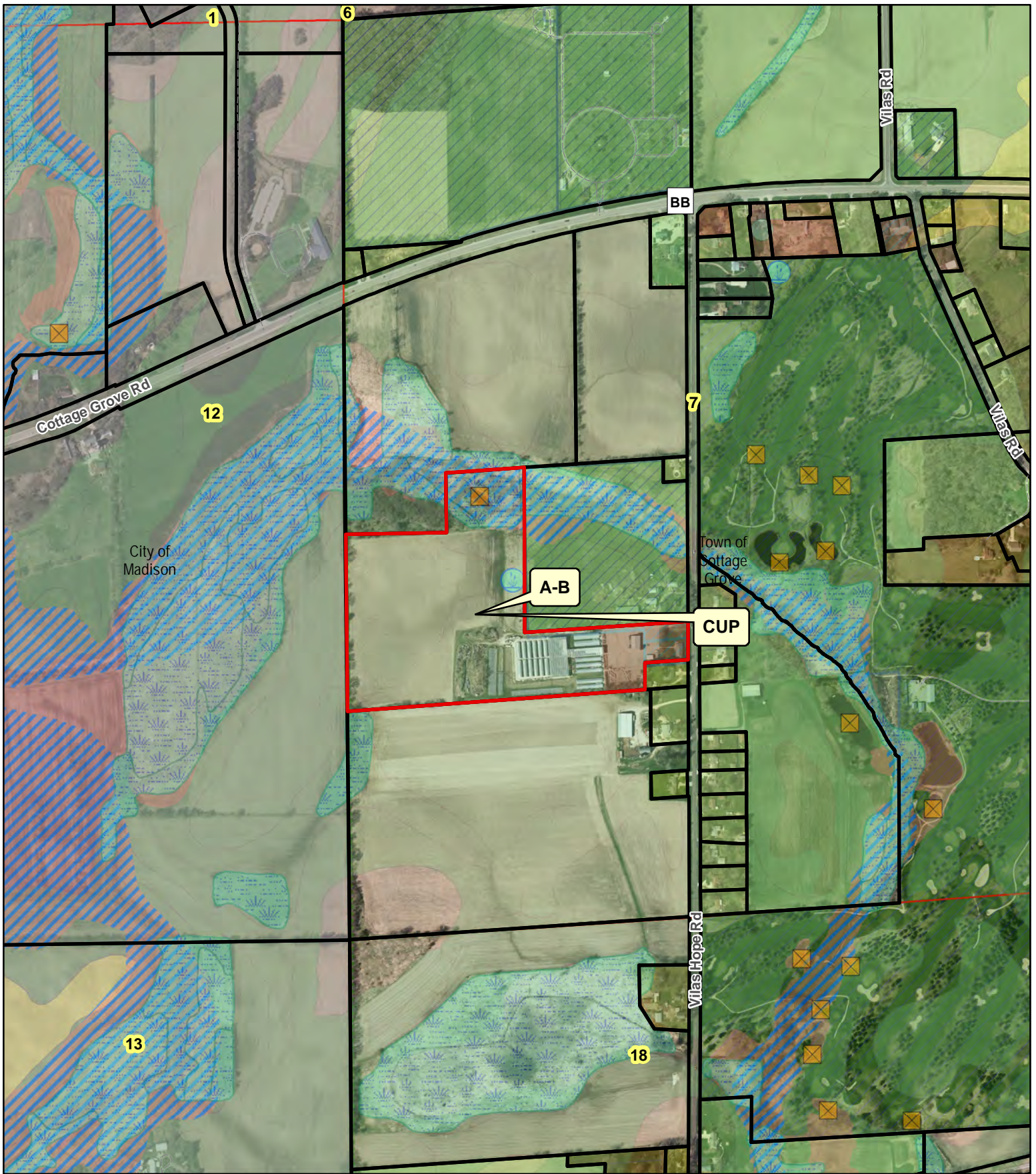
Vilas









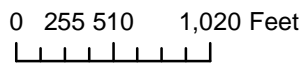






**Legend**

- |  |            |   |
|--|------------|---|
|  | Wetland    | <b>Significant Soils</b>  |
|  | Floodplain |  Class 1 |
|  |            |  Class 2 |



Petition 11337 /CUP 2436  
 EDWARD J & CAROL  
 KNAPTON