



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2441

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2441 for a Recreational facility lighted during the hours of darkness pursuant to Dane County Code of Ordinances Section 10.10(2), subject to any conditions contained herein:

The approval of CUP #2441, with associated 6 conditions, is to correct a ministerial error of the legal description associated with CUP #1632 that was approved in 2000.

EFFECTIVE DATE OF PERMIT: November 14, 2018

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

LOCATION: 3487 Bohn Road, Town of Vermont, Dane County, Wisconsin

Legal Description:

Parcel A

The North 1/2 of the Northeast 1/4 of Section 33, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, EXCEPT the following: that part of the Northwest 1/4 of the Northeast 1/4 of Section 33, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of said Section 33; thence East along the section line 997.85 feet to the point of beginning; thence South 120.0 feet; thence East 181.50 feet; thence North 120.0 feet; thence West 181.50 feet to the point of beginning of this exception. FURTHER EXCEPTING that part of the Northwest 1/4 of the Northeast 1/4 of Section 33, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, more fully described as follows: Beginning at the Southwest corner of said Northwest 1/4 of the Northeast 1/4; thence North along the West line of said Northwest 1/4 of the Northeast 1/4, 283 feet; thence East parallel with the South line of said Northwest 1/4 of the Northeast 1/4, 437.7 feet; thence South 18° East, 297.5 feet to the South line of said Northwest 1/4 of the Northeast 1/4; thence West 529.6 feet to the point of beginning of this exception.
Parcel Nos.: 060-0706-331-8000-8, 060-0706-331-8501-2

Parcel B:

A part of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, more fully described as follows: Commencing at the Northwest corner of the South 1/2 of the Northeast 1/4; thence East 1,421.0 feet along the North line of said South 1/2 of the Northeast 1/4 to the point of beginning; thence continue East 300.0 feet along said North line; thence South 23° West, 60.00 feet; thence South 54° West, 155 feet; thence West 150 feet; thence North 150 feet to the point of beginning.

Parcel No.: 060-0706-331-9590-3

Parcel C:

Part of the South 1/2 of the Southeast 1/4 of Section 28, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, more fully described as follows: Beginning at the South 1/4 corner of the said Section 28; thence due East along the section line 100.00 feet; thence North 0° 34' 24" West, 330.00 feet to the Northerly line of the South 10 acres of the Southwest 1/4 of the Southeast 1/4; thence due East along said Northerly line 1,320.18 feet; thence South 0° 10' 04" East along a line which is 100 feet East of the Easterly line of the said Southwest 1/4 of the Southeast 1/4, 330.00 feet to the South line of Section 28; thence East 626.43 feet; thence North 3° 55' West, 583.07 feet; thence North 62° 03' 52" West, 328.65 feet; thence North 02° 50' 00" West, 290.40 feet to the Northwest corner of Certified Survey Map 9063, recorded as #3029472; thence North 89° 46' 23" West, 384.91 feet to the Southwest corner of Certified Survey Map 8787, recorded as #2922104; thence North 0° 10' 04" West, 300.00 feet to the Northeast corner of the said Southwest 1/4 of the Southeast 1/4, which is also the Northwest corner of said Certified Survey Map 8787; thence North 89° 46' 23" West, 1,327.30 feet to the Northwest corner thereof; thence South 0° 34' 24" East, 1,332.57 feet to the point of beginning. EXCEPT any part lying within Lot 1 of Certified Survey Map 8787.

Parcel No.: 060-0706-284-9011-1

Parcel D:

A part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, more fully described as follows: Commencing at The Southeast corner of the said Section 28; thence due West along the section line 203.50 feet to the centerline of Bohn Road and the point of beginning; thence North 10° 14' West along the centerline of Bohn Road 49.87 feet; thence South 79° 46' West, 33.00 feet; thence South 26° 20' West, 26.35 feet; thence South 81° 28' West, 129.10 feet to the section line; thence due East 180.92 feet along the section line to the point of beginning.

Parcel No.: 060-0706-284-9840-8

Parcel E:

Part of the South 1/2 of the Northeast 1/4 of Section 33, Township 7 North, Range 6 East, in the Town of Vermont, Dane County, Wisconsin, more fully described as follows: Commencing at the Northwest corner of the said South 1/2 of the Northeast 1/4; thence East 529.6 feet along the North line of said South 1/2 of the Northeast 1/4 to the point of beginning; thence continue East 891.4 feet to a parcel previously deeded; thence South 150 feet; thence East 150 feet; thence North 54° East, 100 feet, more or less, to the Westerly line of the East 3/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 3.3; thence South 104 feet, more or less to a point which is 195 feet South of the North line of the said South 1/2 of the Northeast 1/4; thence West 1,058 feet, more or less, along a line which is 195 feet South of the said North line to a point in a line which bears South 18° East from the point of beginning; thence North 18° West, 205 feet, more or less, to the point of beginning.

Parcel No.: 060-0706-331-9010-4

CONDITIONS:

1. This conditional use permit will allow the entire property (as described above) to be lighted at night in accordance with the provisions below.
2. Outside light fixtures shall be located in the areas for the existing outdoor activities, the proposed tubing area, and for safety (parking lots and walkways).
3. All lights shall be installed and/or maintained in a manner (including directional LED lights, hoods or shields) so as to minimize direct illumination of adjoining premises and the night sky. No amount of relocation, aiming, or shielding will eliminate direct viewing or reflection of some of the lighting. If a specific fixture can be identified as posing a concern to a neighbor, Tyrol will review and make modifications if possible or reasonable from both an operational and economic (cost) perspective.
4. If current lighting is replaced or new lighting installed, the luminaires shall have a maximum Kelvin color temperature of 4000k.
5. Hours of lighting operation shall be limited to when the facility is open for recreational purposes or special events. However, partial lighting may be continued after closing provided every reasonable effort shall be made to limit lighting to only those areas where maintenance, snow making or grooming are taking place.
6. A safety and privacy fence shall be installed along the top of the tubing hill, near the northeast side of the Reinhold property.

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.

EXPIRATION OF PERMIT

In addition to any time limit established as a condition in granting this CUP, Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.