



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2426

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 # 2426 for Outdoor Entertainment activity, Tavern, and Bed & Breakfast pursuant to Dane County Code of Ordinances Section 10.129(3), subject to any conditions contained herein:

EFFECTIVE DATE OF PERMIT: August 14, 2018

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

Address: 6890 Paoli Road, Town of Montrose, Dane County, WI

Legal Description:

All that part of the SE ¼ of the SE ¼ of Sec 3, T5N, R8E (and as laid out in the Plat of the Town of Paoli), in the Town of Montrose, Dane County, Wisconsin. Further described as follows: The Mill Canal lying East of the West lines extended North and South of Blocks 9 & 10, in the Plat of the Town of Paoli also the Water Power Mill Reservation lying North and South of the Canal and East of Blocks 7 & 12 of said Plat. Also that part of the SE ¼ of the SE ¼ of Sec 3, T5N, R8E, in the Town of Montrose, Dane County, Wisconsin. Commencing on the South line of said SE ¼ of the SE ¼ on the East line of the Plat of the Town of Paoli; thence North 108.90 feet (1.65 chains) to a stake; thence S73° East 244.20 (3.70 chains) to a stake; thence S 89 links to a stake on the South line of said SE ¼ of the SE ¼; thence West along said South line 227.70 feet (3.45 chains) to the point of beginning. Also, that part of vacated Water Street, located within the Plat of the Town of Paoli, in the Town of Montrose, Dane County, Wisconsin, bounded on the South by the North line of Washington Street (a/k/a CTH "PB") and bounded on the North by a line parallel to and 109 feet North of the North line of said Washington Street.

EXCEPTING THEREFROM lands contained in Warranty Deed recorded 9/9/2013 as Doc # 5022809, described as follows: All of the Mill Race Canal bounded by blocks 8 & 9 on the North, and by blocks 10 & 11 on the South, lying West of Range Trail (Main Street) as shown on the Plat of Paoli, described as follow: Commencing at the NE corner of Lot 1 in Block 11 of the Town of Paoli, said corner being the point of beginning; thence North 54 feet to the SE corner of Lot 1 in Block 8 of said Town of Paoli; thence West 396 feet; thence South 54 feet to the NW corner of Lot 2 in Block 10 of said Town of Paoli; thence East 396 feet to the point of beginning.

CONDITIONS:

1. This Conditional Use Permit is for a tavern, outdoor entertainment activities, and a bed and breakfast operation.
2. The permit holder is required to meet with the Town Plan Commission and/or Town Board every 3 years. The Town will review the conditions of approval and the overall operation for the continuation of the conditional use permit. Failure to comply with this condition will terminate the conditional use permit.
3. Outdoor music shall be limited to no later than 8pm, Sunday through Thursday, and no later than 11pm on Friday and Saturday.
4. All general outdoor activity shall cease no later than 11:30pm.
5. Amplified music or speakers shall not exceed 85 decibels measured at the northwest corner of the property.
6. Outdoor entertainment activities shall have a maximum capacity of 200 persons.
7. The existing parking areas, located on the north side and the west side of the mill, shall remain open and the areas used exclusively for parking.
8. Portable sanitary facilities shall be required for all wedding events or large gatherings.

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.