

# Dane County Rezone & Conditional Use Permit

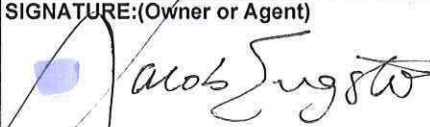
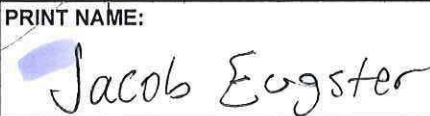
<b>Application Date</b>	<b>Petition Number</b>
01/16/2020	DCPREZ-2020-11527
<b>Public Hearing Date</b>	<b>C.U.P. Number</b>
03/24/2020	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME JOSEPH PATRICK EUGSTER	PHONE (with Area Code) (608) 279-3502	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 3865 STATE HIGHWAY 138		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip)	
E-MAIL ADDRESS FARMMRKT@EUGSTERS.COM		E-MAIL ADDRESS	


ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
3865 STATE HIGHWAY 138		3865 STATE HIGHWAY 138		3865 STATE HIGHWAY 138	
TOWNSHIP RUTLAND	SECTION 10	TOWNSHIP RUTLAND	SECTION 10	TOWNSHIP RUTLAND	SECTION 10
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-102-8080-4		0510-102-8501-0		0510-102-9001-0	

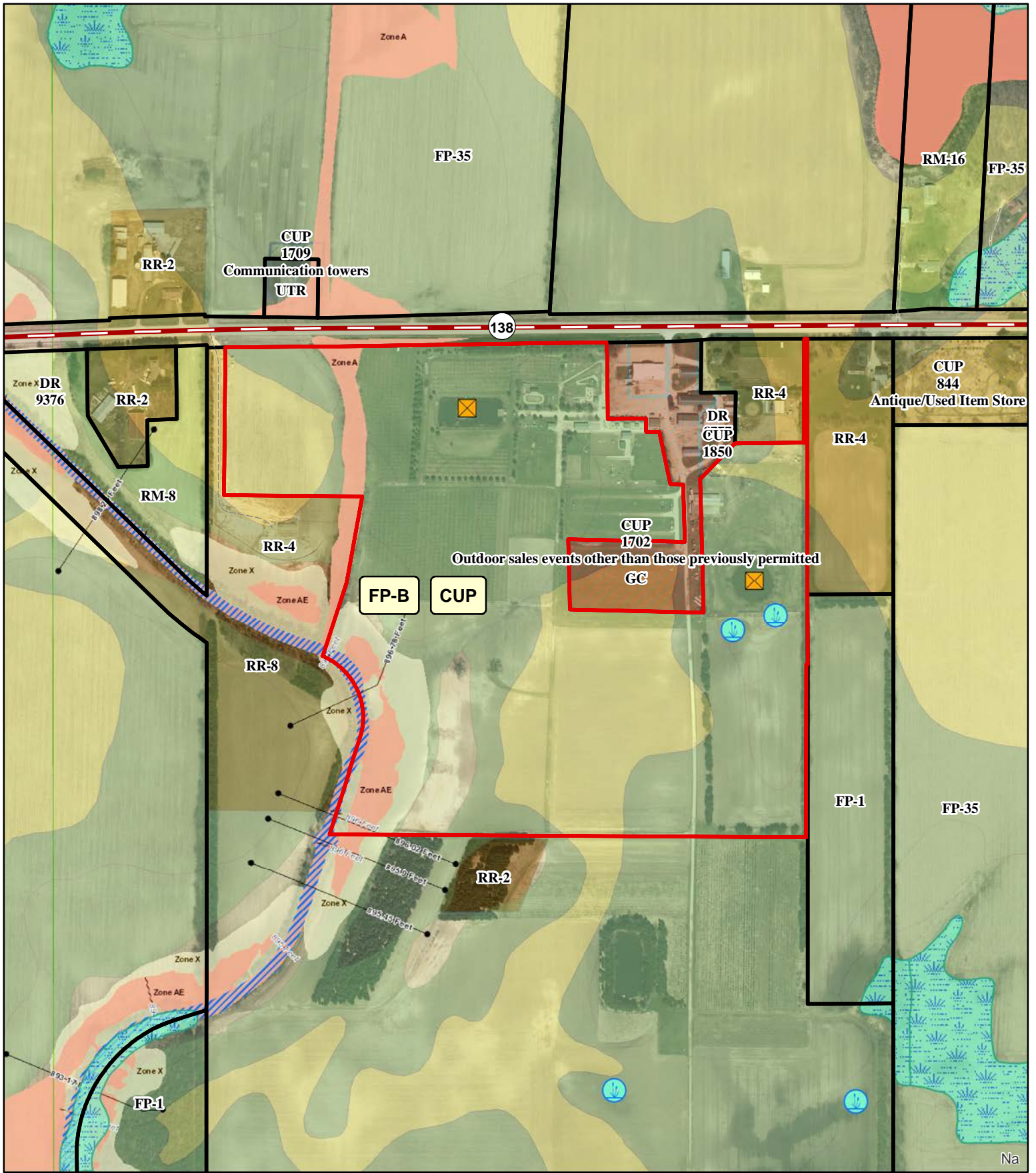
REASON FOR REZONE	CUP DESCRIPTION
EXPAND ON AGRICULTURAL ACCESSORY USES ON THE FARM.	

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
FP-35 (General Farmland Preservation) District	FP-B (Farmland Preservation - Business) District	75.76		

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS  PMK2	SIGNATURE:(Owner or Agent) 
PRINT NAME: 				

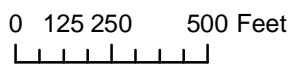
COMMENTS: EXPAND ON AGRICULTURAL ACCESSORY USES ON THE FARM.

DATE:  1/16/20
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**Legend**

- Significant Soils**
- Floodplain
  - Class 1
  - Class 2
  - Wetland



Petition 11527  
**JOSEPH PATRICK  
 EUGSTER**



# DANE COUNTY PLANNING DEVELOPMENT

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

## Zoning Change Application

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**  
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**  
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name Joseph P. Eugster Agent's Name \_\_\_\_\_  
 Address 3865 W1-138 Stoughton, WI 53589 Address \_\_\_\_\_  
 Phone (608) 279-3502 Phone \_\_\_\_\_  
 Email farmmrkt@eugsters.com Email \_\_\_\_\_

Town: Rutland Parcel numbers affected: 0510-102-8080-4-8301-0  
9001-0, 9530-7  
 Section: 10 Property address or location: 3865 W1-138 Stoughton, WI 53589  
 Zoning District change: (To / From / # of acres) FP-B / FP-35 / 75 acres

Soil classifications of area (percentages) Class I soils: \_\_\_\_\_% Class II soils: \_\_\_\_\_% Other: \_\_\_\_\_%  
See attached.

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

We have operated our agricultural entertainment operation with the support of the township and county for 30+ years. Now with the recently created FP-B classification, we believe we will best be able to comply with our current and planned uses. This 75 acres is what was recommended that we change to FP-B because we already use it. as such.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.  
 Submitted By: Jacob Eugster Date: 1/16/20

## **Operations Plan:**

### Type of Activities Proposed:

- Agricultural entertainment more than 10 days/year
- Farm-related exhibitions, sales or events, over 10 days/year
- Sale of agricultural and dairy products not produced on the premise

We hope to obtain a conditional use permit that allows us a total of up to 200 open days/year in this 75-acre area. During this time we would host a variety of agricultural entertainment, exhibitions, and sales. These would consist of our normal petting farm, seasonal events (fall festival and haunted house, sunflower days, lambing and kidding days, orchard days), corn mazes, pumpkin patch, wagon rides, various flower displays, apple orchard, folk/country music, parking, scenic hiking trails, and "u-cut" Christmas trees.

### Hours of Operation:

We would be typically open from 10 am to 5 pm. Certain event days could run earlier or later; for example, the flower display has the most opportunities for photography at dusk or dawn. The earliest we would open is 7 am and the latest we would close is 11 pm for our seasonal haunted attraction 9-11 days/year.

We aim to have approximately 125 non-event days to support 115 additional days for Farm-related exhibitions (petting farm, hiking, and flower displays) and 75 event days that necessitate 65 additional days for Agricultural Entertainment (including the remaining activities). This totals to 200 days/year we could utilize our 75 acres of FP-B land for agricultural entertainment.

### Number of Employees:

The farm employs as many as 75 seasonal employees for the peak seasons such as the fall festival, lambing and kidding days, and during the peak produce sales season. The haunted house has 85 seasonal part-time actors of its own - there, typically, no one works more than 50 hours per season over the course of a month (9-11 open days).

### Anticipated Customers:

On non-event days the farm expects to see anywhere from 20-200 guests touring the petting farm or hiking the orchard. On event days the farm can expect as many as 1,500 guests if the weather is supportive.

### Outside Storage:

There is no set design for outside storage aside from parking farm equipment wherever is out of the way for event days.

Outdoor Activities:

All of our activities are outdoors; petting farm, seasonal events, corn mazes, pumpkin patch, wagon rides, various flower displays, apple orchard, folk/country music, parking, scenic hiking trails, and "u-cut" Christmas trees.

Outdoor Lighting:

Generally, there is very minimal. The only time significant lighting is used outdoors is during evening Christmas tree sales or the haunted house nights for parking purposes. When our parking light is in operation, it is not seen from the road.

Outside Loudspeakers:

There are currently only small speakers around our stage area for puppet shows, corporate party presentations, and to play folk/country music during event days. At their maximum, they cannot be heard from more than 150 yards away nor the road.

Proposed Signs:

There is no additional signage being proposed.

Trash Removal:

We plan to continue our dumpster services with Pellitteri.

Eight Standards of CUP - provide an explanation on how the proposed land use will meet all eight standards:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.

*The goal of Eugster's Farm Market is to provide wholesome family fun by way of agricultural entertainment. Whether folks come to see our baby animals in the spring or come to pick apples/pumpkins and to get scared in our haunted house in the fall season, they can find wholesome enjoyment at our farm.*

2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use.

*The farm's operations happen more than 200 yards away from our nearest neighbor. Thus, no sound, scent, or light would impact the neighboring properties. We always have had excellent relationships with our neighbors and they are more than supportive of our operations.*

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

*Our farm operation is located on a busy highway in a primarily agriculture-based area. By permitting this CUP, we will be enabled to properly be zoned and be abiding by the new Farmland Preservation - Business guidelines. We will still remain an operational farm.*

4. Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being made to accommodate the conditional use.

*Yes, this property already has the necessary improvements for this CUP.*

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

*Yes, we have not had a problem with what we currently have. The department of transportation did not deem a turn-off lane necessary.*

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

*Yes, as we are looking for long-run success, it is not in our best interest to be in violation of any regulation.*

7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.

*Yes. At our preliminary township meeting the chairman, Peter Loughrin, said that he does not foresee any conflict with the town nor the county's comprehensive plans.*

8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220(1)

*Our farm is currently FP-35 and soon to be FP-B. This conditional use would support the integrity that this is still a functioning farm that supplements income by way of agricultural entertainment.*



**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463

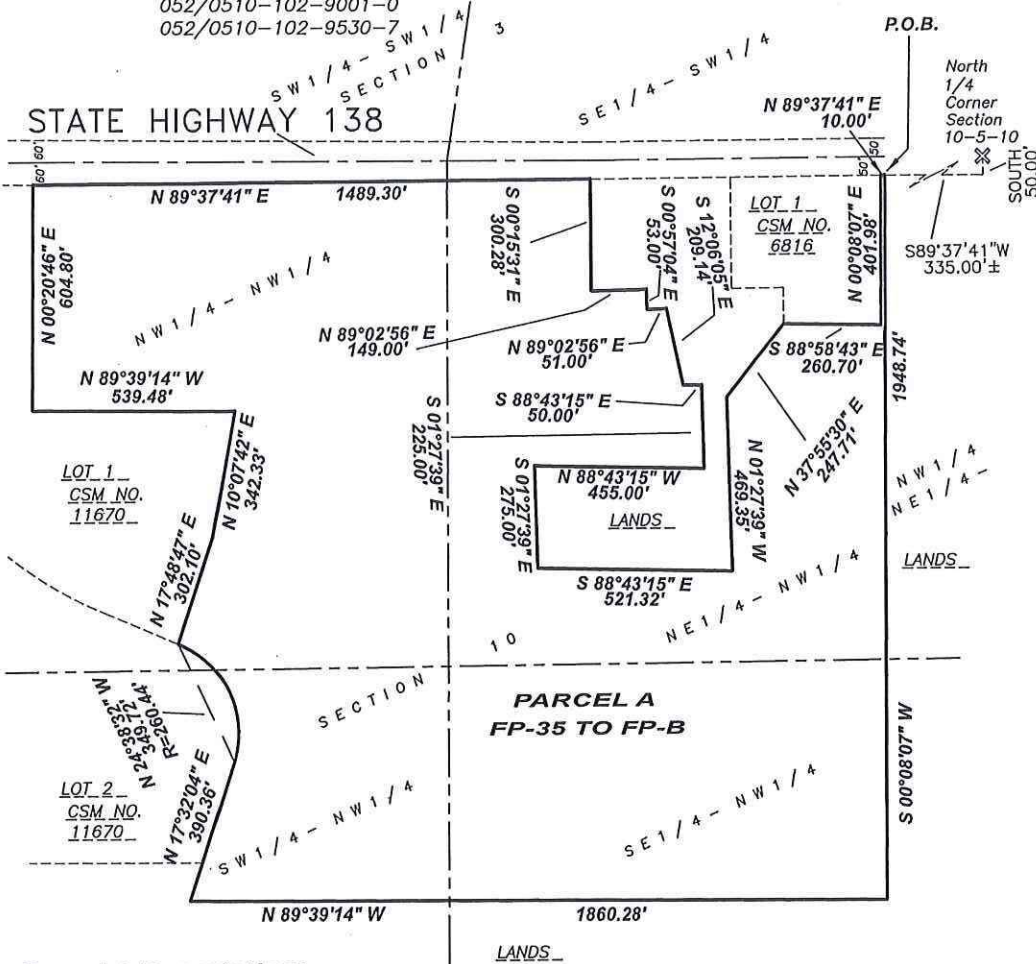
**Zoning Map**



Prepared For:  
Eugster's Farm Market, Inc.  
3865 State Highway 138  
Stoughton, WI 53589  
(608)-873-3822

Soils:  
Type I: 20%  
Type II: 70%  
Type III: 10%

Parcel No.  
052/0510-102-8080-4  
052/0510-102-8501-0  
052/0510-102-9001-0  
052/0510-102-9530-7

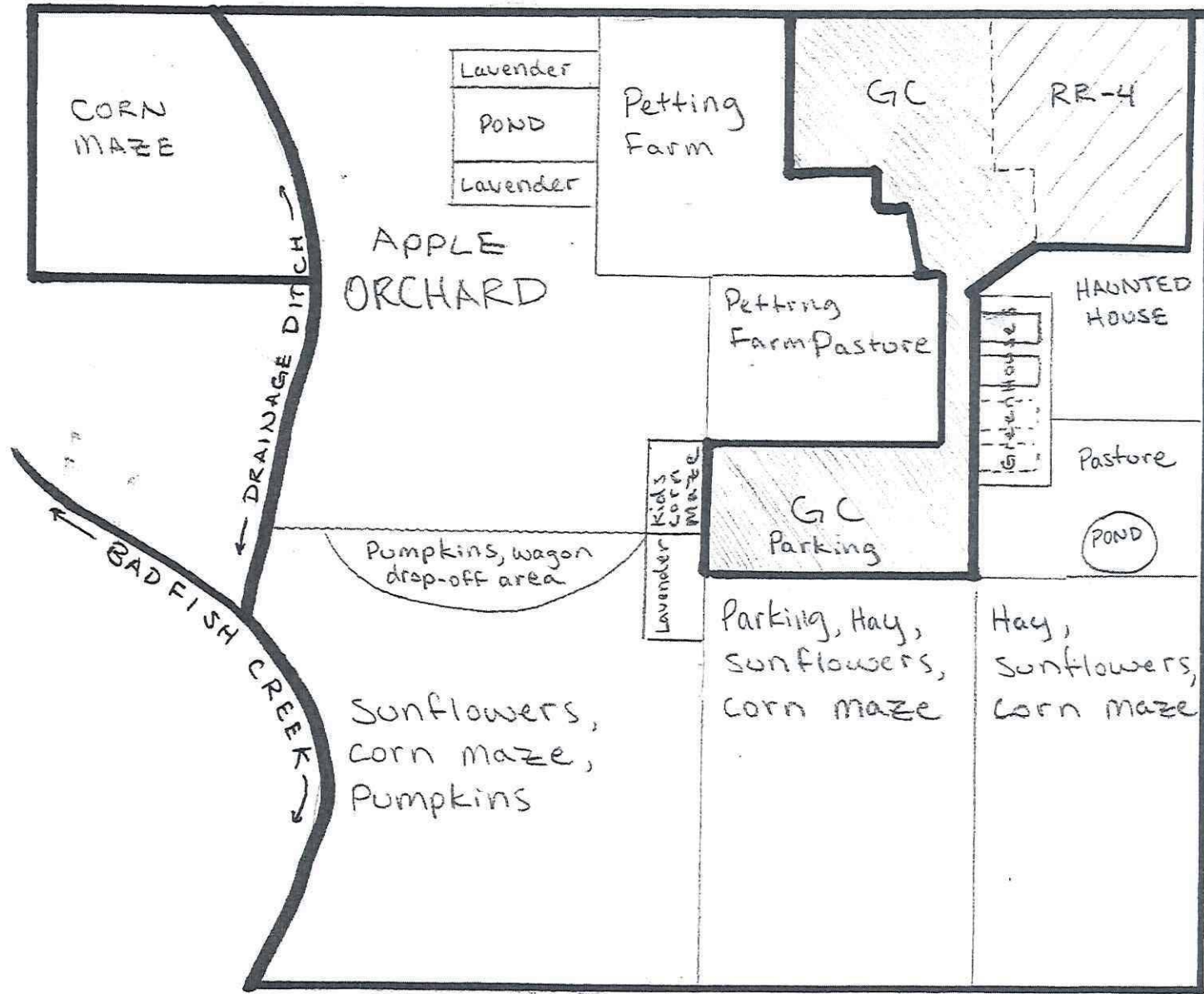


**Parcel A Description:**

Located in all four quarter-quarters of the Northwest 1/4 of Section 10, T5N, R10E, Town of Rutland, Dane County, Wisconsin, described as follows: Commencing at the North 1/4 Corner of Section 10: thence South, 50.00 feet; thence S89°37'41"W along the South right-of-way line of State Highway 138, 335.00± to the point of beginning, thence S 00°08'07" W along the East line of the Northwest 1/4, 1948.47'; thence N 89°39'14" W, 1860.28 feet; thence N 17°32'04" E along the East line of Lot 2 of Certified Survey Map No. 11670, 390.36 feet; thence along the East line of Lot 2 of Certified Survey Map No. 11670 and along a curve to the left with a radius of 260.44 feet and a long chord and bearing of N 24°38'32" W, 349.72 feet; thence N 17°48'47" E along the East line of Lot 1 of Certified Survey Map No. 11670, 302.10 feet; thence N 10°07'42" E along the East line of Lot 1 of Certified Survey Map No. 11670, 342.33 feet; thence N 89°39'14" W along the North line of Lot 1 of Certified Survey Map No. 11670, 539.48 feet; thence N 00°20'46" E along the East line of Lot 1 of Certified Survey Map No. 11670, 604.80 feet; thence N 89°37'41" E along the South right-of-way of State Highway 138, 1489.30 feet; thence S 00°15'31" E, 300.28 feet; thence N 89°02'56" E, 149.00 feet; thence S 00°57'04" E, 53.00 feet; thence N 89°02'56" E, 51.00 feet; thence S 12°06'05" E, 209.14 feet; thence S 88°43'15" E, 50.00 feet; thence S 01°27'39" E, 225.00 feet; thence N 88°43'15" W, 455.00 feet; thence S 01°27'39" E, 275.00 feet; thence S 88°43'15" E, 521.32 feet; thence N 01°27'39" W, 469.35 feet; thence N 37°55'30" E, 247.71 feet; thence S 88°58'43" E along the South line of Certified Survey Map No. 6816, 260.70 feet; thence N 00°08'07" E along the East line of Certified Survey Map No. 6816, 401.98 feet; thence N 89°37'41" E, 10.00 feet; which is to the point of beginning. Containing 3,300,233 square feet or 75.76 acres.



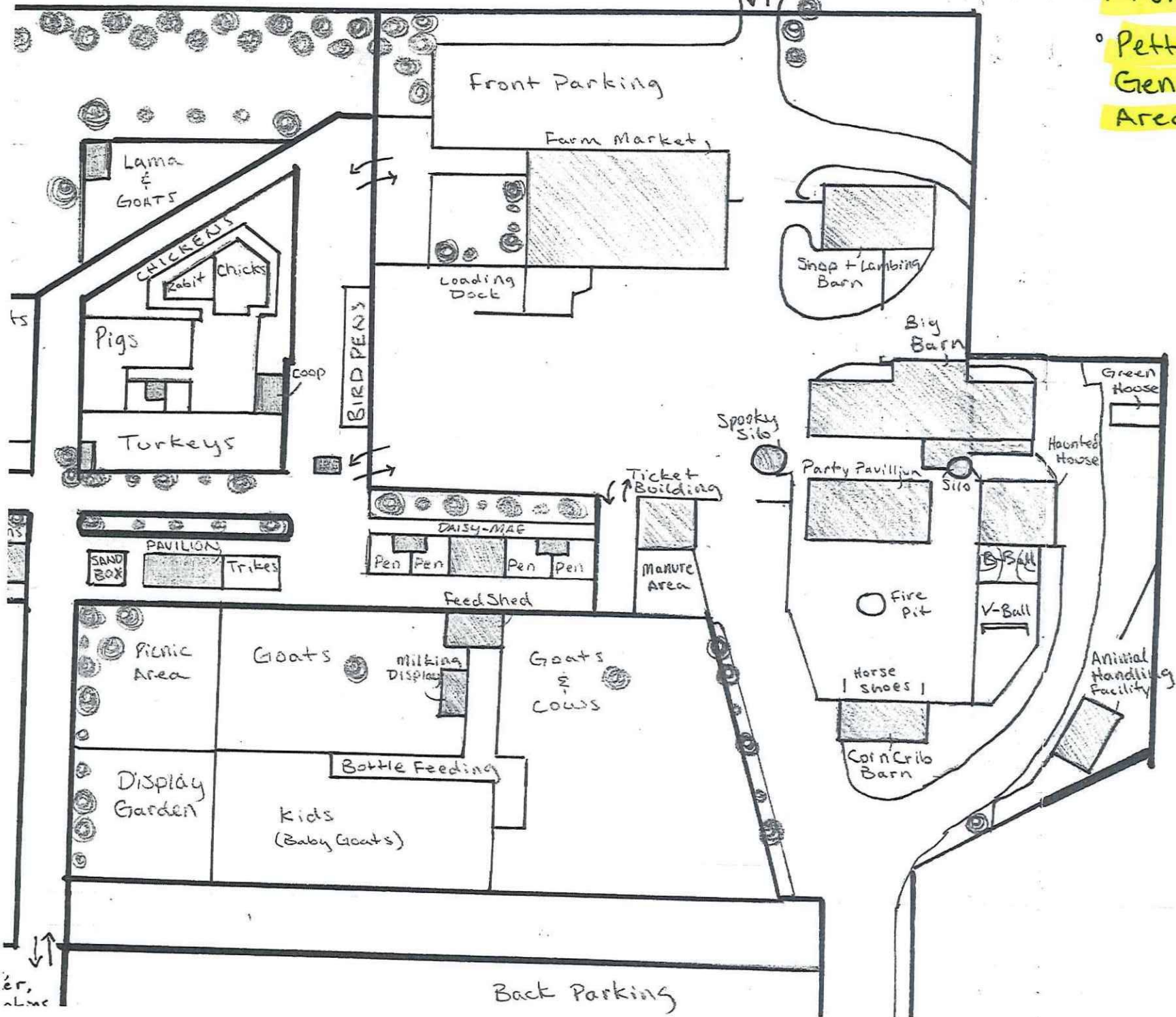
W1-138



W1-138

"Front 20 Map"

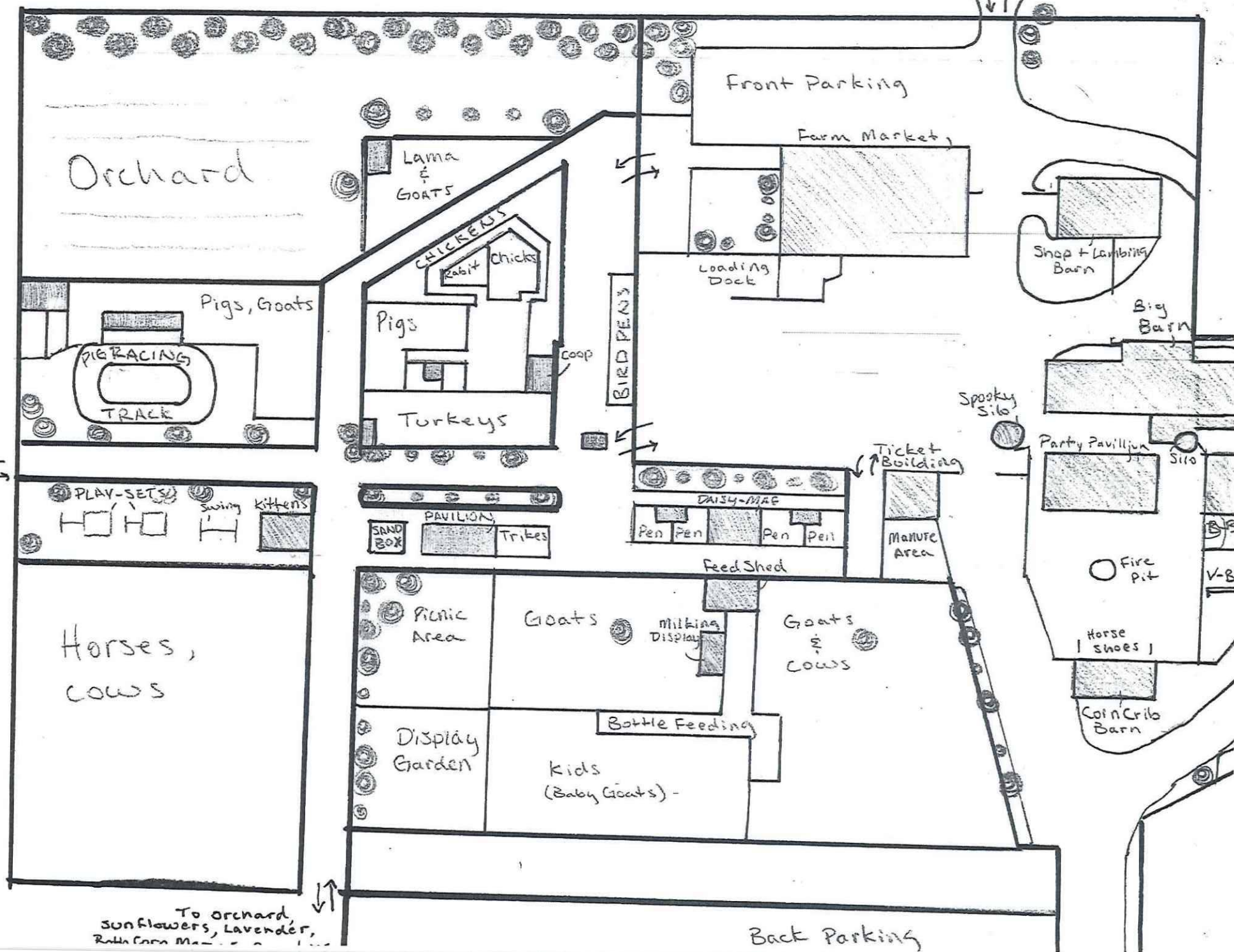
• Petting Farm + General Commercial Areas



W1-138

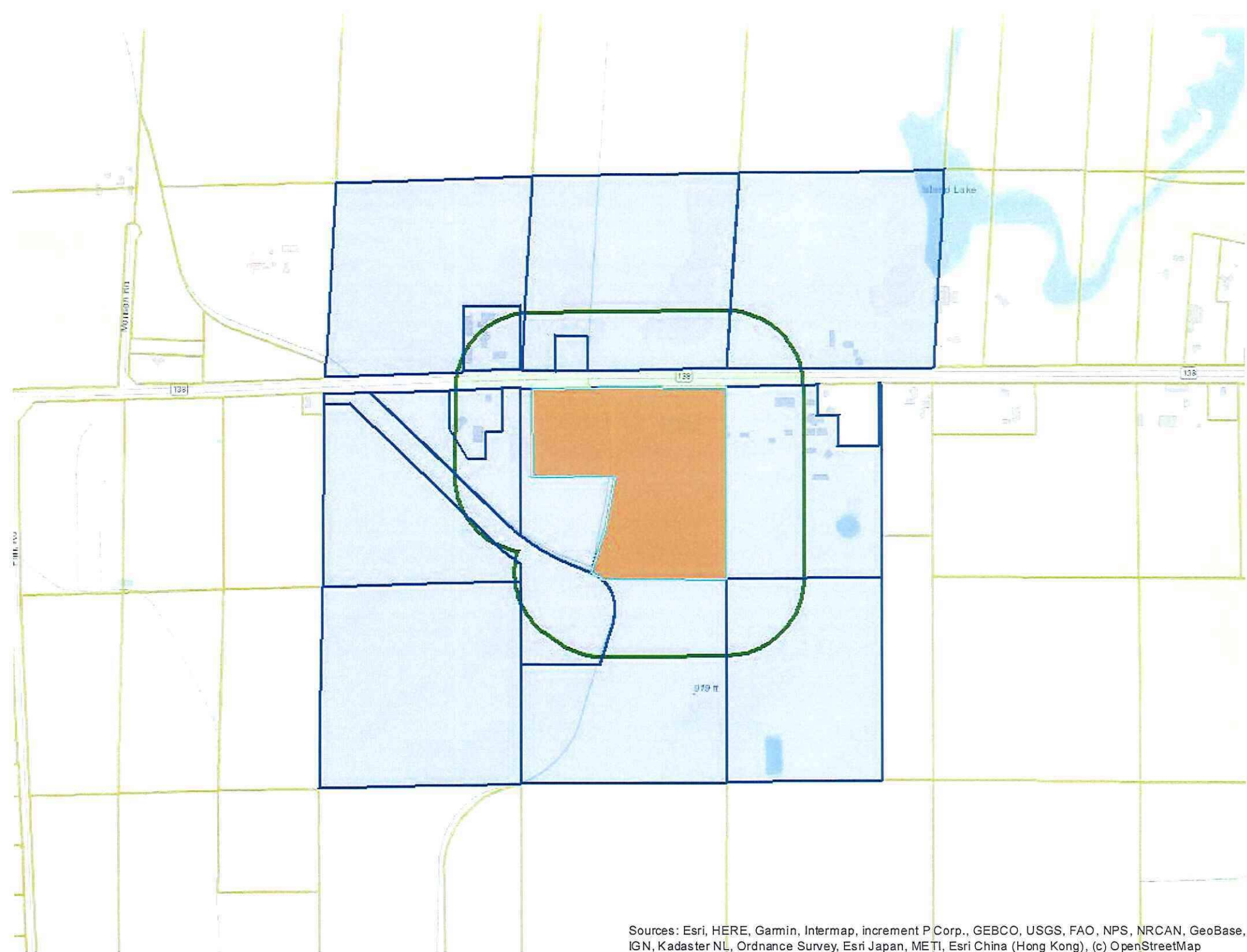
Exit

To Pond, Orchard,  
Lavender, corn Maze



To orchard,  
sunflowers, Lavender,  
Roth Corn Maze

Back Parking



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap

NICK HULL  
ROXANNE HULL  
2217 COUNTY HIGHWAY N  
STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
3865 STATE HIGHWAY 138  
STOUGHTON, WI 53589

TERESA J FREY  
3826 STATE HIGHWAY 138  
STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
3865 STATE HIGHWAY 138  
STOUGHTON, WI 53589

JASON G HAAS  
DECEMBER HAAS  
3835 STATE HIGHWAY 138  
STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
3865 STATE HIGHWAY 138  
STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
CAROL JEAN EUGSTER  
3865 STATE HIGHWAY 138  
STOUGHTON, WI 53589

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STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
CAROL JEAN EUGSTER  
3865 STATE HIGHWAY 138  
STOUGHTON, WI 53589

DAVID A NELSON  
3339 RUTLAND DUNN TOWN LI...  
STOUGHTON, WI 53589

DAVID A NELSON  
3339 RUTLAND DUNN RD  
STOUGHTON, WI 53589

JAMES L GEVING  
JANE M GEVING  
3807 STATE HIGHWAY 138  
STOUGHTON, WI 53589

DAVID A NELSON  
3339 RUTLAND DUNN RD  
STOUGHTON, WI 53589

NICK HULL  
ROXANNE HULL  
2217 COUNTY HIGHWAY N  
STOUGHTON, WI 53589

SWALHEIM 2011 REV TR, DUAN...  
436 CONNIE ST  
COTTAGE GROVE, WI 53527

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2217 COUNTY HIGHWAY N  
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STOUGHTON, WI 53589

RICHARD D SNOREK  
MARY JO SNOREK  
3957 STATE HIGHWAY 138  
STOUGHTON, WI 53589

JOSEPH PATRICK EUGSTER  
3865 STATE HIGHWAY 138  
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JOSEPH PATRICK EUGSTER  
3865 STATE HIGHWAY 138  
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MEYER FAMILY CELL TOWER L...  
1522 CHAPIN LN  
STOUGHTON, WI 53589

DAVID A NELSON  
3339 RUTLAND DUNN TOWN LI...  
STOUGHTON, WI 53589

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