



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2697

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD
PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES HEREBY:

GRANTS Conditional Use Permit #2697 for a Cemetery operation conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: March 24, 2026

CUP EXPIRATION DATE: none (see below)

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

LOCATION: 2299 Spring Rose Road, Section 24, Town of Springdale

LEGAL DESCRIPTION: Lands located in the Northeast ¼ of Section 24, T6N, R7E, Town of Springdale, Dane County, Wisconsin.

Commencing at the East 1/4 Corner of said Section 24; thence N00°59'45"E, 66.01 feet; thence S89°54'20"W, 1312.40 feet (recorded as S88°55'28"W, 1312.61 feet); thence N17°26'31"W, 315.03 feet (recorded as N18°24'28"W, 315.17 feet); thence N01°33'22"E (recorded as N00°35'13"E), 379.54 feet; thence N76°35'52"E (recorded as N75°36'49"E), 174.13 feet to the point of beginning; thence continuing N76°35'52"E (recorded as N75°36'49"E), 237.91 feet; thence N08°47'15"E (recorded as N07°51'14"E), 387.91 feet; thence N42°04'27"E (recorded as N41°04'46"E), 135.12 feet; thence N07°28'26"W (recorded as N08°26'09"W), 58.71 feet; thence N84°18'01"W (recorded as N85°13'30"W), 113.20 feet; thence N70°22'39"W, 261.28 feet (recorded as N71°21'01"W, 261.61 feet); thence N42°51'55"W, 116.47 feet (recorded as N43°45'28"W, 116.29 feet); thence N82°52'30"W (recorded as N83°51'10"W), 143.12 feet; thence S31°10'59"W, 257.62 feet (recorded as S30°12'14"W, 257.79 feet); thence N78°18'50"W, 350.87 feet (recorded as N79°14'17"W, 350.52 feet); thence N13°54'50"E, 355.45 feet (recorded as N12°56'00"E, 355.34 feet); thence N23°02'50"W, 508.04 feet (recorded as N24°00'28"W, 508.20 feet); thence N70°57'56"W (recorded as N70°57'56"W), 520.26 feet; thence S14°18'19"E, 241.06 feet; thence S00°16'38"W, 91.97 feet; thence S75°55'43"E, 95.10 feet; thence S08°24'05"E, 140.16 feet; thence S03°47'41"E, 181.08 feet; thence S00°27'13"W, 317.86 feet; thence N81°59'16"W, 184.98 feet; thence S13°11'20"W, 160.42 feet; thence S66°49'37"E, 165.50 feet; thence S68°49'34"E, 114.27 feet; thence S31°12'59"E, 67.64 feet; thence S15°14'19"W, 144.08 feet; thence S48°23'07"E (recorded as S49°42'41"E), 11.25 feet; thence N32°36'49"E, 179.98 feet; thence N62°55'36"E, 135.44 feet; thence S86°45'38"E, 164.76 feet; thence S56°52'46"E, 133.42 feet; thence S26°59'54"E, 163.62 feet; thence S02°54'22"W, 127.44 feet; thence S69°46'52"E, 96.19 feet; thence N00°04'41"W, 111.71 feet; thence S85°55'43"E, 360.42 feet; thence S23°57'48"E, 126.75 feet to the point of beginning, Containing 1,094,540 square feet, or 25.127 acres.

CONDITIONS:

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (none).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit.

Conditions specific to this CUP:

13. The owner shall be required to follow all requirements found under WI State Statutes, Ch. 157, subchapter II, regarding cemeteries.
14. Loud speakers or amplified sounds are prohibited.
15. The hours of visitation shall be limited to sunrise to sunset.
16. Outdoor lighting of the cemetery, parking area, and trails are prohibited.
17. Grave markers must be installed flat and flush to ground level with only the engraved surface exposed.
18. Adequate off-street parking shall be provided on the property for visitors and burial attendees. Parking area as designated on the site plan, shall be installed within one year of the issuance of the Conditional Use Permit.

19. The driveway shall be constructed in accordance with the standards for a shared driveway in the Town of Springdale Driveway Construction Guide from its intersection with Spring Rose Rd to the parking lot for the cemetery. The driveway shall be maintained to allow access to and from the cemetery site. All expenses related to the improvement and maintenance of the driveway, including the joint driveway easement area, shall be the responsibility of the Farley Center. The joint driveway easement area shall be professionally plowed. The owners of the residences served by the joint driveway easement area will be expected to continue to pay \$100 to the Farley Center towards the real estate property taxes of the joint driveway easement area.
20. Visitor/burial attendee parking is prohibited on Spring Rose Road and the joint driveway easement area.
21. A site plan shall be prepared showing acceptable locations (soil conditions) in which remains may be buried. The site plan shall include a phasing plan designating three phases of development. Each phase shall be set a minimum of 5 years apart. The site plan and phasing plan shall be approved by the Town Board. The first phase to be developed shall be the burial areas furthest away from Spring Rose Circle properties
22. Human remains shall be buried a minimum of 3 feet from the ground surface and the bottom of the burial pit shall be a minimum of 3 feet from the groundwater in unsaturated soil.
23. The entrance sign at Spring Rose Rd shall be limited to a maximum of an 8 square foot ground sign. Signage shall be erected near the end of the joint driveway easement area directing visitors to the cemetery. Signage shall conform to the Town of Springdale Sign Ordinance.
24. Regardless of the burial site price, 15% of the agreed upon market price (as designated in the signed agreement between the Farley Center and the Town of Springdale) shall be deposited in the care fund per 157.11 (9g)(c) Wis Stats. This is instead of the Wis. Stats mandated minimum per 157.11 (g)(2)(f) of \$25.
25. Full burials shall be limited to a maximum of 7,500.
26. The Farley Center shall be responsible for entering into a signed agreement with the Town of Springdale to address concerns regarding discontinuation of the cemetery, annual payment in lieu of taxes, members of the cemetery association's board, the intent to limit the number of burials to approximately 90 full burials per year, and an agreed market price for burial sites. The Farley Center shall provide an annual report to the Town of Springdale, which includes the number of burials, lot sales, and financials.
27. Only informal memorial services shall be conducted at the Farley Center/Natural Path Sanctuary; no large formal funeral services shall be conducted at the cemetery site. The Center shall limit vehicles at burials to a maximum of 20 vehicle, to the best of their ability.
28. The construction of mausoleums, columbaries, crematoriums, or other buildings is prohibited on the cemetery land.
29. The buffer area along the west property line shall be used for community gardens or open space as depicted on the approved site plans (the cemetery plat dated June 3, 2011 and site plan with zoning and parking areas dated February 18, 2025). The cemetery boundaries shall not be extended into this area.
30. This CUP shall become effective only upon Rezone Petition #12252 becoming effective.

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

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.