



## Dane County Zoning Division

City-County Building  
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# DANE COUNTY CONDITIONAL USE PERMIT #2657

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

GRANTS Conditional Use Permit #2657 for Agricultural Entertainment for events more than 10 calendar days per year conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

**EFFECTIVE DATE OF PERMIT: May 27, 2025**

**CUP EXPIRATION DATE: May 27, 2027 (see below)**

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

LOCATION: 4305 & 4311 Vilas Hope Road, Town of Cottage Grove (Tax Parcel #s 0711-073-8390-9, 0711-073-8090-2, and 0711-073-9000-8)

### LEGAL DESCRIPTION:

Parcel No. 0711-073-8090-2

Large Parcel: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North 01°10'58" West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North 85°30'31" East along said quarter line, 452.33 feet to a pipe set; thence South 00°47'51" East, 947.87 feet to a pipe set; thence North 85°32'08" East, 692.53 feet to a pipe set; thence South 00°47'51" East, 373.79 feet along the West line of said Certified Survey Map No. 2479 to the Southwest corner thereof being on the South line of the North One-half (1/2) of the Southwest One quarter (1/4) of said Section Seven (7); thence South 85°32'08" West, along said South line, 1721.04 feet to a pipe set on the West line of said Section Seven (7); thence North 01°10'58" West along said West line, 983.42 feet to a pipe set; thence North 85°42'50" East, 584.99 feet to a 1" pipe found; thence North 01°10'58" West, 339.31 feet to the point of beginning of this description.

Parcel No. 0711-073-8390-9

Small Parcel:

Parcel A: Lot One (1) of Certified Survey Map No. 2479, recorded in the Office of Register of Deeds for Dane County, Wisconsin on July 13, 1977 in Volume 10, Pages 2-4 inclusive, as Document No. 1527496, of part of the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin.

Parcel B: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North  $01^{\circ}10'58''$  West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North  $85^{\circ}30'31''$  East, along the East-West quarter line, 585.11 feet to a pipe set; thence continue North  $85^{\circ}30'31''$  East along said quarter line, 452.33 feet to a pipe set; thence South  $00^{\circ}47'51''$  East, 947.87 feet to a pipe set; thence North  $85^{\circ}32'08''$  East, 692.53 feet to a pipe set and the point of beginning of this description; thence continue North  $85^{\circ}32'08''$  East, 283.07 feet to the North-South quarter line; thence South  $00^{\circ}47'51''$  East, along said North-South quarter line, 66.14 feet to the Northeast corner of the Certified Survey Map No. 2479, recorded in Volume 10 of Certified Survey Maps of Dane County, on pages 2, 3 and 4; thence South  $85^{\circ}32'08''$  West along the North line of said Certified Survey Map No. 2479, 283.07 feet to the Northwest corner thereof; thence North  $00^{\circ}47'51''$  West, 66.14 feet to the point of beginning of this description.

Parcels Nos. 01/0711-073-9531-6 and 018/0711-073-9000-8

(Approx. 5 Acre Legal Description)

Part of the Southwest Quarter of the Southwest Quarter of Section 7, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Commencing at the Southwest corner of said Section 7; thence  $N85^{\circ}57'58''E$  along the south line of the Southwest Quarter of said Section 7, 677.74 feet to the East line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence along said East line,  $N00^{\circ}29'40''W$ , 805.29 feet to the point of beginning; thence  $S85^{\circ}50'27''W$ , 424.66 feet; thence  $N00^{\circ}29'40''W$ , 513.94 to the North line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence along said North line,  $N85^{\circ}50'27''E$ , 424.66 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 7; thence  $S00^{\circ}29'40''E$  along the East line of the Southwest Quarter of the Southwest Quarter of said Section 7, 513.94 feet to the point of beginning. This description contains approximately 217,801 square feet or 5.0000 acres.

(Approx. 15 Acre Legal Description)

Part of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 7, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Commencing at the Southwest corner of said Section 7; thence  $N85^{\circ}57'58''E$  along the south line of the Southwest Quarter of said Section 7, 677.74 feet to the East line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence along said East line,  $N00^{\circ}29'40''W$ , 386.06 feet to the point of beginning; thence  $S85^{\circ}46'56''W$ , 424.69 feet; thence  $N00^{\circ}29'40''W$ , 419.66 feet; thence  $N85^{\circ}50'27''E$ , 424.66 feet to the East line of the Southwest Quarter of the

Southwest Quarter of said Section 7; thence along said East line, N00°29'40"W, 513.94 feet to the North line of the Southwest Quarter of said Section 7; thence along said North line, N85°50'27"E, 510.63 feet; thence S00°29'43"E, 932.64 feet; thence S85°46'56"W, 510.68 feet to the point of beginning. This description contains approximately 653,162 square feet or 14.9945 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 (see below).
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 CUP # 2657:*

13. There shall be no parking on either side of Vilas Hope Road. The applicant shall be responsible for the installation of "No Parking" signs and shall coordinate with the Town Highway Superintendent to determine the signage location and details. The applicant shall be responsible for the cost of the signage.
14. A stormwater management plan shall be approved by Dane County Land and Water Resources Department. The management features shall be installed prior to the use of the rear parking lot.
15. The applicant shall be responsible for any driveway improvements required by the Town Highway Superintendent including but not limited to size of the culvert and the design of the driveway

where it meets Vilas Hope Road.

16. The applicant shall install "No Parking" signs on the traffic lane on the north side of the buildings.
17. The exterior lighting shall conform to the approved operations plan, as well as Dane County and Town of Cottage Grove ordinances. All lighting must be dark sky compliant/downward facing. Any additional lighting would require an amendment to the conditional use permit.
18. Applicant shall provide adequate restroom facilities, in accordance with the Department of Health requirements.
19. Public hours of operation shall be limited to Sunday to Saturday 9:00am to 7:00pm year-round, with the option to extend to 9:00pm during fall festivals (once outdoor lighting or the farm store are completed).
20. Amplified music volume shall be limited to 60dbA at 100 feet from the speakers.
21. Landscaping shall be installed per Town requirements, subject to written confirmation from the Town Planner.
22. The CUP area may include the additional leased acreage as long as an active lease is in place.
23. Design review will be required by the Town upon application for a building permit for the farm store.
24. The business shall use timed ticketing to stagger arrival times for customers, to mitigate traffic congestion during festival events.
25. Applicant shall hire a traffic control officer from the Dane County Sheriff to direct traffic at the nearest County Highway intersections (CTH BB and CTH AB). during Saturdays in October, and any event with an expected attendance of 1500 or more people.
26. This CUP shall expire in 2 years from the date of final approval, to enable Town of Cottage Grove review every two years and ensure compliance with permit conditions.

**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.