



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2689

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 #2689 allowing Indoor Entertainment or Assembly, Outdoor Entertainment, and Commercial Indoor Lodging on the premise conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: December 16, 2025

CUP EXPIRATION DATE: January 28, 2028

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

LOCATION: 6858 Paoli Road, Town of Montrose

LEGAL DESCRIPTION:

Lot 1 of CSM 3736, Section 2, T05N, R08E, Town of Montrose, Dane County, Wisconsin

And

A PART OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 8 EAST, TOWN OF MONTROSE, DANE COUNTY, WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND RAILROAD SPIKE AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE, ALONG THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER, SOUTH 87°45'35" EAST, 115.92 FEET TO THE SOUTHERLY EXTENSION OF A BOUNDARY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3736, RECORDED IN VOLUME 15 OF CERTIFIED SURVEY MAPS ON PAGE 189 AS DOCUMENT NO. 1712470; THENCE, ALONG SAID EXTENSION AND BOUNDARY LINE, NORTH 00° 00' 05" WEST, 168.49 FEET TO A FOUND 1-1/4" IRON PIPE; THENCE, CONTINUING ALONG SAID BOUNDARY OF LOT 1, SOUTH 88° 51' 17" EAST, 120.00 FEET TO THE POINT OF BEGINNING, FROM SAID POINT A SET 3/4" BY 24" IRON REBAR BEARS NORTH 00° 00' 39" WEST, 4.00 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 00° 00' 39" WEST, 200.05 FEET TO A FOUND 1" IRON PIPE; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 88° 52' 51" WEST, 164.95 FEET TO A FOUND 1" IRON PIPE; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 10° 26' 42" EAST, 146.36 FEET TO A SET 3/4" BY 24" IRON REBAR; THENCE SOUTH 86° 21' 56" EAST, 157.50 FEET TO A SET 3/4" BY 24" IRON REBAR; THENCE SOUTH 02° 30' 26" WEST, 337.69 FEET TO A SET 3/4" BY 24" IRON REBAR LYING ON THE EASTERLY EXTENSION OF SAID BOUNDARY; THENCE, ALONG SAID EASTERLY EXTENSION, NORTH 88° 51' 17" WEST, 4.00 FEET TO THE POINT OF BEGINNING.

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, including Town of Montrose alcohol licenses. 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 # 2689:

13. No more than the following number of people may be on the premises at any one time, associated with each specific use of the property:
 - a. Indoor commercial lodging (hotel), no more than 44 guests.
 - b. Indoor assembly, no more than 107 patrons total, consisting of the following:
 - i. Formal restaurant, no more than 60 patrons;
 - ii. Casual restaurant / café, no more than 15 patrons;
 - iii. Bar, no more than 32 patrons.
 - c. Outdoor entertainment, outdoor assembly, no more than 84 patrons or guests.

14. Hours of operation shall be limited to the following:
 - a. Hotel, 24 hours a day, 7 days a week.
 - b. Retail and café uses, 7:00 a.m. to 8:00 p.m., 7 days a week.
 - c. Formal restaurant and bar, 11:00 a.m. to 9:00 p.m., Wednesday through Sunday. The restaurant and bar will be closed on Monday and Tuesday.
15. The operation shall not employ more than 24 employees in total, with no more than 19 employees on the site at any one time.
16. At least 92 off-street parking spaces must be provided, consistent with s. 10.102(8).
17. Outdoor entertainment allows for music on Sunday through Thursday to end no later than 8:00pm, and on Friday and Saturday to end no later than 11:00pm.
18. This CUP will expire on January 28, 2028 (per the previous Town Board approval). Continuance of covered activities after the expiration date requires approval of a new conditional use permit.
19. If there are complaints about the volume of the music, the town may require decibel restrictions with a new conditional use permit process.
20. The parking area in front of the building (on the north side of CTH PB/Paoli Road) shall be striped for parallel parking only, by July 1, 2026. No angled or 90-degree parking shall be allowed unless otherwise approved by the Dane County Highway Department. A Permit to Work in County Trunk Highway Right of Way is required prior to striping.
21. A certified survey map (CSM) shall be recorded on the property to consolidate the land into a single lot containing the entire business operation. No additional zoning permits shall be issued until the CSM is recorded.

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.