

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
11/04/2022	DCPCUP-2022-02580
Public Hearing Date	
01/24/2023	

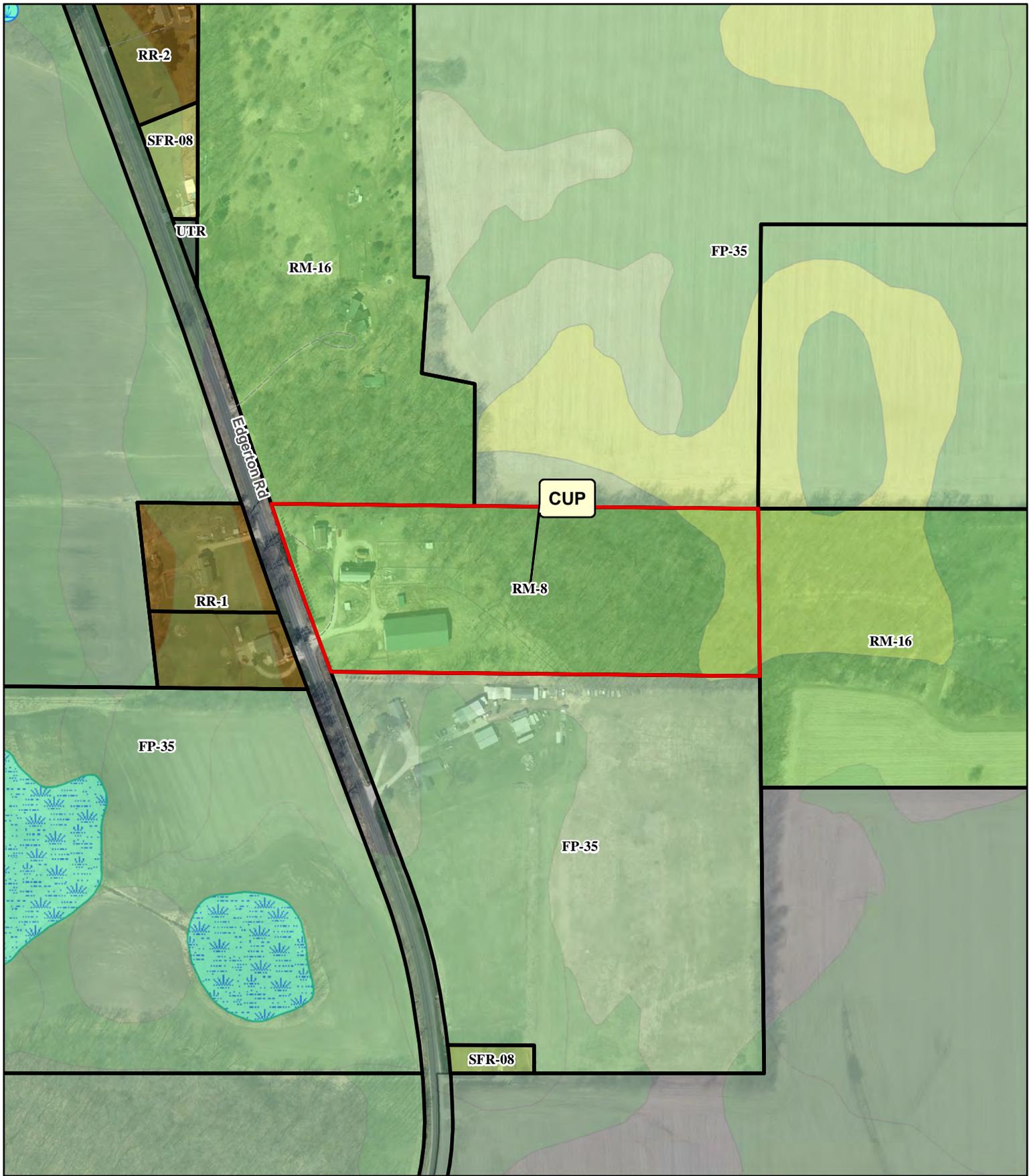
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME TODD M LEKAN	Phone with Area Code	AGENT NAME ROBB LEACH - KITTELSEN, BARRY, WELLINGTON & THOMPSON, S.C.	Phone with Area Code (608) 325-2191
BILLING ADDRESS (Number, Street) 272 EDGERTON RD		ADDRESS (Number, Street) 916 17TH AVENUE	
(City, State, Zip) EDGERTON, WI 53534		(City, State, Zip) Monroe, WI 53566	
E-MAIL ADDRESS allisongraf86@gmail.com		E-MAIL ADDRESS rleach@kittlaw.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
272 Edgerton Road					
TOWNSHIP ALBION	SECTION 34	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-342-8001-5		---		---	

CUP DESCRIPTION
Large animal (horse) boarding

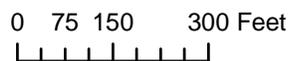
DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.233(3)(i)	9.7

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials RUH1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:



Legend

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



CUP 02580
TODD M LEKAN



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

SITE INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	
Existing Zoning:	Proposed Zoning:	CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: _____

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

<p>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.</p>
<p>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 establishment, maintenance or operation of the conditional use.</p>
<p>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.</p>
<p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.</p>
<p>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.</p>
<p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.</p>
<p>7. The conditional use is consistent with the adopted town and county comprehensive plans.</p>
<p>8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.</p> <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district: • Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations: • Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use: • Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use: • Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14 , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

Allison Graf
Ace Equestrian, LLC
272 Edgerton Rd
Edgerton, WI 53534

July 1st 2022

Dane County
Department of Planning & Development
Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd
Madison, Wisconsin 53703

To Whom it May Concern,

I would like to thank you for considering the Conditional Use Permit for horse boarding at Ace Equestrian, LLC located at 272 Edgerton Road, Edgerton Wisconsin 53534. I appreciate the opportunity to review and rectify the requirements to run my business in compliance with the county.

Since Ace Equestrian, LLC's opening in 2020, it has been my mission to provide personal growth, healing, stress relief, life skills and respite to the public through interactions with equines. I am collaborating closely with the Director of Pupil Services, Drew Wellman, in the Edgerton School District. Currently, Ace is affiliated with Edgerton School District's Special Education Department where special needs children are engaged in grooming, physical touch of the animals, feeding, tacking, watering, farm and equipment maintenance amongst other things. Additionally, I am working closely with Deerfield District Community Reading Specialist/Title I, Laura Phillips providing a summer school program for Deerfield Elementary Children that receive reading interventions. In this program, Ace provides a safe and positive environment that encourages perseverance, calculated risk-taking, and emotion regulation. The confidence, coping, and social-emotional abilities gained provides tools that are transferrable into the educational setting. As of July 1st, Deerfield School District has expressed interest in continuing a professional relationship into the 2022 school year.

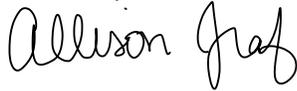
Through my psychology master's degree and extensive applied experience in coaching, teaching, training, and mentoring students, I have witnessed firsthand the benefits of Equine Assisted Services (EAS). EAS has a multitude of physical and mental health benefits across all age groups including increased strength, coordination, motility, balance, confidence, patience, responsibility, social skills, empathy, self-esteem and decreased anxiety and depression.

Consequentially, there is no doubt our incredible equines are integral in Ace's continued success with special needs individuals. Almost all of our horses are rescues from "kill pens" that feed into the slaughter pipeline to Mexico and Canada. Most arrived with ailments, both physical and emotional in nature, including missing eyes, swollen limbs, emaciated bodies, skin conditions, overgrown feet, fear, absence of trust, depression, confusion, and a heartbreaking inability to receive love. How lucky we are at Ace teach lessons of patience, understanding, love and second chances and to witness these incredible transformations.

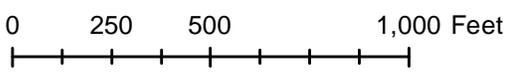
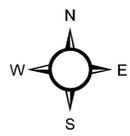
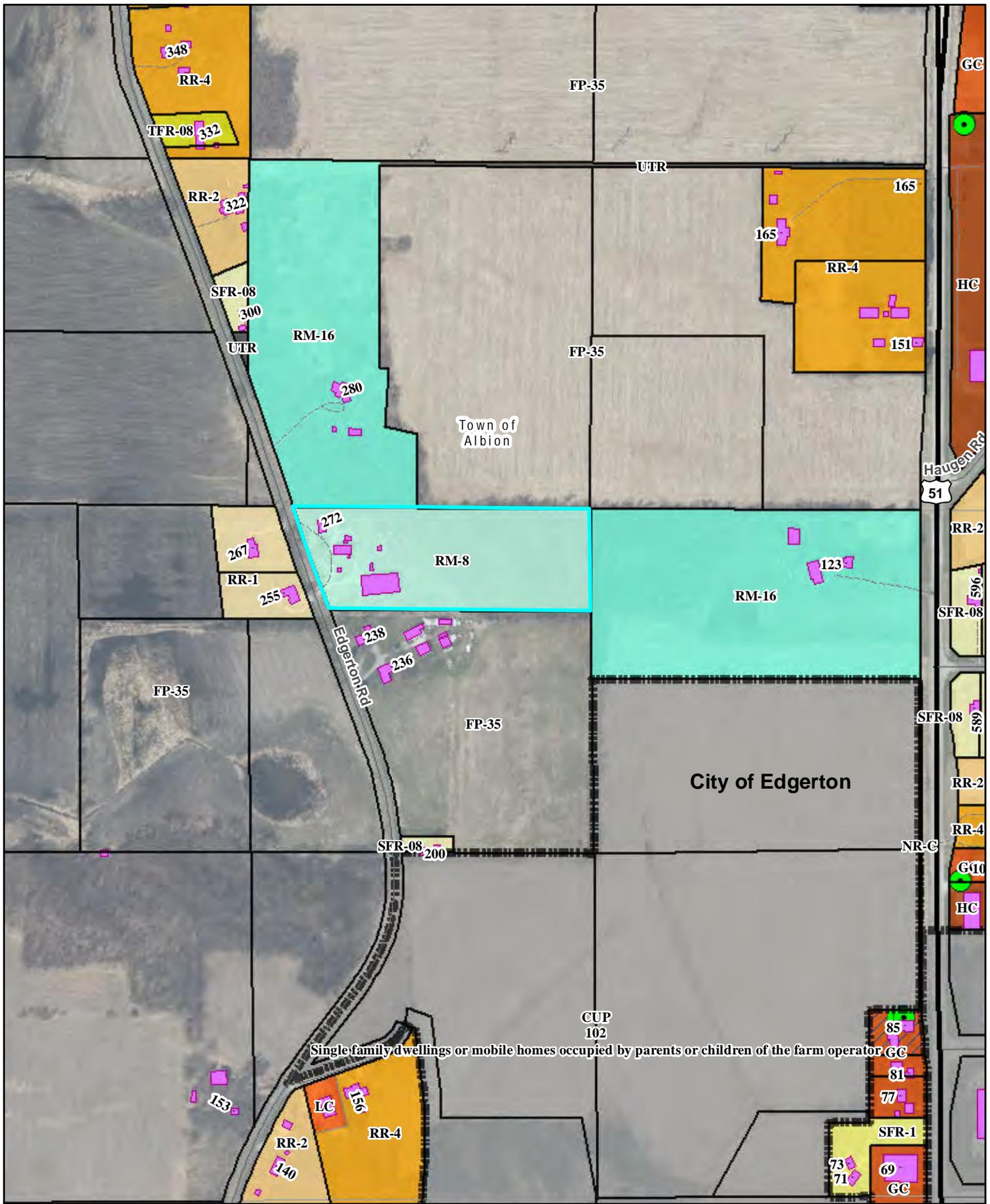
If the Conditional Use Permit is approved, my plans are to continue networking and providing local communities with high quality equestrian instruction, impeccable horse care and opportunities for personal development.

If I can provide further clarification for the approval process, please reach out to me at 608-295-5582 or allie@aceequestrianwi.com. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Allison Graf". The signature is written in a cursive, flowing style.

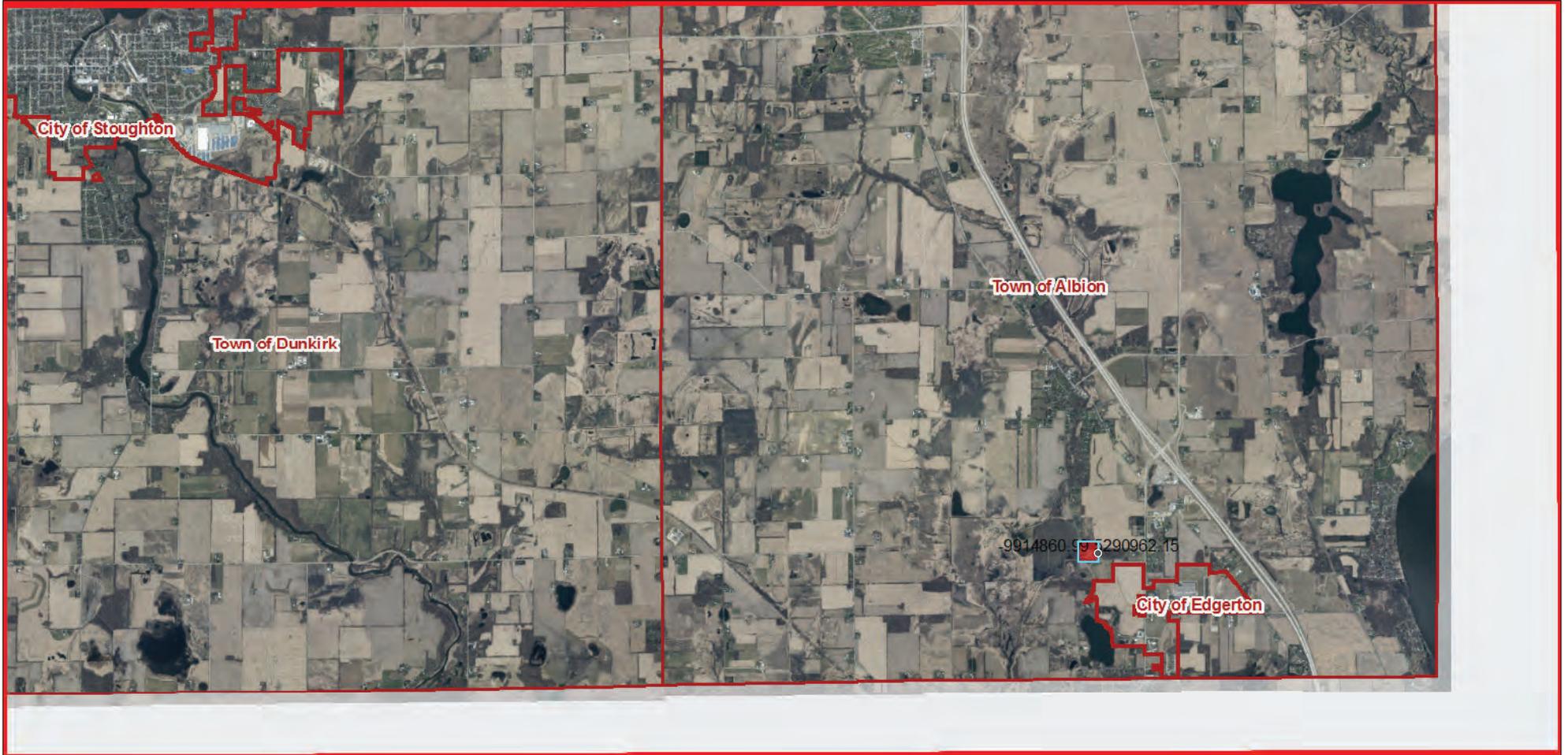
Allison R. Graf



CUP 2580 Neighborhood Map

Single family dwellings or mobile homes occupied by parents or children of the farm operator

Location within Dane County Map



September 19, 2022

Municipalities

City

Town

 Dane County Mask



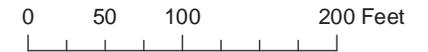
Lot Lines and Dimensions



September 22, 2022

Municipalities

- | | | |
|------------------|------------------|--------------------------|
| Town | CSM Text | Quarter Quarter Sections |
| Sections | Plat Labels | |
| Dane County Mask | Plat Names | |
| Parcel Number | Parcels | |
| House Number | Survey Townships | |
| | Quarter Sections | |



8. Dimensions & Required Setbacks



October 11, 2022

- | | | |
|------------------|----------------------------|--------------------------|
| Sections | Plat Names | Survey Townships |
| Dane County Mask | Plat Boundaries | Quarter Sections |
| Parcel Number | Certified Survey Map - CSM | Quarter Quarter Sections |
| House Number | Parcels | |
| CSM Text | Public Lands | |
| Plat Labels | Control Corners | |

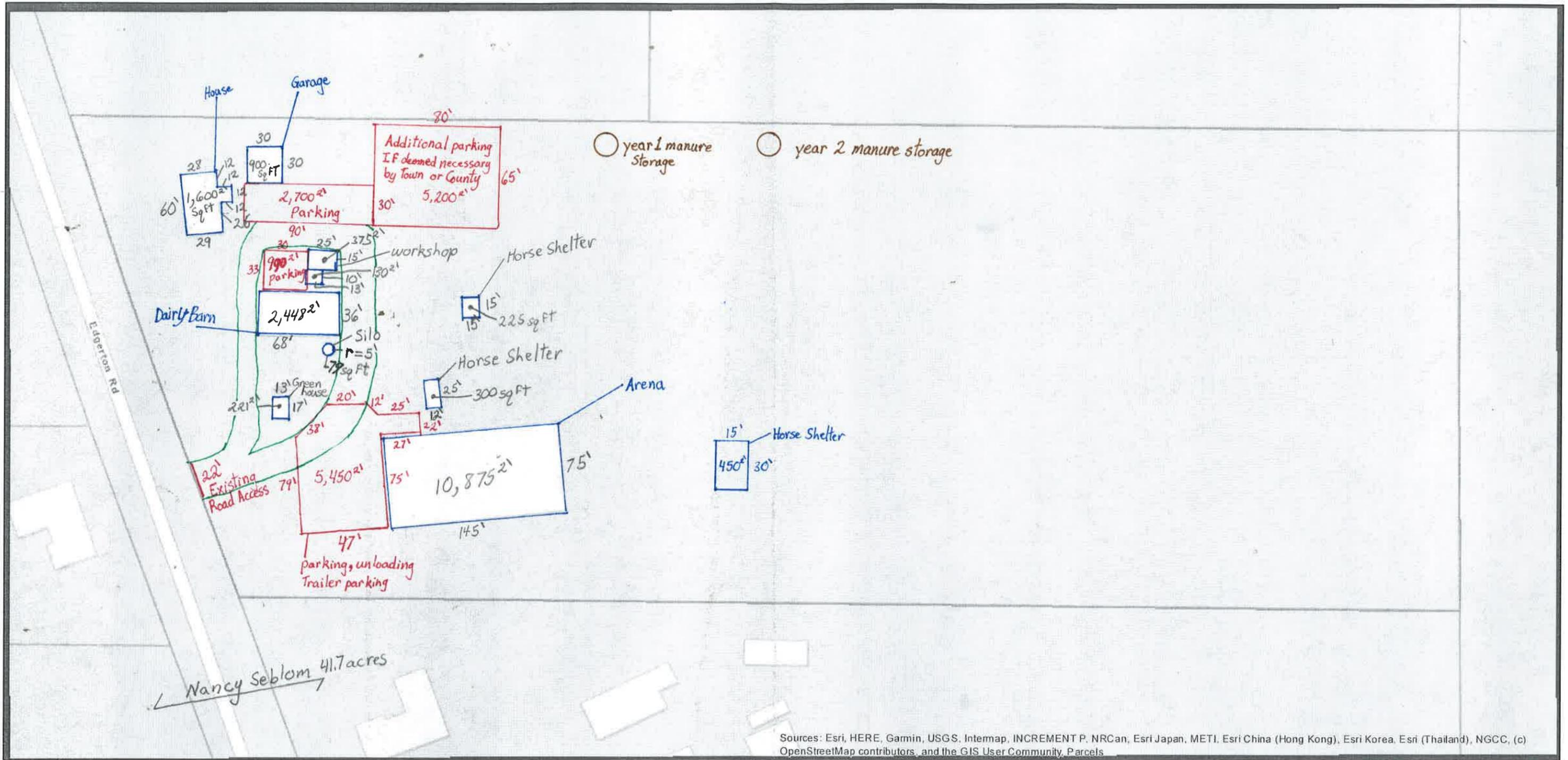


- All buildings are under 35 feet tall

- Purple dot represents existing septic system
- Blue dot represents existing well
- No new treatment or well facilities are proposed



Parking, Driveways, Existing Buildings



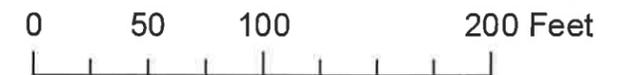
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Parcels

October 24, 2022

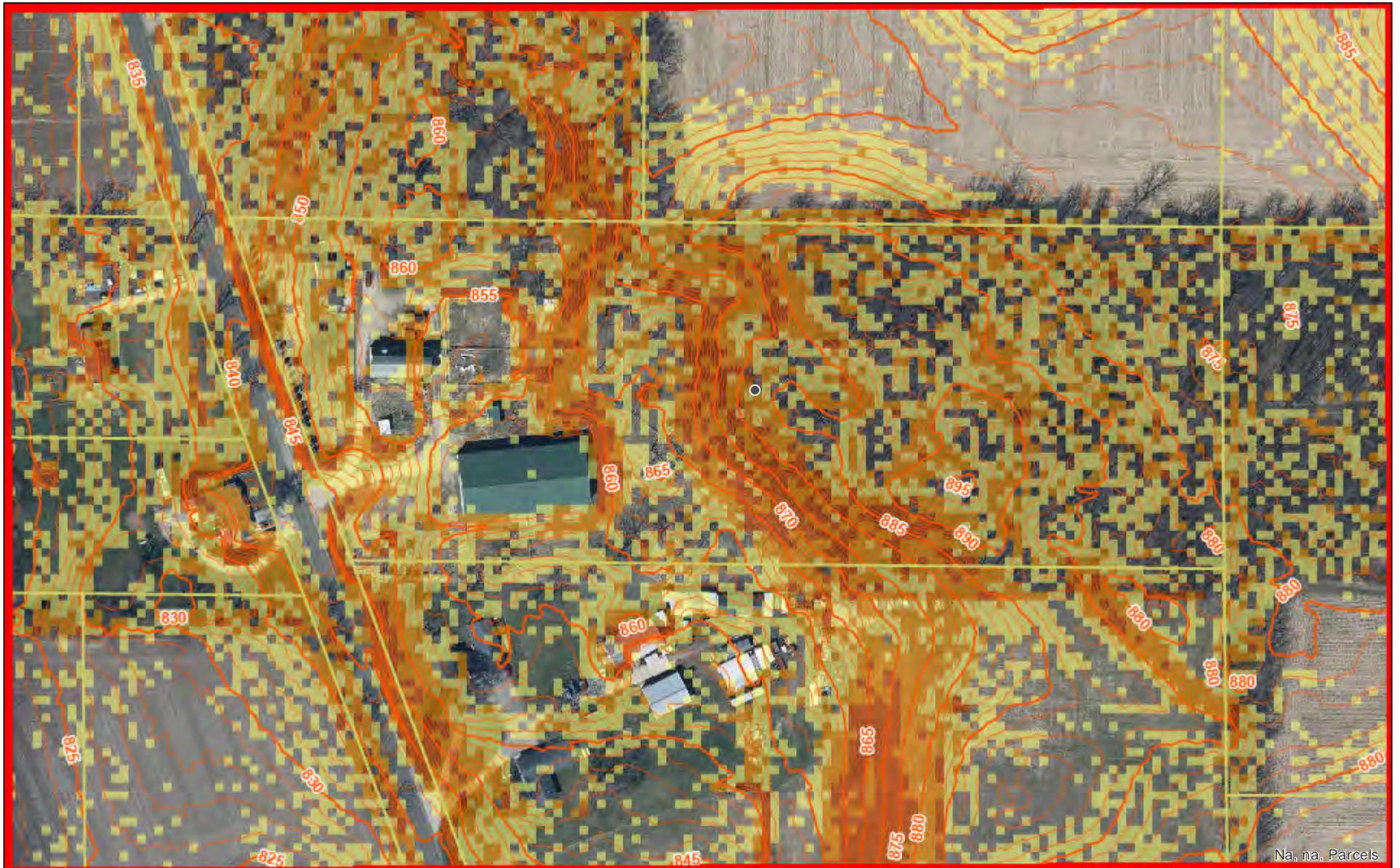
- Dane County Mask
- Parcels

*The green outlined drive aisle is one way
The width varies between 15-25' over its course*

○ Manure storage locations per nutrient management plan



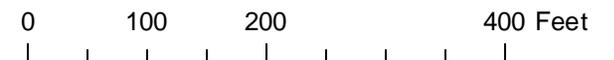
272 Edgerton Rd Steep Slopes



October 28, 2022

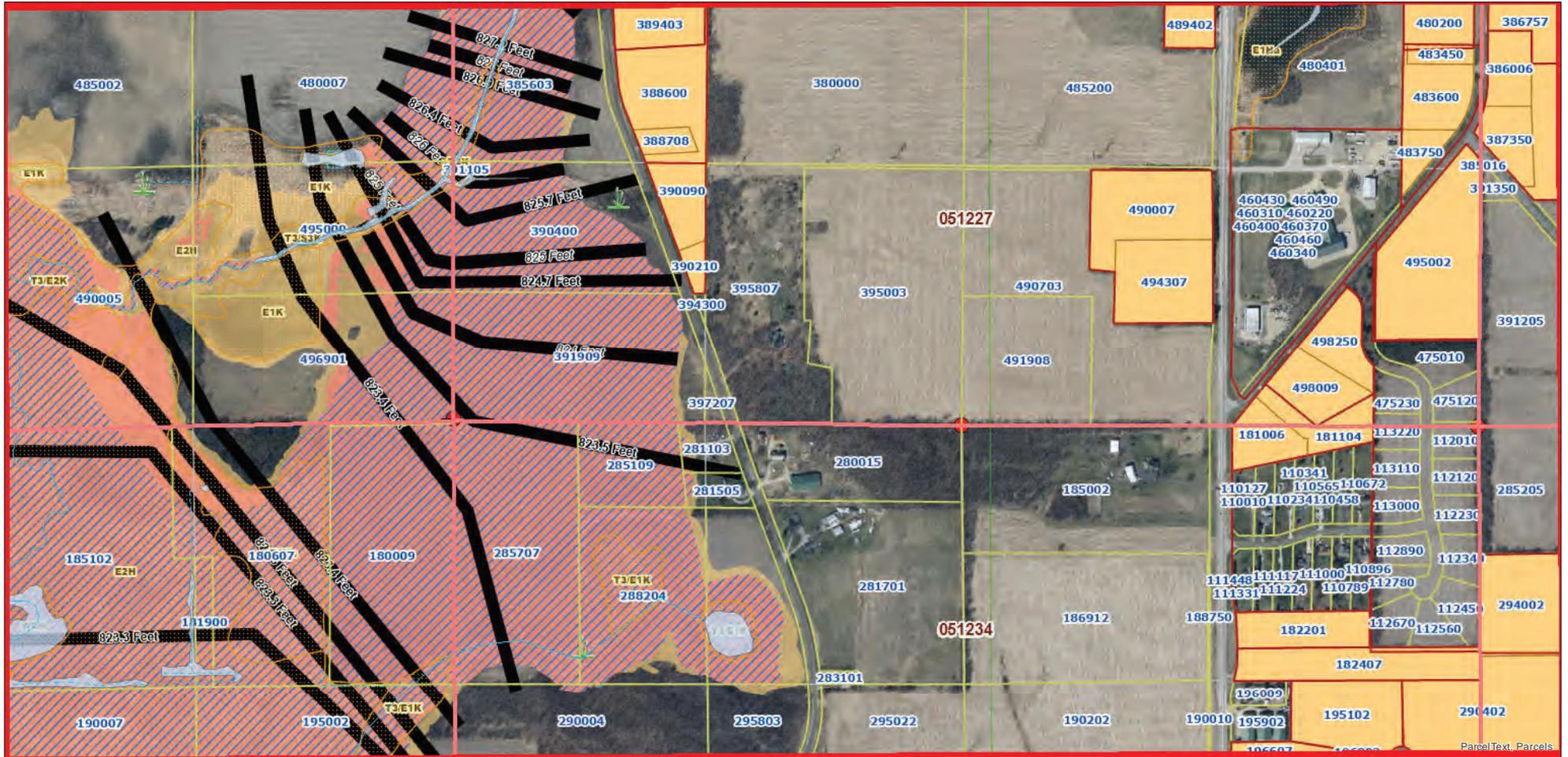
- Dane County Mask
- Parcels
- 5 foot Intervals**
- Index
- Index Depression
- 1 foot Intervals**
- Intermediate
- Intermediate Depression

- Steep Slopes**
- Greater than 6 to less than 12
 - 12 to less than 20
 - 20 and greater



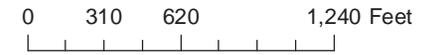
Na, na, Parcels

14. Navigable, Non-Navigable, Floodplain, Wetland



October 11, 2022

<p>Sections</p> <p>Rivers and Streams</p> <ul style="list-style-type: none"> — Perennial Stream; Hidden Perennial Stream — Intermittent Stream; Hidden Intermittent Stream — Intermittent Stream; Hidden Intermittent Stream --- Constructed Drainage Lakes and Ponds Dane County Mask 	<ul style="list-style-type: none"> Parcel Number Plat Boundaries Certified Survey Map - CSM Parcels Public Lands + Control Corners Survey Townships 	<ul style="list-style-type: none"> Quarter Sections Quarter Quarter Sections Wetland Class Areas ▲ Wetland Class Points Dammed pond Excavated pond ↓ Filled/draind wetland 	<ul style="list-style-type: none"> + Wetland too small to delineate Filled excavated pond ● Filled Points Yes Wetland Class Areas Filled Areas Y FEMA FIRM Panel 	<p>Special Flood Hazard Text</p> <ul style="list-style-type: none"> — Base Elevation — Base Line — Cross Section Lines and Elevation ⊗ Floodway Areas in Zone AE 1 Percent Annual Flood Chance Area 0.2 Percent Annual Flood Chance Area
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ParcelText, Parcels

October 20th, 2022

Dane County Land and Water Resources Department
1 Fen Oak Ct, Room 208
Madison, WI 53718

RE: Conditional Use Permit (CUP) #

To Whom it May Concern:

In accordance with the CUP # _____ (Horse Boarding/Arena Facility), I am sending to you, for your review and approval, this proposed Manure Management plan which includes information as to how the manure on the property will be handled.

There are 10.5 Acres being used on this property. The maximum number of horses as described on the CUP is twenty-five. Most horses on property are outdoor, "rough" board. The rough board horses are contained in a combination of dry lot spaces and pasture. In the dry lot, they will be provided hay, water, and a run-in shelter. At random intervals, 1-4 horses may be brought into stalls and fed hay, grain and provided water. The stalls have rubber flooring and are cleaned daily. Dry lots will be scraped twice a quarter and all manure from lots and stalls will be moved to a location on the north side of the property indicated on the attached map. This location is relatively higher than half of the property. There are trees on three sides and the location is set back to screen any manure from public view. In the spring, we will be providing compost to friends, family and community members. In the fall, after harvest, a local farmer, Andy Van Altena will spread the remaining compost on his 35 acres. The Van Altena farm is located at 5428 East County Road N, Milton, WI 53563-9623. This location is 9 miles southeast of 272 Edgerton Rd, in Rock County. Nancy Seblom, the neighboring landowner immediately south of the subject property has agreed to permit manure spreading over her 41.7 acres of land. Mrs. Seblom's address is 238 Edgerton Road, Edgerton, WI.

The manure stacked will be in accordance of the following guidelines

- The manure will be greater than 32% solids
- The maximum stacking period will be 8 months
- The maximum volume of manure stacked will be less than 40,000 cubic feet
- An individual area will be only used for stacking 1 year out of 2.

When manure is hauled to the Van Altena farm, the following guidelines will be followed:

- No manure will be applied within 300ft of the drainage ditch on frozen or snow-covered ground
- The manure will be credited to the nutrient needs of the crops to be grown

The bulk of the property is fenced off in four main dry lot/pastures. While dry lots will be scraped twice a quarter, the pasture areas will be maintained with a drag on a monthly basis to break up manure piles. This will encourage composting and fertilization of the pastures.

The North and East side of the property lines are tree covered. This provides shade and windbreak for the animals.

CUP 2580 Legal Description

That part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Town 5 North, Range 12 East, Town of Albion, Dane County, Wisconsin, bounded and described as follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 34; thence $S00^{\circ}36'18''E$ along the North-South $\frac{1}{4}$ line of Section 34, 393.45'; thence $N89^{\circ}16'09''W$, 1047.43' to the centerline of Edgerton Road; thence $N19^{\circ}09'09''W$ along said centerline, 418.28' to the North line of Section 34; thence $S89^{\circ}16'09''E$, 1180.52' to the point of beginning.