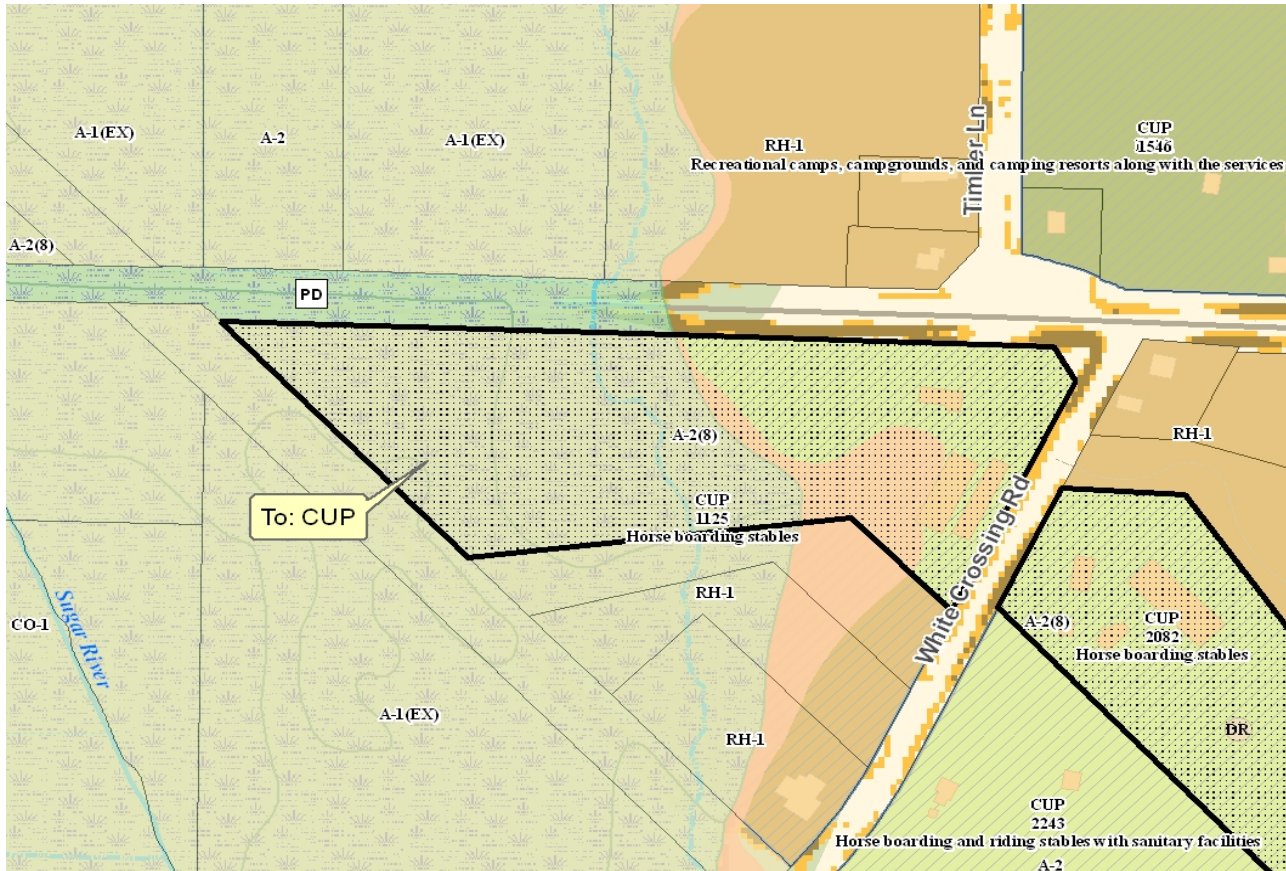




Staff Report

Zoning and Land Regulation Committee

Public Hearing: September 23, 2014	Petition: CUP 2285
Zoning Amendment: None	Town/sect: Verona Section 07
Acres: 10.28 Survey Req. No	Applicant Krell Company LLC
Reason: Unlimited livestock on 3-16 acres (horse boarding)	Location: 2817 White Crossing Road



DESCRIPTION: The petitioner would like to bring this property into compliance with current zoning regulations due to concerns raised by neighboring property owners regarding the number of horses that were boarded at the existing horse boarding facility.

OBSERVATIONS: In 1994, a conditional use permit (#1125) was issued for a horse boarding facility. Given that the original lands were over 16 acres in size, the ordinance allowed unlimited livestock on the property. The original 16-acre parcel was reduced by 2 acres in 2003 to allow a lot to be created for the owners of the boarding facility. Because the land was reduced under 16 acres in size, this limited the boarding facility to only 13 horses allowed on the property (see history). The property was further reduced in 2007 by the creation of an additional 2 residential lots. The current property is 10 acres in size and is limited to 10 animal units (horses).

There is an intermittent stream that bisects the property. 70% of the property is in the 100-year floodplain. Approximately 60% of the property is wetland.

TOWN PLAN: This is within an Agricultural Preservation Area in the town/county plan. The plan includes the following policy:

“Collaborate with other agencies in assisting landowners to adopt practices that improve livestock manure management, reduce livestock access to streams, and implement best management practices that improve surface and ground water quality.”

CUP 2285 Continued

LAND CONSERVATION: A Manure Management plan should be developed that addresses collection, storage and safe disposal of manure. Any manure storage structure be consistent with Chapter 14 and Chapter 11 of the Dane County Ordinance. Additionally some of the property is wet soils with some manipulation to provide surface drainage. A vegetative management plan should be developed to maintain sod forming grasses to minimize off site transport of sediment.

RESOURCE PROTECTION: Wetlands and 1% regional floodplain associated with the Sugar River cover 7 acres of the 10.28-acre site. Elkmound sandy silt loams with slopes of 12 – 20% cover most of the remainder of the property.

STAFF: The amount of animal units should be limited due to the amount of wetlands on the property. See attached suggested conditions.

TOWN: Approved with conditions (see below).

Proposed Conditional Use Permit # 2285

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
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.
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.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The horse boarding facility shall be limited to 18 animal units on the property; this includes horses and any other livestock.
2. Additional animal units can be boarded at a level of 1.8 units per acre of contiguous leased or owned land if documentation of a current, properly executed lease or evidence of ownership is provided to and found acceptable to the Town of Verona. On the additional leased or owned land, animal units cannot be double counted to serve both the property and the property addressed in this CUP.
3. Up to 10 additional horses (1 per acre) may be allowed on the site during business hours.
4. No new boarding facilities will be allowed without all applicable permits.
5. Activities will be limited to boarding, horse riding, open pasture, instruction, training, trail riding, private events, and small public events.
6. Horses will be boarded 24 hours a day, but hours of operation will be from 6am to 10pm.
7. Owner/Operator shall be responsible for instituting and complying with a nutrient (manure) management plan written to NRCS 590 standards and approved by Dane County Land Conservation.
8. All parking shall be on site. Parking is prohibited on County Highway PD, White Crossing Road, and Timber Lane.
9. Outside speakers/amplification is prohibited.
10. Lighting is limited to hours of operation except for a security light
11. Appropriate ground cover to mitigate risk of erosion and dust from over grazing and use of outdoor arenas is required.
12. Outdoor storage will only be for fodder, water, training and riding.
13. Sanitary facilities must be provided in or directly adjacent to the primary boarding facility.