
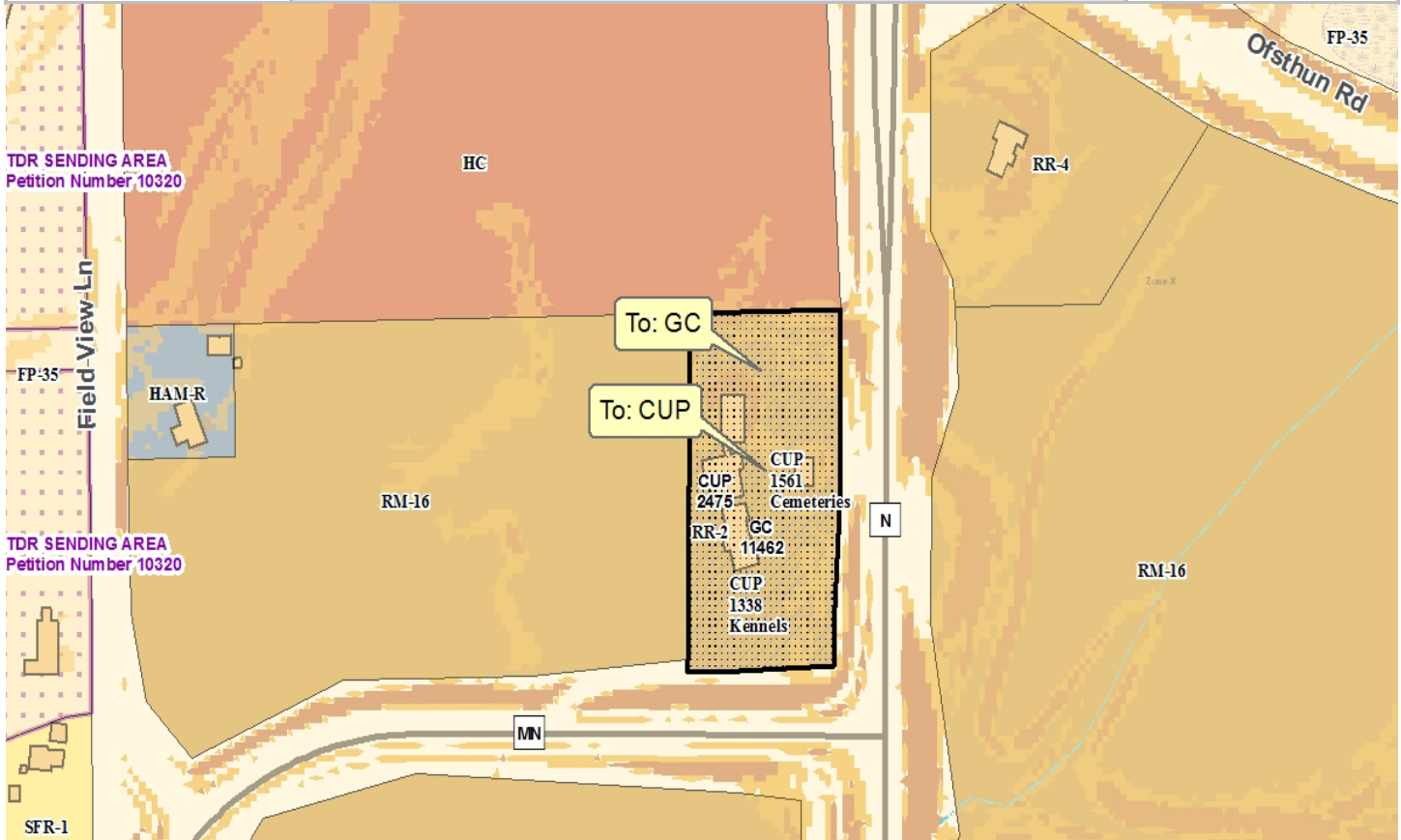


<p>Staff Report</p>  <p>Zoning and Land Regulation Committee</p> <p>Questions? Contact Pam Andros at 261-9780.</p>	<p>Public Hearing: August 27, 2019</p>	<p>CUP 02475</p>
	<p><u>Zoning Amendment Requested:</u> CUP FOR EXISTING USES OF DOMESTIC PET BOARDING, SINGLE-FAMILY RESIDENCE, AND PET CREMATORIUM</p>	<p><u>Town/Section:</u> COTTAGE GROVE, Section 33</p>
	<p><u>Size:</u> 3.2 Acres</p>	<p><u>Survey Required:</u> No</p>
	<p><u>Reason for the request:</u> CUP FOR EXISTING USES OF DOMESTIC PET BOARDING, SINGLE-FAMILY RESIDENCE, AND PET CREMATORIUM</p>	<p><u>Applicant:</u> WALTER R JOBE</p> <p><u>Address:</u> 2416 COUNTY HIGHWAY MN</p>



DESCRIPTION: The applicant is applying for a rezone and CUP for a pet boarding facility and pet crematorium, and a caretaker residence. The rezone petition, #11462, is summarized in a separate staff report. This application is for an existing use. The property is in the process of being sold to Underdogs, LLC and the current CUP will expire with the sale of the property. Underdogs, LLC intends to continue to use the property as a pet boarding facility and crematorium in the same manner in which it is currently used.

The property is located in Section 33 of the town of Cottage Grove and totals approximately 3.2 acres. The existing use of the property is a pet boarding facility, pet crematorium and caretaker residence. It has no significant environmental features. The subject property is south of STH 12&18. The surrounding area is a combination of agriculture, rural residential and commercial land uses.



CONDITIONAL USE PERMIT PROCESS: Conditional uses are those uses which, because of their unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review. The zoning ordinance includes specific requirements and standards for review and approval of conditional use permits.

Conditional uses are subject to prescribed standards found in section 10.103 of the ordinance. At a minimum. The zoning committee must find that all the following general standards for approval are met for the proposed conditional use:

- a. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
- b. That 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;
- c. That 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;
- d. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made;
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- f. That the conditional use shall conform to all applicable

regulations of the district in which it is located.

- g. That the conditional use is consistent with the adopted town and county comprehensive plans.
- h. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s.10.220(1).

STAFF ANALYSIS:

Staff believes that the applicant has submitted substantial evidence in the form of information and plans for operation of the use and that the proposal will satisfy the applicable standards for approval of a conditional use permit.

TOWN PLAN: The subject property is in the *Commercial Development* future land use area of the town of Cottage Grove Comprehensive Plan. This proposal is consistent with the plan.

RESOURCE PROTECTION: There are no environmentally sensitive features on the property.

STAFF: Staff recommends approval of the rezone with the conditions described in the town action report. Staff recommends approval for a conditional use permit with the conditions specified by the town, as well as those that are standard for all CUPs as described in section 10.101(7)(d)2. of the county code.

TOWN ACTION ON CUP 2475: The Town Plan Commission and Town Board unanimously approved the conditional use permit, subject to following 22 conditions. Note that the first 13 are standard conditions of approval for all CUPs found in section 10.101(7)(d)2. of the county zoning code. The remainder are specific conditions from the town. See *Town Action Report for CUP*.

- 1) Any conditions required for specific uses listed under s.10.103 of County Ordinances;
- 2) The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan;
- 3) New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of 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 county 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 with be provided to the county 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) of County Ordinances;
- 9) If 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 County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or 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 must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division;
- 12) 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;
- 13) 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. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to revocation;
- 14) The facility shall run as described in the pet boarding facility
- 15) Hours of operation shall be Mon-Fri 6 to 9 a.m. and 4 to 6 p.m.; Saturday 7-9 a.m. and Sunday 4 to 6 p.m.
- 16) The number of employees shall not exceed 6.
- 17) The maximum number of boarded pets is 50.
- 18) There shall be no outside storage.

- 19) Outdoor activities are limited to a fenced in play area for dogs and a swimming pool for dogs.
- 20) Outdoor lighting will be limited to one fixture.
- 21) Signage is limited to the one existing sign to stay in its current location in front of the property facing CTH N.
- 22) The single family residence is for a caretaker only.