



Staff Report

Public Hearing: **May 27, 2014**

Petition: **CUP 2273**

Zoning Amendment:
A-1EX Exclusive Agriculture District to A-1EX Exclusive Agriculture District

Town/sect:
Berry Section 12

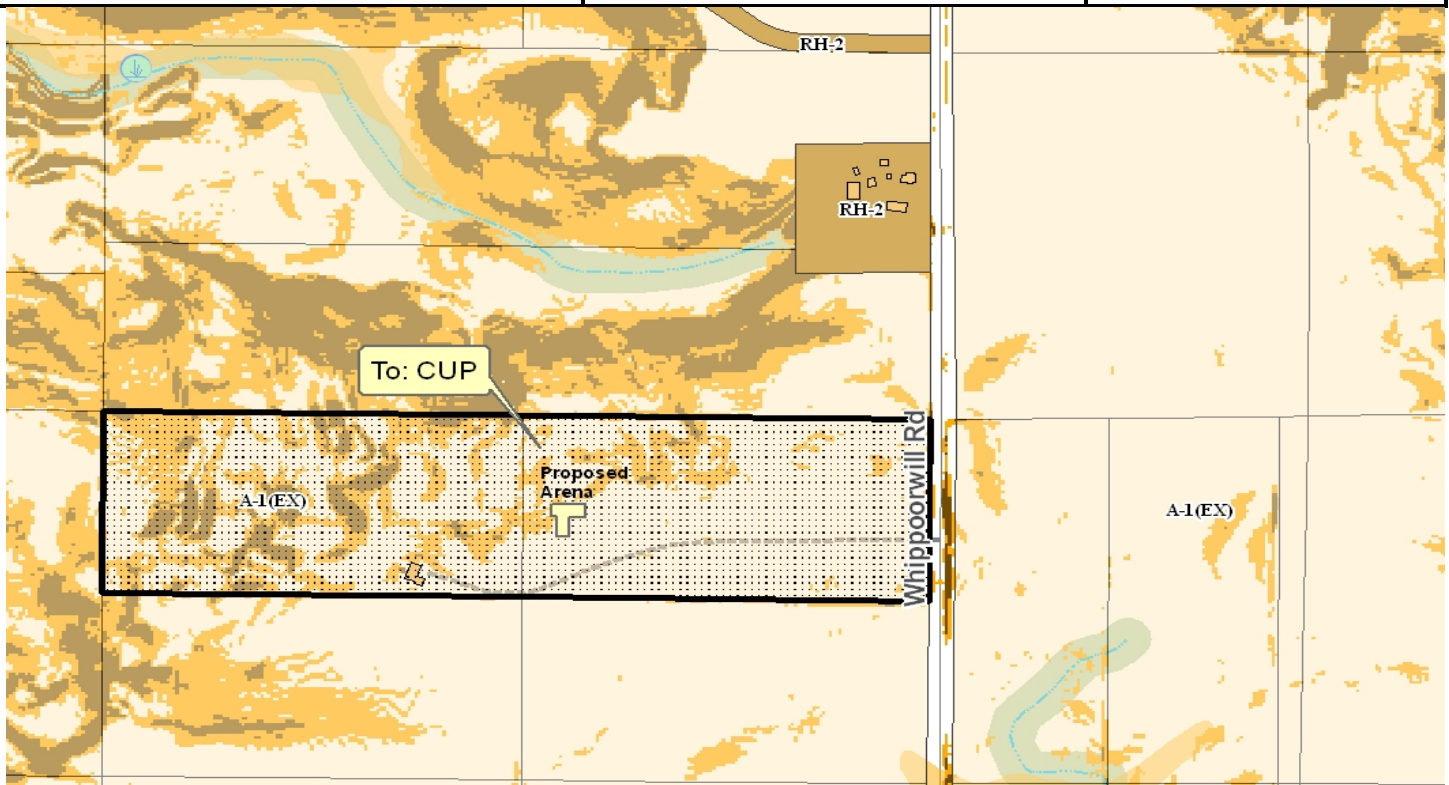
Acres: *20*
Survey Req. No

Applicant
Rojo REV TR, Jose & Mary

Reason:
Horse boarding stables, riding stables & training facilities

Location:
5987 Whippoorwill Road

Zoning and Land Regulation Committee



DESCRIPTION: The applicant would like to construct a small horse boarding and training facility. The development would consist of a 17-stall boarding area with an indoor riding arena, a hay storage building, and outside track.

OBSERVATIONS: The property consists of approximately 43 acres. There is an existing residence on the property. The western portion of the property is wooded with steep slop topography. The front 20 acres will be used for the horse boarding facility. No sensitive environmental features observed.

Historic Society: There were indications of potential burial mounds on property. County Staff contacted the State Historical Society and found that the potential of burial mounds is east of Whippoorwill Road and is not on this particular property.

TOWN PLAN: Property is in the "Agricultural and Rural Lands Preservation Area" which carries a 1 per 35 Density Policy. Additionally: The only non-residential uses (commercial, industrial, institutional and office) in the Agricultural and Rural Lands Preservation Area are those allowed in the A-1 Exclusive and A-B Zoning Districts.

RESOURCE PROTECTION: There are no areas of resource protection corridor located on the property.

STAFF: The proposal appears to be consistent with Town Plan policies. See attached page regarding potential conditions.

TOWN: Approved with conditions.

Proposed Conditional Use Permit # 2273

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. Commercial activities conducted on the property shall be limited to horse boarding, private equestrian instruction and training.
2. The Horse Boarding Facility shall be limited up to 25 horses.
3. Horse Boarding Facility shall be limited to the proposed building (72'x210' plus stall barn) as shown on the attached site plan.
4. Approvals shall be obtained from the Town Board regarding the location of the boarding facility and the storm water management features located on the property.
5. The driveway to the boarding facility shall be constructed to Town shared driveway standards.
6. The Hours of Operation will be 7 am to 9 pm
7. Adequate parking shall be located on the property. (see site plan)
8. Lighting for any outside riding arena is prohibited.
9. Outside loudspeakers are prohibited.
10. Signs shall comply with Dane County Code of Ordinances.
11. All grass paddocks and pastures must be maintained with vegetation or gravel.
12. Owner is responsible for instituting a manure management plan approved by Dane County Land Conservation.
13. Sanitary facilities for the general public shall be provided if required by the Wisconsin Commercial Building Code.