


Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
06/20/2019	DCPREZ-2019-11462
Public Hearing Date	C.U.P. Number
08/27/2019	DCPCUP-2019-02475

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME WALTER R JOBE	PHONE (with Area Code)	AGENT NAME BENJAMIN LARSON	PHONE (with Area Code) (608) 698-1742
BILLING ADDRESS (Number & Street) 2416 COUNTY HIGHWAY MN		ADDRESS (Number & Street) 414 MANLEY LN	
(City, State, Zip) COTTAGE GROVE, WI 53527-9582		(City, State, Zip) COTTAGE GROVE, WI 53527	
E-MAIL ADDRESS		E-MAIL ADDRESS BENLARS79@GMAIL.COM	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
2416 COUNTY HIGHWAY MN					
TOWNSHIP COTTAGE GROVE	SECTION 33	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0711-333-8001-4					

REASON FOR REZONE			CUP DESCRIPTION	
ZONING TO ALLOW FOR CUP FOR EXISTING CUP USES			DOMESTIC PET BOARDING; SFR; CREMATORIUM	
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
RR-2 (Rural Residential, 2 to 4 acres) District	GC (General Commercial) District	3.2	10.272(3)(b)	3.2
			10.272(3)(c)	3.2
			10.272(3)(l)	3.2

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>WR</u>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>WR</u>	DEED RESTRICTION REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials <u>WR</u>	INSPECTOR'S INITIALS HJH3	SIGNATURE:(Owner or Agent) 
PRINT NAME: Benjamin Larson				
DATE: 6/20/19				



DANE COUNTY PLANNING & DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Conditional Use Application

Application Fee: \$495 Mineral Extraction: \$1145 Cell Tower: \$1145

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 8 standards of a Conditional Use

Owner	<u>Benjamin & Shreya Larson</u>	Agent	<u>Benjamin Larson</u>
Address	<u>2416 County Hwy MN</u>	Address	<u>414 Manley LN</u>
Phone	<u>Cottage Grove, WI 53527</u>	Phone	<u>Cottage Grove, WI 53527</u>
	<u>(608) 698-1742</u>		<u>(608) 698-1742</u>
Email	<u>bslars@gmail.com</u>	Email	<u>benlars79@gmail.com</u>

Parcel numbers affected: 018/0711-333-8001-4 Town: Cottage Grove Section: _____
 Property Address: 2416 County Hwy MN Cottage Grove, WI 53527

Existing/Proposed Zoning District : RR-2 Cvp 1338 + 1561

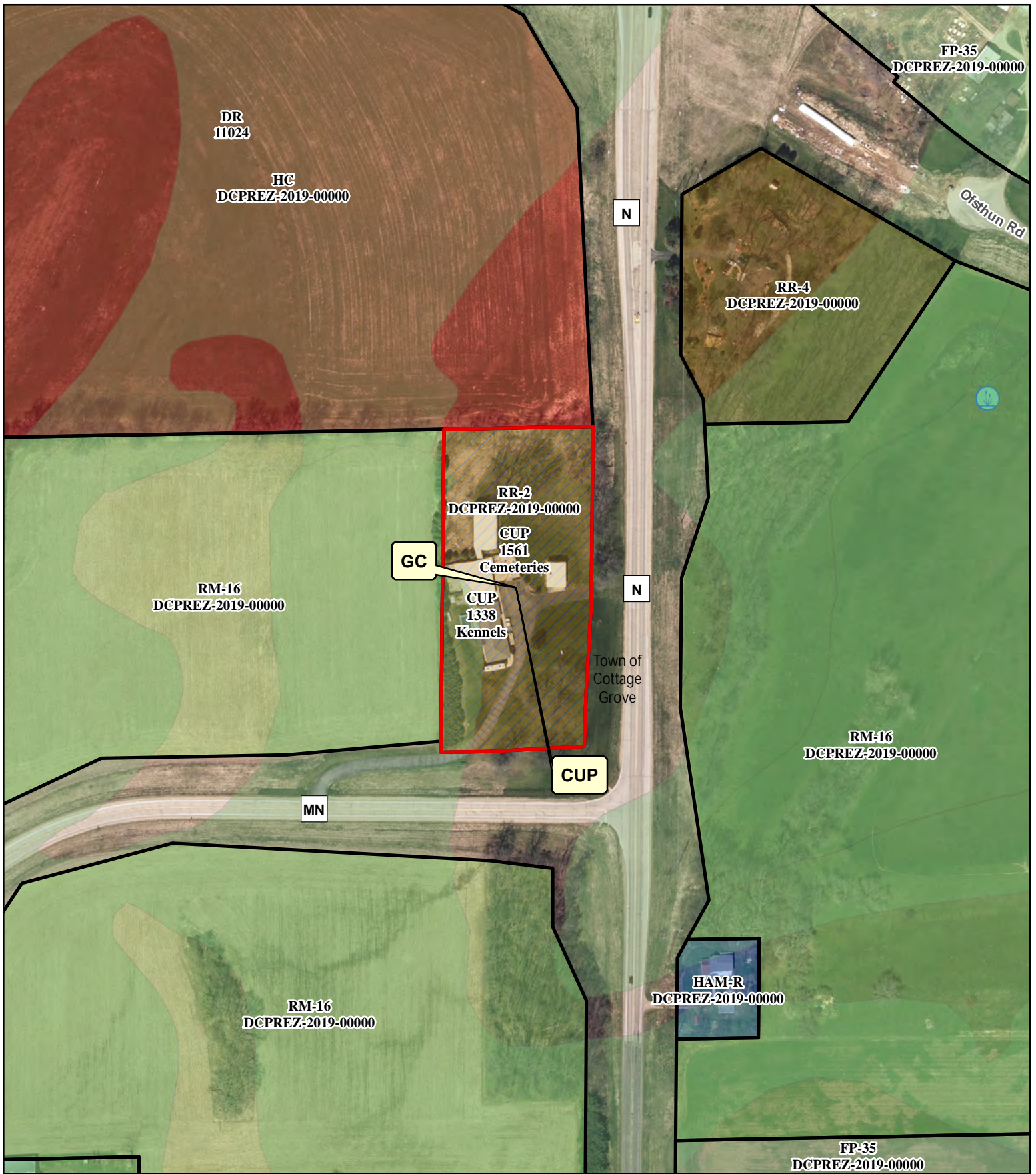
Separate checklist for mineral extraction or cell tower uses must be completed.

- o Type of Activity proposed: Pet Boarding Facility + Cemetery (crematorium)
- o Hours of Operation Mon.- Fri, 6-9am, 4- 6pm. Saturday 7- 9am, 4-6pm, Sunday 4-6pm
- o Number of employees 4
- o Anticipated customers 50
- o Outside storage None
- o Outdoor activities Fenced-in play for dogs, Swimming for dogs in pool
- o Outdoor lighting 1 outdoor light
- o Outside loudspeakers No loud speakers
- o Proposed signs 1 is existing in the front
- o Trash removal Town of Cottage Grove - to continue as it does currently
- o Eight Standards of CUP (see page 2)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: Benjamin Larson

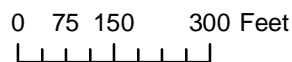
Date: 6/20/2019



Legend

Wetland > 2 Acres Significant Soils

- Wetland
- Class 1
- Floodplain
- Class 2



Petition 11462 /CUP 2475
WALTER R JOBE



DANE COUNTY PLANNING & DEVELOPMENT

Conditional Use Application

Application Fee: \$495 Mineral Extraction: \$1145 Cell Tower: \$1145

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 8 standards of a Conditional Use

Owner _____	Agent _____
Address _____	Address _____
Phone _____	Phone _____
Email _____	Email _____

Parcel numbers affected: _____ Town: _____ Section: _____
 _____ Property Address: _____

Existing/ Proposed Zoning District : _____

Separate checklist for mineral extraction or cell tower uses must be completed.

- o Type of Activity proposed: *Single Family Residence*
- o Hours of Operation
- o Number of employees *Continued use of existing SFR*
- o Anticipated customers *for caretaker.*
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Eight Standards of CUP (see page 2)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: *Benjamin Larson*

Date: *6-20-19*



DANE COUNTY
PLANNING & DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Zoning Change Application

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>Benjamin Larson</u>	Agent's Name	<u>Benjamin Larson</u>
Address	<u>2416 Cty Hwy MN Cottage Grove</u>	Address	<u>414 Marley LN</u>
Phone	<u>(608) 698-1742</u>	Phone	<u>Cottage Grove, WI 53527</u>
Email	<u>bslar5@gmail.com</u>	Email	<u>benlar579@gmail.com</u>

Town: Cottage Grove Parcel numbers affected: 018/0711-333-8006-4

Section: _____ Property address or location: 2416 County Hwy MN, Cottage Grove, WI

Zoning District change: (To / From / # of acres) To GC from RR-2

Soil classifications of area (percentages) Class I soils: _____ % Class II soils: _____ % Other: _____ %

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

Continuation of existing non-conforming use

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: Benjamin Larson

Date: 6/20/19

Eight Standards of a Conditional Use Permit

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.

The Maintenance & Operation of this conditional use will not be detrimental or endanger the public health, safety, comfort or general welfare because the property and business have been constructed with physical boundaries & fences which keep pets contained and safe. Trusted business practices have also been established which will be carried over which ensure the comfort and general welfare of the animals, employees and pet owners.

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.

The conditional use poses no threat to the uses, values and enjoyment of other property in the neighborhood because the business is contained to the property, mostly within the buildings that exist and the fenced-in outdoor play areas. There is only one light but this light will not effect the neighbors because there is a large distance between properties in this area. Noise of barking dogs will also not be a factor because of the space between properties.

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.

The continued establishment of the conditional use permit will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district because all of the activity that is proposed with the conditional use permit is contained to the property in question and does not affect anything on the surrounding properties.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

The adequate utilities, access roads, drainage and other necessary site improvements have been in place to accommodate this conditional use for many years. Given that the conditional use will not change these items will continue to be adequate.

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.

Adequate Measures have been taken to minimize traffic congestion in the public streets. The traffic flow has been and will continue to be into and out of the single driveway to the property which is located on Highway MN, which has much less traffic and a lower rate of speed than highway N which runs across the East end of the property.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The conditional Use will continue to conform to all applicable regulations of the district in which it is located. The property and kennel business is currently set-up to conform to these regulations and there are no changes planned.

7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.

The proposed conditional use is consistent with Town and County Comprehensive Plans. The current conditional use is consistent with these comprehensive plans and the conditional use will not change.

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(1)

The property is not located in the Farmland Preservation area.

Conditional use Application, 6/20/19

This is an application for Conditional use located at 2416 County Highway MN, Cottage Grove, WI 53527. The property is in the process of being sold to Underdogs, LLC and the current Conditional Use Permit will expire with the sale of the property. There are no proposed changes to the conditional use permit that currently exists with this application. Underdogs, LLC intends to continue to use the property as a pet boarding facility in the same manner which it is currently used.

The operations plan for the pet boarding facility is as follows:

Hours of Operation:

Mon – Fri: 6a-9a, 4p-6p

Saturday: 7a-9a, 4p-6p

Sunday: 4p-6p

Number of Employees: 4

Anticipated Customers: 50

Outside Storage: There is no outside storage.

Outdoor Activities: Fenced-in play areas for dogs, Swimming for dogs in pool

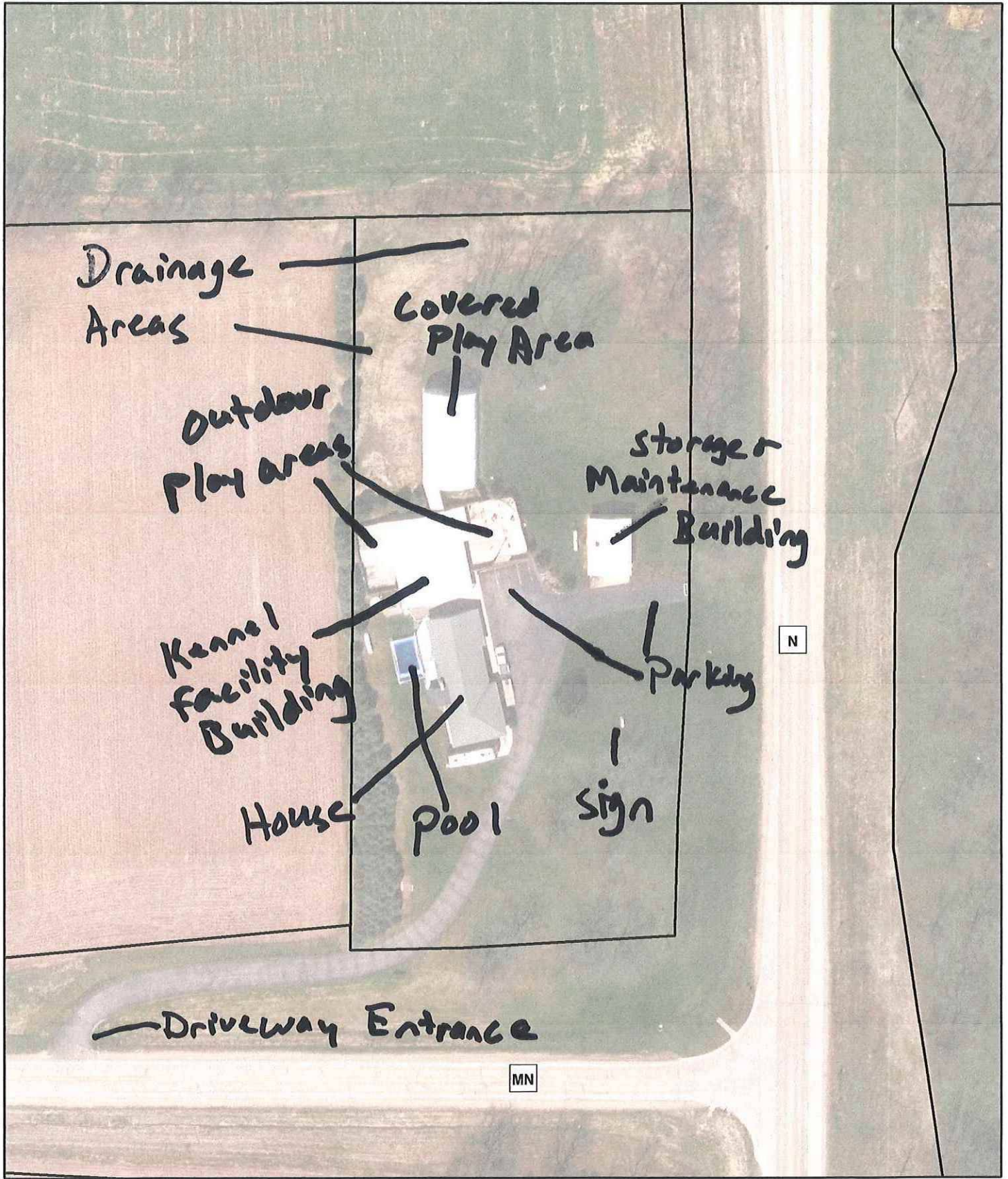
Outdoor Lighting: 1 Outdoor light

Proposed Signs: 1 sign already exists. That will stay in the same spot – it is located in the front of the property and faces Highway N.

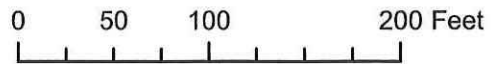
Trash Removal: Town of Cottage Grove

The conditional use shall be located on the property described as follows:

Part of the NE ¼ SW ¼ Section 33, Town of Cottage Grove Described as Follows: Commencing at the Northeast corner of the NE ¼ SW 1/4; Thence West, 80.8 Feet to the point of beginning; Thence S 00 Degrees 05' 53" East, 44.82 Feet; Thence S 00 Degrees 01' 20" West, 263.26 Feet; Thence S 02 Degrees 52' 11" West, 149.67 feet; Thence S 01 degrees 12' 36" West, 90.02 Feet; Thence S 86 Degrees 28' 38" West, 160.29 Feet; thence S 88 degrees 26' 49" West, 80 feet; thence North, 550 Feet to the North line of the aforesaid NE ¼ SE 14; thence East along said North line, 250 feet to the point of the beginning.



Legend

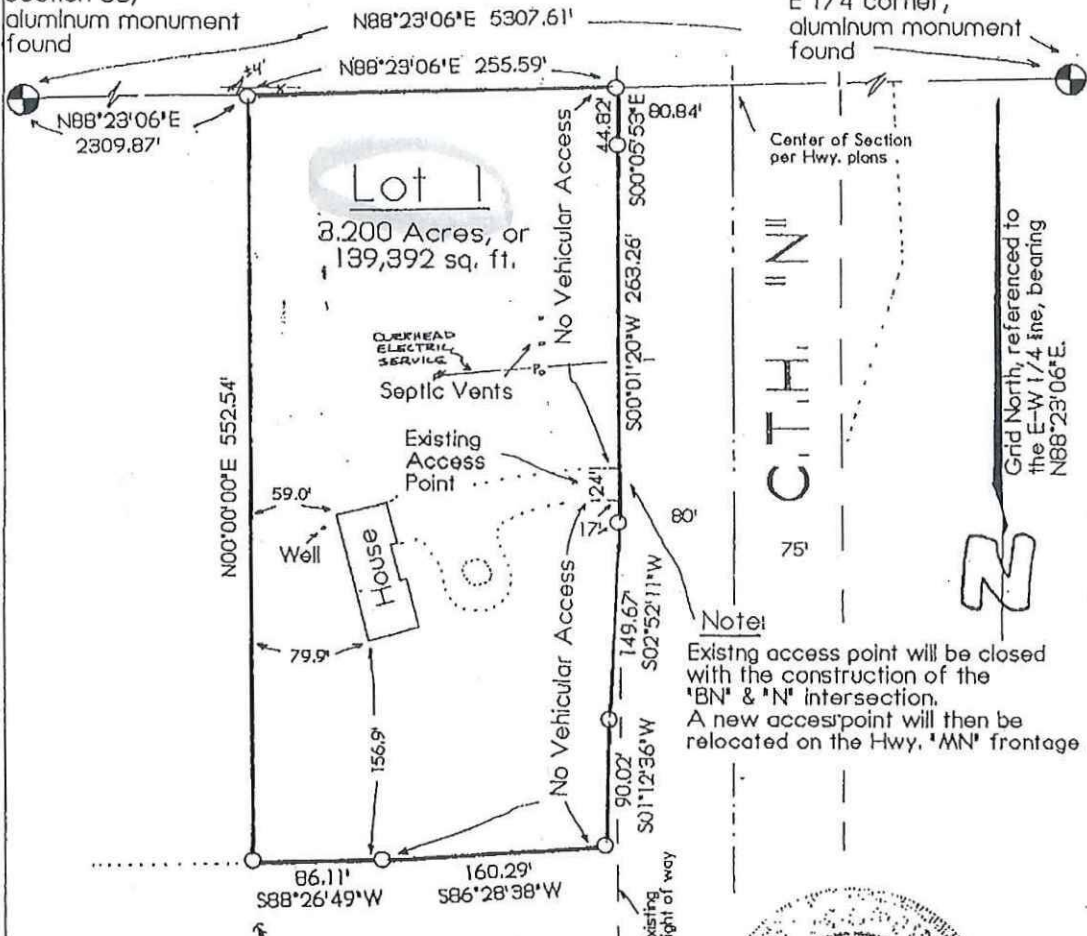


Certified Survey Map

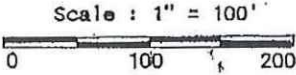
Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

W 1/4 corner, aluminum monument found

E 1/4 corner, aluminum monument found



Note:
Existing access point will be closed with the construction of the 'BN' & 'N' intersection. A new access point will then be relocated on the Hwy. 'MN' frontage.



Legend
○ = 3/4" dia. x 24" long iron rod set, 1.50 lbs. per lineal foot

- Notes**
- 1) Surveyed for Link Farms Inc., c/o Helen Link, 3287 Hwy. "N", Cottage Grove, Wisconsin, 53527, owner.
 - 2) "Refer to building site information contained in the Dane County Soil Survey."
 - 3) "County Trunk Highway "N" is a controlled access highway, pursuant to Chapter 79, Dane County Code of Ordinances."

<p>Wisconsin Mapping surveying and mapping services 306 West Quarry Street, Deerfield, Wisconsin 53531 (608) 764-5602</p>	<p>Dwg. No. 1678-96 Date 7/17/96 Sheet 1 of 3 Document No. 2779955 C.S.M. No. 2222 V. 44 P. 294</p>
--	---

3/14

Certified Survey Map

Owners Certificate

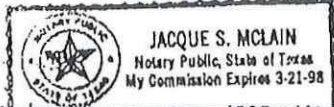
LINK FARMS INC. a corporation duly formed and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that it has caused the land described on this certified survey to be surveyed, divided, mapped and dedicated as represented on this certified survey map. It also certifies that this certified survey map is required by s75.17 (1) (a) Dane County Code of ordinances to be submitted to the Dane County Zoning and Natural Resources Committee for approval.

LINK FARMS INC. by: John Link, President Helen Link, Secretary

STATE OF TEXAS
COUNTY OF CASTRO)ss.

Personally came before me this 15th day of July, 1996, the above named John Link, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Jacques S. McClain
Notary Public, CASTRO County, Texas
my commission expires 3-21-98



STATE OF WISCONSIN
COUNTY OF DANE)ss.

Personally came before me this 16th day of July, 1996, the above named Helen Link, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Jerome P. Eichelkraut
Notary Public, Dane County, Wisconsin
my commission expires 11-14-1999



<p>Wisconsin Mapping surveying and mapping services 306 West Quarry Street, Deerfield, Wisconsin 53531 (608) 764-5602</p>	<p>Dwg. No. <u>1678-96</u> Date <u>7/17/96</u> Sheet <u>2</u> of <u>3</u> Document No. <u>2779955</u> C.S.M. No. <u>8277 V. 44 P. 235</u></p>
--	---

Certified Survey Map

Surveyors Certificate

I hereby certify that in full compliance with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the County of Dane, and by the direction of Helen Link, I have surveyed, divided and mapped the lands described hereon, and that such map correctly represents the exterior boundaries of the lands surveyed, and that this land is located within and more fully described to wit:

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows:

Commencing at the W 1/4 corner of said Section 33; thence N88°23'06"E along the North line of the SW 1/4, 2309.87 feet to the point of beginning; thence continue N88°23'06"E along said North line, 255.59 feet; thence S00°05'53"E, 44.82 feet; thence S00°01'20"W, 263.26 feet; thence S02°52'11"W, 149.67 feet; thence S01°12'36"W, 90.02 feet; thence S86°28'38"W, 160.29 feet; thence S88°26'49"W, 86.11 feet; thence N00°00'00"E, 552.54 feet to the point of beginning. The above described containing 3.200 acres, or 139,392 square feet.



David C. Riesop 7/17/96
David C. Riesop S-1551

Township Approval

This Certified Survey Map is hereby approved per Township of Cottage Grove Board action of July 15, 1996.

Sharon A. Turner
Town Clerk

County Approval

Approved for recording per Dane County Zoning and Natural Resources Committee action of July 17, 1996.

Norbert Scribner #6178
Norbert Scribner, agent

Register of Deeds Certificate

Received for recording this 17 day of July, 1996 at 4:54 o'clock P.M. and recorded in Volume 44 of Certified Surveys, Pages 294, 295 + 296.

Jane Licht by Carol Kaeffel
Jane Licht, Register of Deeds, Dane County
Deputy

Wisconsin Mapping

surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 1678-96 Date 7/17/96
Sheet 3 of 3

Document No. 2779955
C.S.M. No. 8277 V. 44 P. 296

JOHN J HORNUNG
2441 OFSTHUN RD
COTTAGE GROVE, WI 53527

KRISTOPHER D HAMPTON
3310 COUNTY HIGHWAY N
COTTAGE GROVE, WI 53527

STORAGE WORLD OF COTTAGE GROVE LLC
PO BOX 163
BARABOO, WI 53913

WALTER R JOBE
2416 COUNTY HIGHWAY MN
COTTAGE GROVE, WI 53527

EVERSON PROPERTIES LLC
596 EDGERTON RD
EDGERTON, WI 53534

C MARK SCHROEDER
14 SAUTHOFF RD
MADISON, WI 53704

DANE COUNTY
CONDITIONAL USE PERMIT #1561

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT: The Conditional Use Permit subject to conditions.

FOR: Pet cemetery and crematorium.

EFFECTIVE DATE OF PERMIT: 6/8/99 EXPIRATION DATE: (See Below)

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

Part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove described as follows: Lot #1, CSM #8277 found in Volume 44, Page 294 of Certified Survey Maps Dane County Register of Deeds Office.

CONDITIONS:

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

1). Locational standards of use to follow the revised site plan submitted as submitted at the work session.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING 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.

EXPIRATION OF PERMIT

Section 10.25(2) (n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.

Rezone/C.U.P. Application Information

NUMBER 1561

GENERAL INFORMATION		PUBLIC HEARING DATE: <u>5-25-99</u>	D.E.D.
1. TOWN, VILLAGE, OR CITY <u>Cottage Grove</u>		COUNTY DANE	
2. THIS NOTICE IS FOR: <input type="checkbox"/> REZONING <input checked="" type="checkbox"/> CONDITIONAL USE / SPECIAL EXCEPTION			
3. OWNER'S NAME AT TIME OF REZONING <u>Linda & Walter Jube</u>		TELEPHONE <u>(608) 839-3411</u>	
OWNER ADDRESS <u>2540 Hwy MN Cottage Grove WI 53527</u>			
AGENT <u>SAME</u>		TELEPHONE ()	
AGENT ADDRESS			

4. DESCRIPTION OF PROPERTY WHICH WAS GRANTED THE REZONING OR CONDITIONAL USE / SPECIAL EXCEPTION PERMIT

1/4 1/4 Sec. SE SW | Sec. 33 | Town 07 | Range 11

PARCEL NUMBER(S) BEFORE REZONING <u>0701-333-800-4</u>	PREVIOUS ZONING DISTRICT <u>A-2(2)</u> <i>w/ CUP for kennel</i>	NEW ZONING DISTRICT <u>A-2(2) w/ add'l CUP</u>
---	---	---

PARCEL ADDRESS
2540 Hwy MN

INTENT / PURPOSE
Crematorium → Falls Under CUP For Cemeteries

NO FP/SL/WC

LAND AREA AND IMPROVEMENTS

5. TOTAL ACRES IN PARCEL BEFORE REZONING _____ TOTAL ACRES IN PARCEL IN EXCLUSIVE AG. ZONE BEFORE REZONING _____

a. Of the original parcel, how many acres were rezoned OUT OF agricultural use or granted a non-Ag conditional use/special exception?

b. How many acres were rezoned INTO exclusive agricultural district?

c. Were there improvements on the original parcel?
 YES NO

d. What percentage of the improvements was rezoned or granted a conditional use/special exception?

REZONE

6. REASON FOR REZONING

a. Develop land for non-Ag. residential use.

How far is the land from a city or village boundary? _____ MILES	How far is the land from an existing residential area? _____ MILES
Is the land served by public sewer? <input type="checkbox"/> YES <input type="checkbox"/> NO	Is the land within a sanitary district? <input type="checkbox"/> YES <input type="checkbox"/> NO
Is the land served by public water? <input type="checkbox"/> YES <input type="checkbox"/> NO	Is the land within a planning transition area? <input type="checkbox"/> YES <input type="checkbox"/> NO
If more than one lot was developed – number of lots: _____	Average lot size: _____

b. Develop land for industrial use

c. Develop land for commercial use

d. Develop land for recreational use

e. Pre-existing use, substandard or nonconforming parcel

f. Farm consolidation

g. Residence for parent or child of farm operator

h. Other (please specify) _____

**NOTICE OF PUBLIC HEARING BY THE DANE COUNTY
ZONING & NATURAL RESOURCES COMMITTEE**

NOTICE IS HEREBY GIVEN that a public hearing will be held in Room 201 of the City-County Building, Madison, Wisconsin on Tuesday, 05/25/99 at 7:30 P.M. to consider the following matter:

11. CONDITIONAL USE PERMIT # 1561 by Linda & Walter Jobe to allow cemetery use - pet crematorium on property located at 2540 County Highway MN in part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove.

EFF 6/8/99 C

PUBLISHED: Wisconsin State Journal

ZONING & NATURAL RESOURCES
COMMITTEE
Helen Johnson, Chair

COMPOSITE REPORT

Dane County Zoning & Natural Resources Committee

Dane County Application for Change in Zoning or CUP

HEARING DATE: 05/25/99 **ITEM#:** 11.

ZONING PETITION#: None **CUP#:** 1561

TOWN/SECTION: Cottage Grove 33

APPLICANT: Linda & Walter Jobe

LOCATION: at 2540 Highway MN

AREA: 3.20 acres **DELAYED EFFECTIVE DATE:** None

CHANGE: From the A-2(2) Agricultural to the A-2(2) Agricultural

PROPOSED USE: conditional use permit for a pet crematorium



TOWN ACTION RECOMMENDATION:

Approved MARCH 15, 99
 DENY

SUBJECT TO:

Conditions Amended

IF CUP:

Conditions None

ZNR COMMITTEE ACTION - REZONING

Postponed
 Approve Cond/Amend Town Cond/Amend. Comm.
 As Condition

Amended Changed Zone Dist.
 Changed Boundary Description

DENY Vote
 Action Date _____ - ____

ZNR CUP APPROVAL

Approved As Specified by Town
 Con by ZNR DENY
 Date June 8 99

COUNTY BOARD ACTION REZONING

Referred Amended on Floor
 Approved DENY
 COUNTY BOARD AGENDA ITEM # _____

SEE JUNE 8th CHANGE

May 25, 1999

TO: Members of Zoning & Natural Resources Committee
Dane County Planning & Development

FROM: Linda & Walter Jobe
Rose-Run Kennels
2540 Highway MN
Cottage Grove WI

RE: Application for CUP #1561

The following is provided to the Committee to answer your questions regarding the conditional use permit for a pet crematorium.

Disposal of Ashes: Because this will be a private crematorium, most clients will want the ashes returned to them. A few may choose to scatter the ashes in the Memorial Garden. Rose-Run Kennels will only need to dispose of a minimal amount of ashes and they will be delivered to the land fill if they are not picked up by the trash collectors.

100 pounds of animal dead weight produces a maximum of 3 to 5 pounds of ashes.

Noise Level: The noise level produced by the furnace is about 80 decibels. This will not be heard outside of the building.

Hours of Operation: This will be determined by the demand. Night operation produces no visible sign of operation outside of the building. An employee will be on duty in the building at all times when the furnace is in operation.

Site Plan: See attached.

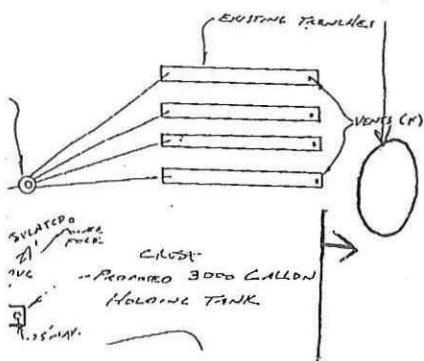
We hope this answers your questions and concerns.

Attachment

II. ANALYSIS

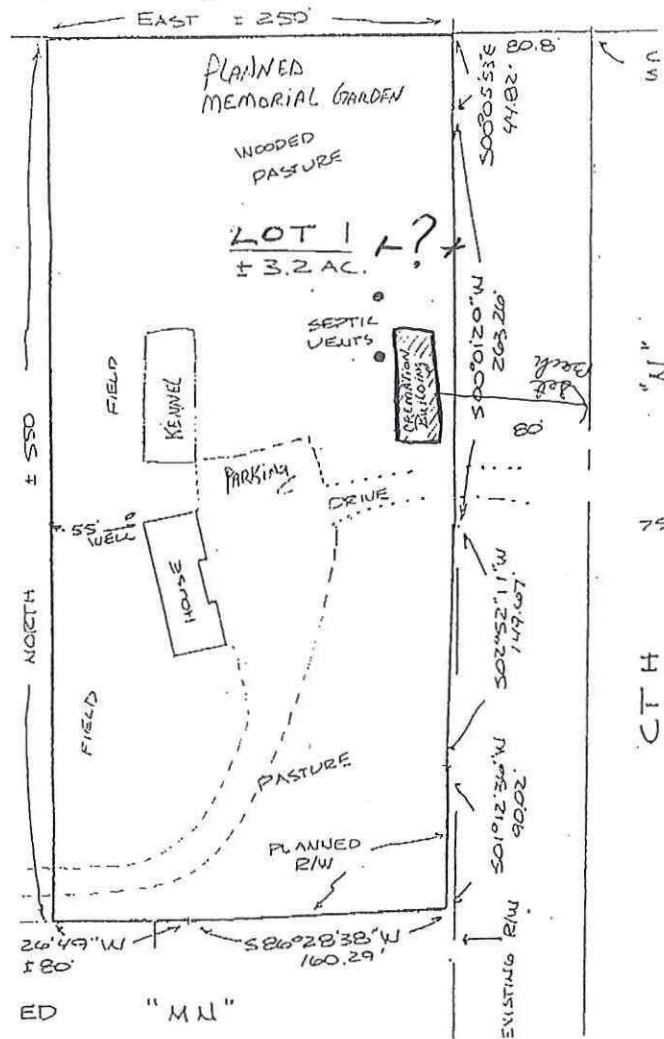
The site plan shows the cremation building east of the septic vents with a size almost as large as the house. Its proximity to the septic system and property line may be a problem. If the crematorium building is going to have a foundation below grade, the building needs to be 25 feet away from the septic system; built on a slab, it will need to be 15 feet away. There is barely enough room east of the septic system to build a structure; in addition to the required distance from the septic system, there needs to be a clearance of 10 feet from the property line.

proposed location



15-25 feet
from septic
system
(existing
trenches)

10 feet
from
property
line



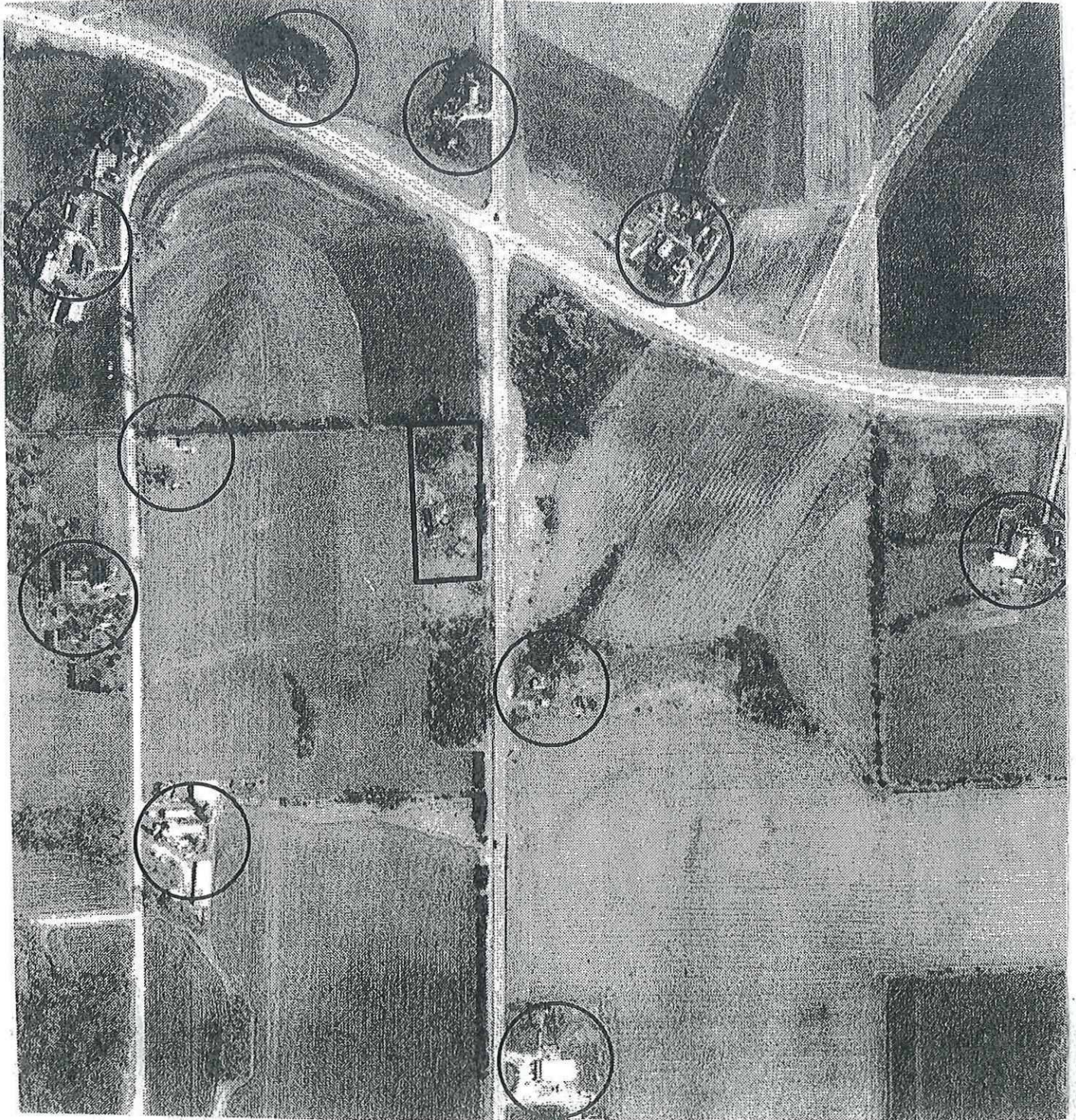
**DANE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Petition #1561: Linda & Walter Jobe
Town: Cottage Grove

Public Hearing Date: 5/25/99
Date of this report: May 19, 1999

I. BACKGROUND

To obtain a CUP for an animal crematorium for an existing kennel.



The owner should have a plan for disposal of ashes, hours of operation and maximum number of animals cremated to make sure the conditions for granting a CUP are present:

1. *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.*
2. *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.*
3. *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.*
4. *That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.*
5. *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; and*
6. *That the conditional use shall conform to all applicable regulations of the district in which it is located.*

III. CONCLUSIONS

For the site plan to be approved it needs to be up to scale and with dimensions. The proposal does seem to comply with the conditions for granting a CUP, especially if the owner has a plan for disposal of ashes, hours of operation and maximum number of animals cremated.

C.U.P. # 1561



WHEREAS, the Town Board of the Town of COTTAGE GROVE having considered said Conditional Use Permit, be it therefore resolved that said permit is hereby (Approved/Disapproved).

Subject to the following conditions:

(Cross out or write "none" if not pertinent)

NONE

(Use reverse side if necessary)

I, PENNY ERICSON, as Town Clerk of the Town of COTTAGE GROVE, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 3/15, 1999

Town Clerk Penny Ericson

DATED: 5/17, 1999

June 8, 1999

TO: Members of Zoning & Natural Resources Committee
Dane County Planning & Development

FROM: Linda & Walter Jobe
Rose-Run Kennels
2540 Highway MN
Cottage Grove WI

RE: Application for CUP #1561

The following is provided to the Committee to answer your questions regarding the conditional use permit for a pet crematorium.

Disposal of Ashes: Because this will be a private crematorium, most clients will want the ashes returned to them. A few may choose to scatter the ashes in the Memorial Garden. Rose-Run Kennels will only need to dispose of a minimal amount of ashes and they will be delivered to the landfill if the trash collectors do not pick them up.

100 pounds of animal dead weight produces a maximum of 3 to 5 pounds of ashes.

Noise Level: The noise level produced by the furnace is about 80 decibels. This will not be heard outside of the building.

Hours of Operation: This will be determined by the demand. Night operation produces no visible sign of operation outside of the building. An employee will be on duty in the building at all times when the furnace is in operation. We will be open to the general public by appointment between the hours of 8:00 AM and 5:00 PM daily. } CHANGE

Site Plan: See attached.

We hope this answers your questions and concerns.

Attachment

STAFF COMMENTS

ZONING REVIEW

11. CUP 1561 Linda & Walter Jobe, Cottage Grove 33 CUP for Cemetery Use – Animal Crematorium in the A-2(2) District

The Jobe's obtained CUP #1338 for kennel use and related sales and services, effective 07/23/1996 with 8 Conditions (paraphrased), dealing with location of exercise runs, limited uses permitted, parking, screening and lighting requirements, maximum of 50 dogs, animal waste handling procedures, and expiration of CUP on sale of property. The Jobe's ,dba Rose-Run kennels have a kennel building as well as their home on this parcel.. They would "like to install a cremation furnace in a separate building", shown on the proposed site plan as being located near the CTH N ROW. Their intent is to create a landscaped "memorial garden" in their North meadow, where "there would be no burial of remains, only the scattering of ashes."

Note: They have obtained DNR exemption from Obtaining a Construction Permit and Operation Permit for a crematorium, as it will be used for animals only, and will not be a significant emissions source.

REGIONAL PLANNING

CUP # 1561. This proposed pet crematorium is at an existing kennel (CUP #1338-1996). There are several rural residences in the immediate area. If this is approved, conditions should include:

An approved site plan
Hours of operation
Disposal plans for ashes

ENVIRONMENTAL HEALTH (septic, etc.)

DANE COUNTY HIGHWAY

CTH "MN" is not a controlled access highway. No apparent significant change will take place to affect existing access onto CTH "MN".

OTHER

June 8, 1999

TO: Members of Zoning & Natural Resources Committee
Dane County Planning & Development

FROM: Linda & Walter Jobe
Rose-Run Kennels
2540 Highway MN
Cottage Grove WI

RE: Application for CUP #1561

The following is provided to the Committee to answer your questions regarding the conditional use permit for a pet crematorium.

Disposal of Ashes: Because this will be a private crematorium, most clients will want the ashes returned to them. A few may choose to scatter the ashes in the Memorial Garden. Rose-Run Kennels will only need to dispose of a minimal amount of ashes and they will be delivered to the landfill if the trash collectors do not pick them up.

100 pounds of animal dead weight produces a maximum of 3 to 5 pounds of ashes.

Noise Level: The noise level produced by the furnace is about 80 decibels. This will not be heard outside of the building.

Hours of Operation: This will be determined by the demand. Night operation produces no visible sign of operation outside of the building. An employee will be on duty in the building at all times when the furnace is in operation. We will be open to the general public by appointment between the hours of 8:00 AM and 5:00 PM daily.

Site Plan: See attached.

We hope this answers your questions and concerns.

Attachment



January 22, 1999

Cottage Grove Township
4058 HWY N
Cottage Grove, WI 53527

Dear Cottage Grove Board Members,

We are glad to share with you that Rose-Run Kennels has had a very successful year and we have enjoyed the support of our community and neighbors, many of whom have become steady clients. Because of our success we would like to provide additional services to our customers by offering a crematory service. We would like to install a cremation furnace in a separate building to be erected on the lower section of the property. Our intent is to create a memorial garden in the lower meadow to the north of the kennel with tasteful landscaping and plantings. There would be no burial of remains only the scattering of ashes. We have contacted Dane County zoning and they have informed us that this would be a permitted use of our property. We would greatly appreciate your granting us this addition to our conditional use permit for Rose-Run Kennels.

We would also like to have the number of dogs allowed increased on our conditional use permit to 100 to accommodate for the major holiday's. We are finding that this is the only time we have a need for this volume. We have space and prefer not to turn customers away do to this restriction.

W.R.J.

Attached is a drawing of the layout for our intended building, showing the placement as well as our new drive way now entering from MN south of our property. It seems like forever since the road construction started and we anticipated loss in business over the summer but our customers showed relentless patronage and we had a great summer. We are very pleased with the results of our property and new driveway as well as the new intersection. Our plans are to finish the landscaping on our home and kennel this summer. We planted the trees that were a part of our conditional use permit, but unfortunately our neighbor managed to cut them off when he harvested his corn last fall. We have purchased 300 new trees from DNR and have plans to plant them in the spring. We invite every one to come out and tour our facility as we are very proud to show it off. We are very happy with the success we have had and are glad to be a part of this community.

Sincerely,

Linda Jobe & Walter Jobe
Rose-Run Kennels

May 29, 1998

Linda & Walter Jobe
Rose-Run Kennels
3287 Hwy. N
Cottage Grove, WI 53527

Dear Cottage Grove Board Members,

We are glad to share with you that Rose-Run Kennels has had a very successful year and we have enjoyed the support of our community and neighbors, many of whom have become steady clients. Because of our success we would like to provide additional services to our customers by offering a crematory service. We would like to install a cremation furnace in a separate building to be erected behind our kennel building in the north west section of our property. Our intent is to create a memorial garden in the lower meadow to the north of the kennel with tasteful landscaping and plantings. There would be no burial of remains only the scattering of ashes. We have contacted Dane county zoning and they have informed us that this would be a permitted use of our property. We would greatly appreciate your granting us this addition to our conditional use permit for Rose-Run Kennels.

Attached is a drawing of the layout for our intended building, showing the placement as well as our new drive way now entering from MN south of our property.

Sincerely,

Linda & Walter Jobe
Rose-Run Kennels

A-202

CUP # 1561

APPLICATION FOR A CONDITIONAL USE PERMIT

DANE COUNTY, WISCONSIN

TO: The Zoning and Natural Resources Committee

Ladies and Gentlemen:

The undersigned hereby applies for a Conditional Use Permit for the following described use:

is per cemetery
Animal Crematorium / Falls under CUP For Cemeteries
A-202 Zone

Said use is provided for in Section # 10.126(3)(d) of the Dane County Code of Ordinances.
10.01(11a)

The use will be implemented on the following listed property:

PARCEL NUMBER/S 09-0711-333-800)-4 CSM 8277 Lot 1
PROPERTY ADDRESS 2540 Hwy MN Cottage Grove WI 53527
LOCATED IN THE NE 1/4 SW 1/4 of Section 33
TOWN OF Cottage Grove, Dane County, Wisconsin

Respectfully submitted on March 24, 1999

AGENT: OWNER

OWNER:

Name Linda & Walter Jobe

Name Same

2540 Hwy MN

Walter R Jobe

Street Cottage Grove, WI 53527

Post _____

Office _____

Telephone 834-3411

Zip 53527

Telephone _____ Zip _____

Walter R Jobe
3-24-99

A-202

CUP # 1561

APPLICATION FOR A CONDITIONAL USE PERMIT

DANE COUNTY, WISCONSIN

TO: The Zoning and Natural Resources Committee

Ladies and Gentlemen:

The undersigned hereby applies for a Conditional Use Permit for the following described use:

Animal Crematorium / Falls under CUP For Funeraries
A-202 Zone

Said use is provided for in Section # 10.126(3)(d) of the Dane County Code of Ordinances.
10.01(11a)

The use will be implemented on the following listed property:

PARCEL NUMBER/S 09-0711-333-8001-4 SM 8277 Lot 1
PROPERTY ADDRESS 2540 Hwy MN Cottage Grove WI 53527
LOCATED IN THE NE 1/4 SW 1/4 of Section 33
TOWN OF Cottage Grove, Dane County, Wisconsin

Respectfully submitted on March 24, 1999

AGENT:

OWNER:

Name Linda & Walter Jobe

Name Same

2540 Hwy MN

Street Cottage Grove, WI 53527

Post Office _____

Telephone 834-3411 Zip 53527

Telephone _____ Zip _____

3-24-99

DANE COUNTY
CONDITIONAL USE PERMIT #1338

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT the conditional use permit subject to conditions.

FOR: Kennel and related sales and service.

EFFECTIVE DATE OF PERMIT: 7/23/96 EXPIRATION DATE: (See below)

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

Part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove described as follows: Commencing at the Northeast corner of the NE 1/4 SW 1/4; thence West, 80.8 feet to the point of beginning; thence S 00° 05' 53" East, 44.82 feet; thence S 00° 01' 20" West, 263.26 feet; thence S 02° 52' 11" West, 149.67 feet; thence S 01° 12' 36" West, 90.02 feet ;thence S 86° 28' 38" West, 160.29 feet; thence S 88° 26' 49" West, 80 feet; thence North, 550 feet to the North line of the aforesaid NE 1/4 SW 1/4; thence East along said North line, 250 feet to the point of beginning.

CONDITIONS

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

- 1). Exercise runs to be located on the East side of the building.
- 2). Limited to uses specified in A-2(3) (o) and (t) as specified in the Dane County Zoning Ordinance.
- 3). Dane County Zoning Ordinance off street parking requirements are adhered to.
- 4). Dane County Zoning Ordinance screening requirements on the West boundary of business building using Norway Spruce.
- 5). There will be a maximum of 50 dogs.
- 6). Animal waste is to be handled in conformance with sound sanitary and environment health procedures and that minimizes odors to surrounding properties.
- 7). That there will be one dusk to dawn light on the premises.
- 8). The Conditional Use Permit shall expire upon sale of the property.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING 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.

EXPIRATION OF PERMIT

The Conditional Use Permit shall automatically expire on sale of the property or the business to an unrelated third party.

NOTE

Recipients of this permit should recognize that rezoning or relocation of the business may be necessary if expansion of the business is desired.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

101 S. Webster Street
Box 7921
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

March 3, 1999

File Code: 4530

Mr. and Mrs. Walter and Linda Jobe
Rose-Run Kennels
2540 Hwy MN
Cottage Grove, WI 53527

SUBJECT: Installation of An Animal Crematorium - Exemption (99-POY-030) From Obtaining A Construction Permit And An Operation Permit

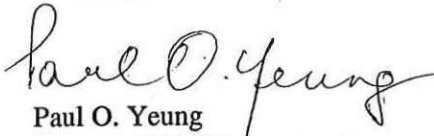
Dear Mr. and Mrs. Jobe:

I am writing this letter in response to your letter dated March 2, 1999. Your company wishes to install an animal crematorium at the kennel located at 2540 Hwy MN, Cottage Grove, WI. The equipment will be used only to cremate animals that are not known to carry any infectious disease transmittable to human. According to s. NR 406.04(1)(s), Wis. Adm. Code, the animal crematorium as proposed is exempt from the requirement of obtaining a construction permit. According to s. NR 407.03(1)(m), Wis. Adm. Code, the proposed animal crematorium is exempt from the requirement of obtaining an operation permit, if this will be the only significant air emissions source at the facility. As far as air pollution control regulations are concerned, you may proceed to install and operate the proposed animal crematorium.

Please be informed that although the animal crematorium is exempt from obtaining a permit, the animal crematorium must meet all applicable emission limitations and requirement in chapters NR 400-499, Wis. Adm. Code.

If you have any question, please feel free to contact me at (608) 266-0672.

Sincerely,

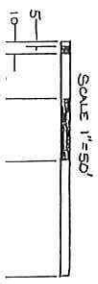
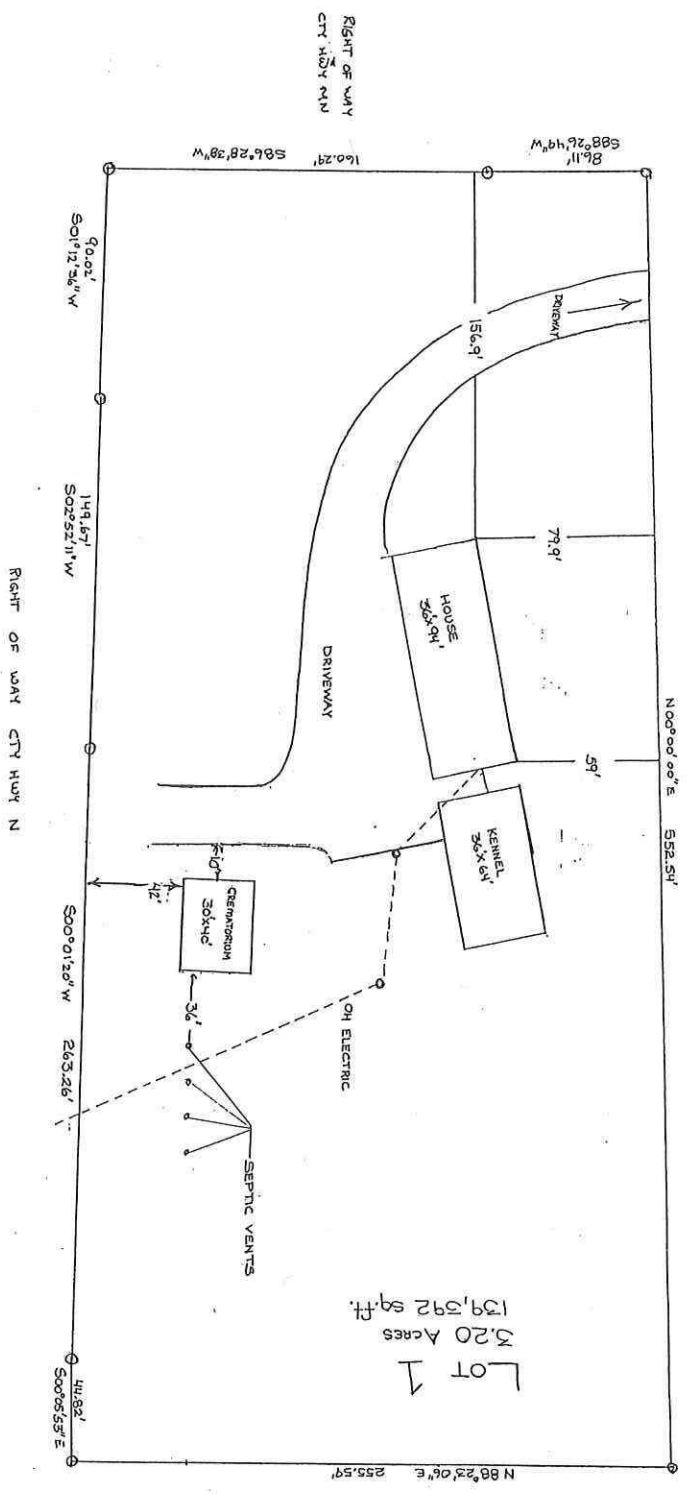
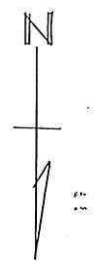

Paul O. Yeung
Bureau of Air Management

cc: Ronald Daggett, SCR
Thomas Roushar, SCR
Roger Fritz, AM/7
William Baumann, AM/7
Jeff Hanson, AM/7
Renee Lesjak Bashel, AM/7

*Quality Natural Resources Management
Through Excellent Customer Service*



CUP 1561
 JOB#
 (REVISED)
 5/1/99

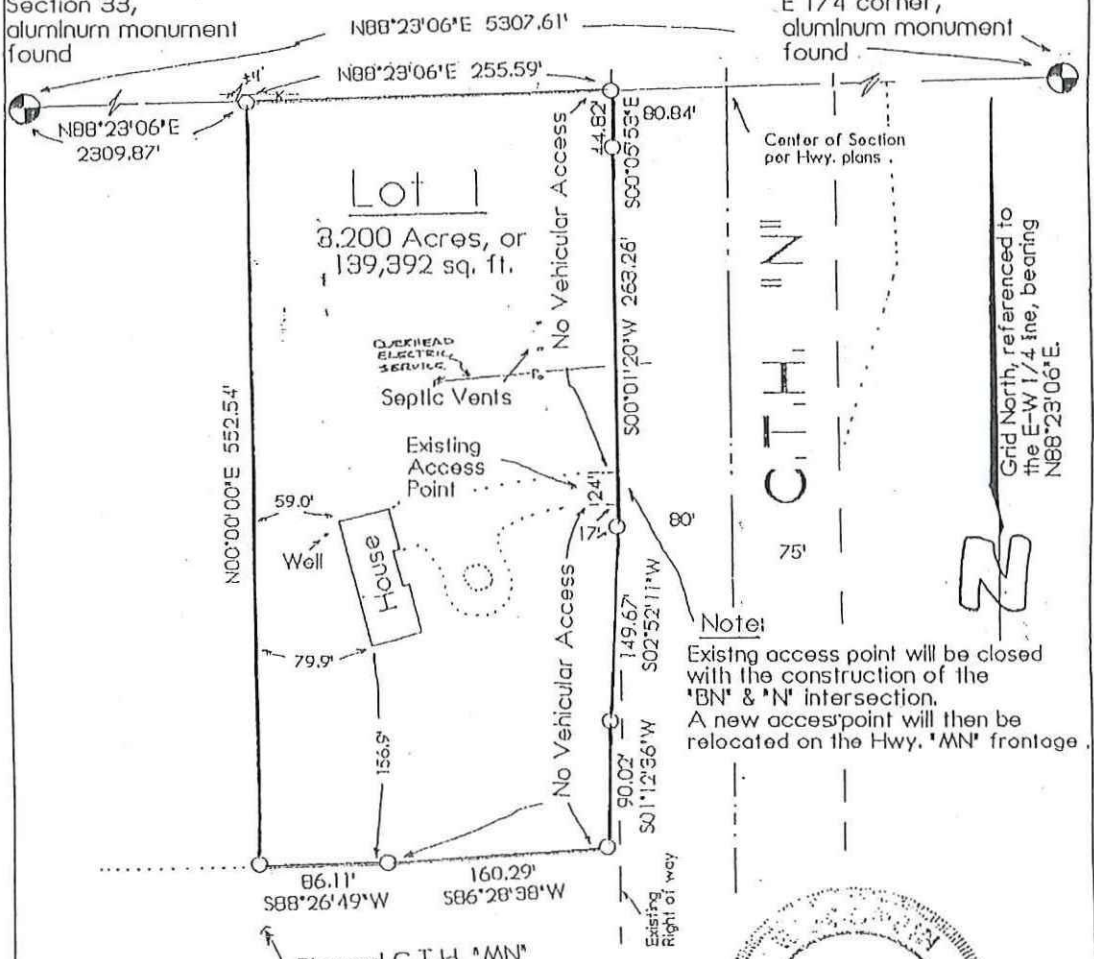


Certified Survey Map

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

W 1/4 corner, aluminum monument found

E 1/4 corner, aluminum monument found



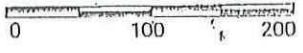
Center of Section per Hwy. plans

C.T.H. "N" 75'

Grid North, referenced to the E-W 1/4 line, bearing N88°23'06"E

Note: Existing access point will be closed with the construction of the 'BN' & 'N' intersection. A new access point will then be relocated on the Hwy. 'MN' frontage.

Scale: 1" = 100'



Legend
○ = 3/4" dia. x 24" long iron rod set, 1.50 lbs. per lineal foot

Notes

- 1) Surveyed for Link Farms Inc., c/o Helen Link, 3287 Hwy. "N", Cottage Grove, Wisconsin, 53527, owner.
- 2) "Refer to building site information contained in the Dane County Soil Survey."
- 3) "County Trunk Highway "N" is a controlled access highway, pursuant to Chapter 79, Dane County Code of Ordinances."



Wisconsin Mapping
surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

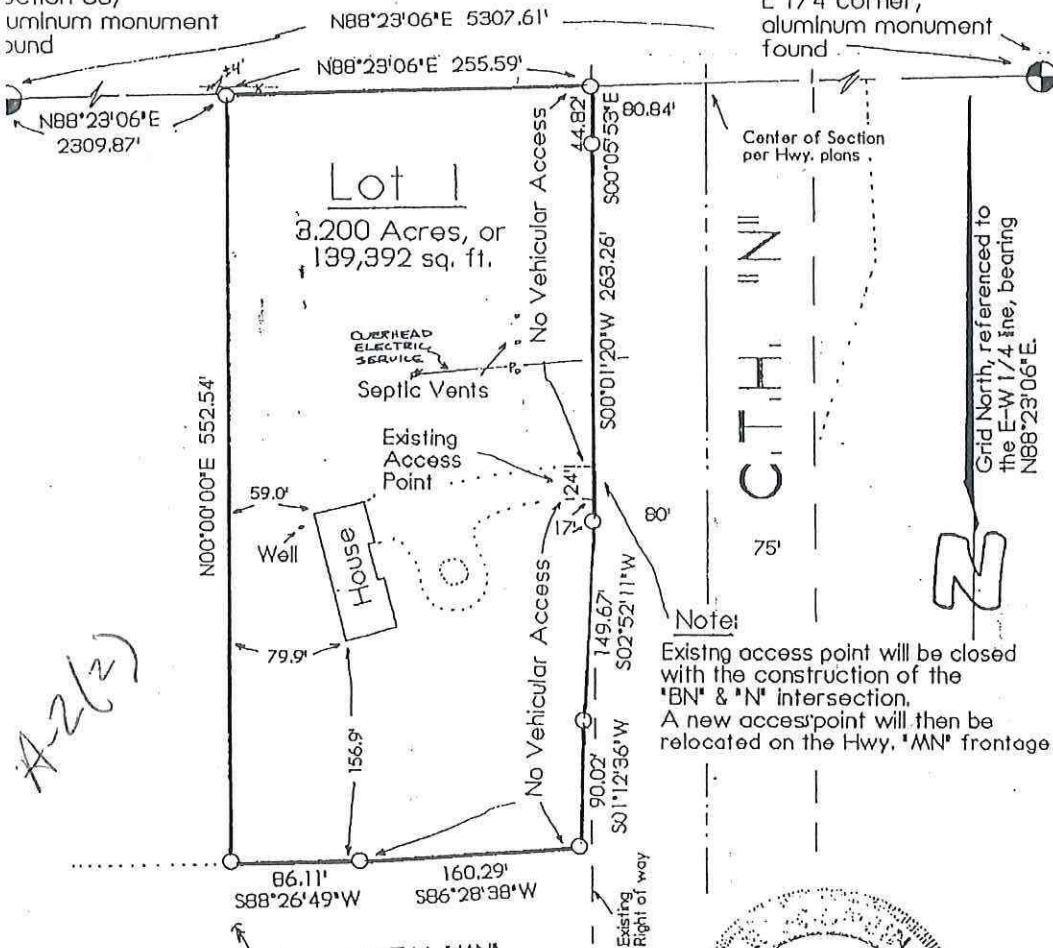
Dwg. No. 1678-96 Date 7/17/96
Sheet 12 of 3
Document No. 2779955
C.S.M. No. 8277 v. 44 P. 294

Certified Survey Map

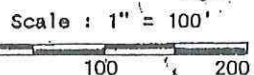
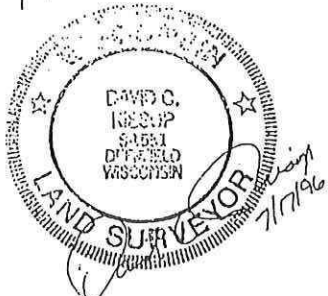
Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

SW 1/4 corner,
Section 33,
aluminum monument
found

E 1/4 corner,
aluminum monument
found

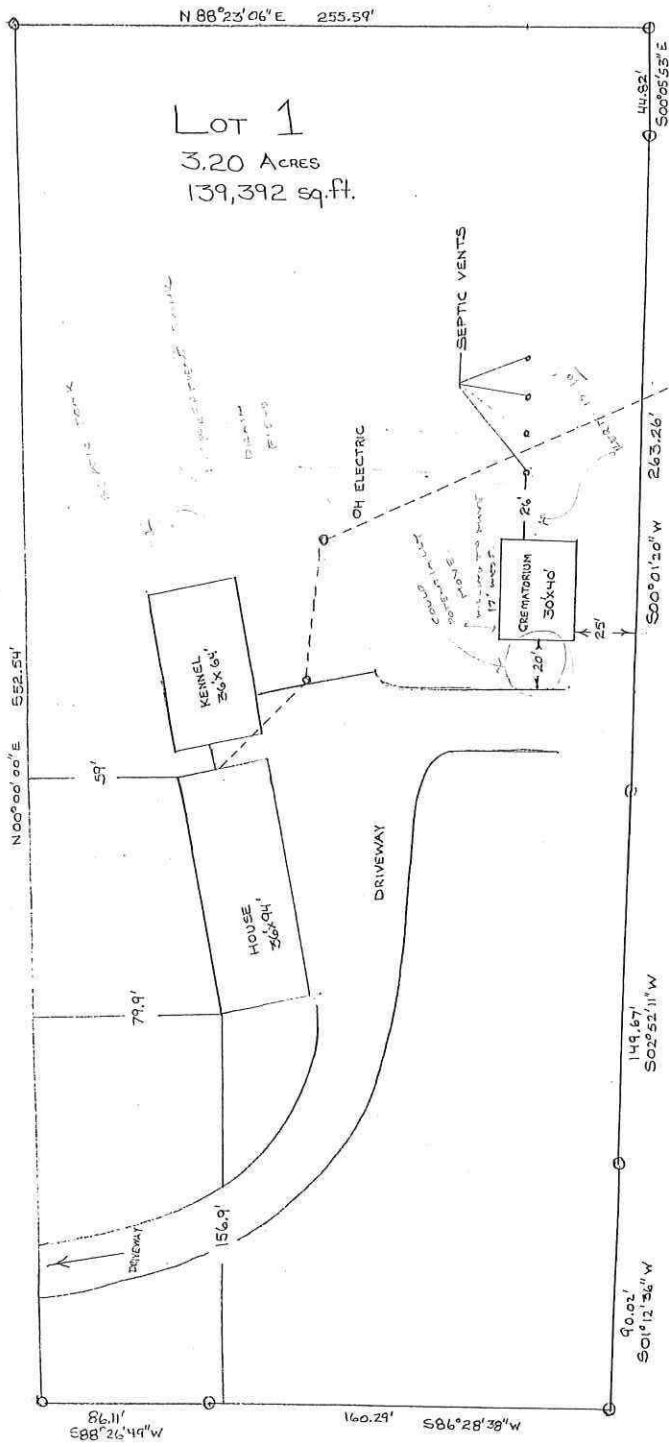


A-2(2)



Legend
 ○ = 3/4" dia. x 24" long iron rod set, 1.50 lbs. per lineal foot

- Notes**
- 1) Surveyed for Link Farms Inc., c/o Helen Link, 3287 Hwy. "N", Cottage Grove, Wisconsin, 53527, owner.
 - 2) "Refer to building site information contained in the Dane County Soil Survey."
 - 3) "County Trunk Highway "N" is a controlled access highway, pursuant to Chapter 79, Dane County Code of Ordinances."



RIGHT OF WAY
CITY HWY MN

RIGHT OF WAY CITY HWY N



**NOTICE OF PUBLIC HEARING BY THE DANE COUNTY
ZONING & NATURAL RESOURCES COMMITTEE**

NOTICE IS HEREBY GIVEN that a public hearing will be held in Room 201 of the City-County Building, Madison, Wisconsin on Tuesday, 06/11/96 at 7:30 P.M. to consider the following matter:

23. PETITION # 6621 AND CONDITIONAL USE PERMIT # 1338 by Helen Link to change the zoning from A-1 EX Exclusive Agricultural to A-2(2) Agricultural and also allow kennel operation with retail sales of related items on property located at 3287 CTH N in part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove.

EFF

REZ 7/17/96
CUP 7/23/96

DANE COUNTY ORDINANCE AMENDMENT NO. 6621

Amending Section 10.03 relating to Zoning Districts in the Town of Cottage Grove.

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Cottage Grove be amended to include in the A-2(2) Agricultural District/s the following described land:

PETITION NUMBER/C.U.P. NUMBER: 6621/1338

Part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove described as follows: Commencing at the Northeast corner of the NE 1/4 SW 1/4; thence West, 80.8 feet to the point of beginning; thence S 00° 05' 53" East, 44.82 feet; thence S 00° 01' 20" West, 263.26 feet; thence S 02° 52' 11" West, 149.67 feet; thence S 01° 12' 36" West, 90.02 feet; thence S 86° 28' 38" West, 160.29 feet; thence S 88° 26' 49" West, 80 feet; thence North, 550 feet to the North line of the aforesaid NE 1/4 SW 1/4; thence East along said North line, 250 feet to the point of beginning.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255 (3)(a) 2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. This amendment will become effective, if within 90 days of its approval by Dane County, a certified survey map that describes the land to be rezoned is recorded in the office of the Dane County Register of Deeds. **Failure to record the survey will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**

Off - 7/17/96

DANE COUNTY
CONDITIONAL USE PERMIT #1338

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT the conditional use permit subject to conditions.

FOR: Kennel and related sales and service.

EFFECTIVE DATE OF PERMIT: 7/23/96 EXPIRATION DATE: (See below)

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

Part of the NE 1/4 SW 1/4 Section 33, Town of Cottage Grove described as follows: Commencing at the Northeast corner of the NE 1/4 SW 1/4; thence West, 80.8 feet to the point of beginning; thence S 00° 05' 53" East, 44.82 feet; thence S 00° 01' 20" West, 263.26 feet; thence S 02° 52' 11" West, 149.67 feet; thence S 01° 12' 36" West, 90.02 feet ;thence S 86° 28' 38" West, 160.29 feet; thence S 88° 26' 49" West, 80 feet; thence North, 550 feet to the North line of the aforesaid NE 1/4 SW 1/4; thence East along said North line, 250 feet to the point of beginning.

CONDITIONS

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

- 1). Exercise runs to be located on the East side of the building.
- 2). Limited to uses specified in A-2(3)(o) and (t) as specified in the Dane County Zoning Ordinance.
- 3). Dane County Zoning Ordinance off street parking requirements are adhered to.
- 4). Dane County Zoning Ordinance screening requirements on the West boundary of business building using Norway Spruce.
- 5). There will be a maximum of 50 dogs.
- 6). Animal waste is to be handled in conformance with sound sanitary and environment health procedures and that minimizes ordors to surrounding properties.
- 7). That there will be one dusk to dawn light on the premises.
- 8). The Conditional Use Permit shall expire upon sale of the property.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING 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.

EXPIRATION OF PERMIT

The Conditional Use Permit shall automatically expire on sale of the property or the business to an unrelated third party.

NOTE

Recipients of this permit should recognize that rezoning or relocation of the business may be necessary if expansion of the business is desired.

22. PETITION # 6648 by James Gibson to change the zoning from A-1 EX Exclusive Agricultural to LC-1 Limited Commercial on property located at 363 Danks Road in part of the NE 1/4 SE 1/4 Section 25, Town of Rutland.

Motion by Hendrick/Salkin to amend the petition to require a deed restriction the there shall be a maximum of one employee and that all unlicensed vehicles shall be stored inside the structure; carried 6-0.

Motion by Hendrick/Salkin to approve as amended; carried 6-0.

26. PETITION # 6652 by John & Ardell Dahl to change the zoning from A-1 EX Exclusive Agricultural to R-1 Residential and A-2 Agricultural on property located East & South of 3627 T-Bird Way in part of the NW 1/4 Section 28, Town of Cottage Grove.

Motion by Hendrick/Cornwell to postpone action to a future meeting; Roll call requested Anderson-no/Butler-yes/Salkin-no/Cornwell-yes/Hendrick-yes/Van Deurzen-yes; carried 4-2.

c. CUP 1338, Link, Town of Cottage Grove, 6/11/96

Motion by Hendrick/Anderson to impose the following conditions:

1. Exercise runs to be located on the east side of the building.
2. Limited to uses specified in A-2 (3) (o) and (t) as specified in the Dane County zoning Ordinance.
3. Dane County zoning Ordinance off street parking requirements are adhered to.
4. Dane County zoning Ordinance screening requirements on the west boundary of business building using Norway Spruce.
5. There will be a maximum of 50 dogs.
6. Animal waste is to be handled in conformance with sound sanitary and environmental health procedures and that minimizes odors to surrounding properties.
7. That there will be one dusk to dawn light on the premises.
8. The the Conditional Use Permit shall expire upon sale of the property.

Motion carried 6-0.

Motion by Hendrick/Anderson to find that the standards of the zoning ordinance are met and to approve the Conditional Use Permit as conditioned; carried 6-0.

20. PETITION # 6646 AND CONDITIONAL USE PERMIT # 1346 by Dale Munson III and Julie Munson to change the zoning from A-1 EX Exclusive Agricultural to LC-1 Limited Commercial and A-2 Agricultural and also allow parking of trucks on property located at 1629 North Jargo Road in part of the E 1/2 NE 1/4 Section 24, Town of Cottage Grove.

Motion by Hendrick/Cornwell to postpone; 3-3 motion fails. Butler, Anderson, Salkin voting no.

Motion by Salkin/Anderson to approve; 3-3 motion fails. Hendrick, Cornwell, Van Deurzen voting no.

It was indicated that the Town should be contacted relative to their reasoning for approving the petition and that this item would be placed on the committee agenda for August 6, 1996.

e. 6624, Wileman, Town of Albion, 6/11/96

Motion by Hendrick/Cornwell to amend the petition from A-1 Exclusive to A-2(4) for parcel 0512-151-9550 and that the remaining parcel 0512-151-9500 remain as A-2 and that there shall be no residential development on the A-2(4) rezone area; carried 6-0.

Motion by Hendrick/Cornwell to approve as amended; carried 6-0.

2. PETITION # 6630 by Walter and Alice Pulvermacher Trust to change the zoning from A-1 EX Exclusive Agricultural to R-1A Residential on property located South of 6316 Hellenbrand Road in part of the SW 1/4 NW 1/4 Section 06, Town of Westport.

Motion by Hendrick/Cornwell to amend the petition to require a deed restriction specifying that there shall be no further division on the rezone area; carried 6-0.

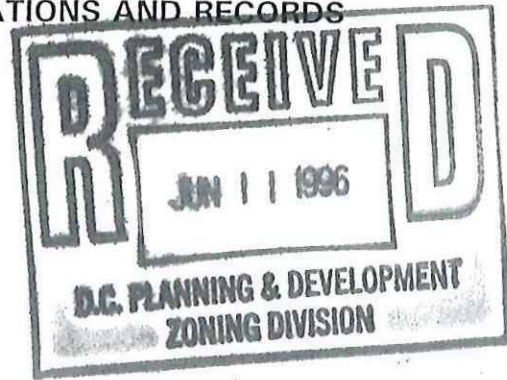
Motion by Hendrick/Cornwell to approve as amended; carried 6-0.

DANE COUNTY LAND REGULATIONS AND RECORDS

Rezone Petition #6621
Conditional Use Permit #1338

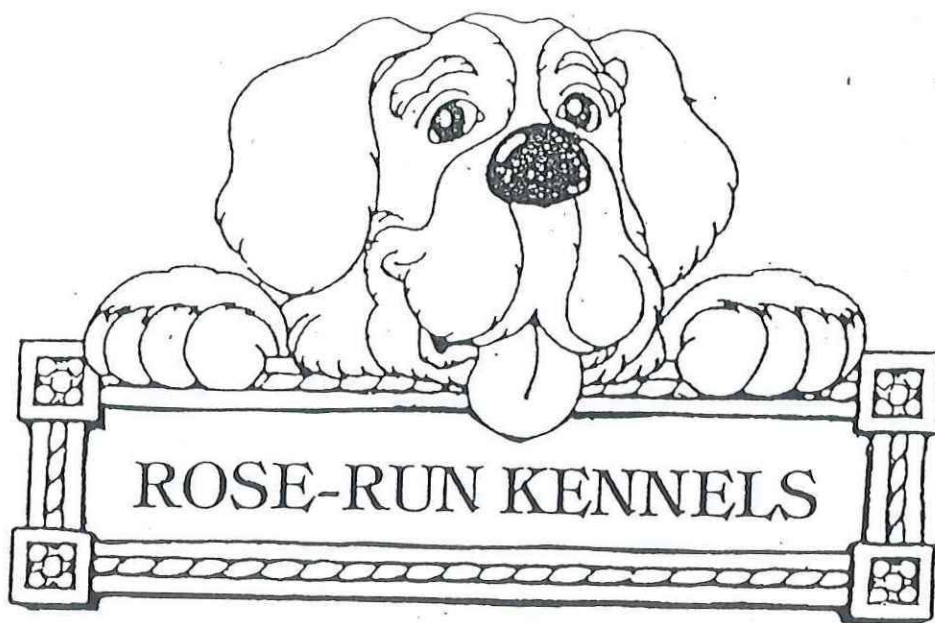
Parcel #0711-333-8000-5
3287 Highway N, Cottage Grove, WI

Owner: Helen Link
Buyer: Walter & Linda Jobe



Walter and Linda Jobe have agreed to purchase this property conditioned upon the parcel being split to 3.2 acres rezoned to A-2 with a conditional use permit allowing for a boarding and grooming kennel for dogs. The location on Highway provides easy access for boarders to bring their animals and creates a manageable sized parcel. The property is first to be a residence for the Jobe's, and, second a family owned and run kennel business with limited business hours.

Within 60 days of the sale, the Jobe's intend on having a 40' x 60' building erected to house the dogs. This facility is to be heated, air conditioned, have running water and a holding tank for dog waste. Behind the building trees and shrubs will be planted for a wind break and for screening. In front will be a series of dog runs approximately four (4) feet in width encompassing an area 20' x 50' in size. An existing asphalt parking pad will provide 5-6 parking stalls.



04/11/96

Town of Cottage Grove

The following is a letter of intent regarding the application for zoning change and conditional use permit for Linda and Walter Jobe to operate a grooming and boarding kennel at 3287 Highway N. We have been operating a private service in our present residence for the last six years. We are proud to offer a clean and well maintained place for our customers and our intention is to continue as a family owned and operated business. The following information will address the issues pertinent to this business and location.

Need: In the last year we have found the demand for boarding services has expanded greatly due to referrals from other boarding facilities and current customers. Many kennels in the surrounding communities reach capacity on weekends, holidays, school breaks and the summer months due to vacations and family outings. Customers have expressed a need for professionally run and reliable facilities for their family pets while they are away.

Location: The property at 3287 Highway N offers many benefits for this type of business. The driveway is a circular drive eliminating the need to back onto Highway N to exit. It is also approximately 200 yards long and will provide ample parking adjacent to the boarding building. The driveway has direct access to Highway N. We do not anticipate any traffic congestion, our intentions are to have morning and early evening hours Monday through Friday and weekend hours from 8:00 am to 8:00 pm .

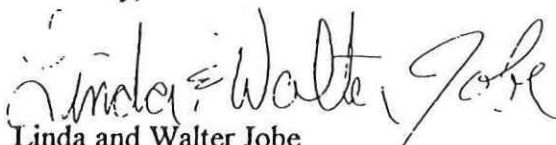
Building: We are planning to add a forty by sixty foot building to accommodate all inside dog runs, a small office and a small supply room to sell grooming supplies and dog food. This building will be heated and air conditioned for the comfort and health of the animals and will be well insulated for noise control and efficiency. Our initial intentions are to board twenty five dogs and to increase capacity as warranted. This building will also include hot and cold running water.

We have several options for waste removal, our intention is to have a holding tank and to contract with a local service for removal.

Qualifications and Experience: We have been involved in showing pure bred dogs for fifteen years and have recently become active members in Badger Kennel Club. Linda has taken numerous classes in canine behavior which has helped to identify aggressive and passive personalities enabling us to better handle the animals. She has also been a dog groomer for more than 10 years and enjoys developing good rapport with each dog. We both understand the importance of socializing the dogs so they will not be traumatized after visiting Rose Run Kennels. In over six years of boarding we have never had any incidents or problems (no lost dogs, no injuries to animals or caretakers, no illnesses or kennel related infections due to kennel conditions). Being a family owned business we take pride in providing exceptional service. You will find several letters of reference from long term clients attached. We have also included pictures of our present kenneling facility to show how our kennels are maintained.

We hope this letter addresses any questions you may have regarding our requests. We will be present at the Town Board meeting scheduled for April 24. If you have any questions you would like to clarify before this meeting, please feel free to contact us at our present residence 838-6211.

Sincerely,

A handwritten signature in cursive script that reads "Linda & Walter Jobe". The signature is written in dark ink and is positioned above the printed name.

Linda and Walter Jobe
Rose Run Kennels

April 11, 1996

To The ^{Town} ~~Village~~ of Cottage Grove:

Re: Linda and Walter Jobe
Roserun Kennels

I have been using Linda and Walter Jobe for kennel service for my dog for quite some time now. They have been excellent providers for my dog and I would definitely go a distance to use their services. At this time I am taking my dog to McFarland where they live, which is a little drive as I reside in Cottage Grove. I understand they are trying to buy the property at the corner of Highway N in Cottage Grove so they may better serve their customers and have more space. I have known the Jobe's for a long time and know they are not just your everyday kennel operation. They do an outstanding job in the care of the dogs they provide for and do not take anymore than they can efficiently care for. This would truly be a convenient for me as well as for some of her other customers. I highly recommend them having a kennel service in the Cottage Grove area.

If you have any questions, please call me.

Sincerely,

Connie Weber

Connie Weber

309 Fox Circle

Cottage Grove, WI 53527

(608) 839-8559

Cottage Grove, WI 53527

Joan Sweeney
37 Corry St.
Madison, WI 53704
(608) 244-5697

April 11, 1996

To: Town of Cottage Grove Board

I am writing in support of the kennel business venture proposed to you by Linda and Walter Jobe. I have known Linda and Walter for 18 months. Linda enrolled in an obedience class I instructed for Badger Kennel Club in October, 1994. Linda showed great enthusiasm and dog handling ability. Through conversations in class, I discovered that she and Walter had a small in-house kennel operation and that Linda was a dog groomer. I was thrilled to have them to refer people to! I instruct three classes (15 dogs per class) for Badger Kennel Club. I also am a breed specialist for Rottweilers in the midwest. Needless to say, I have my share of conversations with dog owners, including questions and concerns about boarding facilities.

The Madison area has a great need for additional good quality boarding facilities. I am personally acquainted with the owner of one of the largest boarding facilities, and she and I often have conversations about what dog owners must do in desperation because of the lack of boarding kennel space in Madison. What I believe is unique to Walter and Linda is that they are otherwise employed, so they do not rely solely on the kennel business. They will not need to "cut corners," as I have myself seen of the other local kennels do: underfeeding dogs; accepting dogs without the proper shots; and doubling and tripling up of unfamiliar dogs. My own personal dogs have boarded at Linda and Walter's, and go there for grooming. They truly enjoy going (except for the nail trimming). Linda and Walter have a beautiful, well kept home and kennel area. I am confident that any business they develop will be maintained at the same level. They are both dog enthusiasts with years of combined experiences with pet care. They both know that a happy dog is a quiet dog. Adequate food, attention, and exercise are the keys to keeping dogs content with their kennel stay. It is a rare occasion that I have been able to tell if they have boarding dogs; until I get down to the kennel room. Linda and Walter stress creating a quiet, peaceful environment.

Sincerely:



Joan Sweeney
Program Administrator
UW-Madison

Foster/Rescue Program Advisor
Dane Co. Humane Society

Instructor/Advisor
Badger Kennel Club

Co-Chairperson
Midwest Rottweiler Rescue

April 9, 1995

Cottage Grove Zoning Board

Subject: Rezoning property to be purchased by Walter and Linda Jobe

This letter is being written in support of Rose Run Kennels operated by Walter and Linda Jobe. My family and I have been clients of the Jobe's for 6 years. They have groomed our two dogs as well as boarded them for periods of up to two weeks at a time.

When we moved to Madison seven years ago we found that the facilities available for dog boarding were less than desirable for our small housepet dogs. Before we found the Jobe's, the kennels where we had to leave our dogs charged us separately for what they called "playtime" as well as advising us that we would have to pay an additional cost for a flea bath. We informed the kennel that our dogs didn't have fleas and were told that they surely would have them by the time our vacation was over. Needless to say, we were very unhappy that in this new city we had moved to there didn't seem to be any facilities that provided the kind of care that allowed us to have a guilt-free vacation. Thank goodness that we found the Jobe's!

Anyone who loves their dog would find it a comfort and pleasure to have Walt and Linda care for them. We have watched Walt and Linda take their small business to a higher and higher level with each passing year. The move that they are hoping to make with the purchase of this larger property will be an asset to Cottage Grove as well as the many people who have grown to depend on the Jobe's for dog grooming and boarding. The need for the kind of loving care that they provide is great. We value our pets as integral members of our family and would be lost without the security of knowing that Rose Run Kennel is available when we need someone to care for them in our absence.

I hope that you will rule in favor of the Jobe's in this zoning decision. They are responsible business people as well as devoted dog lovers. A decision in their favor will be a decision that will benefit Cottage Grove as well. This will show Cottage Grove as a community that knows how to welcome the right kind of business as the area grows and prospers.

Sincerely,

Tom and Sue Jenks

Tom and Sue Jenks
7834 W. Oakbrook Circle
Madison, WI 53717
608-833-4943

ED
HEFTY
Construction
OREGON, WI

April 6, 1996

RE: Walter and Linda Jobe
Rose-Run Kennels

To Whom It May Concern:

This is a letter in support of Walter and Linda Jobe's request for a variance in the matter of their purchase of real estate which will be their home and also the site of their business, Rose-Run Kennels.

We have been taking our dogs to Walter and Linda's kennel for several years and have found their business to be exceptionally clean and well-run. Their genuine love of dogs shows itself in the way they handle the dogs and we feel comfortable knowing our pets are well taken care of. We especially notice how the dogs always smell clean when we pick them up-- there is never a kennel smell -- and we are sure this is because their kennels are kept immaculately clean.

We hope you will act favorably in granting the request from Walter and Linda Jobe.

If you have any questions, please feel free to contact us at the above number.

Thank you.

Sincerely,

Ed and Charlene Hefty

Ed and Charlene Hefty

April 11, 1996

The Town of Cottage Grove
Cottage Grove, Wisconsin

REF.: Rose Run Kennels

To Whom it may concern;

I have known Linda Jobe for the past 15 years. I have taken our dog to Rose Run Kennels since it opened. I have both boarded and had our dog groomed there. I have always found the kennels to be very clean and well maintained. I have recommended Rose Run Kennels to several friends and they have since also become long term clients. Anyone who knows Linda knows her knowledge and great affection for dogs. The dogs that I have seen boarded at the kennel always seem to be very content.

Rose Run Kennels is a place that I can feel confident boarding my dog. When I have picked him up he is always clean and happy. I see Linda and Walt working with the dogs and I am convinced that they are receiving the care and attention they need. I have never seen the kennels dirty or observed a neglected dog.

I would be happy to answer any further questions you may have and can be reached at work at 252-4382 or home 222-2895.


Jill M Carmichael

4/17/96

To whom it may concern:

I am a neighbor of
Firma + Water Spas at 5019
Pauson Rd. I have never
heard dogs barking from their
fences or have been in any
other way bothered by their
fence. We drive in fact
boarded our dog at their fence
and have spent it to be very
neat + clean. Firma + Water are
very efficient at running their
Kerrel business.

Sincerely,

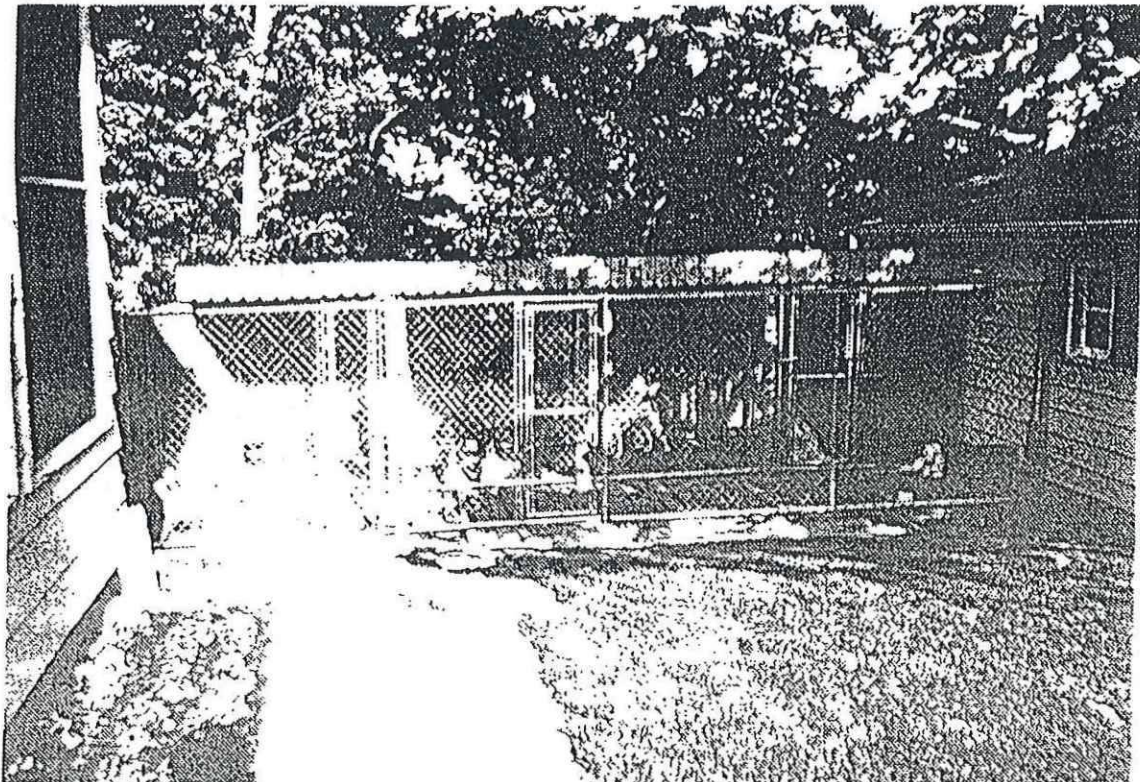
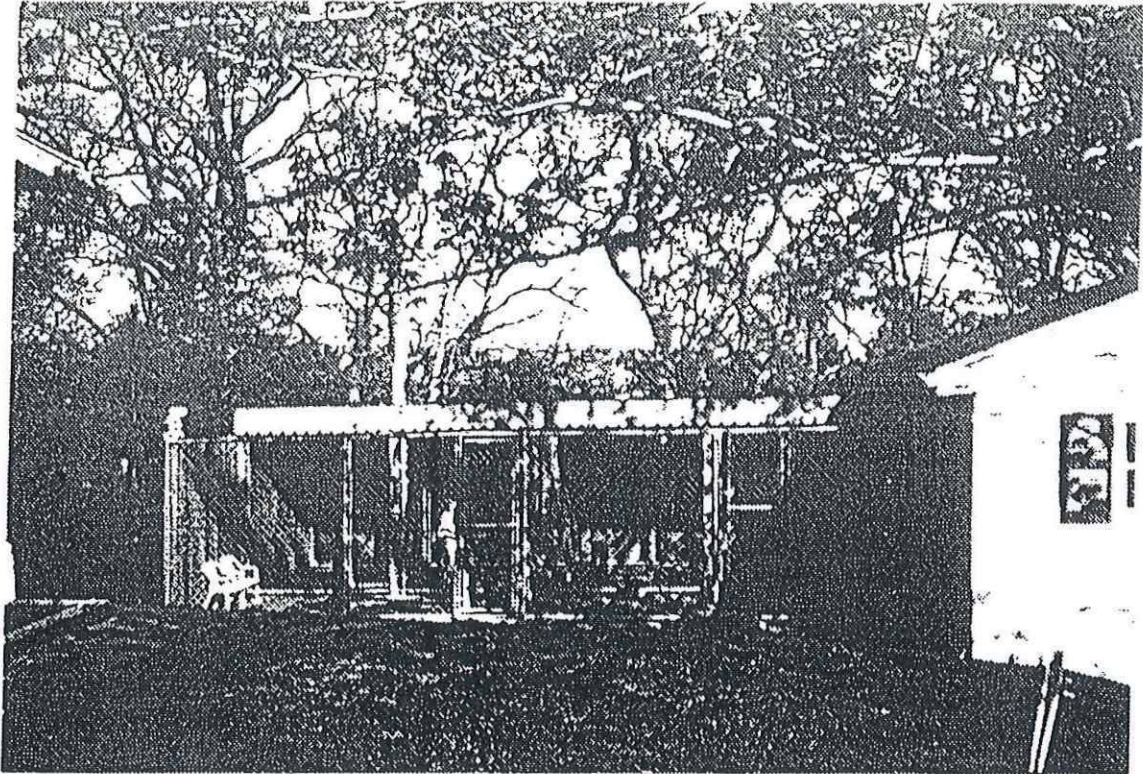
Spdy + Keron-Davin

5019 Pauson Rd

McFarsand, WI 53558

608-838-3618

PHOTOGRAPHS OF EXISTING DOG KENNELS AT WALTER &
LINDA JOBE'S HOUSE AT 5551 PAULSON ROAD, MCFARLAND



May 7, 1996

Dane County Land Regulation & Records
Room 116
City-County Building
Madison, Wisconsin 53709

RE: Rezone of 3287 Highway N, Town of Cottage Grove, Wisconsin from A-1 Exclusive to A-2 with a Conditional Use Permit

PROPERTY OWNER: HELEN LINK

In accordance with the requirements for filing a petition for rezoning land in Dane County, please accept the following information as it relates to 3287 Highway N, Town of Cottage Grove, Wisconsin.

1. Preliminary CSM attached
2. A) Acreage of proposed land is 3.2 acres m/l.

B) According to the Dane County Soil survey compiled by the U.S. Department of Agriculture, the land within this new parcel contains 90% Whalan soil (WxC2, WwE2) and 10% St. Charles soil (ScB). Estimated tillable land is approximately .5 acres m/l necessary to comply with County setback requirements.
3. Parcel number of the larger parcel is 0711-333-8000-5
4. Filing fee attached
5. Purpose of this petition is to sell off the primary residence of the farm because the house is too large for the elderly widowed owner. This land division creates a 3.2 acre homestead and retains approximately 155 acres of which 100 m/l is tillable land for crops.

Due to the nature of the land division a rezoning is necessary for the size of the parcel created.

The potential purchaser for the property has requested a specific usage as a boarding and grooming kennel for dogs and needs to obtain a conditional use permit for this property. Retail sales of pet food and related items.

Para - O+T

* Sale of property - ASAP

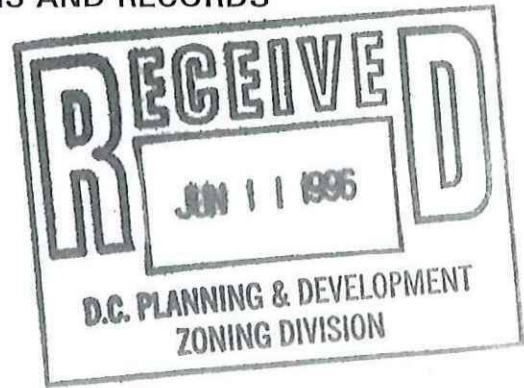
*

DANE COUNTY LAND REGULATIONS AND RECORDS

Rezone Petition #6621
Conditional Use Permit #1338

Parcel #0711-333-8000-5
3287 Highway N, Cottage Grove, WI

Owner: Helen Link
Buyer: Walter & Linda Jobe



Walter and Linda Jobe have agreed to purchase this property conditioned upon the parcel being split to 3.2 acres rezoned to A-2 with a conditional use permit allowing for a boarding and grooming kennel for dogs. The location on Highway provides easy access for boarders to bring their animals and creates a manageable sized parcel. The property is first to be a residence for the Jobe's, and, second a family owned and run kennel business with limited business hours.

Within 60 days of the sale, the Jobe's intend on having a 40' x 60' building erected to house the dogs. This facility is to be heated, air conditioned, have running water and a holding tank for dog waste. Behind the building trees and shrubs will be planted for a wind break and for screening. In front will be a series of dog runs approximately four (4) feet in width encompassing an area 20' x 50' in size. An existing asphalt parking pad will provide 5-6 parking stalls.

Rezone/C.U.P. Application Information

NUMBER 6621 / 1338

GENERAL INFORMATION PUBLIC HEARING DATE: JUNE 11, 1996 D.E.D. YES MF

1. TOWN, VILLAGE, OR CITY COTTAGE GROVE COUNTY DANE

2. THIS NOTICE IS FOR: REZONING CONDITIONAL USE / SPECIAL EXCEPTION

3. OWNER'S NAME AT TIME OF REZONING HELEN LINK TELEPHONE () 839-4900

OWNER ADDRESS 3287 CTH N, COTTAGE GROVE WI - 53527

AGENT ELEEN JENSEN TELEPHONE () 250-9011

AGENT ADDRESS STARK CO. / 717 JOHN NOLAN DR MADISON 53713

4. DESCRIPTION OF PROPERTY WHICH WAS GRANTED THE REZONING OR CONDITIONAL USE / SPECIAL EXCEPTION PERMIT

1/4 1/4 Sec. NE SW | Sec. 33 | Town 7 N | Range 11 E

PARCEL NUMBER(S) BEFORE REZONING 0711-333-8000 PREVIOUS ZONING DISTRICT A-1 Ex NEW ZONING DISTRICT A-2(2) w/cup

PARCEL ADDRESS 3287 CTH N

INTENT / PURPOSE SEPARATE & SELL RESIDENCE FROM FARM WITH A CONDITIONAL USE PERMIT FOR BOARD AND GROOMING KENNEL WITH RETAIL SALES OF RELATED ITEMS

LAND AREA AND IMPROVEMENTS

5. TOTAL ACRES IN PARCEL BEFORE REZONING 155 TOTAL ACRES IN PARCEL IN EXCLUSIVE AG. ZONE BEFORE REZONING 155

a. Of the original parcel, how many acres were rezoned OUT OF agricultural use or granted a non-Ag conditional use/special exception? 3.2

b. How many acres were rezoned INTO exclusive agricultural district?

c. Were there improvements on the original parcel? YES NO

d. What percentage of the improvements was rezoned or granted a conditional use/special exception? 0%

REZONE

6. REASON FOR REZONING

a. Develop land for non-Ag. residential use.

How far is the land from a city or village boundary? 3.25 MILES How far is the land from an existing residential area? 1.75 MILES

Is the land served by public sewer? YES NO Is the land within a sanitary district? YES NO

Is the land served by public water? YES NO Is the land within a planning transition area? YES NO

If more than one lot was developed - number of lots: Average lot size:

b. Develop land for industrial use f. Farm consolidation

c. Develop land for commercial use g. Residence for parent or child of farm operator

d. Develop land for recreational use h. Other (please specify) _____

e. Pre-existing use, substandard or nonconforming parcel

PETITION NO. 6621 / 1338

APPLICATION FOR CHANGE OF THE ZONING CLASSIFICATION OF PROPERTY

TO: DANE COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

The undersigned hereby petitions the Dane County Board of Supervisors to change the zoning classification of the following listed property:

PARCEL NUMBER/S 0711 - 333 - 8000

PROPERTY ADDRESS 3287 CTH N

LOCATED IN THE NE 1/4 SW 1/4 of Section 33

TOWN OF COTTAGE GROVE, Dane County, Wisconsin,
(NOTE: the full legal description of the property is included on the attached amendment form.)

The existing zoning, A-1 Ex

is requested to be changed to the A-2(2) w/ COP

_____ District/s.

Respectfully submitted on 5/2/96

AGENT:

OWNER:

Name Evelyn Jensen

Name _____

EVELYN JENSEN

HELEN LINK

Street 717 JOHN NOLAN DR

3287 CTH N

Post

Office MADISON WI

COTTAGE GROVE WI

Telephone 256-9011 Zip 53713

Telephone 837-4900 Zip 53527

CUP # 1338 / 4621

APPLICATION FOR A CONDITIONAL USE PERMIT

DANE COUNTY, WISCONSIN

TO: The Zoning and Natural Resources Committee

Ladies and Gentlemen:

The undersigned hereby applies for a Conditional Use Permit for the following described use:

BOARDING & GROOMING KENNEL
WITH RETAIL SALES OF RELATED ITEMS

Said use is provided for in Section # 10.12C (3)(0)(1) of the Dane County Code of Ordinances.

The use will be implemented on the following listed property:

PARCEL NUMBER/S 0711-333-8000

PROPERTY ADDRESS 3287 CTH N

LOCATED IN THE NE 1/4 SW 1/4 of Section 33

TOWN OF COTTAGE GROVE, Dane County, Wisconsin

Respectfully submitted on 3/7/92

AGENT:

OWNER:

Name Ellezy Jensen
ELLEZY JENSEN

Name HELEN LINK

Street 717 JOHN NOLAN DR

3287 CTH N

Post Office MADISON WI

COTTAGE GROVE WI

Telephone 250-9011 Zip 53713

Telephone 839-4900 Zip 53527



DANE COUNTY

Richard J. Phelps
County Executive

TO: Dane County Rezoning Applicants

FROM: Richard J. Phelps
Dane County Executive

RE: Preserve Dane Campaign

I have recently announced my intentions to enforce the density and development standards listed in each adopted Town Plan and the County's adopted Farmland Preservation plan. As you proceed with your zoning petition, please become aware of the standards listed in the adopted land use plan for the Town in which you are requesting a rezoning.

Specifically, I have stated the following criteria.

- 1) I will not sign into law any rezonings that are clearly outside the density and development standards listed in the adopted town plans. I will only sign rezoning petitions that follow the basic standards in the county's adopted Farmland Preservation Plan and the adopted Town Plans it is based on.

The intent is to limit scattered development at higher densities than were agreed to by the towns in their adopted town plans and the county in its Farmland Preservation Plan. For example, in order to protect a Town's agricultural base, most Town Plans allow no more than one residence per 35 acres in areas zoned A-1 Agriculture Exclusive. If a Town Plan states that it will allow no more than one residence per 35 acres in areas zoned A-1 Agriculture Exclusive, I will not sign petitions that exceed that density limit.

- 2) I will not sign rezonings that allow any new unsewered residential subdivisions. A subdivision is a division of land into five or more parcels.

This effectively will be a moratorium on new unsewered subdivisions. It may be that someday we will find a way to organize rural residential development in a way that does not damage our quality of life and force up property taxes. But until we answer those basic questions I will strongly discourage, through vetoes, any new development of scattered, unsewered subdivisions.

Thank you for your cooperation. If you have any questions regarding these standards, please consult with your local Town officials or personnel at Dane County's Department of Land Regulation and Records.

COMPOSITE REPORT

Dane County Zoning & Natural Resources Committee

Dane County Application for Change in Zoning or CUP

HEARING DATE: 06/11/96 **ITEM#:** 23.

ZONING PETITION #: 6621 **CUP #:** 1338

TOWN / SECTION: Cottage Grove 33

APPLICANT: Helen Link

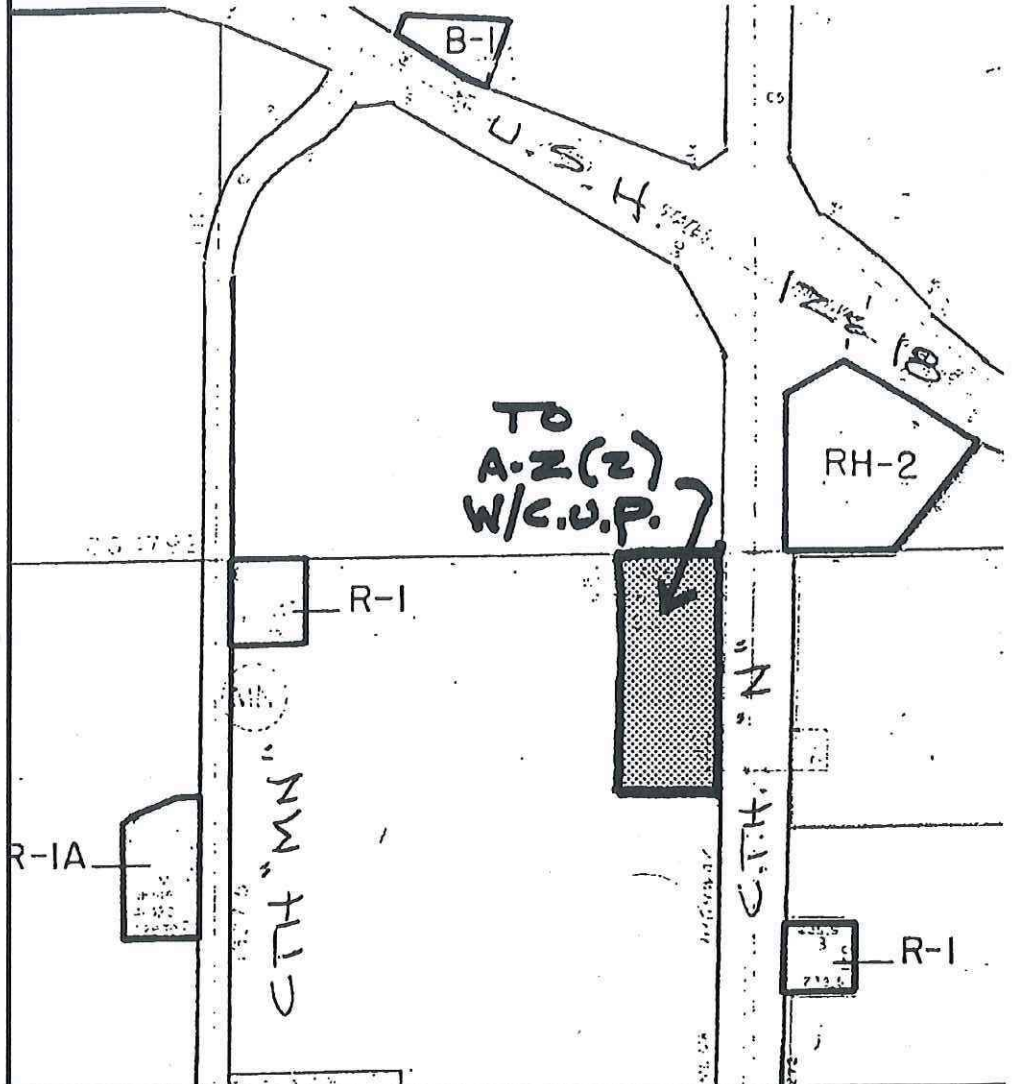
LOCATION: at 3287 CTH N

AREA: 3.20 acres **DELAYED EFFECTIVE DATE:** Yes

CHANGE: From the A-1 EX Exclusive Agricultural to the A-2(2) Agricultural

PROPOSED USE: separate the residence from the farm with C.U.P. for kennel operation with retail sales of related items.

Shaded area indicates the rezoning of CUP area, white is A-1 EX or A-1, other areas are zoned as marked



TOWN ACTION RECOMMENDATION:

Approved *June 3/96*
 DENY

SUBJECT TO:

Conditions Amended

IF CUP:

Conditions None

ZNR COMMITTEE ACTION - REZONING

Postponed
 Approve Cond/Amend Town Cond/Amend Comm.
 As Condition

Amended Changed Zone Dist.
 Changed Boundary Description

DENY
 Action Date *June 11/96* *5* ^{Vote} *-0*

ZNR CUP APPROVAL

Approved As Specified by Town
 Con by ZNR DENY
 Date *July 23/96*

COUNTY BOARD ACTION REZONING

Referred Amended on Floor
 Approved Date *28 June 96*
 DENY

COUNTY BOARD AGENDA ITEM #

STAFF COMMENTS

REGIONAL PLANNING

Petition 6621 - CUP 1338. The rezoning to A-2(2) for the existing home is consistent with the adopted town/county plan for the Town of Cottage Grove.

However, the proposed dog kennel, plus grooming and retail sales do raise issues of compatibility of uses. There are houses on each of the residentially zoned parcels shown on the map. The balance of the surrounding land is all agricultural.

The recently adopted town/county plan for Cottage Grove recognizes such rural businesses, and the fact that they can create certain negative impacts for neighboring uses. To address these impacts the plan requires:

A site plan shall be prepared and submitted to the Town Plan Committee for approval before a rural business can be established or expanded. The purpose of the site plan is to determine the type and scope of impacts the business will produce. The site plan shall include the following information:

- a. If the business is located within 100 feet of an adjacent residence or residential zoning district, the side of the business facing the residence shall be screened by a landscape screen or other visual barrier (see Dane County Zoning Ordinance, Sec. 10.16(7) for specifications of screening).*
- b. The name and cartway width of the road(s) serving the business shall be shown on the site plan. If the business requires any special access improvements, these shall be shown on the site plan.*
- c. A plan for storage and/or disposal of solid waste and hazardous materials used in the operation shall be submitted to the Town. The site plan should also identify any noise or odors produced by the business and perceptible at the boundaries of the property.*
- d. Off-street parking shall be delineated on the site plan, in accordance with the provisions of the Dane County Zoning Ordinance. No parking or storage of vehicles is permitted within the street right-of-way. The projected traffic levels and types of vehicles proposed to service or use the business shall also be delineated.*
- e. If the business is to operate at night, all outdoor lighting shall be designed so as not to create glare or shine directly on neighboring residences.*
- f. Businesses requiring high amounts of water usage, large septic tanks or needing fire protection provided by a public system with hydrants should be directed to the urban service area.*
- g. Businesses shall satisfy the requirements of the Dane County Construction Site Erosion Control Ordinance, Chapter 14, Sec. 14.50-14.99. Stormwater runoff from a commercial development shall be no greater than what existed prior to development.*

Comment: When such a site plan is prepared, it can be the basis for the CUP, as well as other suggested conditions based on public review.

ENVIRONMENTAL HEALTH (septic, etc.)

None as of 6/4/96.

STAFF COMMENTS

DANE COUNTY HIGHWAY

CTH "N" is a controlled access highway. A new permit to change the use for a commercial access would be required from the Transportation Committee. No access to relocated CTH "MN".

OTHER

None.

ZNR P.H. NOTICE REVIEW & STAFF REPORT

ITEM # 23

PUBLIC HEARING DATE 6-11-94

REZONE PETITION# 6621 / CONDITIONAL USE PERMIT # 1338

OWNER/AGENT: Helen Link / Ellen Jensen (Stange Co.)

TOWNSHIP COH-G SECTION 33

SYNOPSIS OF PURPOSE: Separate house from farm, for sale to a party who wishes to operate a dog boarding and grooming kennel with retail sales of pet food & supplies

A-1EX → A-2(2)

EXISTING USE: Conforming? Non-Conforming?
Description:

SIZE OF ZONING PARCEL 155 Ac

IF PARCEL IS A FARM (A-1EX): HOW MANY ACRES IN THIS TOWNSHIP? 155

HOW MANY ACRES IN OTHER DANE COUNTY TOWNSHIPS? 0

WHICH ONES? _____

D.E.D.? (Y) N / TYPE? (CSM) PLAT DR

NUMBER OF RESULTING PARCELS One - 3.2 Ac.

DOES D.E.D. APPLY TO ALL PARCELS &/OR ZONING DISTRICTS? (Y) N

DESCRIBE:

WILL ALL OR PART OF THE PROPOSED REZONE/CUP AREA BE AFFECTED BY THE DISTRICTS BELOW? IF SO, HOW?

- no FLOOD PLAIN
- no WETLANDS
- no SHORELAND
- BODY OF WATER: _____
- no WELLHEAD PROTECTION AREA
- no AIRPORT HEIGHT LIMITATION AREA
- _____ HISTORIC OVERLAY DISTRICT (BURIAL SITES)
- _____ NOISE CONTROL OVERLAY DISTRICT

IS THERE A PREVIOUS REZONE OR CUP APPLICATION WHICH AFFECTS THIS ITEM?

PETITION # no / CUP # no

DESCRIPTION AND STATUS:

ARE THERE ANY OTHER PERTINENT EXISTING OR PENDING PERMITS OR APPLICATIONS WHICH AFFECT THIS ITEM? Y (N)

IF SO, DESCRIPTION AND STATUS:

STAFF COMMENTS: (Retail sales are limited to 100SF floor space)

For Department Use Only: DED on Eff v Sht? yes
 Copy of signed Co. Exec. Memo in file? yes
 FP Cert Copy req'd? no In-file? _____
 Legal Description proofread? yes Corrected? _____
 Map Heading proofread? Corrected? Map reviewed? _____

WHEREAS, the Town Board of the Town of Cottage Grove having considered said Conditional Use Permit, be it therefore resolved that said permit is hereby (Approved ~~Disapproved~~).

Subject to the following conditions:

(Cross out or write "none" if not pertinent)

1. Excercise Runs be located on the east side of the building.
 2. Limited to uses specified in A-2 (3) (o) and (t) as detailed
-
- in the Dane County Code of Ordinances.
-
3. The above code's off street parking requirements are adhered to.
 4. ~~Compliance with screening requirements on west boundary of the business building using Norway Spruce.~~
 5. ~~There will be a maximum of 50 dogs on site.~~
 6. Animal waste be handled in conformance with sound sanitary and environmental health procedures and that minimizes odors to surrounding properties.
 7. That there be one dusk to dawn light on the premises.
 8. That the C. U. P. expire upon sale of the property.

(Use reverse side if necessary)

(I, Theresa V. Turner, as Town Clerk of the Town of Cottage Grove, County of Dane, hereby certify that the

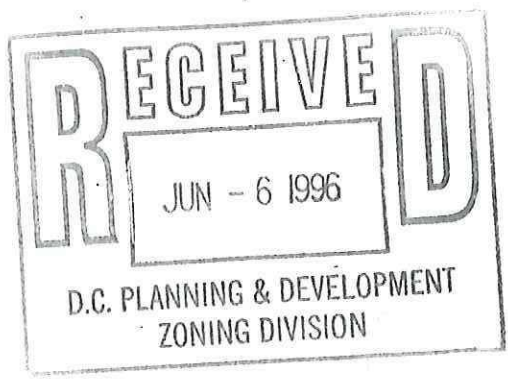
above resolution was adopted in a lawful meeting of the Town Board

on June 3, 1996.

Theresa V. Turner

Town Clerk

DATED: June 5, 1996.



Whereas, the Town Board of the Town of Cottage GROVE
having considered said zoning petition, be it therefore resolved that said
petition is hereby (Approved/~~Disapproved~~).

SUBJECT TO THE FOLLOWING CONDITIONS:

(Cross out or write "none" if you do not wish to place any conditions)

See CUP # 1338

(Use reverse side if additional space is required).

PLEASE NOTE: If the proposed rezoning is approved by the Town Board, but said
rezone does not comply with the Town Land Use Plan, please list the reasons
for the approval. These reasons can be a critical factor for both the Zoning
Committee and the County Board in their consideration of the rezone.

(Use the reverse side if additional space is required)

(I, Theresa V. Turner, as Town Clerk of the Town of
Cottage GROVE, County of Dane, hereby certify that the
above resolution was adopted in a lawful meeting of the Town Board on
June 3, 1996.

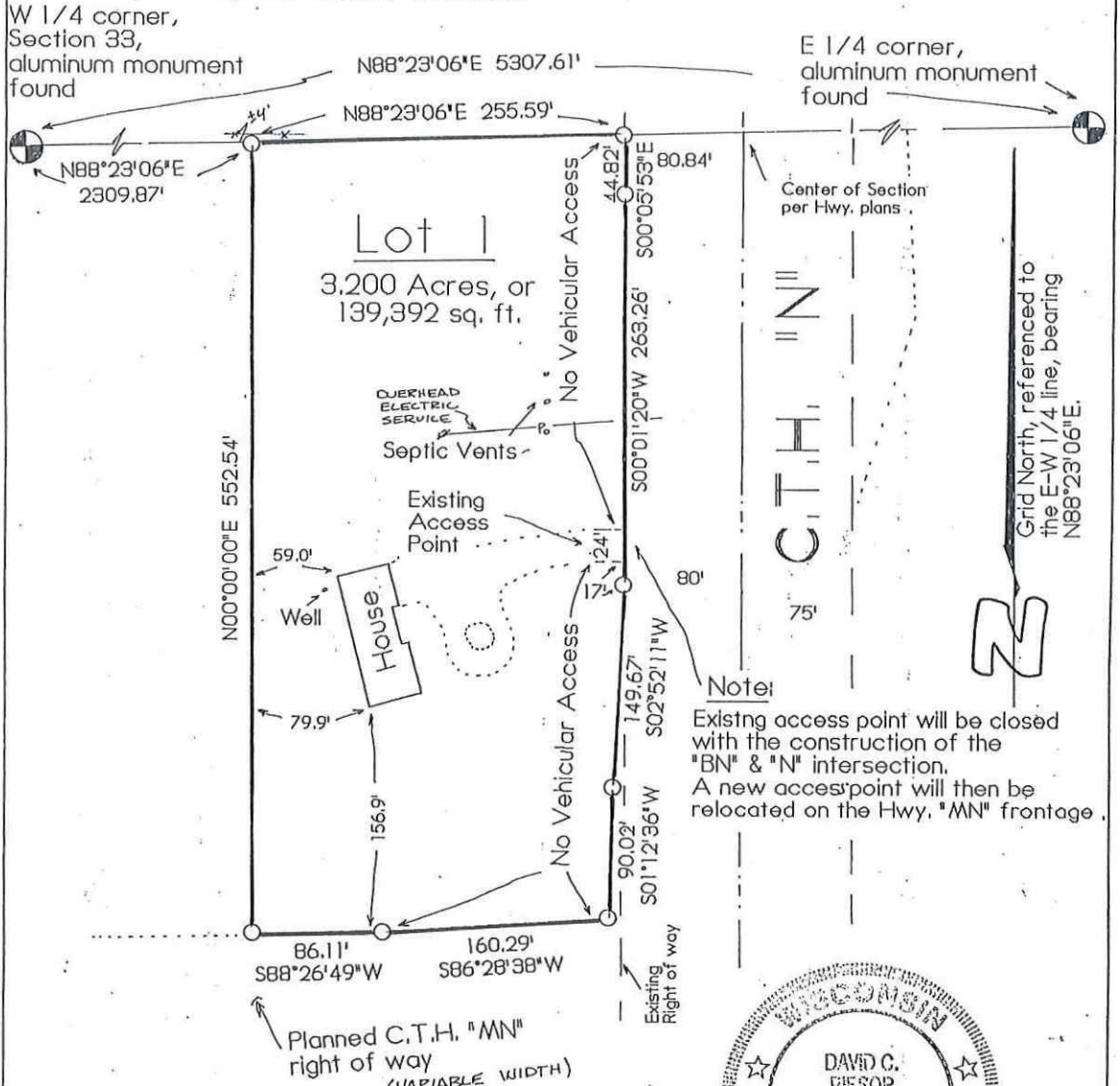
Theresa V. Turner
Town Clerk

DATE: June 5, 1996.



Certified Survey Map

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.



Scale : 1" = 100'

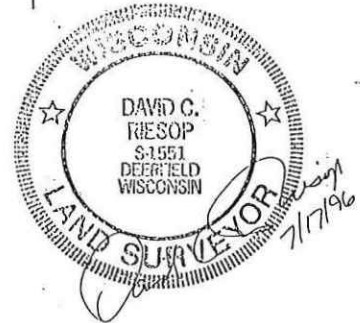


Legend

○ = 3/4" dia. x 24" long iron rod set, 1.50 lbs. per lineal foot

Notes

- 1) Surveyed for Link Farms Inc., c/o Helen Link, 3287 Hwy. "N", Cottage Grove, Wisconsin, 53527, owner.
- 2) "Refer to building site information contained in the Dane County Soil Survey."
- 3) "County Trunk Highway "N" is a controlled access highway, pursuant to Chapter 79, Dane County Code of Ordinances."



Wisconsin Mapping

surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 1678-96 Date 7/17/96
Sheet 1 of 3

Document No. 2779955
C.S.M. No. 8277 V. 44 P. 294

3/14

Certified Survey Map

Owners Certificate

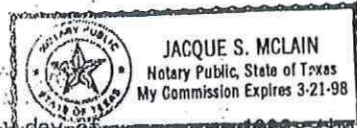
LINK FARMS INC. a corporation duly formed and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that it has caused the land described on this certified survey to be surveyed, divided, mapped and dedicated as represented on this certified survey map. It also certifies that this certified survey map is required by s75.17 (1) (a) Dane County Code of ordinances to be submitted to the Dane County Zoning and Natural Resources Committee for approval.

LINK FARMS INC. by: John Link, President Helen Link, Secretary
John Link, President Helen Link, Secretary

STATE OF TEXAS
COUNTY OF CASTRO)ss.

Personally came before me this 15th day of July, 1996, the above named John Link, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Jacques S. McClain
Notary Public, CASTRO County, Texas
my commission expires 3-21-98



STATE OF WISCONSIN
COUNTY OF DANE)ss.

Personally came before me this 16th day of July, 1996, the above named Helen Link, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Jerome P. Eichelkraut
Notary Public, Dane County, Wisconsin
my commission expires 11-14-1999



Wisconsin Mapping

surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 1678-96 Date 7/17/96
Sheet 2 of 3

Document No. 2779955
C.S.M. No. 8277 V. 44 P. 295

Certified Survey Map

Surveyors Certificate

I hereby certify that in full compliance with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the County of Dane, and by the direction of Helen Link, I have surveyed, divided and mapped the lands described hereon, and that such map correctly represents the exterior boundaries of the lands surveyed, and that this land is located within and more fully described to wit:

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows:

Commencing at the W 1/4 corner of said Section 33; thence N88°23'06"E along the North line of the SW 1/4, 2309.87 feet to the point of beginning; thence continue N88°23'06"E along said North line, 255.59 feet; thence S00°05'53"E, 44.82 feet; thence S00°01'20"W, 263.26 feet; thence S02°52'11"W, 149.67 feet; thence S01°12'36"W, 90.02 feet; thence S86°28'38"W, 160.29 feet; thence S88°26'49"W, 86.11 feet; thence N00°00'00"E, 552.54 feet to the point of beginning. The above described containing 3.200 acres, or 139,392 square feet.



David C. Riesop 7/17/96
David C. Riesop S-1551

Township Approval

This Certified Survey Map is hereby approved per Township of Cottage Grove Board action of July 15, 1996.

Theresa A. Turner
Town Clerk

County Approval

Approved for recording per Dane County Zoning and Natural Resources Committee action of July 17, 1996.

Norbert Scribner #6178
Norbert Scribner, agent

Register of Deeds Certificate

Received for recording this 17 day of JULY, 1996 at 4:54 o'clock P.M. and recorded in Volume 44 of Certified Surveys, Pages 294, 295 + 296.

Jane Licht by Carol Kneffel
Jane Licht, Register of Deeds, Dane County
Deputy

Wisconsin Mapping

surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

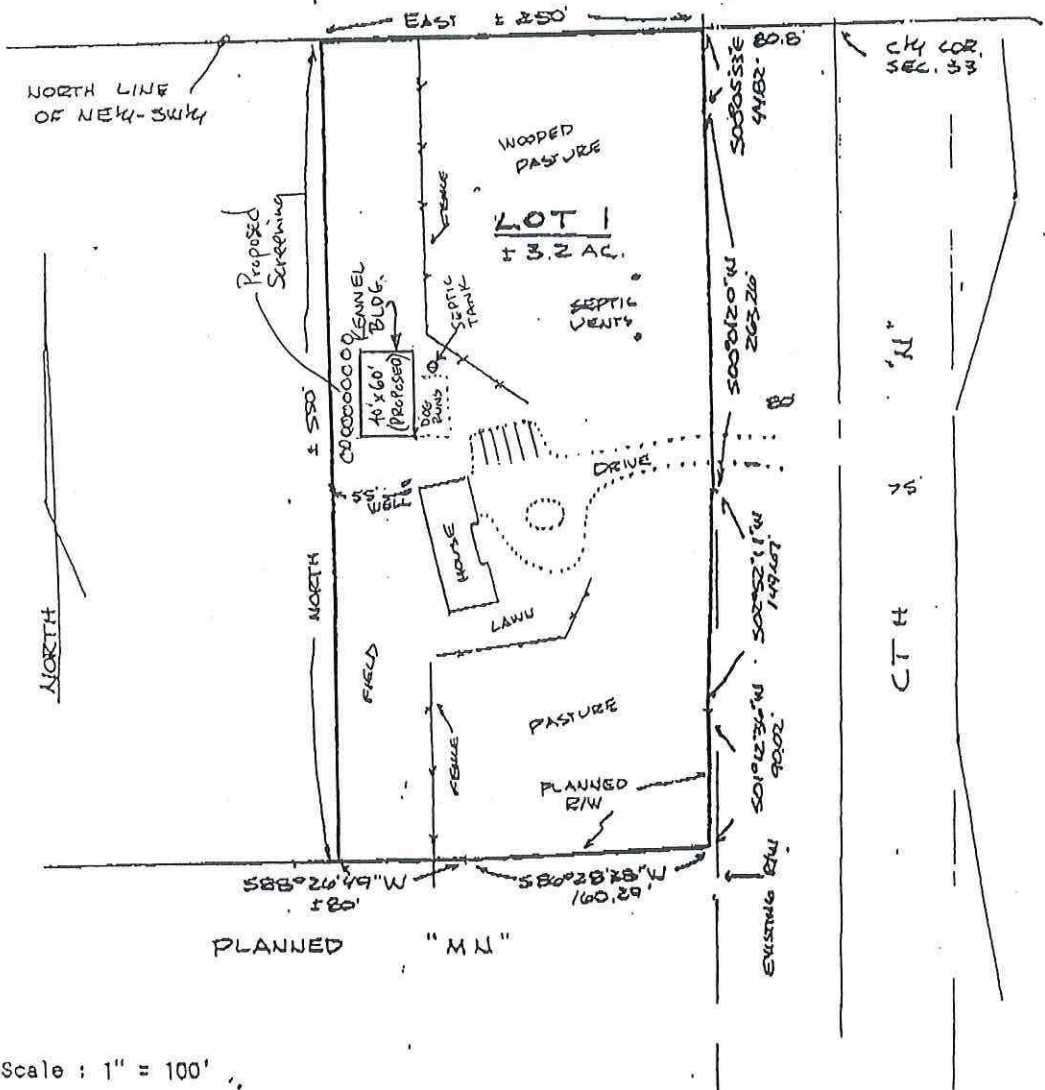
Dwg. No. 1678-96 Date 7/17/96
Sheet 3 of 3

Document No. 2779955
C.S.M. No. 8277 V. 44 P. 296

PRELIMINARY

Certified Survey Map

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.



Scale : 1" = 100'

Prepared for Mrs. Kervyn Link, 3287 Hwy. N, Cottage Grove, Wisconsin, 53527, owner.

Description:

Part of the NE 1/4 of the SW 1/4 of Section 33, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin, described as follows:

Commencing at the Northeast corner of the NE 1/4 of the SW 1/4; thence West, 80.8 feet to the point of beginning; thence $S00^{\circ}05'53''E$, 44.82 feet; thence $S00^{\circ}01'20''W$, 263.26 feet; thence $S02^{\circ}52'11''W$, 149.67 feet; thence $S01^{\circ}12'36''W$, 90.02 feet; thence $S86^{\circ}28'38''W$, 160.29 feet; thence $S88^{\circ}26'49''W$, 80 feet; thence North, 550 feet to the North line of the aforesaid NE 1/4 - SW 1/4; thence East along said North line, 250 feet to the point of beginning. Containing 3.2 acres, more or less.

Wisconsin Mapping

surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin, 53531
(608) 764-5602

DWG. NO. 1678-90 DATE 3/13/96
SHEET 1 OF 1

DOCUMENT NO. _____
C.S.N. NO. _____ V. _____ P. _____