

September 13, 2022

TO: Roger Lane, Dane County Zoning Administrator  
Mark Geller, Town of Verona Chair

FROM: Dale Beske  
6422 Shady Bend Road  
Verona WI 53593

RE: Zoning and CUP Application 02572 for a Limited Family Business Dog Kennel  
at 6537 Shady Bend Rd, Town of Verona

Greetings,

I am a resident of the Shady Bend Road neighborhood.

I attended the Town of Verona Planning Commission meeting on this topic August 18, 2022. At that meeting, the applicants stated their business would be operated within an existing shed/two-plus car garage on the property. Their intended customer base is persons whose dogs are not well socialized with other dogs. Each dog (with an exception for dogs from the same family) would have its own 4x6 kennel space in the shed, and each dog would be allowed outside individually four times a day (8 am, noon, 4 pm and 8 pm). Dogs would then remain inside overnight. Dogs could be boarded for multiple days and nights at a time, as needed by the customers.

I have read through the application for a Limited Family Business at 6537 Shady Bend Road and have many concerns.

**Zoning/CUP Concerns:**

The description states the application is for a dog sitting small business, but, reading the details, it is really just a typical kennel business, with 24x7 care available, albeit limited to 10 dogs.

I looked into the requirements for a kennel (Chapter 10), which is called “animal boarding, domestic pet” in the ordinance. See definition 81 on page 10-12, which refers back to definition 18 on page 10-6.

A kennel/animal boarding (domestic pets) operation is a conditional use in RM-8 (page 10-64), RM-16 (page 10-65) and a permitted use in AT-5 (page 10-67), GC (page 10-84), HC (page 10-85) and MI (page 10-87). Note that the RR series is not mentioned in the lists of either permitted or conditional use zoning areas. So, Chapter 10 does not allow a kennel/animal boarding on an RR-2 lot such as 6537 Shady Bend Rd, either as a permitted use or as a conditional use.

Applicant is instead applying for a Limited Family Business (LFB) Conditional Use Permit (CUP).

Since the Ordinance allows Limited Family Businesses but not animal boarding in some districts, but then allows both uses in other districts, it is clear that Limited Family Business is not intended to include animal boarding. The ordinance treats them as distinctly different. As such, animal boarding is not allowed in RR-2.

Even if that is ignored, the definition of a Limited Family Business (Definition 84 on page 10-12) says the business must take place “entirely within an accessory building”. The application states that an approximately 150x250 foot outside exercise area will be created. This alone should disqualify the application, as the business is obviously not contained entirely within an accessory building as required by the ordinance.

**Noise Concerns:**

The applicants stated the dogs would be quiet. I do not see how this is possible. The dogs would be stressed, as a result of being away from their owners and their normal environments. They would then be placed in a two-plus car garage where they can see, hear and smell other unfamiliar dogs nearby. When outside, they would again be in a strange environment and still stressed out. There are a number of local residents who walk daily on Shady Bend Rd, adjacent to the proposed outside exercise area, which would further add to the dogs’ stress levels. Barking would be the expected result of all this stress, both inside and outside the garage. My property is not adjacent to the applicants’ property but is in the same neighborhood.

**The Variance:**

At a very minimum, a variance should be required for a permit such as this to be issued. But this is not a typical hardship case, just a case where the proposed use is not allowed on the property in question.

**Environmental Health:**

The application further states that the wastewater from cleaning the kennel would be directed to the existing residential septic system. Will Dane County Environmental Health do an evaluation to ensure the system can handle the additional load?

**Comprehensive Plan Issues:**

There are also Comprehensive Plan issues.

Looking though the maps contained within the Town’s Comprehensive Plan, the Shady Bend Neighborhood is shown on several maps.

Map 9.1 Existing Land Use, shows it as Single Family Residential

Map 9.3 Boundary Agreement, shows it as a Town Neighborhood

Map 9.6 Future Land Use, shows it as remaining Rural Residential 2, 2-4 Acres

Looking at Chapter 8 of the Comp Plan, page 56 notes criteria for attracting businesses. It includes the statement “Attract only those businesses that would be willing to locate in the areas designated for commercial use on the Town’s Land Use Plan”. This is not in an area designated for commercial use.

Page 57, Goal 2, includes language to “maintain standards for home-based businesses”. This business does not meet the standard for home-based (nor limited family) businesses.

**Sign Issues:**

Should this ever be approved, the signs, as described, are nonconforming for a limited family business. See page 10-105, where one wall sign and one ground sign are defined as the only signs for a limited family (word business was not included for some reason?). The wall sign (12 sq ft) goes on the accessory building while the ground sign (16 sq ft) identifies the driveway. The tables 1 through 4 at the end of Chapter 10 have additional information regarding signs, which might be interpreted to allow two signs on the accessory building, since there is road frontage on two roads.

**Conclusion:**

In my opinion, the stretching of the definition of a Limited Family Business to allow this outdoor activity sets a new precedent for Limited Family Businesses. I think this significantly loosens the meaning of “limited” in this regard. I respectfully request that this permit be denied for the above reasons.

Please include this letter in the packets for the 9/20/22 ZLR Public Hearing and 10/4/22 Town Board Public Hearing on this issue.