Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
05/08/2014	DCPREZ-2014-10702
Public Hearing Date	C.U.P. Number
06/24/2014	DCPCUP-2014-02276

OV	VNER INFORMATI	ON			AG	ENT INFORMATIO		
OWNER NAME MAXWELL FAMILY	LLC	PHONE (wi Code) (608) 33		AGENT NAME FOLEY LARD	NER LI	_P	PHONE (with Code) (608) 25	
BILLING ADDRESS (Number 7711 MIDTOWN RE	& Street)			ADDRESS (Number 150 E. GILLM				
(City, State, Zip) VERONA, WI 53593				(City, State, Zip) Madison, WI 5	3703			
E-MAIL ADDRESS douglas.maxwell08@	gmail.com			E-MAIL ADDRESS				
ADDRESS/L	OCATION 1	A	DDRESS/I	OCATION 2		ADDRESS/L	OCATIOI	V 3
ADDRESS OR LOCATIO	ON OF REZONE/CUP	ADDRESS	S OR LOCAT	ION OF REZONE/	CUP	ADDRESS OR LOCATION	ON OF REZ	ONE/CUP
7711 Midtown Road								
TOWNSHIP VERONA	SECTION 6	TOWNSHIP		SECTION	Ŧ	OWNSHIP	SECTI	ON
PARCEL NUMBE	RS INVOLVED	Baller PAI	RCEL NUMBI	ERS INVOLVED		PARCEL NUMBE	RS INVOLV	/ED
0608-061-	-8200-1							
RE.	ASON FOR REZONE					CUP DESCRIPTION		
FROM DISTRICTE	TO DISTR		ACRES					
A-2 Agriculture Distri			4.9	10.127(3)	KIEKEGL	E OF ORDINANCE SEC	FION	88.60
A-2 Agriculture Distri	Ct A-3 Agriculture	5 DISTINCT	1.3	10.127(3)				00.00
A-1Ex Exclusive Ag District	A-3 Agriculture	e District	70.8	10.123(3)(a)7. しついころ(3)				88.60
RH-2 Rural Homes District	A-3 Agriculture	e District	1.3					
A-2 Agriculture Distri	ct RH-2 Rural Ho District	mes	1.3					
A-1Ex Exclusive Ag District	RH-2 Rural Ho District	mes	6					
RH-2 Rural Homes District	RH-2 Rural Ho District	mes	4.3					
C.S.M REQUIRED?	PLAT REQUIRED?		STRICTION UIRED?	INSPECTOR'S	INITIALS	SIGNATURE:(Owner o	r Agent)	
☑ Yes ☐ No	Yes 🗹 No	☐ Yes	Ø No	SJW3	3			
Applicant Initials	Applicant Initials	Applicant Ini	tials	-		PRINT NAME:		



4847.8641.8714.7

DAME COUNTY ELANNING DEVELOPMENT

Zoning Change Application

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 that must be submitted with your application:

- 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 <u>each</u> zoning district proposed. The description shall include the area in acres or square feet.
- 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.

b	uildings shall be shown on the drawing. The	drawing shal	I include the area in acres or square feet.
Owner's	Name MAXWELL FAMILY LLC	Agent's N	lame HEARTLAND FARM SANCTUARY, INC.
Address	7711 MIDTOWN ROAD	Address	P.O. BOX 45746
	VERONA, WI 53593	Chana	MADISON, WI 53744
Phone	(608) 332-3625	- Phone	(608) 219-1172
Email	douglas.maxwell08@gmail.com	Email	dana.barre@heartlandfarmsanctuary.org
Town: Ve	erona Parcel numbers affected:	See Attached E	xhìbit A
Section:	06 Property address or locati	on: See Attach	ed Exhibit A
~	istrict change: (To / From / # of acres) tached Exhibit A		
	uifications of area (percentages) Class I soils ached Exhibit B	5%	Class II soils:% Other: %
O Sepa O Creat O Comp Wight existin require the bo two pre	c (reason for change, intended land use, size of faration of buildings from farmland tion of a residential lot oliance for existing structures and/or land uses espect to Lot 1 and Lot 3 of attache g parcels, the CSM creates two agreement for A-3 zoning. With respect undaries of an existing RH-2 Lot. Vevious A-1(EX) parcels, one of which parcel for the residence.	d prelimina ricultural lo to Lot 2, t Vith respe	ary CSM, which aggregates 5 ots that now meet 35 acre he preliminary CSM slightly alters ct to Lot 4, the request is to take
I authorize t Submitted	hat I am the owner or have permission to act on behalf of the	owner of the prop	Date: 16April 2014

4-16-2014



DANE COUNTY

PLANNING DEVELOPMENT

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

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	appl	ication

- Written Legal Description of Conditional Use Permit boundaries
- 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.
- 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)

Owner	MAXWELL FAMILY LLC	Agent	HEARTLAND FARM SANCTUARY, INC
Address	7711 MIDTOWN ROAD	Address	P.O. BOX 45746
14.14	VERONA, WI 53593	Db	MADISON, WI 53744
Phone	(608) 332-3625	- Phone	(608) 219-1172
Email	douglas.maxwell08@gmail.com	Email	dana.barre@heartlandfarmsanctuary.org
Parcel nu	mbers affected: See Attached Exhibit A	Town:	6 Section: 06
		Propert	y Address: See Attached Exhibit A
			7 1 15 15 15 15 15 15 15 15 15 15 15 15 1
	. A-3		
ø Type	Proposed Zoning District: e of Activity proposed: See attached Exhiling of Operation See attached Exhibit B	bit B	
F Type F Hou F Nun F Anti F Outs F Outs F Outs	Proposed Zoning District: e of Activity proposed: See attached Exhibit B riber of employees See attached Exhibit B cipated customers See attached Exhibit B side storage See attached Exhibit B door activities See attached Exhibit B door lighting See attached Exhibit B	te engan sida ant demon-immensioni-immensioni-immensioni-immensioni-immensioni-immensioni-immensioni-immensioni bit B	
France Type France House France Outs France Outs France Outs France Outs France Outs France Outs	Proposed Zoning District: e of Activity proposed: See attached Exhibit B abor of employees See attached Exhibit B cipated customers See attached Exhibit B side storage See attached Exhibit B door activities See attached Exhibit B	to consension and con	
Frop	Proposed Zoning District: e of Activity proposed: See attached Exhibit B of Operation See attached Exhibit B ober of employees See attached Exhibit B cipated customers See attached Exhibit B side storage See attached Exhibit B door activities See attached Exhibit B door lighting See attached Exhibit B side loudspeakers See attached Exhibit B	renga. sog at classic freezionia general vision.	

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

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.

Applicant will comply with all applicable use restrictions, conditions, ordinances, statutes, laws and other requirements related to the property. The proposed use will not be noxious or harmful.

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 proposed use will provide educational agricultural programming and will be congruous with the surrounding agricultural uses.

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.

The use of the property will continue to be low-density and agricultural in nature. The use complies with the Town of Verona comprehensive plan, which will ensure the continued normal and orderly development of the surrounding properties.

 That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

As shown on the attached map, Applicant is undertaking the necessary limited site improvements, including parking, to facilitate the proposed use of the property.

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.

Applicant will comply with all requirements, ordinances, laws and regulations when planning Fundraising Activities to minimize traffic congestion. Applicant does not anticipate that the regular Educational Activities conducted upon the premises will result in any congestion, but intends to comply with the above rules and requirements to the extent applicable to the volume of vehicles accessing the Property.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located. Applicant intends to comply with all rules, regulations, ordinances and requirements of the district in which it is located. Applicant met with County staff prior to submitting this application in order to discuss such requirements and what steps Applicant must take to meet all applicable regulations. Applicant has also engaged an attorney to advise Applicant regarding compliance of regulations, ordinances, rules, and laws applicable to the property.

EXHIBIT A TO CONDITIONAL USE APPLICATION

EXISTING PARCEL NO.	ADDRESS
062/0608-061-8200-1	7713 Midtown Road Verona, WI 53593
062/0608-061-8850-5	N/A
062/0608-061-9000-1	N/A

EXHIBIT B TO CONDITIONAL USE APPLICATION

1. TYPE OF ACTIVITY PROPOSED: Applicant proposes to use the property in question for the following activities: (a) daily educational programming, related to raising and caring for animals and general farm and livestock operations, for both youth and adults, including therapeutic programming for individuals with special needs (the "Educational Activities"); (b) on-site living quarters allowing for overnight supervision, when Applicant deems necessary, of premises and livestock, which will include reasonable living quarters and a bathroom for the employee providing such supervision and the employee's spouse or significant other, occasional guest or invitee (the "Supervision Activities"); (c) occasional fundraising activities on-site to support the Educational Programs (the "Fundraising Activities"); and on-site preparation and sale of food to attendees of the Educational Activities and Fundraising Activities, administrative functions, including office space, laundry room, programming rooms and similar functions and spaces at the property for support of the Educational Activities and Fundraising Activities (the "Support Activities"). Applicant understands that these activities would be considered "Agricultural entertainment activities more than 45 days per year" under the A-3 Agricultural District.

To further explain the above stated uses, the Educational Activities will include improvements to the existing barn structure on the property to facilitate educational programming, restrooms for the use of attendees of the Educational Activities and Fundraising Activities, and modernization of the barn as may be necessary to efficiently provide the Educational Activities. In the event that modification or modernization of the barn in impractical or infeasible, Applicant may construct a new building upon the property to house the areas and permit the functions stated above. The Educational Activities may also necessitate construction of outbuildings and certain limited structures as shown on the map attached to the application. The buildings and structures which Applicant anticipates may be constructed on the property are shown on the attached scaled drawing. Any such activities will be in support of, or ancillary to, the provision of educational programming, therapeutic visiting with livestock, and other farming and livestock educational activities.

The Supervision Activities will be limited, after regular hours of operation set forth below, to overnight quarters for the person providing such services, only when Applicant deems such overnight supervision to be necessary. The overnight quarters may include up to two bedrooms, a living space, kitchen, and bathroom. The overnight quarters will not be used as a hotel, bed and breakfast, or any sort of temporary overnight housing of guests or supporters of Applicant. The overnight quarters will have occupancy rules, similar to that of an apartment, such that the employee may occupy the quarters with a significant other, spouse and otherwise entertain houseguests on a temporary basis. Houseguests would only be permitted at the living quarters if the employee would be required to provide Supervision Activities for an extended period of time.

The Support Activities will be limited to office administration type services, laundry services necessary for handling of on-site soiled laundry only, programming support, and the production and sale of food in the cafeteria to be housed in a building constructed on the property, or constructed within the existing barn structure, for attendees of the Educational Activities or Fundraising Activities. The cafeteria will be limited in size for service of only employees, volunteers, and guests and students of the Educational Activities and Fundraising Activities who would otherwise already be on the property, and will not be marketed for sales of food to the general public.

To facilitate these activities, Applicant proposes to have a permanently dedicated parking area, either permanently cleared or covered in gravel, sufficient to provide for 20 parking spaces. To handle overflow parking during pick-up and drop-off times for the Educational Activities, or temporary additional parking for Fundraising Activities, Applicant will reserve empty space adjacent to the permanent parking that would have capacity for an additional 50 parking spaces on a temporary basis.

2. HOURS OF OPERATION:

Educational Activities: Educational Activities would typically be daily recurring activities, mainly educational classes, programs, sessions with animals, nature walks, and other scheduled classes or programs, during the course of the year, with likely more intensive Educational Activities during the summer and fall months. During the summer months, Educational Activities may include traditional "day-camp" type of activities for school-aged children. The hours of operation of the Educational Activities would typically commence no earlier than 6:00 a.m. and end no later than 9:00 p.m.

<u>Fundraising Activities</u>: Fundraising Activities would occur, at a maximum, 24 times per year. Of these events, approximately 3-5 events per year would be "large events, with respect to the number of "customers" in Section 4, and the remainder would be "small events" with respect to the number of "customers" in Section 4. Fundraising Activities would typically commence no earlier than 8:00 a.m. and end no later than 10:00 p.m. Employees and volunteers providing services to Applicant may arrive at the property or remain at the property before or after such hours as may be necessary to prepare for and clean up after any Fundraising Activities.

<u>Supervision Activities</u>: Supervision Activities would occur 24 hours per day. The Supervision Activities occurring outside of the regular hours of the Educational Activities and Fundraising Activities set forth above would be limited to those activities necessary for one full time employee to reside at the premises to be immediately available to address any concerns at the property, including any emergencies with the livestock or otherwise.

<u>Support Activities</u>: Support Activities would occur during the regular hours of the Educational Activities and Fundraising Activities, as applicable.

3. NUMBER OF EMPLOYEES:

<u>Educational Activities</u>: Applicant anticipates having 4 regular employees to oversee the Educational Activities. Depending on the size of the Educational Activities, particularly in the summer and fall months when the Educational Activities are in full swing or day-camps taking place, Applicant may have up to 4 additional employees and 10 volunteers to assist with the Educational Activities.

<u>Fundraising Activities</u>: Applicant anticipates that the number of regular employees assisting with the Educational Activities would also assist with the Fundraising Activities. In addition, Applicant may have up to 20 volunteers assist with the Fundraising Activities.

<u>Supervision Activities</u>: The employees involved in the Educational Activities would assist with the Supervision Activities during the regular hours of the Educational Activities and Fundraising Activities. After such regular hours, one full time employee (or a stand-in employee in the event of an emergency, sickness, or regular vacation of such employee) will undertake the Supervision Activities. The full-time employee's spouse, significant other, or sporadic house guest may be at the property for such overnight hours.

<u>Support Activities</u>: The employees who are involved with the Educational Activities and Fundraising Activities would also assist with the Support Activities.

4. ANTICIPATED CUSTOMERS:

Educational Activities: The "customers" of the Educational Activities would really be attendees of the educational and therapeutic programming and day-camps provided at the property. Applicant estimates that the maximum number of attendees of recurring educational classes would be 25, attendees of supper day camps would be 80, and attendees of Educational Activities during short term special events in connection with the Educational Activities would be up to 100.

<u>Fundraising Activities</u>: The Fundraising Activities have the potential for the largest events at the property, as they could possibly include attendees of the Educational Activities, Applicant's board, employees and volunteers, and other guests and invitees of Applicant. Applicant anticipates that the maximum number of attendees of "small events" would be 50, and the maximum number of attendees of "large events" would be 200.

<u>Supervision Activities and Support Activities</u>: These activities are performed by the employees and volunteers of Applicant, and thus would be limited to the numbers set forth at 3 above. There would be no more than one full time employee undertaking the overnight Supervision Activities.

5. OUTSIDE STORAGE: In connection with the above referenced activities, Applicant anticipates construction of small outbuildings for storage of hay and straw, storage of vehicles and equipment necessary for the proper maintenance of the property and, during

Fundraising Activities, temporary storage of equipment necessary to support the Fundraising Activities. If the current buildings upon the property adequately provide storage space meeting Applicant's needs, Applicant will not construct additional facilities for storage.

6. OUTDOOR ACTIVITIES:

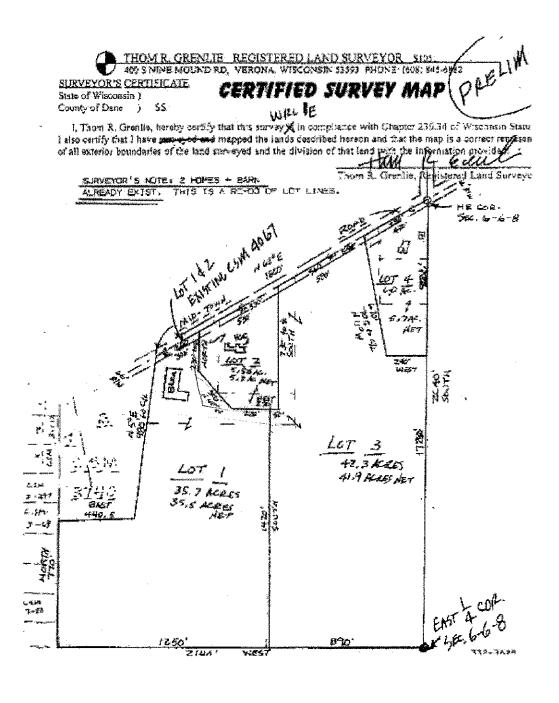
<u>Educational Activities</u>: Some Educational Activities associated with the livestock and farming practices will be conducted outdoors. Additional Educational Activities, such as nature walks, therapeutic sessions with the animals, and outdoor activities of a similar nature will likewise be conducted outdoors.

<u>Fundraising Activities</u>: Fundraising Activities will also be conducted outdoors. These events may include nature walks, visits with the animals, picnics, and similar outdoor activities demonstrating the property, livestock, farming activities occurring thereon, and Educational Activities conducted thereon.

- 7. OUTDOOR LIGHTING: Regular outdoor lighting will be limited to outdoor lighting necessary for the safety and wellbeing of the livestock during non-daylight hours, the outdoor lighting necessary for the safety and wellbeing of the full time employee providing Support Services overnight, and minimal outdoor lighting necessary to keep trespassers from entering the property at night. During limited Fundraising Activities that may extend beyond daylight hours, outdoor lighting necessary for the safety of the attendees of such event may be implemented.
- 8. OUTSIDE LOUDSPEAKERS: Applicant's use of the property does not include outside loudspeakers. Applicant may have a loudspeaker installed in case of an emergency to communicate effectively with attendees of any event, but will not play music, regularly communicate with employees, attendees or students through the use of such medium.
- 9. **PROPOSED SIGNS:** Applicant intends to install an aboveground permanent sign, meeting the applicable zoning requirements for signage, at the entrance to the property along Midtown Road. Applicant may install de-minimus signage at the barn or along certain trails necessary to direct attendees and students to the correct buildings or trails upon the property.
- 10. TRASH REMOVAL: Applicant will have sufficient garbage and recycling containers to handle waste and recyclable material produced in connection with the regular activities at the property. Applicant will contract with a regular waste disposal contractor to regularly dispose of the waste and recyclable materials. During Fundraising Activities, Applicant may have additional waste receptacles at the property and contract for single event waste management to handle larger volumes of waste and recyclable materials.

LEGAL DESCRIPTION OF CONDITIONAL USE PERMIT BOUNDARIES

Lot 1, Preliminary CSM attached below, being part of the Northeast ¼ of Section 6, Town 6 North, Range 8 East in the Town of Verona, Dane County, Wisconsin, described as follows: Beginning 890 feet West of the East 1/4 corner of Section 6; thence West 1250 feet; thence North 770 feet; thence East 440.5 feet; thence North 5 degrees East 980 feet to Midtown Road; thence North 62 degrees East 300 feet; thence South 230 feet; thence 540 degrees East 300 feet; thence East 220 feet; thence South 1420 feet to the point of beginning of the above described description.





State of Wisconsin)
County of Dane) SS.

I, Thom R. Grenlie, hereby estrify that this survey & in compliance with Chapter 236.3d of Wisconsin Statu I also certify that I have surveyed and the innes described hereon and that the map is a correct represent of all exterior boundaries of the land surveyed and the division of that land with the information provides.

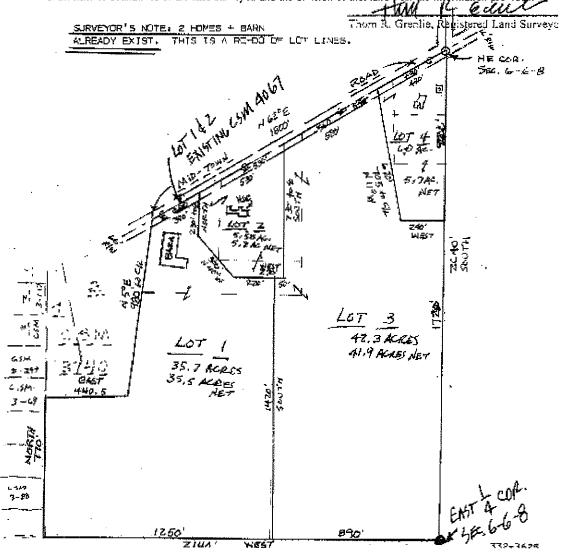


EXHIBIT A TO ZONING CHANGE APPLICATION

	EXISTING PARCEL NO.	EXISTING ZONING	PROPOSED ZONING	ADDRESS	ACRES
				111000000000000000000000000000000000000	A CONTRACTOR OF THE CONTRACTOR
	062/0608-061-8200-1	A-2	A-3	7713 Midtown Road Verona. WI 53593	6.55
- 	062/0608-061-8300-0	A-1(EX)	A-3	N/A	18.42
<i>w</i>	062/0608-061-8850-5	A-1(EX)	A-3	N/A	N/A
7	062/0608-061-9000-1	A-1(EX)	A-3	N/A	16.1
<i>N</i>	062/0608-061-9500-6	A-1(EX)	A-3	N/A	40
	062/0608-061-8175-3	RH-2	RH-2	7711 Midtown Rd, Verona, WI 53593	5.2
	062/0608-061-8470-5	A-1(EX)	RH-2	7671 Midtown Rd, Verona, WI 53593	1.74
- 80	062/0608-061-8450-9	A-1(EX)	RH-2	7671 Midtown Rd, Verona, WI 53593	1.75

MAP OF CURRENT ZONING BOUNDARIES

(parcels with asterisk denotes parcels subject to Zoning Change Application)

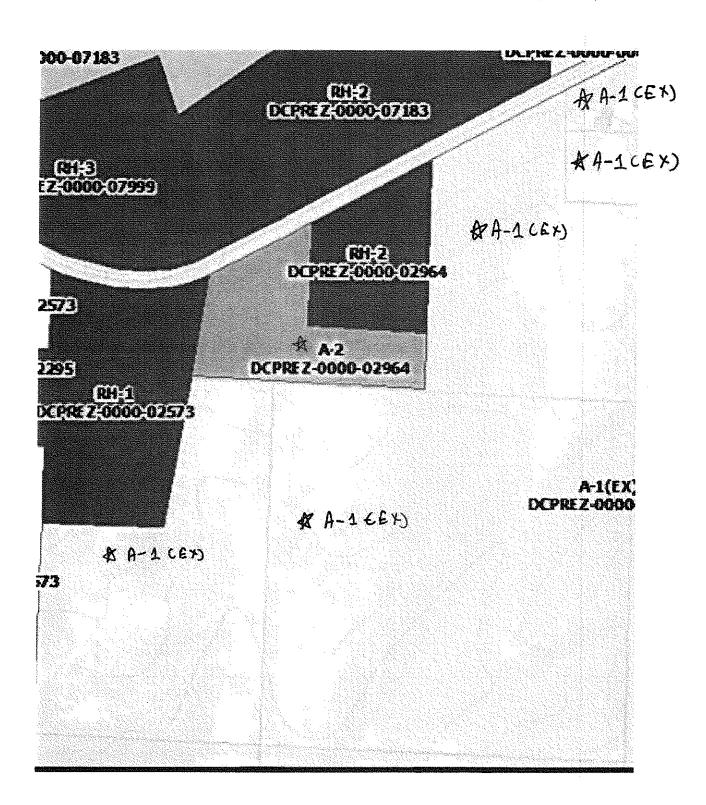
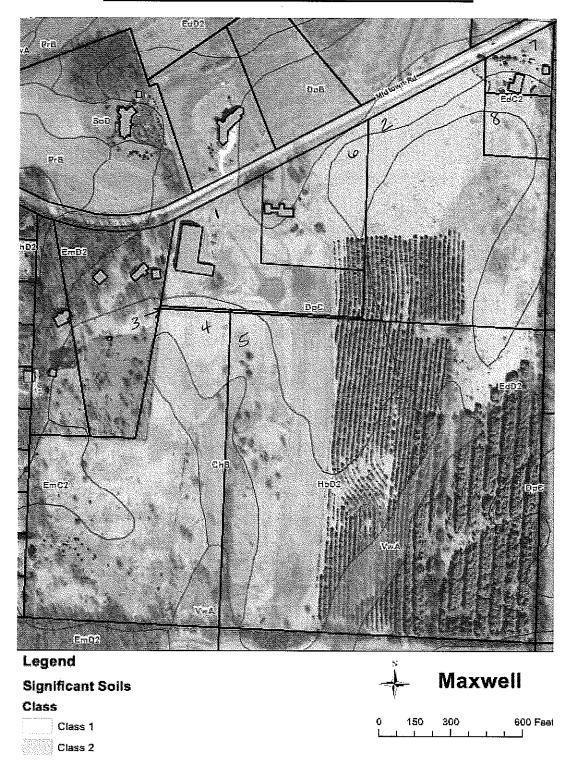
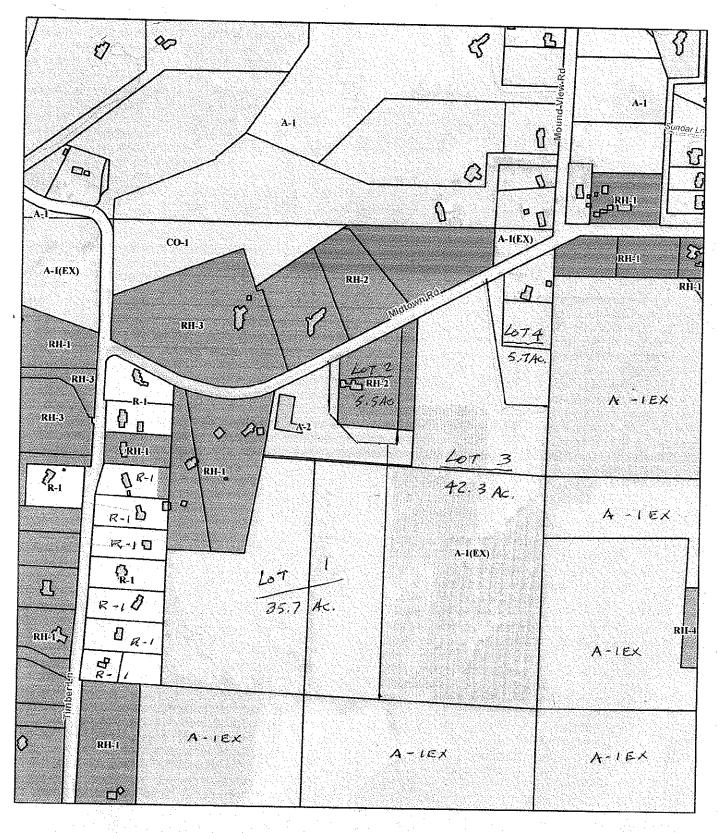
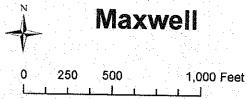


EXHIBIT B TO ZONING CHANGE APPLICATION



SCALED MAP OF NEIGHBORING AREA LAND USES AND ZONING DISTRICTS

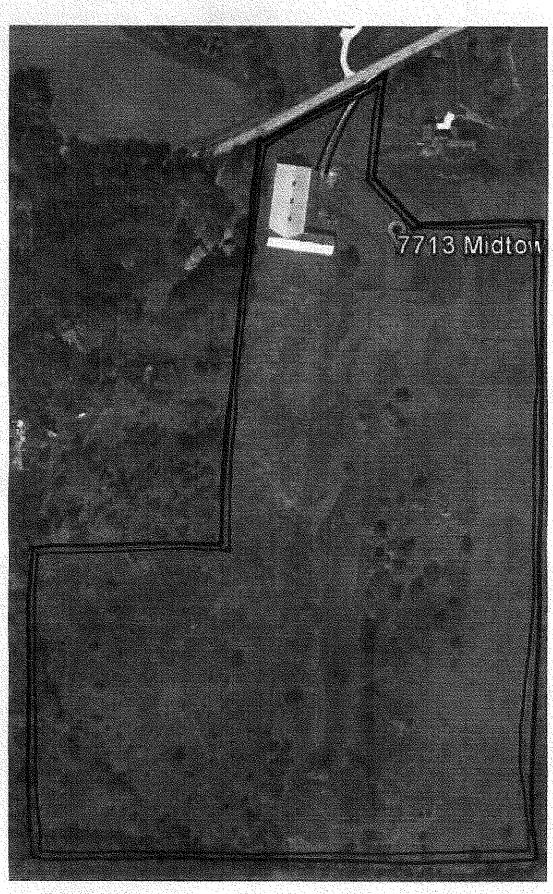




== boundary of Scaled Drawing-Overview
HearHand property

— = 15 H setback

driveway



Bran be shifted Scaled Drawing: Detail of proposed new south as needed for overflow parking.

A and B - If A meets Heartland's storage buildings, parking, etc.

needs, then only B) needs to be built



