

Staff Report
**Zoning & Land
Regulation
Committee**

Public Hearing: **October 28, 2025**

Zoning Amendment Requested:

TO CUP: Small-animal boarding facility for 30 dogs or cats

Size: **15.2 Acres**

Survey Required:

Reason for the request:

Small-animal boarding facility for 30 dogs or cats

**Conditional Use
02682**

Town, Section:

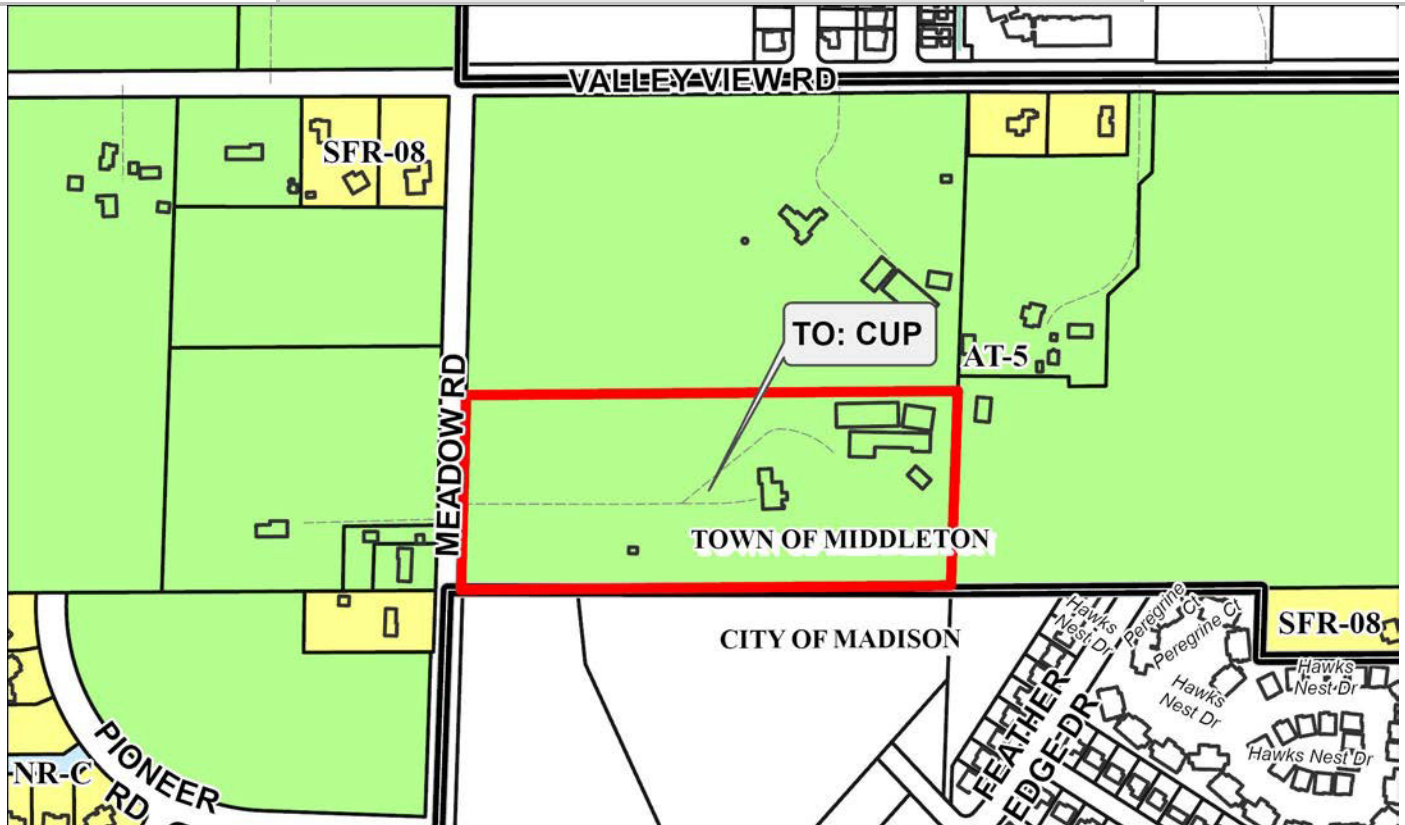
**MIDDLETON,
Section 32**

Applicant:

**DAN AND MARLENE
LA FLEUR**

Address:

3440 MEADOW ROAD



DESCRIPTION: The La Fleurs request a conditional use permit (CUP) to extend their current pet boarding operation, Four Paws Pet Services, LLC. The kennel opened on March 1, 2025 after approval of their first CUP for the operation (CUP #2640) was approved in November of 2024. They are requesting to continue operating under the same conditions and business plan as was previously approved. Key aspects of the business include:

- Hours of operation: Monday-Friday 7:30am-6:00 pm, Saturday 10:00am-5:00pm, Sunday 11:00am-2:00pm (same hours as current permit allows, with Sunday still reserved for boarding drop-off and pickup)
- Number of pets: 30
- Employees: up to 5 employees on site
- No new construction and no new outdoor lighting is proposed.

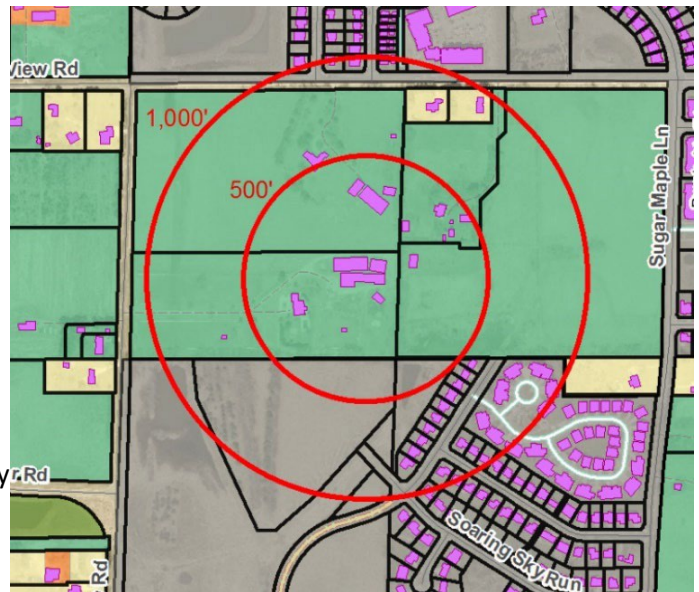
OBSERVATIONS/FACTUAL INFORMATION: The property is a 15-acre parcel located SE of the intersection of Valley View and Meadow Roads. The nearest homes are 385 ft to the north and 240 ft to the NE, 295 ft to the SE, (in the City of Madison). The nearest home to the west across Meadow Road is 130 ft from the property and 1,150 ft from the kennel. (See image below for approximate 500 and 1,000 ft distances from the building.) Lands immediately adjacent to the south are owned by the City of Madison and used for stormwater drainage and open space.

This area is experiencing rapid development. The current boundary between the Town of Middleton and the City of Madison runs along Meadow Road to the south of this property, and along Valley View Road to the north (east of

Meadow Road). The properties to the north, east and west are still in the town. Lands to the east and south are in the Hawks Woods subdivision in Madison. This property is in a transition zone; Pioneer Road is the planned long-term town-city boundary by intergovernmental agreement.

The La Fleurs currently hold CUP 1701 for a horse boarding facility that was approved in 2001. In recent years the horse stable operation has been downsized considerably (no longer hosting riding lessons and camps as in past years), and the kennel operation is located in a building that was converted from a horse arena to dog and cat boarding.

RESOURCE PROTECTION: The northwest corner of the property is in the shoreland zone due to proximity to an intermittent stream west of Meadow Road. In addition, an existing stormwater drainageway runs across the west end of the site from north to south. No concerns; no construction is proposed.



COMPREHENSIVE PLAN: The parcel is in the Town's Residential/Agricultural land use with some indication of Public Recreation on the west end of the property which reflects an existing drainage easement that runs north-south. This parcel is also in the part of the transition area eventually destined to be part of the City of Madison.

New commercial uses are generally directed to Mineral Point Rd., US 14, and appropriate town islands. Existing commercial uses are generally allowed to exist as long as there are no conflicts with neighboring land uses. There is recognition of local job creation for these uses. The plan also states that businesses may locate elsewhere as permitted by existing zoning and any other applicable county and town regulations. No direct policies permit or deny uses like this. For questions about the town plan, contact Senior Planner Curt Kodl at (608) 266-4183 or Kodl.Curt@danecounty.gov.

CONDITIONAL USE PERMIT DECISION MAKING: "Conditional uses" are those land uses which, because of unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review.

Prior to granting or denying a conditional use, the zoning committee shall make findings of fact based on evidence presented and issue a determination whether the proposed conditional use, with any recommended conditions, meets all of the standards required to obtain a conditional use permit. Below is the list of the applicable standards from Section 10.101(7)(d) of the Zoning Code, and a summary of the relevant facts including the applicant's testimony with regards to meeting the standards.

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.

The CUP application describes the proposed operations plan. Applicants state that the building is fully insulated, heated and cooled, and conforms to state commercial building standards. Animals are kept indoors, capacity is limited to 30 pets, there are vaccination requirements, and animal waste is kept in an indoor containment area and removed by a contracted service twice weekly.

The driveway off Meadow Road is over 1,000 feet long, is looped to route traffic one-way around the building, and the Middleton Fire Department has confirmed the driveway is adequate for emergency vehicle access.

See comments regarding noise management under standard #2 below.

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.

Applicants state that the animals are kept inside the building, which is heavily insulated with 8-inches of insulation in the walls and 17 inches in the ceiling. They also say that the two sound studies conducted by Hankard Environmental that demonstrated no sound issues from even the loudest likely sound levels.

Staff notes that, while small animal boarding is a listed conditional use in the AT-5 zoning district, that by itself is not sufficient to put neighbors on notice that such an operation may occur in the neighborhood (that is the reason for the public hearing process for conditional uses). Noise and traffic are the most likely concerns for a dog kennel operation located near residential properties. The surrounding lands are in agricultural and residential use, and this property has been home to a different commercial business (horse stables) for many years. There are 2 homes within 500 ft of the kennel building, the nearest being 240 and 295 ft away. There appear to be at least 26 homes within 1,000 ft of the kennel.

The La Fleurs and the Township both commissioned sound studies before the kennel's current CUP was approved. The applicants' 2024 Hankard study found that sound from the kennel is expected to be inaudible at the nearby residences, with the exception of the nearest home to the northeast where sound may be faintly audible. The study tested sounds produced at an average level of 97 dBA (peak levels of 113 dBA), with average ambient conditions at 35 dBA.

The Town-initiated study by Consonant Design found that (1) sound from the kennel would be modest and not excessive when compared to typically-acceptable and objective community noise standards (55 dBA daytime/ 40 dBA nighttime), and (2) modest upgrades to the building are possible that could further reduce sound escaping the building (this was also noted in the Hankard study). Ambient sound levels were in the mid 40s dBA. They found that overall the noise challenge is "manageable" and "there are no reasonable grounds for withholding a use permit based on sound conditions." They determined that the kennel could operate with little or no disturbance to the surrounding residents.

The building contains sound-dampening measures that are consistent with the recommendations of the Consonant Design study. This includes an interior vestibule/hallway area and walls inside the main entryway, a covered porch over the main entrance, and a real-time sound monitoring system. There is also an insulated "pet quarantine" room that enables them to separate a barking dog from other dogs when necessary.

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.*

This standard pertains to whether the proposed conditional use would affect *how the surrounding properties could be developed and improved, considering what they are currently zoned for*. The business uses an existing building that has been modified internally to serve as a kennel.

Applicants state that the existing building meets Wisconsin commercial building standards and will continue to be professionally maintained, also that no exterior site improvements are needed for the business to operate.

This area is planned for future residential and agricultural use while it remains in the town, and residential use at higher densities as lands go into City of Madison's jurisdiction. A 30-pet kennel is much smaller than other dog boarding CUPs that have been approved elsewhere in the county, including some within areas with residential development.

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

Applicants have confirmed that the site has adequate utilities, access and other improvements to serve both the kennel business and the continued (though reduced) horse boarding business. They use the existing driveway, water well, and septic system (there are separate septic systems for the home and business). In 2024 they worked with Public Health and DNR to verify the adequacy of the existing well and septic system.

Parking for 37 vehicles is provided in the paved parking lot that surrounds the building, which meets ordinance requirements for both the kennel and the horse boarding operations combined.

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.*

Vehicle access is provided by the existing 1,000-foot long driveway off Meadow Road that loops around the building to maintain traffic flow through the site. The applicants state the driveway has been maintained over the past 16 years. They state that traffic in the first year of operation has been less than what the property saw for horse-related operations, and less than what would be expected from residential development of the site.

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

The proposed use conforms to the applicable regulations of the AT-5 zoning district. AT-5 zoning allows domestic pet animal boarding with approval of a CUP, provided the lot is at least 5 acres in size. The parcel is 15 acres in size.

7. *That the conditional use is consistent with the adopted town and county comprehensive plans.*

As noted above, the proposal appears consistent with the Town and County Comprehensive Plans.

8. *If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220(1).*

Not applicable.

POTENTIAL NUISANCES ASSOCIATED WITH THE CONDITIONAL USE: The potential nuisances that typically pertain to animal boarding involve noise, vehicle traffic, and animal waste management. The applicant's CUP application addresses how these potential nuisances are handled, as noted above. Potential conditions of approval specific to this CUP can be developed after public input and deliberation by the Zoning and Land Regulation (ZLR) Committee.

Under Zoning Code section 10.103(5), there are special requirements for domestic pet animal boarding operations that are intended to address the potential conflicts with the land use activity. These are not required as CUP "conditions" for the permit, unless the Town or ZLR Committee wish to impose conditions on the operation based on these. See below for staff comments on each requirement:

(a) *Use shall be enclosed by a fence or other suitable enclosure to prevent animals from leaving the site.*

The kennel operates within an enclosed building and thus meets this standard.

(b) *Each animal shall be provided with an indoor containment area if the use is located within 500 feet of an existing residence or any lot in the Single Family Residential, Two-Family Residential, Multi-Family Residential, Rural Residential or Hamlet districts.*

The proposed kennel is within 500 feet of two existing residences. Although the homes do not have the zoning districts listed here, the kennel provides indoor containment areas.

(c) *Each animal shall be provided with adequate exercise space*

The kennel provides multiple separate play areas, for use by the animals which are organized into play groups. The operation provides approximately 90 square feet of indoor play space per animal (based on 30 pets).

(d) *Applicant shall submit a manure management plan.*

The manure management plan entails collecting it in waste containers stored in an enclosed area inside the building, and having it hauled away by a waste management company. This is typical of pet boarding operations. The applicants manage horse manure separately, and continue to spread it on farm fields per existing arrangements with farm owners.

(e) *At their discretion, and where necessary to minimize impacts to neighboring properties, the town board and zoning committee may:*

- 1. *impose noise limits under s. 10.102(6),***
- 2. *require visual screening, consistent with s. 10.102(12), and/or;***
- 3. *establish hours where animals must be kept indoors.***

All animals are kept indoors. Restricting outdoor animal activities is appropriate given the surrounding neighborhood character. Decibel level limits were set as a CUP condition; staff recommends maintaining these limits. Enforcing decibel-based noise restrictions requires taking measurements on site in real time to investigate and document complaints.

(f) The committee and town board will impose limits on the total number of animals that may be present at any one time, as appropriate to the site and neighboring land uses.

The applicants have limited the number of pets to 30. It is appropriate to limit the number of dogs based on the surrounding land uses, and this property's current and future planned land use being agricultural and residential in nature.

Potential conditions of approval specific to this CUP can be developed after public input and deliberation by the Town and the ZLR Committee. These may include capping the number of pets, setting hours of operation, tying the CUP to the current applicants or business, and setting an expiration date so that the Town and County can assess the compatibility of the operation with the surrounding area as the neighborhood changes, and also assess the suitability of particular CUP conditions. See below for recommended conditions, based on the Town's recommendation to extend the permit.

TOWN ACTION: The Town Board has found the proposal meets the CUP standards and recommends approval with 30 conditions (see Town Action Report and conditions listed below).

STAFF RECOMMENDATION: Staff believes the applicant has provided sufficient evidence to address the CUP standards and mitigate the potential concerns. This includes the substantial evidence noted above, and is also reflected in the town's recommended approval conditions, the limit of 30 dogs/pets, the operation being completely indoors, information on the building materials and insulation, and the measures for traffic management. Notably, there have been no complaints submitted to the Zoning Division, the Town of Middleton, or the Sherriff Department in the first year of the kennel's operation.

At the time of writing, staff has received comments opposed to the proposed CUP from members of the public. The concerns primarily involve noise from barking dogs, which the neighbors believe to be coming from the kennel property. The La Fleurs should address these concerns at the hearing; staff suggests providing information on their sound monitoring and client activity.

Per the ZLR Committee's [adopted Rules and Procedures](#) (section V.g), a CUP petition is eligible for action at the public hearing if there is no opposition at the public hearing, no unresolved issues by staff, if the town board action has been received with no concerns noted by the town, and no committee members are opposed.

Staff recommends that the Committee postpone action on CUP 2640 due to public opposition in accordance with ZLR's adopted rules and procedures. If the Committee requires additional information on which to base a decision, they could request specific information of the applicant or staff at the public hearing.

Potential conditions of approval are listed below based on the town's recommendation. These conditions may be modified by the ZLR Committee if they find it necessary in order to meet the CUP standards.

CUP 2682 Potential Conditions of Approval:

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, building plans, and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.

6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the Town Engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Conditions specific to CUP # 2682:

13. All Town of Middleton Ordinances shall be complied with during the life of the CUP.
14. This conditional use permit is for Dan and Marlene La Fleur, doing business as Four Paws Pet Services LLC, located at 3440 Meadow Road. Specifically, for domestic pet animal boarding for dogs and cats, and including pet daycare and overnight boarding. Ancillary pet grooming/training services are not included.
15. Quiet hours shall be 6:01 p.m. to 7:29 a.m., all days of the week.
16. Operating hours for the pet daycare business shall be limited to 7:30 am to 6:00 pm Monday-Friday, Saturday 10:00am-5:00pm, and Sunday 11:00am-2:00pm.
17. The number of animals kept on site and/or kenneled overnight shall be limited to thirty (30).
18. Any required upgrades to the well and / or septic system as determined by Public Health Madison and Dane County shall be made prior to CUP Petition #2682 implementation.
19. To continue to meet the requirements of the Town's Long and Shared Driveway Ordinance §8.01(4)(b)(iv)(2) , by having at least one (1) driveway passing lane section at least fifty (50) feet long by twenty (20) ft wide installed 300 ft from the property's Meadow Rd driveway access entrance. If there is ever any change to the driveway that would require the issuance of a driveway permit by the Town and this triggers Dane County Stormwater and / or Erosion Control requirements, review by the Town and Dane County shall occur and the Town shall require that the Town Stormwater and Erosion Control Ordinance is met.
20. Turnarounds required by Town Code are not required per §8.01(4)(v) as the Battalion Chief for the Middleton Fire District in July 23, 2024 correspondence noted the acceptability of the current configuration.
21. The CUP shall expire 3 years after date of issuance. The landowner may renew the CUP by successfully obtaining a new CUP prior to the expiration date.
22. The planned parking is acceptable, as long as the number of stalls identified as handicap accessible meets ADA requirements.
23. Vehicle travel shall be one-way counterclockwise around the buildings.
24. Continued signage consisting of a minimum of three (3) "one-way" signs and a minimum of one (1) "do not enter" sign to ensure the proposed traffic pattern is followed.

25. Any new unlit ground sign is acceptable; any outdoor signage shall comply with Dane County's Sign Ordinance.
26. Applicant has indicated no new lighting for the building or signage is proposed. If lighting is considered in the future, it must be approved by the Town via a site plan review. Any new outdoor lighting shall be downward-directed, designed to minimize ambient spill, and shall comply with all applicable requirements of the Town of Middleton.
27. Pet waste shall be responsibly disposed of in a licensed, sanitary landfill.
28. Continue the sound dampening recommendations of Consonant Design, including:
 - a. Create airtight seal in building envelope using a barrier material equal to the average surface weight per square foot of the exterior wall and roof system and closed to an airtight seal using rod backer and permanently-resilient acoustical sealant.
 - b. Create a partition system at the west entrance to the barn so sound does not escape to the exterior when dogs are dropped off and retrieved. This would entail the construction of a complete north/south wall just interior of the barn facility and the creation of sound lock vestibules (two doors in series separated by a vestibule which includes sound absorbing materials) integral to the new wall system.
 - c. Create a porte cochere at the west entrance that will serve as a sound-dampening walkway between the parking lot and the interior of the facility. This includes a roofing system of at least five pounds per square foot.
 - d. Implement a calibrated sound monitoring system in the barn facility that includes visual feedback to employees, such as 1) Green light when sound levels interior to the kennel are below acceptable values; 2) Yellow light when sound levels are approaching values which would be deemed unacceptable to the community; and 3) Red light when sound levels are excessive. Employees would then take appropriate actions to calm dogs and reduce noise.
29. If the animal boarding operation is abandoned for one (1) year or more, this conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use permit shall require approval of a new conditional use permit.
30. This conditional use permit shall expire in the event the property is sold or transferred to an unrelated third party. Continuation or extension of an expired conditional use requires re-application and approval by the Town Board and Dane County. The Property Owner shall record a deed restriction that includes the conditions of approval, in a form approved by the Attorney for the Town.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.