



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2640

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANTS Conditional Use Permit #2640 allowing a domestic pet animal boarding operation on the premise conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: November 19, 2024

CUP EXPIRATION DATE: November 19, 2025 (see below)

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

LOCATION: 3440 Meadow Road, Town of Middleton (Tax Parcel # 0708-321-8211-1)

LEGAL DESCRIPTION:

Part of the NE 1/4 NE 1/4 Section 32, Town of Middleton described as follows: The South 506.48 feet of the NE 1/4 NE 1/4 Section 32, Town of Middleton.

CONDITIONS:

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 # 2640:

13. That all Town Ordinances are complied with during the life of the CUP.
14. The Conditional Use approval is limited to parcel number 038/0708-321-8211-1, located at 3440 Meadow Rd.
15. 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, overnight boarding. Ancillary pet grooming/training services are not included.
16. Quiet hours shall be 6:01 p.m. to 7:29 a.m., all days of the week.
17. 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.
18. The number of animals kept on site and/or kenneled overnight shall be limited to 30.
19. 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 #2640 implementation.
20. To meet the requirements of the Town's Long and Shared Driveway Ordinance §8.01(4)(b)(iv)(2) (page 154/510), one (1) driveway passing lane section fifty (50) feet long by twenty (20) ft wide shall be installed 300 ft from the property's Meadow Rd driveway access entrance. If 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.

21. Turnarounds required by Town Code are not required per §8.01(4)(v) (page 155/510) as the Battalion Chief for the Middleton Fire District in July 23, 2024 correspondence noted the acceptability of the current configuration.
22. The CUP expires 1-year after date of issuance. The landowner may renew the CUP by successfully obtaining a new CUP prior to the expiration date.
23. The planned parking is acceptable, as long as the number of stalls identified as handicap accessible meets ADA requirements.
24. Vehicle travel shall be one-way counterclockwise around the buildings.
25. Signage consisting of a minimum of three (3) "one-way" signs and a minimum of one (1) "do not enter" sign shall be installed prior to CUP Petition #2640 implementation to ensure the proposed traffic pattern is followed.
26. One (1) new unlit ground sign, replacing the existing ground sign for the CUP 1701 horse use in its existing location, is acceptable while meeting Dane County Sign Ordinance.
27. 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.
28. That the dog waste be responsibly disposed in a licensed, sanitary landfill.
29. Complete 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.
30. 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.
31. 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.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS 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.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
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.

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.