

**Staff Report**



**Zoning & Land Regulation Committee**

Public Hearing: **February 24, 2026**

Zoning Amendment Requested:

**TO CUP: Limited Family Business and Community Nonprofit Use (Horse Rescue)**

Size: **6.7 Acres**

Survey Required:

Reason for the request:

**Limited Family Business and Community Nonprofit Use (Horse Rescue)**

**Conditional Use 02695**

Town, Section:

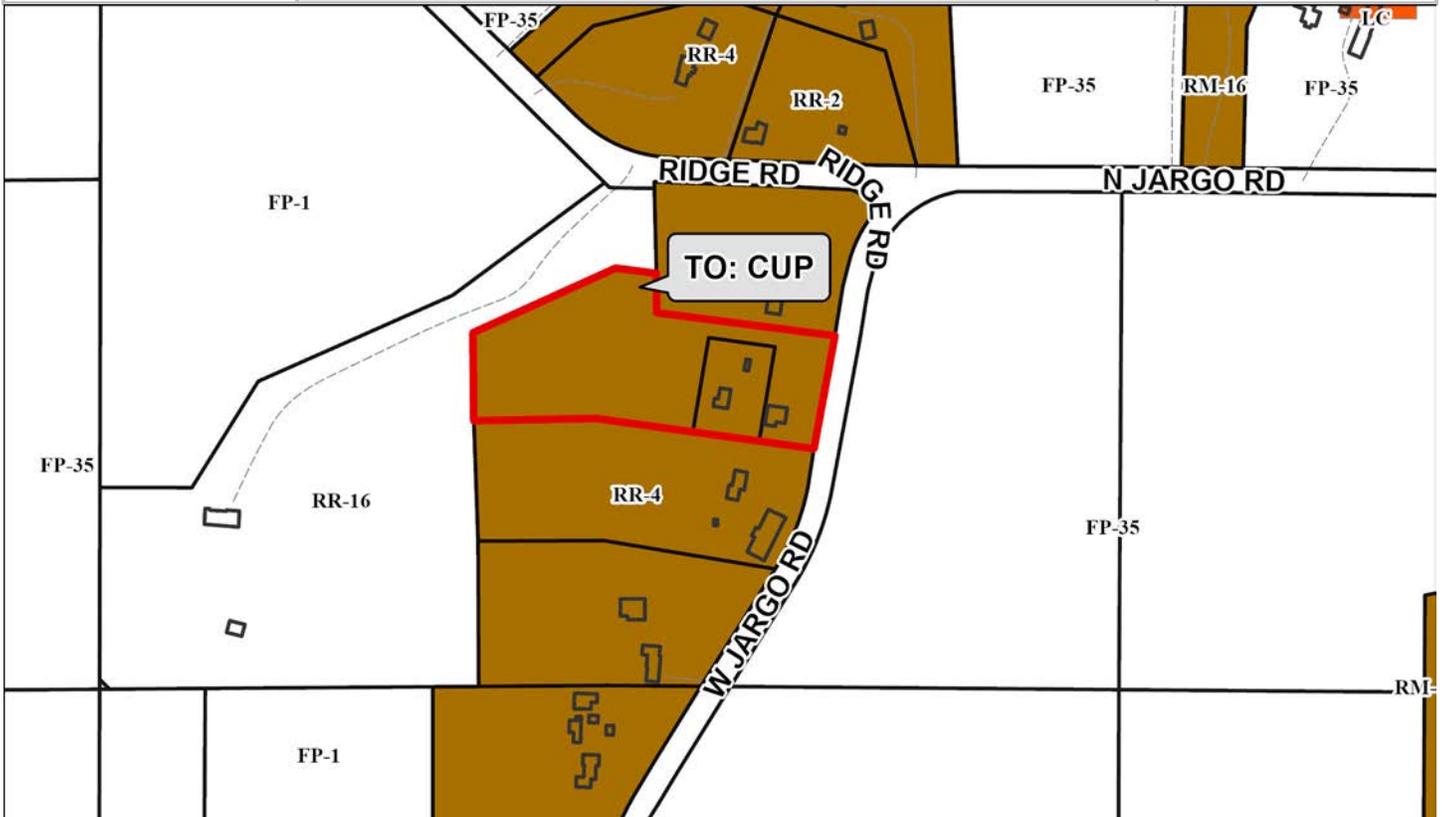
**COTTAGE GROVE, Section 24**

Applicant:

**VALORIE AND JOEL NYEHUIS**

Address:

**3857 W. JARGO RD.**



**DESCRIPTION:** Applicant requests a conditional use permit (CUP) to operate an existing nonprofit horse rescue operation ([Northwinds Rescue](#)) from this 6.7 acre RR-4 zoned rural residential property. The applicant provides the following description of the operation: *“The rescue provides rehabilitation, safe housing, and training for horses that have been abandoned, neglected, or surrendered. In addition, we offer community based programs that promote education, healing, and responsible horsemanship, including volunteer opportunities, youth activities, and veteran/first responder support programs.”*

Proposed hours of operation are Monday-Friday 9am-5pm, with occasional rescue adoption appointments Saturday-Sunday 9am-5pm. The operation has no employees and periodic events are staffed by volunteers – 2 to 5 for smaller events, up to 20 for larger events. A new 5,000 sq ft indoor riding arena is proposed adjoining the existing barn. The [site and operations plans](#) detail off-street parking, manure management, lighting, signage, and sanitary facilities for the operation. Staff understands that most of the activities will be indoors with some activities, such as horse riding, performed outdoors. County Staff feel that this type of business would fall under the scope of a “limited family business” and/or a “community nonprofit use”. A landowner may operate these uses on a property zoned RR-4, if a conditional use permit is obtained. Both types of land uses have limitations in the zoning ordinance.

**OBSERVATIONS:** Neighboring land uses include other rural residential properties of similar size to the north and south, with agricultural/open space uses adjoining to the west and east across W. Jargo Rd. The closest neighboring residence is 3847 W. Jargo Road, approximately 140’ south of the existing barn/pasture area. There are other properties in the

vicinity with horses. A mature stand of trees provides a natural buffer to the adjoining property to the north. The proposed riding arena would meet applicable setback and lot coverage requirements of the RR-4 zoning district.

**RESOURCE PROTECTION:** No areas of resource protection or sensitive environmental features are present on the subject property.

**COMPREHENSIVE PLAN:** This petition is in the town's agricultural preservation planning area and is subject to the land use policies related to that designation. Relevant plan policies support limited family businesses and indicate that efforts should be made to utilize existing residences and outbuildings before constructing new ones. The horse rescue operation utilizes an existing barn and outdoor areas (stable, pasture, paddocks), and has plans to construct a 5,000 sq ft. indoor riding arena adjacent to the existing barn. The current Rural Residential zoning allows for the keeping of livestock and construction of large accessory buildings.

The [town plan specifies](#) the following with regards to consideration of conditional use permits:

*“Proposed conditional use permits should be consistent with the recommendations of this Plan to the extent applicable. In their consideration of conditional use permit requests, the Plan Commission and Town Board will also evaluate the specific timing of the conditional use permit request, its relationship to the nature of both existing and future land uses, and the details of the proposed development.”*

Given the limited scale of the conditional use, location in a rural / agricultural area, existing zoning allowances, and likelihood for minimal impact on neighboring land uses, the proposal appears reasonably consistent with comprehensive plan policies.

Pending any concerns expressed by the town in the course of its review, or by members of the public or ZLR Committee at the public hearing, staff recommends approval with both the [standard conditions of approval](#), as well as those that apply to limited family businesses under [10.103\(12\)](#).

For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [Allan.Majid@danecounty.gov](mailto:Allan.Majid@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 determine whether the proposed conditional use, with any recommended conditions, meets all of the standards required to obtain a CUP. 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. The applicant states that, “North Winds Rescue and Healing operates with strict safety protocols, controlled visitation, and high standards of animal care. All activities are supervised, noise and traffic are minimal, and the property is well-maintained to ensure a clean, safe, and low-impact environment.”

**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.**

The applicant states that, “North Winds Rescue and Healing operates quietly during normal business hours and mostly by appointment (except for a few fundraising events). We generate minimal traffic and noise, and maintains the property to high standards, ensuring that surrounding landowners can fully enjoy their properties without disruption.”

**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 applicant states that, "North Winds Rescue and Healing operates with agricultural use of the property with regards to normal horse care and maintenance, and uses listed above, during normal business hours. Client work with equines is limited to indoor and outdoor arena areas. No night time work."

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

The applicant states that, "Outbuildings require water access and electricity. Traffic is minimal. Storm and erosion control established."

**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.**

Off street parking is provided for the property as depicted by the ~40'x70' parking area designated on the site plan. The applicant states that, "Clients are by appointment only with the occasional fundraising event, where we generally have adequate parking. Farm machinery will be used to maintain property, no plans for driving on the roads."

**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 RR-4 zoning district. The keeping of livestock is a permitted use, and operation of a limited family business is an allowable conditional use in the RR-4 zoning district.

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

As noted above, the proposal appears reasonably 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 pertain to the horse rescue operation most likely involve noise and traffic. 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 Dane County Zoning Ordinance section 10.103, there are other special requirements for limited family business operations. These special requirements are included in the list of recommended conditions of approval, below.

**TOWN ACTION:** The Town Board recommends approval of the CUP, conditioned on CUP remaining effective for as long as current owner still owns it, and limited to 6 horses at any one time.

**STAFF RECOMMENDATION:** Staff believes that the applicant has provided sufficient evidence to address the CUP standards and mitigate the potential concerns. This includes the limited hours of operation, proposed indoor arena, and limit of no more than 6 horses in keeping with the applicable allowances based on the size and zoning of the property and conditional town approval. 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.

Pending any comments at the public hearing, Staff recommends that (1) the ZLR Committee makes a finding of fact as to whether the proposal meets the CUP standards listed above, and (2) we recommend approval with the conditions listed below. The conditions below reflect the general conditions from the Chapter 10 zoning code that apply to all CUPs, limited family businesses specifically, and the town recommended condition.

**CUP 2695 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 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.

*Conditions specific to this CUP:*

13. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.
14. The conditional use shall be limited to 6 horses at any one time.
15. The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.
16. Sanitary fixtures in the building are prohibited.

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