

4873 State Road 78
Black Earth, WI
Variance Application for Livestock/ Goat Milking Facility

Current Use:

Since purchasing the property in 2012, we used the farm for the cropland, grain storage and machinery storage in the existing buildings to support the family's cow dairy farm a few miles away. In 2021, our family was looking to diversify the farm business. After much debate and research we decided to rebuild an old hog barn on the property into a goat milking parlor and facility. We grew our herd and in 2022 our business was ready to move onto the next phase with a need for more animal housing. We applied for a zoning permit to add on a 60' x 120' section to the milking barn for livestock loose housing in the fall of 2022. This building currently houses around 280 milking goats.

Proposal:

We are again ready to grow our business a bit more. We have run tight on space for our animals and are looking to get approval to add on to our facility. We, however, found in the process of applying for a new zoning permit that our first livestock housing addition was built out of compliance. We fully understand that this application should have been approved before the first livestock addition was built. We only recently discovered during our newest application that the current structure is within the 42 feet road right away allowance. We acknowledge that our current structure is about 15 feet out of compliance and is encroaching on road right away and the addition we are looking to build would also encroach on the setback. During each phase of our projects we have utilized and relied on the professional expertise of a land surveyor to help us comply with zoning regulations. Because of our use of the surveyor, we fully believed that we were in compliance of the regulations. Upon finding out we are not within regulations, we are now looking to properly obtain a variance for our current structure as well as a 100 foot addition to the south end of the building with hopes to preserve as much cropland around the buildings as possible, stay as far away from the wetland prone areas of the farm as possible and continue maximum efficiency of the building's use for the animals' wellbeing.

4873 State Road 78
Black Earth, WI
Variance Application for Livestock/ Goat Milking Facility

1. Describe alternatives to your proposal such as other locations, designs and construction techniques.

(A) Alternatives you considered that comply with existing standards: If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

As stated in our proposal, until recently we were of the understanding that the current livestock housing structure was in compliance. Because of that understanding, there were no alternatives considered at the time of construction as far as the location on the property. The milking parlor location* established the starting point for the livestock housing addition. With needing to move animals back and forth between the two sections of the building and being that our parlor runs a north, south direction, it made the most economical sense to build the loose animal housing directly to the south end of the building. This location was optimal in prioritizing our animals' wellbeing as we could utilize the natural airflow of the valley we live in throughout both sections of the building by keeping the openings of the building and parlor doors in line to allow the wind to flow straight through. We knew it would also be extremely beneficial to reducing stress to our animals while moving them into the milking parlor as we would be able to avoid corralling them around any sort of corners or into any blind pathways. This location was also in our best business interest as we knew there would be an option to add on again if necessary without disturbing too much more cropland or the airflow of the rest of the building.

*Milking parlor was a rebuilt existing building on the property.

(B) Alternatives you considered that require a lesser variance: If you reject such alternatives, provide the reasons you rejected them.

Looking ahead to our next addition knowing that our first building is out of compliance, we have considered how we could adjust our construction to require a lesser variance and allow the addition to be fully in compliance. On the following page we have outlined two other options for the building addition alignment to the current structure. One option being: we shift the building towards the west and put a jog in the structure in order to comply with the road right away setback. The second option being that we turn the whole addition ninety degrees to the west and create an “L” shaped building, again allowing us to comply with the setback.

With considering these alterations to our original desire to add directly inline to the south, we have come to the conclusion that it is not economically ideal to off-set or turn the addition to the building. Both options would severely hinder the natural airflow through the buildings creating an issue for maintaining a properly ventilated area for our animals. It would also hinder our ability to maintain our loose housing pens. The idea for our pen design is to allow the animals as much space as possible to roam, lay down, and eat without confining them to a strict area of the building. These alternative positions would also begin to impede on our crop fields that surround the buildings. In order to create a proper site for the addition and allow space for driving feed wagons and equipment in/around the building, we would have to level off and add to fill land that is currently being used to grow crops.



Alternate Position Option #1



Alternate Position Option #2

Boxes represent approximately how our loose housing pens are set up currently. Offsetting or turning the addition does not allow us to efficiently maintain this pen set up as we cannot extend the pens into the addition as they are. We would have to section off the pens and have multiple groups which will create issues moving animals through for milking and hinders the goal of loose housing. Keeping quality airflow to all parts of the building would also be a challenge, as lining up the openings for function with housing animals, feeding and air flow are not compatible for all things to be done efficiently at the same time.

Area of workable cropland that would be affected and lost due to alternative considerations to the building addition. Loss would be due to actual building position taking field space and area around buildings that would need to be maintained for driving equipment in/around buildings for animal feeding and manure management.

2. Will there be an unnecessary hardship to the property owner to strictly comply with the ordinance?

In regards to asking for a variance approval for the current structure, we would come to the hardship of moving an existing structure that currently houses 280+ animals in order to bring the building into compliance. We do not consider this a self-imposed hardship as we utilized a land surveyor to plan the location of the building on the property. In regards to the next addition we are hoping to get approval for, we would face the hardship of maintaining an optimal living environment for our animals. The surveyor error made hinders the future use and expansion of the building, as had the existing building been legally placed, we would be able to add on in a direct line without having to put a jog in the building, creating the work flow issues mentioned. We would also be losing quality tillable farmland if we need to put a jog in the building or turn the addition ninety degrees.

3. Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.

Although there aren't necessarily any physical characteristics of the property that prevent us from being in compliance, the property does have other structures that are already closer to the highway that would create issues with any sort of road expansion or construction. The topography of the property would also need to be taken into consideration if there were to be any future highway expansion. Expanding the road to the west would be extremely challenging along this property. The closer buildings to the road would be a hindrance to the expansion and area needed to expand to the west farther south on the property would need to be significantly filled in as the road is on a very different elevation than land that our building currently resides on.

******We have included a topographic image of the property to help visualize the challenges of a highway expansion.

Also, given the existing development pattern of the property, it made the most sense for us to rebuild an old structure (now the milking barn) and add on (current loose housing) behind in order to stay close to the other structures to avoid losing quality cropland. We also have a unique feature on the farm of having the Vermont Creek flowing through the property. Because of this we do have wetland and flood prone areas on our farm and the existing development of the property has kept the impervious surfaces as far away from those areas of the property as possible.

****** We have included a flood plain map section of the property to show where the flood prone zone is on the fields closest to the buildings are.

4. What would be the effect on this property, the community or neighborhood, and the general public interest if the variance were granted? Describe how negative impacts would be mitigated.

To be granted the variance would have a positive impact on this property in the sense that we would be able to continue to provide optimal housing and stress free movement for our animals. We would also be in line with the goals of the farmland preservation district in keeping tillable farmland intact and farmable. In addition we are working to protect the wetlands on and around the edges of the property by keeping as much distance between structures and impervious surfaces and the wetlands as possible. With concerns to the community and general public, we do not foresee any issues with granting the variance. The structure and proposed addition would cause no hindrance to travel or visibility on the highway, especially being that we have other structures on the property closer to the road and at a more even elevation in comparison to the building we are applying for the variance for. For these reasons, we feel it is reasonable for the Board of Adjustment to grant the variance on the current structure and our future addition.