

CONDITIONAL USE PERMIT NO. 854

REPORT OF THE PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE
TO THE COUNTY BOARD ON A HEARING FOR A CONDITIONAL USE PERMIT

TO THE COUNTY BOARD OF SUPERVISORS OF LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by:

THOMAS AND NANCY SCHOMBERG, N2764 COUNTY ROAD YY, LA CROSSE, WI 54601, ACTING ON BEHALF OF OCTAGON FARMS, N2832 COUNTY ROAD YY, LA CROSSE, WI 54601, AND DOING BUSINESS AS SCHOMBERG KENNELS

and having held a public hearing on the 30th day of April, 2012 for a Conditional Use Permit to amend Conditional Use Permit No. 726 to increase the maximum number of dogs from 45 to 60, to allow for one full time employee in addition to family members and to allow for Schomberg Kennels to operate on the west side of County Road "YY" on land zoned EXCLUSIVE AGRICULTURE DISTRICT in the Town of Barre and described as follows:

Part of the SE/NE, Section 33, T16N, R6W and part of the SW/NW, Section 34, T16N, R6W. Tax parcels 2-452-0 and 2-479-0. Town of Barre.

And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to:

By a vote of 5 in favor, 1 opposed (Jerome) and one committee position vacancy, the Committee recommended approval of Conditional Use Permit No. 854 subject to the following sixteen (16) conditions:

1. This permit is granted in order to operate a commercial animal establishment (CAE) for 45 adult dogs as defined in s.11.31(7)(b) of the La Crosse County Code of Ordinances.
2. This permit is valid only with an approved commercial animal establishment license and upon payment of any fees as required under Chapter 11 of the La Crosse County Code of Ordinances.
3. Chapter 11 of the La Crosse County Code of Ordinances deals with the minimum standards providing for construction materials, space and habitation requirements for dogs, temperature control, air exchange, food storage, potable water and vaccination, which must be met in order to comply with this conditional use permit. Issuance of a CAE license shall certify compliance with this condition.
4. Off-street parking is required and should be designated for customers.
5. Previously placed signs in accordance with condition #5 of CUP No. 630 and condition #16 of CUP No. 726 can remain. Any new or replacement signs proposed in the future shall comply with Ch. 33 of the La Crosse County Code of Ordinances.
6. The equivalent of two full-time employees, in addition to family members, is authorized.
7. Unannounced inspections by La Crosse County Zoning, Planning and Land Information staff are authorized.
8. Kennel and runway areas shall be authorized for use by the appropriate agent of the Health Department and may include the use of the existing barn facility, kennels and dog runs on the east side of County Road YY in addition to the existing pole shed, kennels, and dog runs on the west side of County Road YY. No structural expansion of these facilities are allowed unless amendments are made to this conditional use permit.
9. Absolutely no animal waste generated from this establishment shall be allowed to enter or drain toward the nearby creek. Animal waste shall be collected and land applied in an agricultural setting.
10. This permit is non-transferrable.
11. A state tax identification number is required to record sales tax and to report the county's 0.5% sales tax.
12. The owners must provide a written training and socialization plan to be followed and given to all persons who purchase a dog.
13. The owners shall keep a record of return buyers to aid in potential investigation of possible or alleged mistreatment of previously purchased dogs.
14. Pens and enclosures shall be cleaned and disinfected in accordance with Chapter 11 of the La Crosse County Code of Ordinances.
15. Findings of non-compliance resulting in the revocation or non-renewal of a commercial animal establishment issued under the authority of Chapter 11 of the La Crosse County Code of Ordinances shall result in rehearing and possible termination of this conditional use permit.
16. This Conditional Use Permit #854 terminates CUP No.'s 630 and 726 and replaces them in their entirety.

Dated this 9th day of May 2012

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY Nathan Sampson
Nathan Sampson, Interim Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY Marilyn Pedretti
Marilyn Pedretti - Chair

THE COUNTY BOARD took the following action this 17th of May, 2012

Approved subject to conditions as outlined

Disapproved the application

STATE OF WISCONSIN
COUNTY OF LA CROSSE

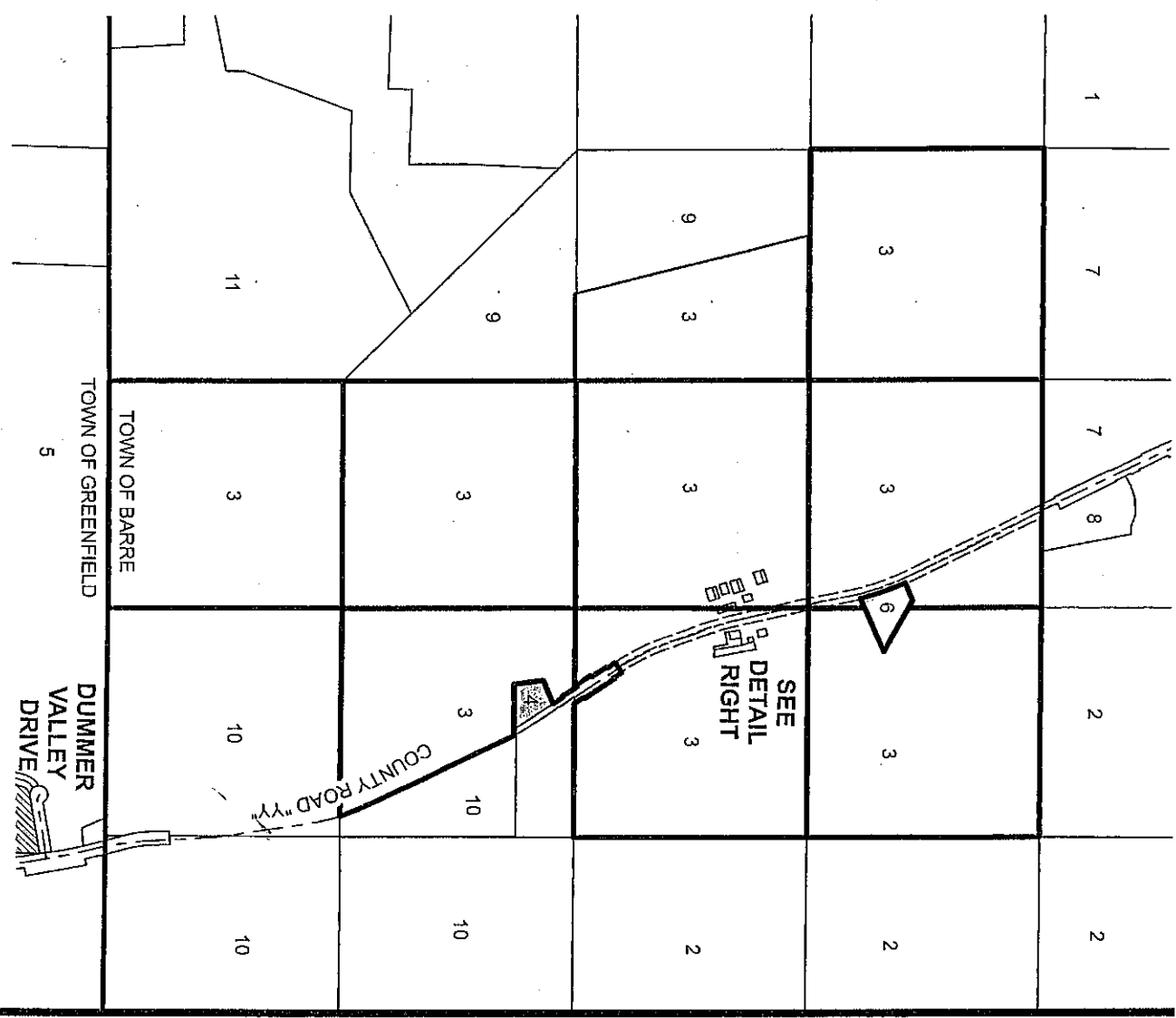
I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original conditional use permit required by law to be in my custody and which the County Board of Supervisors of La Crosse County approved at a meeting held on the 17th day of May, 2012.

Ginny Dankmeyer, La Crosse County Clerk

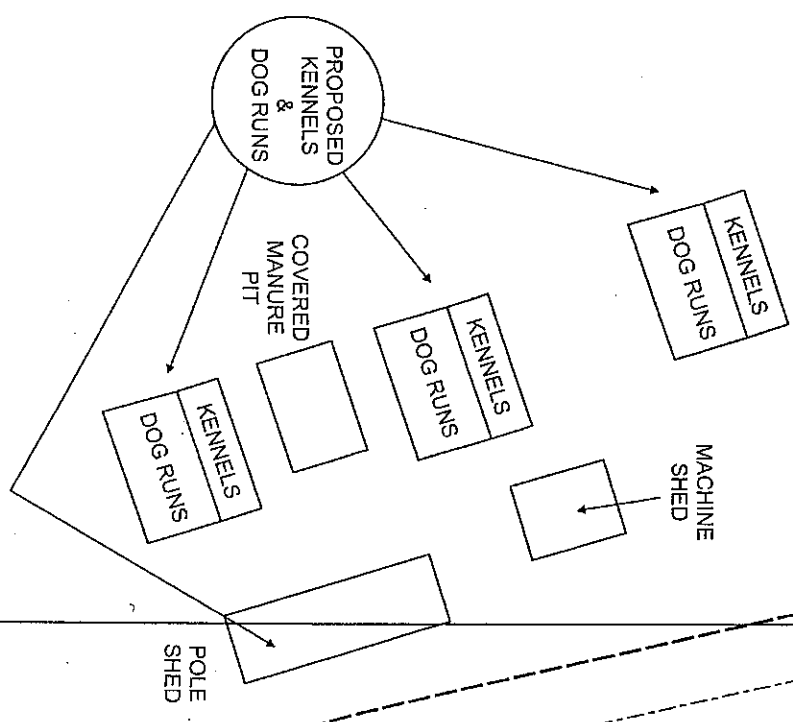
- 1 - SCHOMBERG, MARK
- 2 - BERG
- 3 - OCTAGON FARMS
- 4 - LOGGING
- 5 - DUMMER
- 6 - SCHOMBERG, WILLIAM
- 7 - STELLOH, DAVID
- 8 - STELLOH, RAMON
- 9 - SCHOMBERG, FRED
- 10 - HAMMES
- 11 - SCLAMAS

SCALE: 1" = 1000'

= AGRICULTURE DISTRICT "A"
 = EXCLUSIVE AGRICULTURE

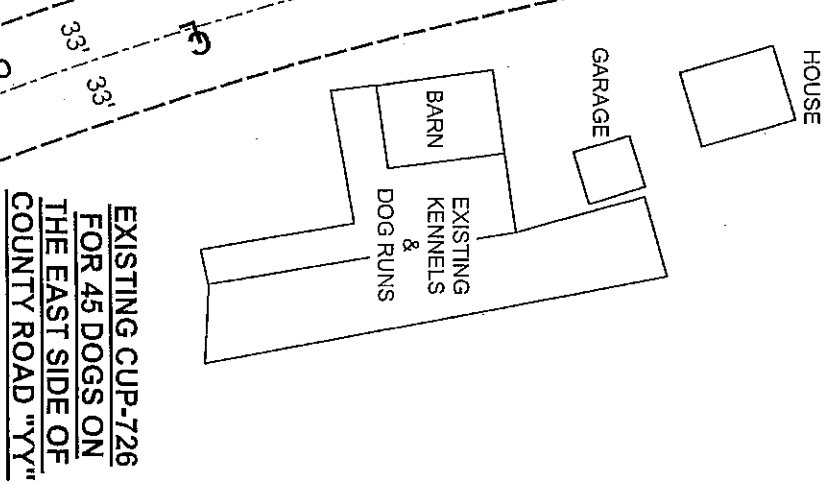


SE - NE
SECTION 33
T16N - R6W



PROPOSED CUP TO AMEND CUP-726 TO INCREASE THE MAXIMUM NUMBER OF DOGS TO 60. ALLOW FOR ONE FULL TIME EMPLOYEE AND TO OPERATE ON THE WEST SIDE OF COUNTY ROAD "YY"

SW - NW
SECTION 34
T16N - R6W



SCALE: 1" = 100'

CONDITIONAL USE PERMIT NO. 854
 THOMAS & NANCY SCHOMBERG
 A.K.A "OCTAGON FARMS" & "SCHOMBERG KENNELS"
 PART OF SECTIONS 33 & 34, T16N - R6W