

Village of Rochester  
PO Box 65  
Rochester WI 53167

Application Fee: \$50.00  
Payable to: Village of Rochester

## **SPECIAL EXCEPTION ANIMAL PERMIT**

Application Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Parcel#: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Acreage amount: \_\_\_\_\_

Type of Animals: \_\_\_\_\_

Number of Animals: \_\_\_\_\_

- **Site plan attached** (*showing area where animals will be penned, manure storage sites, adequate draining facilities*)
- **Written plan for disposal of manure**

Statement or further explanation for Board to consider for approval:

## **Village of Rochester Code References establishing Special Exception Permit process:**

**Chapter 9.N.(1.) Animals Other than Typical Pets.** Any person wishing to raise and/or maintain any animal or fowl, other than a dog, cat, or captive-bred species of caged bird, rodent, turtle, fish, non-poisonous, non-constricting snake, or livestock kept in conformance with this section, must obtain a Special Exception Permit issued by the Village Board as set forth in subsection Q.

**Chapter 9.N.(3.)** Exceptions, subsection b. **The provisions of this subsection shall not apply to the keeping of livestock and poultry on agriculturally zoned farm premises of at least five acres.**

**Chapter 9.O.** Proximity to Dwellings of Others. No person having possession of or in control of any animal or fowl (other than dogs and cats) shall allow the same to be kept closer than 300 feet to any dwelling house other than that of such person.

**Q. Special Exception Permit.** Notwithstanding any provision contained in this chapter to the contrary, in the event that a person wishes to raise and/or maintain any animal or fowl as otherwise contrary to subsection N of this section, or a property owner seeks to place, allow or consent to the placement of livestock or other non-domestic animals within 300 feet of a dwelling unit as otherwise contrary to subsection O of this section, or place such animals on property containing less than five acres contrary to subsection P of this section, said person or property owner shall apply for a Special Exception Permit, which shall require the approval of the Village Board. Special Exception Permits may be granted by the Village Board for the presence of more than the number of dogs or cats allowed in a residence set forth in subsection L only under the following circumstances: for the combination of households when the occupants already own animals (for the life of the animals); for the temporary keeping of dogs and/or cats during a deployment (for the term of the deployment); and for the addition of a service dog to a household.

1. **Application.** Not less than twenty days prior to the next regularly scheduled meeting of the Public Works Committee, the applicant shall pay a fee in an amount set by the Village Board and set forth on the fee schedule, and shall file with the Village Clerk an application setting forth the following:

- a. The parcel of real estate that is the subject of the request.
- b. The specific type or types and number of animals which the applicant proposes to place on the subject property.
- c. A statement addressing the factors which the Village Board will consider for approval as set forth in subsection 2.
- d. A site plan of the affected parcel of real estate which shows the following:
  - (1) The area where the animals will be penned, including the distance that any such pen will be set back from adjacent property owners.
  - (2) Manure storage areas. Additionally as an attachment to said site plan, the applicant shall include a written plan for how the applicant will provide for the regular removing, spreading or other disposal of manure so that it does not become unsightly or emit odor beyond the property boundary or become a public nuisance.

(3) Adequate drainage facilities located on the property or to be implemented by the property owner so as to protect surrounding properties from surface water discharge containing contaminants including but not limited to sediment or organic waste.

2. **Determination.** Upon receipt of the application the Humane Officer shall inspect the premises, and report his or her findings to the Public Works Committee, which shall then make are commendation to the Village Board. The Village Clerk shall send notice of the application and Public Works Committee meeting to the abutting neighbors at least ten days before the Public Works Committee meeting. Upon receipt of the Public Works Committee's recommendation, the Village Board shall vote to approve the Permit, deny the Permit, or request additional information from the applicant which shall be provided at the next regularly scheduled meeting of the Village Board. Additionally, the Village Board may place certain conditions on its approval of the application which reasonably impact the health, safety and welfare of the Village of Rochester. In reviewing the application and when placing conditions on any such approval, where applicable, the Village Board shall consider the following factors:

- a. Whether the proposed use will be in harmony and compatible with the character of the surrounding area.
- b. Whether the proposed use will result in an over-intensive use of the building or land.
- c. Whether the proposed use will cause significant air, water or noise pollution.
- d. Whether the proposed use is adequately landscaped, buffered and/or screened.
- e. Whether the proposed use will be otherwise detrimental to the health, safety, or welfare of the neighboring landowners or the Village of Rochester.

3. **Term of Permit.** Any permit issued hereunder for a special exception to the requirements of subsection N. shall be for one year, or a shorter term if specified by the Village Board. The term of a special exception to the requirements of subsection O or P shall be two years, and the permit shall be subject to renewal upon application to the Village Board and payment of the required license fee. The license shall be effective only to the person to whom the same is issued and upon the premises described in the application. No transfer is allowed.