



## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**CONDITIONAL USE PERMIT NUMBER:** CUP-0014-24

**COMPUTER NUMBERS:** 018-1008-06-020

**PUBLIC HEARING DATE:** January 14, 2025

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**STAFF CONTACT:** Ben Bublitz, Land Use Manager

**OWNER:** Travis Quella, E20255 ND Loop, Augusta, WI 54722

**AGENT:** Bob's House for Dogs, LLC. E3015 County Road HH, Eleva, WI 54738

**REQUEST:** To amend permits CUP2007-22 and CUP-0014-16 to increase the size of the animal kennel facility, and to allow a maximum of 12 cats to be added to the existing facility.

**LOCATION:** E3015 County Road HH, Eleva, WI 54738

**LEGAL DESCRIPTION:** The East Half of the North Half of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 3, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin.

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### SUMMARY

The applicant is requesting to modify existing permits CUP2007-22 and CUP-0014-16 which were reviewed and approved to allow for the care of up to 20 dogs at the facility. The request is to increase the physical footprint of the building and allow for the addition of up to 12 cats to be housed onsite.

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### BACKGROUND

The intent of this facility is to act as an adjunct to the Humane Association kennels. Boarding of dogs for private individuals or breeding of dogs for sale is not permitted under their active permit and is not proposed to be added under this amendment. The amendment request is for an increase in structure footprint and the addition of 12 cats to be housed on the property. The number of dogs is not going to increase, since the increased structure size is to better accommodate the number of animals currently onsite and space for the cat expansion. An increase in structure size will allow staff to provide a higher level of animal care with a larger kitchen to prepare food and give medication, allowing these activities to be performed outside of the current mechanical room. In addition to the kitchen area there will be increased storage area, a dedicated surgery recovery room, meeting space, and additional area to isolate the animals from people while visiting.

The application materials include site plan, building elevation and floor plans, and a narrative of their overall intent.

### SITE CHARACTERISTICS:

- The lot size is approximately 10.8 acres.
- The lot is located on the East side of County Road HH West of State Road 93.
- The proposal will not increase the number of dogs onsite but will allow up to 12 cats.

**CURRENT ZONING:** A2 Agriculture Residential. The A2 Agriculture Residential district is established to:

- Provide an area for limited residential and hobby farm development in a rural atmosphere.
- Preserve the county's natural resources and open space.

**ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	A2	Residential
West	RH/A1	Residential
South	A1	Vacant – Forest
East	A1	Vacant - Forest

**LAND USE PLANS:** The County Land Use Plan and Town of Pleasant Valley Comprehensive Plan include this property in a Rural Lands area.

**Rural Lands (RL)**

**Intent and Description:** The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.

**APPLICABLE ZONING REGULATIONS**

**Section 18.02 Purpose** This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

**Section 18.15.010 Purpose.** This section outlines the purpose of the A2 zoning district. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space. as listed in this document above.

**Chapter 18.103 Conditional Uses.** Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

**ANALYSIS:** The request meets the requirements for conditional use permits as outlined in section 18.103 of the County Code. The proposal will allow the facility to offer better accommodations to the animals currently housed onsite and allow for the addition of 12 cats.

**TOWN BOARD ACTION:** The Town of Union Board will meet January 13, 2025, and forward their recommendation prior to the Planning and Development Committee meeting.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff conclude and the amendment to CUP2007-22 and CUP0014-16 to increase the size of the existing animal kennel facility, and allow a maximum of 12 cats to be added, will meet all the standards for approval of conditional use permits; and will be consistent with the purpose of the zoning code, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends that the committee approve the conditional use permit with the following conditions:

1. The site plan, floor plan, and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be modified in accord with the drawings submitted and located on the property as shown on the site plan.
2. Prior to construction, the applicant shall obtain all necessary permits including but not limited to a land use permit from the Department of Planning and Development.
3. The maximum number of dogs cannot exceed 20.
4. The maximum number of cats onsite cannot exceed 12.
5. The applicant shall notify the Land Use Manager upon completion of the modification so staff can verify compliance with the terms of this approval.
6. The Land Use Manager can approve minor alterations from the terms of the permit. A major change requires the approval of the committee at a public hearing.
7. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
8. The permit is subject to Sections 18.155 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.