
In Re

Cold Noses Sanctuary

S67W28435 River Rd

Waukesha, WI 53189-9042

**AMENDED CONDITIONAL USE PERMIT APPLICATION – PLAN FOR SMALL
FARM AND ANIMAL SANCTUARY**

Introduction

Thalia Haseotes, President of Cold Noses Foundation, Inc., as the assignee of the current property owners, Todd and Katherine Pieper, proposes a small farm and animal sanctuary at the above-referenced property under Section 2.04 (“Farm Education”) of the A-1 Zoning District. The Property is currently being used as a residence and a family winery pursuant to a Conditional Use Permit filed with the Waukesha County Register of Deeds on January 27, 2015. The current permit would be discontinued. The Piepers have accepted Ms. Haseotes’ offer to purchase, which is contingent upon obtaining a conditional use permit for this project.

The Cold Noses Foundation emphasizes preventing animal suffering and improving the bond between humans and animals. The proposed sanctuary will be a place for special-needs animals to receive the care that they need by providing a safe and serene environment for them. The sanctuary will also serve the community through educational and other activities that promote understanding and care for special-needs animals.

Ms. Haseotes appreciated the opportunity to meet with the Plan Commission and Board for a concept review on October 2, 2024. We have incorporated the discussion from that evening and subsequent discussions into this application, and respectfully submit that the Sanctuary is consistent with the Code and will have a positive impact in the community.

Current Zoning

The Property is zoned A-1 (Agricultural) and C-1 (Conservancy).¹ Ms. Haseotes seeks a permit under Section 2.04, Farm Education, a conditional use under the A-1 district, for her animal

¹ A small corner of the lot is subject to Waukesha County’s Shoreland zoning. There is no current permit with the County, and per a conversation with the County’s Planning Department, a County permit is not required here.

sanctuary. A minimum of 10 acres is required, and the survey² submitted herewith demonstrates compliance with this requirement.

Farm Education is described as “A place where farm tours and how-to clinics or classes are conducted which are directly related to farming, farm life, or food (e.g. gardening, cooking, canning produce, jam-making, candle making, soap making, flower arranging, quilting).”

Relevant to this Application, Appendix A to the Town’s Zoning Code lists Household Livestock (§ 13.15) and Private Kennel (§ 13.19) as permitted uses under A-1. Household livestock is described as “A place where livestock are kept primarily for the use and enjoyment of those living on the premises and occasional commercial purposes.” *See* Appendix B, § 13.15. This is not a “livestock facility setting,” and so the Code applies the following definition:

When not used in the context of livestock facility siting, "livestock" shall include bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids (alpacas, lamas, camels), ratites (emus, ostriches), and farm-raised fish.

See Chapter 36, Article XII, Appx. E, § 91.

Under Appx. B § 13.15(b), the property owner is permitted to have eight (8) livestock on property. The Private Kennel designation under Appx. B, § 13.19(a) permits up to six (6) dogs where, as here, the property is more than 5 acres.

General Operations of Proposed Sanctuary

The Sanctuary would operate much as a private hobby farm, focusing on disabled or special-needs animals. Under the A-1 Ordinance, up to eight (8) Livestock and six (6) dogs are permitted on the Property. Eventually, Applicant intends to have 8 Livestock and 6 dogs at the Sanctuary, which would be consistent with the amount allowed under A-1. This is a suitable number, given the care required for these special-needs animals.

The Sanctuary will not be open to the public. This is not a facility where animals may be dropped off or left at any time – the Sanctuary will have a rigorous selection process. While adoption may ultimately be a possibility for some of the animals, it is not the purpose of the Sanctuary and turnover of its animal residents will be limited.

The existing buildings will be renovated to fit the proposed use:

- (1) “Dwelling with Exposed Basement”

The Survey identifies a “Dwelling w/Exposed Basement,” which is a residence with a commercial winery at the lower level. There will be full-time residents at the existing home that will care for the animals on a daily basis. The lower level of the building is currently used as the

² Applicant is submitting a completed survey and will provide a stamped version at or prior to the hearing on January 8, 2025.

winery's Tasting Room and commercial space. Applicant is not requesting a change in the building's footprint. The Tasting Room and commercial space will be adapted to an Education Area as well as an animal habitat for dogs and cats. The dogs and cats will live like they do at any home – with their own “beds” and indoor areas.

There is also currently retail merchandise available at the winery. The Sanctuary would have a small retail area.

(2) “Accessory Structures” to north and southeast of residence

Applicant intends to use these buildings' current footprints but will reconfigure to equine housing area/stables.

Horses will exercise and spend time in the pasture/outdoors on the Property as they would on any farm property. We have identified pasture and fenced areas on the attached site map.

Manure and Pasture Management Plan

Manure will be placed in a storage holding area near the north “Accessory Structure” as noted on the Site Map. The pit will be a gravel or cement pad similar to the attached illustration. Some will be composted and spread according to USDA guidelines. The remaining will be removed on a monthly basis.

Educational Activities

The Sanctuary will not be open to the public. Activities will be by invitation, and the number of people allowed on the Property at a given time will be limited. The following activities are contemplated:

Tours

Private, independent tours (not school or educational groups) will be available for up to 12 people by appointment between the hours of 9am and 4pm. These “meet and greet” tours allow people to meet the animals and learn about their needs and care. When indoors, the event would take place in the area that is currently the Tasting Room. Snacks and soft drinks (such as soda or water) would be available to guests. Other light refreshments may be served that would be purchased from a caterer or commercial kitchen.

Volunteer Days

Volunteer days may be held up to 2 times per month, where non-regular volunteers may sign up to volunteer at the Sanctuary. Volunteer activities may include (but not be limited to) spending time with the animals, particularly people with mental or physical differences to bond with animals while led by a volunteer member; planting or caring for the Property; or repairs on Property. These would be limited to 6 volunteers at any one time from 9am to 9pm. Volunteer activities after dark would generally take place inside.

Children's Education

Children's education activities will be scheduled between 9am and 2pm on weekdays, and between 9am and 5pm on weekends. Activities will consist of tours, talks, crafts, story time (including with the animals), and other fun learning activities relating to animal care and welfare. There will be a maximum of 30 children at one time. There will be no large school or charter buses allowed. Transportation vehicles would be limited to passenger vans holding up to 12 people. These activities would take place up to four times per month.

Clinics/Workshops

Weekly workshops are planned. Most will be 1-2 hours in duration, with a maximum of 20 people. Examples of workshops include:

- Painting
- Animal care and communication
- Goat yoga
- Cat yoga
- Reading to animals – many animals benefit from a human voice and children can work on their reading

Fundraisers

The Sanctuary would host up to six (6) fundraisers per year. These would be private events by invitation for up to 100 people. The current use allows up to 40 persons inside and up to 100 people outside. That is what Applicant proposes. The purpose would be to raise funds and awareness in support of the Cold Noses Foundation and special needs animals.

The Proposed Use is Consistent with the Code

Section 36-285 requires the Plan Commission to determine, among other things, whether the proposed conditional use is compatible with surrounding properties and whether there are adverse effects on the surrounding properties. The proposed use here readily meets these standards. The current winery is permitted to operate every day from 10:00am to 9:00pm. Up to 40 people are allowed in the Tasting Room at one time, and up to 100 outside. The Property has 44 parking spaces. The proposed use will actually be less intensive than the current use. Applicant's proposed use would be consistent with the A-1 designation, she is seeking permission to host private educational programs for small groups and occasional fundraisers that are by invitation-only to further the mission of the Foundation.

At the joint meeting on October 4, there were questions and concerns expressed regarding the traffic intensity on River Road and the ingress and egress to and from the Property. The winery has operated for over 12 years, and the current owners are not aware of any accidents entering or

exiting the Property. They estimate approximately 74,000 vehicles have entered and exited the Property during that time.

The proposed use is less intense. To be clear, large school or charter buses will not be allowed on the Property for the proposed activities. Outside of passenger vehicles, transportation vehicles will be limited to vans that hold up to 12 passengers. With the limited hours for school-aged events, traffic concerns are minimized and indeed the overall amount of traffic will be reduced. With this decreased intensity, the proposed use will not be disruptive to the neighbors and surrounding properties. The property to the east is unplatted. The neighbor to the west has expressed support.

After the initial Plan was filed, Waukesha County DPW expressed concern over the sight line traveling east on River Road. Applicant and the current owners are working with the County to address these concerns.

Summary of Proposed Uses:

- Person(s) living at the existing home on the Property
- Up to 8 Livestock and 6 dogs as permitted under A-1
- Educational Tours: maximum 12 people, 1-2 hours
- Volunteer Days: up to 2 per month, maximum 6 volunteers, between 9am and 9pm
- Children’s Education: maximum 30 children, between 9am and 2pm weekdays, 9am and 5pm weekends, up to 4 per month. No large school or charter buses.
- Clinics/Workshops: up to 6 per month, maximum 20 persons, between 9am and 4pm
- Fundraisers: up to 6 per year, maximum 100 people

Conclusion

Applicant’s project fits comfortably within the Zoning Code and the surrounding properties. As designee of the current owners, Ms. Haseotes respectfully requests approval of a Conditional Use Permit and looks forward to being a member of the Town of Mukwonago community.

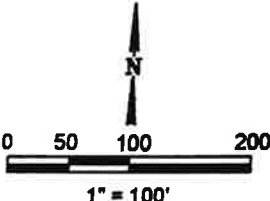
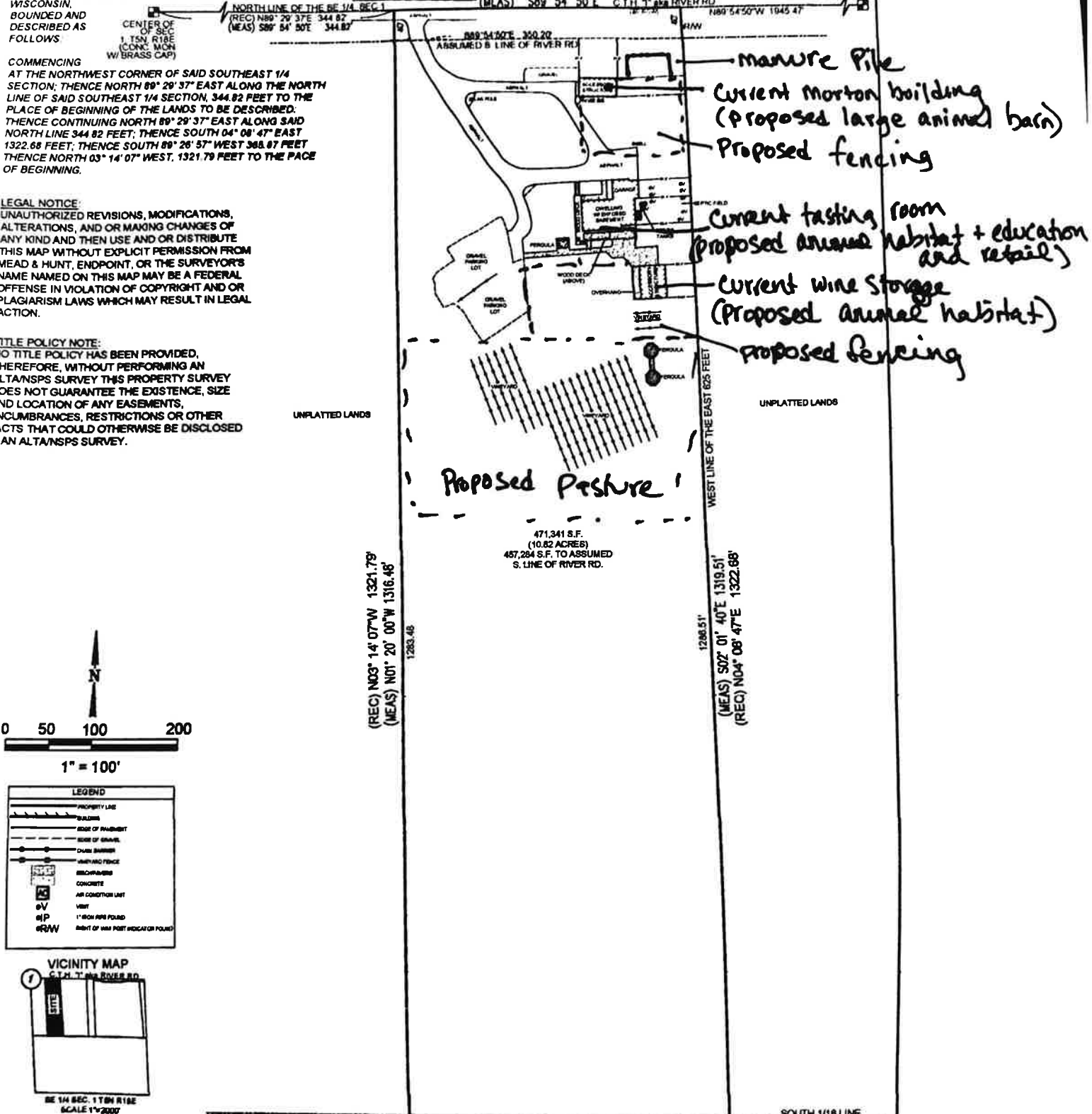
PROPERTY DESCRIPTION PER DOC. NO. 1624371
 ALL THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST
 1/4 OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 18 EAST, IN
 THE TOWN OF MUKWONAGO, WAUKESHA COUNTY,
 WISCONSIN,
 BOUNDED AND
 DESCRIBED AS
 FOLLOWS

COMMENCING
 AT THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4
 SECTION; THENCE NORTH 89° 29' 37" EAST ALONG THE NORTH
 LINE OF SAID SOUTHEAST 1/4 SECTION, 344.82 FEET TO THE
 PLACE OF BEGINNING OF THE LANDS TO BE DESCRIBED;
 THENCE CONTINUING NORTH 89° 29' 37" EAST ALONG SAID
 NORTH LINE 344.82 FEET; THENCE SOUTH 04° 08' 47" EAST
 1322.68 FEET; THENCE SOUTH 89° 26' 57" WEST 368.87 FEET
 THENCE NORTH 03° 14' 07" WEST, 1321.79 FEET TO THE PLACE
 OF BEGINNING.

LEGAL NOTICE:
 UNAUTHORIZED REVISIONS, MODIFICATIONS,
 ALTERATIONS, AND OR MAKING CHANGES OF
 ANY KIND AND THEN USE AND OR DISTRIBUTE
 THIS MAP WITHOUT EXPLICIT PERMISSION FROM
 MEAD & HUNT, ENDPOINT, OR THE SURVEYOR'S
 NAME NAMED ON THIS MAP MAY BE A FEDERAL
 OFFENSE IN VIOLATION OF COPYRIGHT AND OR
 PLAGIARISM LAWS WHICH MAY RESULT IN LEGAL
 ACTION.

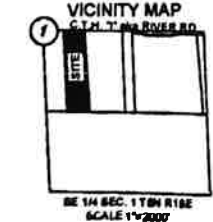
TITLE POLICY NOTE:
 NO TITLE POLICY HAS BEEN PROVIDED,
 THEREFORE, WITHOUT PERFORMING AN
 ALTA/NSPS SURVEY THIS PROPERTY SURVEY
 DOES NOT GUARANTEE THE EXISTENCE, SIZE
 AND LOCATION OF ANY EASEMENTS,
 ENCUMBRANCES, RESTRICTIONS OR OTHER
 FACTS THAT COULD OTHERWISE BE DISCLOSED
 IN AN ALTA/NSPS SURVEY.

EAST 1/4
 CORNER
 OF SEC.
 1, T6N R18E
 (COMPUTED
 FROM WA 1655)



LEGEND

	PROPERTY LINE
	BUILDING
	EDGE OF FARMMENT
	EDGE OF GRAVEL
	CHAIN BARRIER
	WIRE AND FENCE
	ENCUMBRANCE
	CONCRETE
	AIR CONDITION UNIT
	WELL
	1" IRON PIPE POUND
	RIGHT OF WAY POST INDICATOR POUND



(MEAS) N89° 30' 48"W 365.87
 (REC) S89° 26' 57"W

SOUTH 1/18 LINE
 OF SEC. 1-3-18

HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY
 AND IN MY PROFESSIONAL OPINION THIS MAP IS A TRUE REPRESENTATION
 HEREOF AND IS MADE IN ACCORDANCE WITH THE RECORDS OF THE REGISTER
 OF DEEDS AS NEARLY AS PRACTICAL. THIS SURVEY COMPLIES WITH WISCONSIN
 ADMINISTRATIVE CODE AE-7 EXCEPT FOR THOSE ITEMS WAIVED, IF ANY, AND IS
 BOUND BY WISCONSIN STATE STATUTE 893.37 THAT DEFINES STATUTE OF
 LIMITATIONS IN REGARD TO SURVEYS

SIGNED

JACK R. HILLMANN
 PROFESSIONAL LAND SURVEYOR 6-3005

PROPERTY SURVEY	
PREPARED FOR TODD & KATHERINE PIEPER 567W 28435 RIVER RD MUKWONAGO, WI	
6871 E Lovers Lane Pewaukee, WI 53132 Phone: (414) 421-1200	
DRAWN BY: TE	DATE: 12/04/2024
REVIEWED BY: BN	PROJECT NO: 1113-001-001
S1	

Example of a simple on-farm manure storage design

