

**CONDITIONAL USE PERMIT  
TOWN OF EAGLE  
HOBBY KENNEL, S103 W36499 CTY "LO"**

WHEREAS, pursuant to Section 3.08 of the zoning code, an application for a conditional use permit has been filed for a Hobby Kennel at S103 W36799 CTY "LO", Eagle, WI, which application was filed in the office of the Town Clerk, Town of Eagle, Wisconsin and

WHEREAS, Section 5.10(4), which is the A-2 Rural Home District, permits hobby kennels as a conditional use; and

WHEREAS, after proper notice pursuant to the Town of Eagle Zoning Code a public hearing was noticed in the official newspaper twice and with notice being mailed at least ten (10) days prior to the date of such public hearing to the owners of records of the property situated within 300 feet of the boundaries of the properties affected, a public hearing was held on April 5, 1999 and

WHEREAS, after required statutory open meeting notification, the Plan Commission/Town Board met on April 5, 1999 and

WHEREAS, the Plan Commission/Town Board does hereby make the following findings of fact;

A. The establishment, maintenance and operation of a hobby kennel on the subject premises will not be detrimental to or endanger the public health, safety, morals, comforts, or general welfare.

B. The uses, values and enjoyment of other property in the neighborhood for the purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the hobby kennel, and the proposed use is compatible with the use of adjacent land.

C. The establishment of the hobby kennel will not impede the normal and orderly development and improvement of this surrounding property from uses permitted in the A-2 District.

D. That adequate access, roads, ingress, and egress have been provided.

E. That the conditional use shall in all other respects conforms to the applicable regulations of the district in which it is located.

NOW THEREFORE, based upon the findings of the Plan Commission/Town Board set forth above, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:

### **DETERMINATION AND FINDINGS**

The establishment, maintenance and operation of a hobby kennel at S103 W36499 CTH "LO", Town of Eagle, Wisconsin, is subject to the conditions hereafter stated, in accordance with the purpose and intent of Section 3.08 of the zoning code of the Town of Eagle and will not be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community.

### **ORDER**

1. **Termination:** Where a permitted conditional use does not continue in conformity with the conditions of the original approval, or where a change in the character of the surrounding areas, or for similar cause based upon consideration for the public welfare the conditional grant may be terminated by action of the Town Board following referral to the Town Board and Planning Commission for recommendation and public hearing. Such use shall thereafter be classified as a legal non-conforming use, except that where the action is due to failure to comply with the conditional grant the Town Board may terminate such use.
2. **Terms:** This Conditional Use shall terminate in 5 years. A reapplication and approval for the Conditional Use from the Town Clerk shall be needed at this time to continue the hobby kennel.
3. Maximum of twelve (12) dogs at any one time.
4. If the lot is divided the Conditional Use would stay with Lot 1 (the residence is located on this lot).
5. Dogs are to be contained in the kennel at night.
6. Fencing to be properly maintained.

Dated: 5-6-99

By: Donald Wilton  
Don Wilton, Chairman  
Town of Eagle

Attested: Sally McMillan  
Sally McMillan, Clerk  
Town of Eagle

This conditional use permit is approved and accepted  
this 5<sup>th</sup> day of April, 1999.

Timothy W Brown  
Timothy Brown