

**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
APRIL 14, 2015
948th MEETING**

CALL TO ORDER.

The meeting was called to order by Chairman Trebatoski in the Council Chambers of the Municipal Building at 4:00 p.m.

ROLL CALL.

Members present: Commissioners: Manager Matt Trebatoski, Engineer Jeff Woods, Rich Frame, Tonia Roddick, Roz Highfield and Jude Hartwick.

Excused absence: Commissioner Laurette Greenhalgh.

Others Present: Inspector Brian Juarez and Clerk Michelle Ebbert

APPROVE MINUTES OF MARCH 24, 2015 PLANNING COMMISSION MEETING.

Comm. Hartwick moved to approve the March 24, 2015 minutes of the Planning Commission, seconded by Comm. Roddick and approved unanimously.

REVIEW AND APPROVE REQUEST FOR CONDITIONAL USE PERMIT FOR ADULT FAMILY HOME AT 1212 ADRIAN BOULEVARD.

Engineer Woods reviewed the request for a conditional use permit to operate an Adult Family Home at 1212 Adrian Boulevard. This property is zoned R-1 (Single Family). There are four criteria to be considered when granting a Conditional Use Permit for an Adult Family Home.

- (1) The property must be licensed under WI Administrative Code HFS83.
- (2) The property should not create financial or administration burdens on City services, Fire, Police, EMS, Water, Sanitary, Streets, Transportation or Parks and Recreation.
- (3) The property shall have one parking stall for each resident over the age of 16 and one for each member of their Staff during the heaviest staffing shift.
- (4) The property must the requirements of the local building and housing code.

Woods confirmed this property has two residents and one staff member, therefore requiring three parking stalls. The property does have sufficient parking available. The code does allow parking adjacent to the property be counted for the requirement. The adjacent property owners were notified of this conditional use permit request with no comments received by Staff. If this permit is to be recommended for approval, the Council must approve the waiver for 2,500 feet of separation and the 1% population requirements. The motion is requested to include the property obtaining appropriate licenses and permits.

Inspector Juarez stated that this request is for a new adult family home that has not been in operation.

Comm. Frame moved to approve the request for a Conditional Use Permit to operate an Adult Family Home at 1212 Adrian Boulevard contingent upon the property obtaining appropriate licenses, permits and inspections and refer to the Council for waiver of the 2,500 feet of separation and the 1% population requirement. Comm. Highfield seconded the motion and carried on a unanimous voice vote.

REVIEW AND APPROVE REQUEST FOR CONDITIONAL USE PERMIT FOR ADULT FAMILY HOME AT 1330 ERICK STREET.

Engineer Woods reviewed the request for a conditional use permit to operate an Adult Family Home at 1330 Erick Street. This property is zoned R-1 (Single Family). There are four criteria to be considered when granting a Conditional Use Permit for an Adult Family Home.

- (1) The property must be licensed under WI Administrative Code HFS83.
- (2) The property should not create financial or administration burdens on City services, Fire, Police, EMS, Water, Sanitary, Streets, Transportation or Parks and Recreation.
- (3) The property shall have one parking stall for each resident over the age of 16 and one for each member of their Staff during the heaviest staffing shift.
- (4) The property must the requirements of the local building and housing code.

Woods confirmed this property has two residents and two staff members, therefore requiring four parking stalls. The property does have sufficient parking available. The code does allow parking adjacent to the property be counted for the requirement. The adjacent property owners were notified of this conditional use permit request with no comments received by Staff. If this permit is to be recommended for approval, the Council must approve the waiver for 2,500 feet of separation and the 1% population requirements. The motion is requested to include the property obtaining appropriate licenses and permits.

Jeff Marquardt, 1308 Erick Street was present and expressed concern for the number of small children that play in the area of the property. He was concerned for safety and asked what type of challenges the residents would have and if the safety of the children would be at risk.

Property owner and requestor Cheryl Gjertson was present and stated she is in the process of obtaining permits and has not been assigned residents yet. The property serves as a residence to her mother and her husband. They will be the full-time caregivers to the challenged residents. She added the two with challenges would be developmentally challenged that require assistance. They would not have a criminal record that would put anyone in danger.

Comm. Frame stated he drove by this residence and noted the elevation and the stairs accessing the property. The residents would need to be able to have full mobility to maneuver the property.

Jeff Von Alvin, 1317 Endl Blvd was present and expressed concern of more traffic in the neighborhood and the safety of children playing outdoors. He also asked what qualifications were needed for the full-time residents to be able to care for the disabled residents.

Ms. Gjertson stated there would be two additional residents living in a property that required care. She did not anticipate additional traffic as only one resident would be a licensed driver. She stated the main caregiver, her mother, is obtaining certifications to be able to provide care and emergency training including CPR, Fire and Safety training.

Comm. Highfield moved to approve the request for a Conditional Use Permit to operate an Adult Family Home at 1330 Erick Street contingent upon the property obtaining appropriate licenses, permits and inspections and refer to the Council for waiver of the 2,500 feet of separation and the 1% population requirement. Comm. Hartwick seconded the motion and carried on a unanimous voice vote.

REVIEW AND APPROVE CONDITIONAL USE PERMIT FOR PET SITTING BUSINESS AT 79 SHIRLEY STREET.

Engineer Woods reviewed a request received from Jennifer Burtch, 79 Shirley Street for a Conditional Use Permit to operate a pet sitting business at her residence. The property includes an outdoor barn-like structure approximately 12-foot x 20-foot in size that is furnished to appear as a living room with a kennel in the corner, sofa, music and heated/cooled depending on the season.

Woods explained that pet sitting or pet kennels are not specified uses for a conditional use in the R-1 zoning description and therefore are not permitted. Property owners within 100 feet of the property line were notified with several comments received by Staff. Property owners at 72 Lucile Street and 74 Shirley Street do not support the request and the owner of 74 Lucile Street expressed concern for additional noise and barking dogs in the neighborhood.

Woods reviewed the business plan that discussed the nature of the business being similar to a boarding facility but would only take pets from one family at a time for specific periods of time. Burtch would provide a quiet home-like environment for family dogs while families are on vacation.

Ms. Burtch was present and provided photos of the structure and a letter signed by immediate adjacent property owners supporting her request.

Comm. Frame visited this neighborhood at approximately 3:00 p.m. the day of the meeting, and stated he could hear at least two dogs barking at that time. He has concern for additional barking in the neighborhood, stating that once one dog begins barking, others may bark in response creating a disturbance.

Inspector Juarez stated that from an enforcement standpoint, if a Conditional Use Permit were to be issued, it could also be withdrawn if there were issues, concerns or complaints.

Comm. Hartwick questioned the number of licensed pets on the property allowed per City Ordinance. Clerk Ebbert stated that the additional pets would only be there temporary and would not count towards the number allowed per Ordinance.

Manager Trebatoski stated as this is not allowed in the Ordinance, he would fear setting a precedence that would encourage property owners to kennel additional pets on their property.

Comm. Frame moved to reject the request for a Conditional Use Permit to operate a pet sitting business at 79 Shirley Street as this is a residential zoned neighborhood and the request is not a conditional use specified per Ordinance for R-1 zoning. Comm. Hartwick seconded the motion and carried on a unanimous voice vote.

REVIEW AND APPROVE SITE PLAN FOR BOILER ROOM ADDITION AT REDI-SERVE (OSI), 1200 INDUSTRIAL DRIVE.

Engineer Woods presented the request from Redi-Serve for a site plan to approve an addition at their 1200 Industrial Drive location, which is zoned M-2. The addition would consist of a 1,280 square foot boiler room on the east side of their existing structure that would be an insulated panel building with coordinating exterior colors to the present building. There would be no changes to lighting, signage, parking or landscaping. There would be no additional stormwater fee. Upon City department review, the Water Utility and Fire Department provided requests with the site plan approval. Water Utility requested the water service where it comes in to the meter is close to the project so they requested the

Contractor be aware of the proximity of the service. The Fire Department expressed concerns of the connection being relocated and the existing fire flows. The flow would be addressed this summer with the scheduled water main reconstruction on James Place. Staff recommends approval.

Comm. Frame moved to approve the site plan request for a boiler room addition at Redi-Serve (OSI), 1200 Industrial Drive contingent upon relocating the fire department connection for the sprinkler system and being aware of the connecting water service to the property. Motion was seconded by Comm. Highfield and carried on a unanimous voice vote.

ADJOURNMENT.

Comm. Highfield moved to adjourn, Comm. Roddick seconded. The Planning Commission meeting was adjourned at 4:26 p.m.

Respectfully submitted,
Michelle Ebbert
Clerk/Treasurer