

**PLANNING COMMISSION
CITY OF FORT ATKINSON
MINUTES
APRIL 13, 2010
880th MEETING**

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

Members present: Gray, Camplin, Highfield, Rybicke, Stroinski and Woods

Members absent: Wilmet

Others present: Rudy Bushcott, Brian Juarez, Tony Deichl, Don Mayer, and three other adjacent property owners

Item #1: Review and Approve request for conditional use permit for an Adult Family Home 1103 Peterson Street.

Jeff Woods said the parcel is currently zoned R-1, Single Family Residential, and an Adult Family Home requires a conditional use permit. The criteria used in the review of the permit are:

- The facility shall be licensed under Wisconsin Administrative Code HFS-83, which deals with the regulations and standards of care, treatment, health, safety, rights, welfare, and comfort of residents of a CBRF.
- The facility shall not create an unreasonable financial or administrative burden on Municipal Services, including Fire, Police, EMS, Water, Sanitary Sewer, Streets, and Park & Recreation.
- The facility shall provide adequate off-street parking, requiring one stall for each resident over 16 and one for each staff, at the most heavily staff shift.
- The facility shall meet the requirements of the City Building and Housing Codes.

The facility will have a maximum of four residents and two staff, which would require six parking stalls. There is parking in the garage for two vehicles and in the driveway for four vehicles, so they meet the parking requirements. The owners will need to get a waiver from the Council of the 2,500 foot and 1% of population requirements. This will be an agenda item at the April 20, 2010 Council Meeting. A notice was sent out to all of the adjacent property owners within 100 feet, and there were several property owners in attendance at the meeting. If approved the conditional use permit would be for Arbor House at this location.

When asked by Cm. Gray, Jeff Woods said from the information the City had been given, there would be four residents and two caregivers at this site.

The meeting was opened up for comments from the adjacent property owners.

Tony Deichl, 1109 Peterson Street, said that he was concerned with the number of residents and caregivers that will be staying at this house. He asked what the number of people will be at the

residence? Jeff Woods said from the information the City has received, there will be four residents and two caregivers staying at the house. Cm. Gray said this number needs to be clarified, so we know how many people will be living in the house. Tony Deichl said the house is a small three bedroom, with one bathroom. It is important that we know how many people are going to be living there, four or six people.

Don Mayer, 1110 Peterson Street, said that someone was there yesterday morning to check out the house, and soon after that the garage was full of clothes, furniture, and other household items. Also there has been an 18 or 19 year old boy that has been staying at this house, and is he going to be living there when it becomes an adult family home? This is a business that is moving into this home; can a car repair business come in a set up in the house next to this one? Brian Juarez said this is a business, but this differs from a car repair coming in; there are zoning laws that will prevent that from going into a residential area. The Federal Government has stepped in on these housing units and said these people can live anywhere in the community that they want to. While it is correct this is a business, it is different zoning wise because of the Federal rules that govern this. Bill Camplin said this is a business to provide an individual with a place to live.

Cm. Gray asked if there are any Code requirements on how many unrelated people can live in a residence; how many can be put in each bedroom; can they put bedrooms in the basement? Brian Juarez said it does not fall on the City to determine the number of people that can live in this type of housing; it falls under the Department of Health and Family Services. The Department would inspect the house and determine the number, and then the facility would be licensed for that many residents. If this house has a maximum of four residents, that would have come from the Department as a result of their inspection of the house.

Motion by Cm. Gray, seconded by Bill Camplin, to table the request for a Conditional Use Permit for Arbor House, for an Adult Family Home at 1103 Peterson Street. A representative from the Adult Family Home should be present at the next meeting. The motion passed by a 6-0 voice vote.

Item #2: Approval of Minutes and Adjournment.

A motion to approve the Minutes of the March 23, 2010 meeting was made by Dennis Rybicki, seconded by Roz Highfield, and passed by a 6-0 voice vote. A motion to adjourn was made by Roz Highfield, seconded by Cm. Gray, and passed by a 6-0 voice vote. The meeting adjourned at 4:25 p.m.

Respectfully submitted,



Jeffrey L. Woods, P.E.
Secretary