

**PLANNING COMMISSION  
MINUTES  
OCTOBER 23, 2007  
845<sup>th</sup> Meeting**

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

Members present: Wilmet, Behrens, Camplin, Rybicke, Vincent and Woods

Members absent: Brown

Others present: Brian Juarez, Rudy Bushcott, Tyler Hansen, Lisa Patefield, Darald Fairbrother, Pat McGinty, Judy Wittenwyler, Jeff Mason, Mark Krause and Four Neighbors for Item #1

Item #1: Review and Approve Conditional Use Permit by Abilities, Inc., for an Adult Family Home at 421 Clover Lane.

Jeff Woods said the parcel is Zoned R-1, single family residential, and that a conditional use permit is required for an Adult Family Home. The four criteria used to review the permit are: 1). Licensed under Wisconsin Administrative Code HFS 83; 2). Does not create unreasonable financial or administrative burden on municipal services; 3). Provides adequate off-street parking; and 4). Facility shall meet the requirements of the City's Building and Housing Codes. The facility provides five off-street parking stalls, and five are required for one staff and four residents.

John Wilmet said the Council has approved the waivers for the 2,500-foot distance requirement and 1% population requirement. The conditional use permit now comes to the Planning Commission. John Wilmet then opened up the meeting to allow comments from the audience.

Darald Fairbrother, 432 Clover Lane:

- Indicated that he received the notice for the meeting on Friday, and Saturday they were moving in.
- Concerned the effect this will have on property values in the neighborhood.
- Concerned with the safety of the residents because of how close the river is.

John Wilmet responded by saying they should not be moving in. They can clean and make move-in preparations, but that is at their own risk. John Wilmet also explained the changes in the Federal Fair Housing Act and how it effects our procedure.

Tyler Hansen, of Abilities, Inc., said they are only doing prep work on the house, no one has moved in. The residents are monitored when they are outside, so the river safety issue will be addressed. The house has three bedrooms and will have four residents. The bedrooms are large enough that they can be used for two residents.

When asked by Pat McGinty, Tyler Hansen said two of the residents are from Fort Atkinson and the other two are from the area. Tyler Hansen added that if they wanted to change the type of residents, they would have to get their license with the State changed.

John Wilmet explained the steps and approvals that are necessary for this facility and where the City has the ability to restrict or reject the approval and where the Fair Housing Act has limited the City's ability. Bill Camplin added that he talked with the Police Department and there have not been any calls to these facilities that were a result of conflicts or property damage with a neighbor's property.

When asked by Bob Vincent, Tyler Hansen said that none of the neighbors were contacted about this. Bob Vincent suggested this be done in the future to eliminate questions and concerns of the neighbors.

Dennis Rybicke said that these facilities and their residents are subject to the same rules and regulations that the rest of the neighborhood has to follow.

Motion by Cwmn. Behrens, seconded by Dennis Rybicke, to approve the conditional use request for an Adult Family Home at 421 Clover Lane, contingent on meeting all State and City Code requirements. The motion passed by a 6-0 voice vote.

Item #2: Discussion and Recommendation on Proposed Humane Society Shelter on Hoard Road.

Lisa Patefield, of the Jefferson County Humane Society, made a presentation on the proposed project. The existing facility is 31 years old and is near the end of its life/usefulness. The building is too small, the utility systems are being "held together by tape", and there is no room available to allow the staff to do procedures on the animals. There is the perception that no one wants to live next to an animal shelter because of the noise and smell. This is not the case. This facility does not smell and after 6:00 p.m., it is very quiet. The property on Hoard Road does not have a lot of neighbors and it is large enough to allow a new facility to be built that will address the Society's needs. They are looking at orientating the building to minimize or eliminate any adverse effect on present or future neighbors. The reason for this presentation is the Society has started talking with the owners of this property for possible purchase. The issue that needs to be discussed is the effect the City's Master Plan would have on their ability to build on this site. Lisa Patefield said they would like to get this resolved before they go further with this site.

John Wilmet said the current Master Plan has this area as low density residential. The Plan is currently being updated and it shows this area as a "potential long range urban growth area". The issue is once the area is classified or labeled in the Comprehensive Plan, that is what the City is held to enforce. The Comprehensive Plan has not discussed this area in detail, but this will need to be done to determine the future need/use of the area. John Wilmet said there would probably not be a decision on this today; it is being presented to update the Commission, begin the discussion process, and get the Society some direction.

Lisa Patefield said that there is a trend for "like" businesses to start up around animal shelters, like doggy daycares or boarding kennels. It could bring other businesses to an urban growth area.

John Wilmet said that since the detailed work on the Comprehensive Plan has not started yet, no discussions have taken place on this area. Without those discussions, the new Plan would probably follow the existing Plan and show this area as residential. It might take five or six months for the Comprehensive Plan to discuss and resolve this area, and that might be too long of a wait/delay for the

Society. Lisa Patefield said the Society is looking at a feasibility study and a capital campaign in late 2008, so there is some time. The only concern is the delay in purchasing this property. The Society would like to become involved with the Comprehensive Plan update and to attend the next meeting so this can be discussed. Bill Camplin said this needs to be a part of the Comprehensive Plan update. It should be presented and discussed at those meetings, become part of the Plan and then brought back to the Commission for our review and approval.

John Wilmet said the next Steering Committee meeting for the Comprehensive Plan is scheduled for November 19, 2007 at 6:00 p.m. at the Police Department. This will be included on the agenda for discussion.

No other action was taken on this item.

Item #3: Approval of Minutes and Adjournment

A motion to approve the Minutes of the October 9, 2007 meeting was made by Bill Camplin, seconded by Bob Vincent, and passed by a 6-0 voice vote. A motion to adjourn was made by Dennis Rybicke, seconded by Bill Camplin, and passed by a 6-0 voice vote. The meeting adjourned at 5:20 p.m.

Respectfully submitted,

Jeffrey L. Woods, Secretary