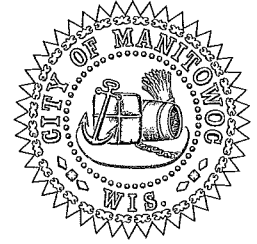




15-647

CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



June 4, 2015

To: Mayor and Common Council

From: Manitowoc City Plan Commission

**Subject: PC17-2015: Amy & Martin Sheck, d/b/a Four Paws Pet Care,
Conditional Use Permit for Home Occupation - Expanded use at
1718 S. 15th Street Pursuant to Section 15.030(1) of Manitowoc
Municipal Code.**

Dear Mayor and Common Council:

At the regular June 3, 2015 meeting of the Manitowoc City Plan Commission, the Commission held a public informational hearing regarding a request from Amy and Martin Sheck, as the owner of property at 1718 S. 15th Street. They have filed an application for conducting an expanded home occupation on their property pursuant to Section 15.030(1) of the Manitowoc Municipal Code. This section of the Code requires such a use to be authorized by issuance of a Conditional Use Permit (CUP) pursuant to Section 15.370(27).

In addition to determinations from the Commission and Council under (27(c)), these bodies can affix conditions to the CUP to provide assurances that the proposed use is an appropriate land use qualifying as an expanded home occupation and is compatible with the neighborhood.

The Sheck's house is located at 1718 S. 15th Street which is at the southwest end of S. 15th Street and terminates at the playground for St Francis of Assisi, the former St. Andrew's School. The house is a 1,236 s.f. single story brick structure. They own two lots for a total of half an acre of land. The northerly lot with the residence is approximately 62' x 154 and the vacant lot to the south measures 65' x 188'. The south line of their property borders the playfield for St. Francis of Assisi, there is a cyclone fence along this property line.

The request is from Amy and Martin Sheck, who are partnered with their daughter Katelyn Sheck who is doing business as Four Paws Pet Care which is located at 2019 S. 9th Street. Katelyn Sheck has also applied for a Home Occupation Expanded CUP. Amy and Martin Sheck assist their daughter who operates a dog and cat sitting service. In order for the Sheck's to watch the dogs and cats at their residence they need to apply for an expanded home occupation pursuant to Section 15.030 of the Manitowoc Municipal Code. This section of the Code requires such a use to be authorized by issuance of a CUP pursuant to Section 15.370(27).

The Shecks will typically board cats or dogs for their daughter when overflow care is needed and when the animals are comfortable with other cats because the Shecks have 6 of their own cats; all of which are licensed. They also have the proper permits from the Police Department to have more than 3 animals. Historically, they board no more than 3 dogs and 1 cat at a time.

The subject property is zoned R-3 Single Family Residential; the surrounding zoning is also R-3 with R-4 Single and Two Family a bit further to the east.

The Shecks provided a letter of support signed by Andy Mertz who lives across the street at 1715 S. 15th Street, Pamela Thompson, 1714 S. 15th Street, abutting neighbor to the north, La Rue Campbell, who lives across the street at 1703 S. 15th Street and Wes Biddle and Kim Schultz, who live across at 1719 S. 15th Street and who are also current Four Paws customers.

Four Paws Pet Care was established in the fall of 2011 when Katelyn Sheck saw a need for in-home pet care. Katelyn is the sole proprietor but her fiancé Benjamin Burton and her parents, Amy and Martin Sheck help with the business. The business provides general care such as walking, feeding, administering medicines and playing with the pets.

The Plan Commission notes that Chapter 14 of the municipal Code titled "OFFENSES AGAINST PUBLIC POLICY, SAFETY, MORALS AND PEACE" regulates the number and types of animals that can be at a property. The Commission wanted to insure that conditions in the conditional use permit are consistent with Chapter 14 which is enforced by the Police Department. The Commission notes that Community Development staff and Police Department staff met to review the proposed permit conditions.

In closing, the Commission notes that it did provide notice to property owners within 200' of the subject parcel prior to the informational hearing, and reports there were letters and comments showing both support and opposition to the project. All of the neighbors abutting the subject property were supportive of the proposal or didn't provide any commentary in support or opposition. Only one neighbor who lived a block away voiced concerns with noise from barking and stated that a business shouldn't be run in a residential area.

The Commission unanimously recommending that the Council grant a CUP under Sections 15.030 and 15.130(3)(j) of the Manitowoc Municipal Code to Amy and Martin Sheck d/b/a "Four Paws Pet Care" for conducting their business at 1718 S. 15th Street subject to the compliance conditions attached.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Paul Braun".

Paul Braun, City Planner

Attachments

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP) APPROVAL OF
AN EXPANDED HOME OCCUPATION USE
1718 S. 15TH STREET
6/15/2015

Re: PC17-2015

Recommendation:

Grant CUP under Sections 15.030 and 15.130(3)(j) of the Manitowoc Municipal Code ("Code") to Amy & Martin Sheck d/b/a "Four Paws Pet Care" ("Four Paws"). This CUP ("2015 CUP") shall hereinafter serve as authorization for the location and operation of Four Paws as an Expanded Home Occupation to be conducted only and entirely within the parcel at 1718 S. 15th Street identified as parcel #'s 355-057-005 and 355-057-010 a/k/a the "CUP Area" (see attached Exhibit "A").

Amy & Martin Sheck / Four Paws are required to comply with the following conditions:

Four Paws is required to comply with the following conditions:

- A. The 2015 CUP shall not become effective and binding until the date the Common Council approves the 2015 CUP as outlined herein.
- B. Operation of the Expanded Home Occupation shall be permitted under this 2015 CUP as long as it is operated in conformance with the requirements and conditions set forth in Section 15.030(1) of the Code, including the following:
 - (1) Shall be located entirely within the subject parcel,
 - (2) Shall operate only between the hours of 8:00 a.m. and 8:00 p.m. as readily apparent from adjacent residences,
 - (3) Shall not cause any external alterations to the residence including the creation of a separate or exclusive business entrance, and there shall be no exterior indication that a home occupation exists.
 - (4) Shall not be permitted to use equipment which creates offensive noise, vibration, sound, smoke, dust, odors, heat or glare detectable to the normal senses off the property, or X-rays or electrical disturbance to radio or television transmission in the area that would create visual or audible interference in excess of what is normally associated with a residential use.

- (5) Shall have no outdoor display or storage of materials, goods, supplies or equipment.
 - (6) Shall not be permitted to have any external signage including window displays or advertising signs.
 - (7) Shall provide adequate off-street parking for occupants of the principal residence.
 - (8) Shall make reasonable efforts to keep all doors and windows closed during the hours of operation, except when entering or exiting.
 - (9) Shall be limited to not more than ten (10) clients per day in connection with the business. This condition is related to the number of customers not the number of dogs or cats that can be cared for at a single time.
- C. Compliance with all federal, state and local regulations, licensing and Code requirements. This condition includes but is not limited to the requirements in Chapter 14 of the Municipal Code.
- D. Four Paws shall not assign, transfer, sublet or convey its interest in the 2015 CUP.
- E. The 2015 CUP shall automatically terminate effective the same date: (i) the property owner conveys title to the subject parcel; or (ii) Four Paws ceases to operate in the CUP Area. Four Paws agrees to provide the City's Community Development Department with written notice of its intent to discontinue operation in the CUP Area not less than 30 consecutive calendar days prior to the date operations are planned to cease.
- F. At any date and time, non-compliance with the terms of the 2015 CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the 2015 CUP.
- G. The maximum combined number of customer dogs and cats kept on the site shall not exceed 4. Smaller customer animals, like fish and birds, kept on the site, but in the residence shall not exceed 4. The owners' pets are not included into these counts.
- H. No customer animals shall be kept outside of the residence overnight.
- I. The Plan Commission and Common Council shall have an annual review of the CUP in June of 2016. The City reserves the right to review the CUP at any time based on complaints.

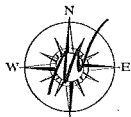
- J. All animals under the supervision of the owners shall not be permitted to make excessive noise which would be an annoyance to the neighborhood.
- K. The owners and operators shall carry the proper insurance as acceptable to the City Attorney and shall provide evidence of said insurance before this CUP is effective. Insurance verification shall be provided to the Department of Community Development on or before June 15, 2015.
- L. There shall be no sales of animals, products or like items from the CUP area. There shall be no breeding of animals in the CUP area affiliated with Four Paws. Operations or activities, except for the animal lodging, which are similar to a kennel as defined in Chapter 15.030 are prohibited.
- M. All waste from the animals shall be promptly picked up and shall be stored in a sealed, airtight container and said container shall be located out of public site and as far away from neighbors as possible.




**CUP Area (Exhibit "A")
Home Occupation - Expanded Use**

**Request for
Conditional Use Permit
City of Manitowoc, WI**

PC17-2015 Sheck;
1718 S. 15th St.



Legend

 Area of Request for Conditional Use Permit

Prepared by City of Manitowoc
Planning Department
www.manitowoc.org
Map Plotted: 05/26/2015
Orthophotography flown: 4/11/2010
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DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

SANDERS
SCOTT B &
CHRISTINA M

CHRISTENSEN PETER G

DUELLMAN ASHLEY L

MANIS, MARY J

REISER, PHILLIP L

MERTENS
DONALD F

PHILIPPEN ST

1521

PETERS
TROY R

1519

BUVID
BRIAN K

1513

TERSKEY
SHAWN

1511

SENN
AARON M &
NICOLE E

1507

GAU JR
ARTHUR P
& JANE

1503

FREE
WAYNE G

S 15TH ST

1703
CAMPBELL
LA RUE W

1419

MILLER
DANIEL J

POPP RICHARD R

CUP Area (Exhibit "A")
Home Occupation - Expanded Use

THOMPSON
PAMELA J

1714

BECKER
ROBERT A

1715

MERTZ
ANDREW J

SHECK
MARTIN J

1718

1719

SCHULTZ
KIMBERLYN L

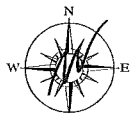
1721

DEETS
THOMAS L &
SHERRY A

SHECK
MARTIN J

HAFEMAN
DON G &
KIM L

ST FRANCIS
OF ASSISI



Request for
Conditional Use Permit
City of Manitowoc, WI

PC17-2015 Sheck;
1718 S. 15th St.



Legend

Area of Request for
Conditional Use Permit

Prepared by City of Manitowoc

Planning Department

www.manitowoc.org

Map Plotted: 05/28/2015

Orthophotography flown: 4/11/2010

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DISCLAIMER: Maps and associated data are believed to be accurate, but are not
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