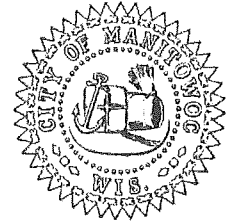




CITY OF MANITOWOC

WISCONSIN, USA
www.manitowoc.org



June 4, 2015

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: PC16-2015: Katelyn Sheck, d/b/a Four Paws Pet Care, Conditional Use Permit for Home Occupation- Expanded use at 2019 S. 9th 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 Katelyn Sheck, as the owner of property at 2019 S. 9th Street. She has filed an application for conducting an expanded home occupation on her 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.

Ms. Sheck's house is located at 2019 S. 9th Street which is at the northeast corner of Dewey and S. 9th Streets. The house is 1,520 s.f. with a detached garage. The lot measures 70' along S. 9th Street and 150' along Dewey. There is one residence directly adjacent to the north and Red Arrow Park is to the east. The rear yard is partially enclosed with a retaining wall and or fence along parts of the south, north and east property lines.

Four Paws Pet Care was established in the fall of 2011 when Ms. 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. Her parents live at 1718 S. 15th Street and have also applied for a home occupation expanded conditional use permit. The business provides general care such as walking, feeding, administering medicines and playing with the pets. Katelyn Sheck also has two of her own dogs.



Historically Ms. Sheck has primarily cared for dogs in her home but she has also watched cats, fish and a pig. She typically cares for a maximum of 3 – 4 customer dogs at a time in addition to her 2 dogs. Her parents watch animals at their location when there is too much demand.

The subject property is zoned R-4 Single and Two Family Residential and the surrounding zoning is either R-3 or R-4 Residential to the north, west and south with P-1 Conservancy to the east.

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. The neighbor directly to north of the property had no concerns with the request but two neighbors located south of Dewey Street voiced their opposition citing concerns with noise and the potential of dogs running loose. The Commission voted 7 -1 recommending that the Council grant a CUP under Sections 15.030 and 15.150(3)(j) of the Manitowoc Municipal Code to Katelyn Sheck d/b/a “Four Paws Pet Care” for conducting her business at 2019 S. 9th Street subject to the compliance conditions attached. One Commissioner voted against the proposal based on the two neighbors who were opposed to the proposal.

Respectfully Submitted,



Paul Braun, City Planner

Attachments

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP) APPROVAL OF
AN EXPANDED HOME OCCUPATION USE
2019 S. 9TH STREET
6/15/2015

Re: PC16-2015

Recommendation:

Grant CUP under Sections 15.030 and 15.150(3)(j) of the Manitowoc Municipal Code ("Code") to Katelyn 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 2019 S. 9th Street identified as Lot 10 and the North 20' of Lot 11 of Schroeder's Subdivision (tax parcel # 640-005-100 & 640-005-111) a/k/a the "CUP Area" (see attached Exhibit "A").

Four Paws is required to comply with the following conditions:

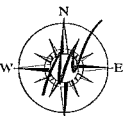
- A. The 2015 CUP shall not become effective and binding until the date the Common Council approves the 2015 CUP as outlined herein.
- B. Operation of the Expanded Home Occupation shall be permitted under this 2015 CUP as long as it is operated in conformance with the requirements and conditions set 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.



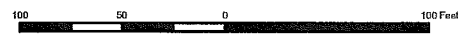
**CUP Area (Exhibit "A")
Home Occupation - Expanded Use**




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

PC16-2015 Shek,
2019 S. 9th St.

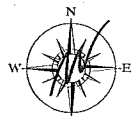
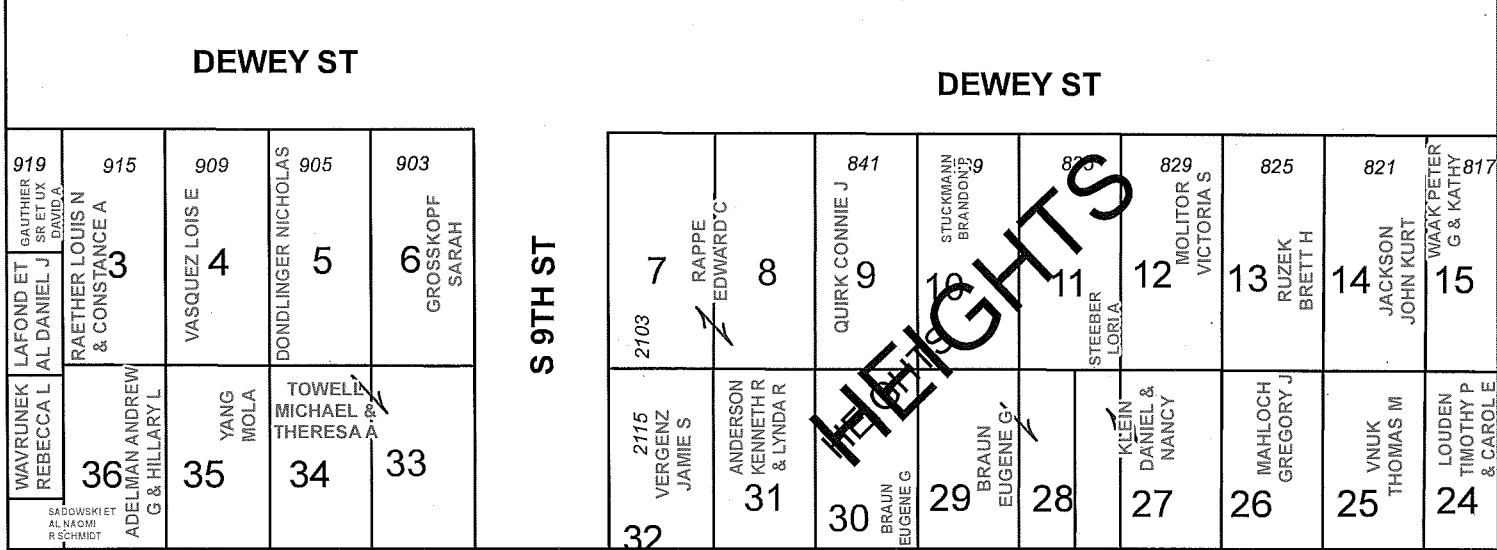
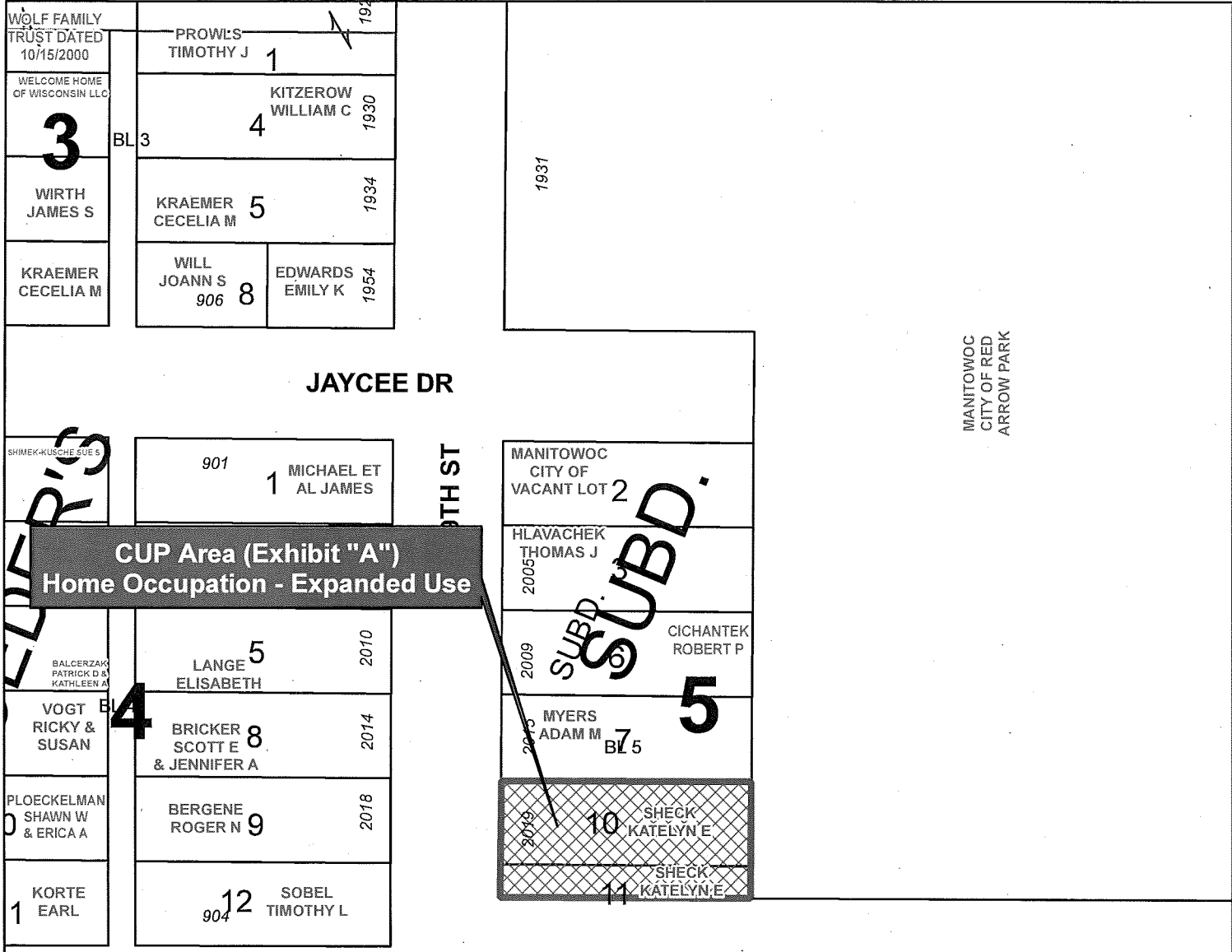
Prepared by City of Manitowoc
Planning Department
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Map Plotted: 05/26/2015
Orthophotography flown: 4/11/2010



Legend

 Area of Request for Conditional Use Permit

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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.




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Request for Conditional Use Permit City of Manitowoc, WI

PC16-2015 Sheck;
 2019 S. 9th St.

Legend

 Area of Request for
 Conditional Use Permit