

Report to the Manitowoc Plan Commission

Meeting Date: May 23, 2018

Report Print Date: May 18, 2018; 2:45 PM

Request: PC 15-2018: Jim Larson Plumbing, LLC: Request for Conditional Use Permit (CUP) for a Permitted Use to Operate a Plumbing Shop which Requires Outside Storage of Merchandise in a B-3 General Business District located at 1010 Hamilton St.

Reason for Request: Jim Larson requires outside storage of merchandise to run his plumbing business on property located in a B-3 General Business District.

Existing Land Use for Subject Property: Currently the property has a single family residential unit and a large two door garage in the back half of the lot.

Existing Zoning for Subject Property: B-3 General Business

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West	Residential	R-7 Central Residence District
North	Parking Lot, vacant buildings, Rosethorn Community Church	B-3 General Business
East	Schindler Roofing, Southside Barbershop, Kwik Trip	C-1 Commercial, B-3 General Business
South	Tijuana Rose, Calvary Chapel, Residential	B-3 General Business

Comprehensive Plan: CUPs do not have to be “consistent” with a communities’ comprehensive plan, although the Future Land Use Map does show the location to be General Business which would make the proposed use consistent.

NOTE: Wisconsin ACT 67 (2017) now requires that a local municipality must hold a public hearing on a conditional use permit application, following a class 2 notice. Conditional Use Permits will now have a public hearing in front of the Common Council similar to a change in the zoning map or zoning text.

Report: The applicant, Jim Larson, submitted a request for a zoning change on a property he is planning to purchase located at 1010 Hamilton Street. Mr. Larson is considering renting out the residence on the front half of the property and using the large two door garage on the back half of the property to operate his plumbing shop. Once staff received the application for a Rezone from B-3 General Business to C-1 Commercial it was determined that the intended use of the property as a plumbing shop was allowed in a B-3 District, however a CUP is required to permit

outside storage of merchandise related to the permitted use. Mr. Larson relayed that he would be temporarily storing junk water heaters as well as cast iron and galvanized piping until it is ready to be recycled, which typically happens once a month.

Site Assessment The area surrounding the site is conducive to the proposed use, however there is a residence located directly west of the garage that would become Mr. Larson's place of business. Mr. Larson has agreed to keep the area fully enclosed by privacy fencing on the north side of the garage and he intends to install a lockable privacy gate on the west side effectively blocking his neighbors view of the property.

Compliance Analysis Under a Conditional Use Permit pursuant to Section 15.370(27), the Commission and Council must determine if the proposed use:

- A. Is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will have a minimal effect or no effect on the surrounding property values.

Communications with Mr. Larson and a staff visit to the site have found that the applicant's proposed use of the site complies with the requirements stated above.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will remain in conformity with the criteria under subsection (27)c as well as compliance with regulations of the particular zoning district which the conditional use would be located.

Public Comments At the time this document was written, no comments from the public have been made.

Recommendation: The Community Development Department recommends approval of the request for outside storage of merchandise for a permitted use, pursuant to the following conditions.

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP)
TO JIM LARSON, d.b.a. JIM LARSON PLUMBING, LLC; 2508 WOLLMER STREET
5/23/2018

RE: PC 15-2018: Grant exclusively to Jim Larson, d.b.a. Lim Larson Plumbing, LLC a CUP under Section 15.270(3)f of the Manitowoc Municipal Code for outside storage of merchandise pertaining to a permitted use in the "B-3" General Business Zoning District at 1010 Hamilton Street, Manitowoc, WI. The parcel number for the subject area is 052-000-287-180.00 Mr. Larson is required to comply with the following conditions:

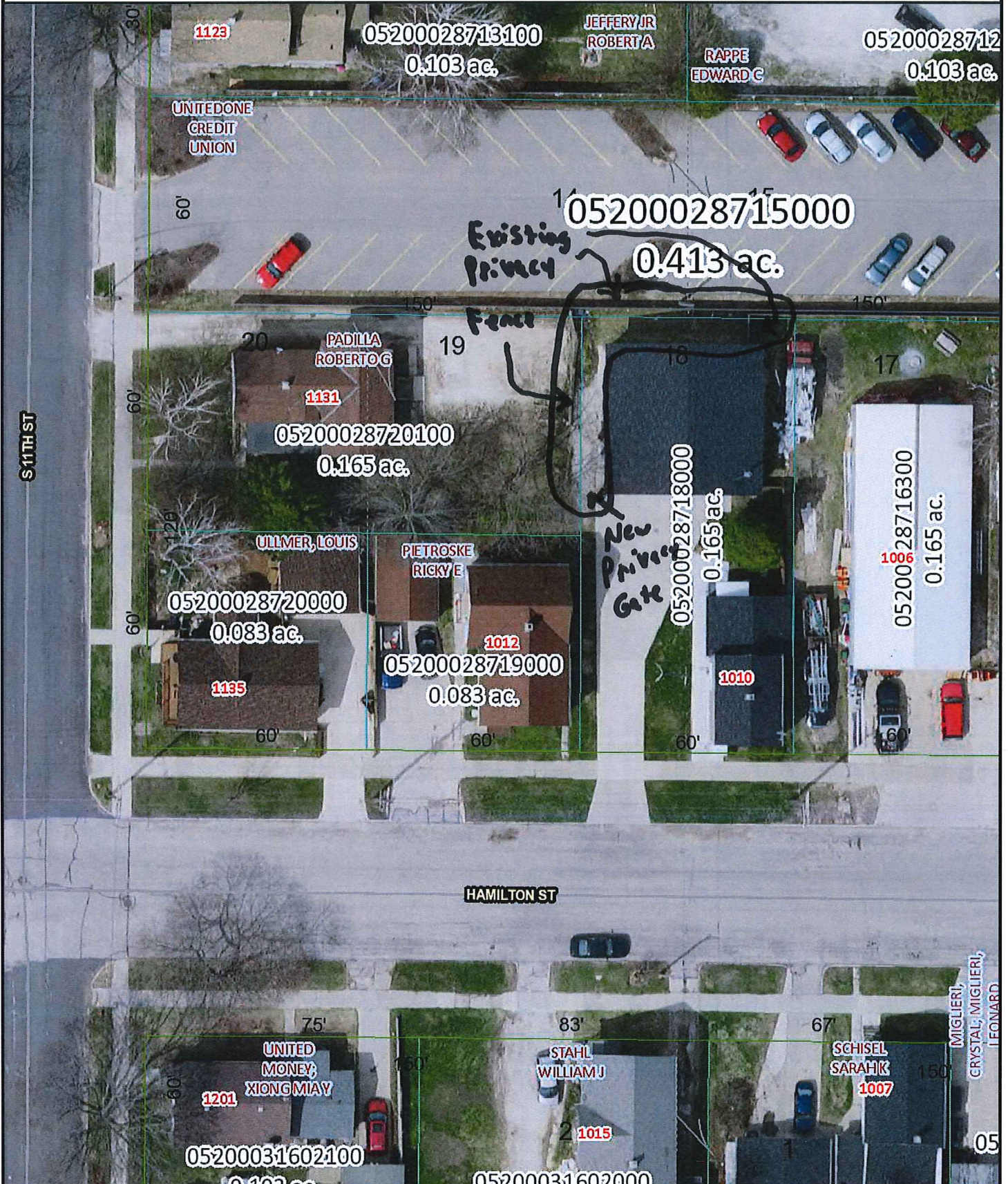
1. This CUP does not waive or pre-empt any requirements under any building, zoning, or health codes or any other requirements of any municipal, state or federal regulation, statute or law.
2. The CUP is granted exclusively to Jim Larson, d.b.a. Jim Larson Plumbing, LLC; and is not assignable to any other person or entity unless authorized by the City Plan Commission and Common Council.
3. Non-compliance with the terms of the 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 CUP.
4. All storage of outside merchandise must be contained in the rear half (60 feet) of the parcel and must be screened from view.
5. Maintain a fence on the north and west side of the property in the area where merchandise is going to be stored.

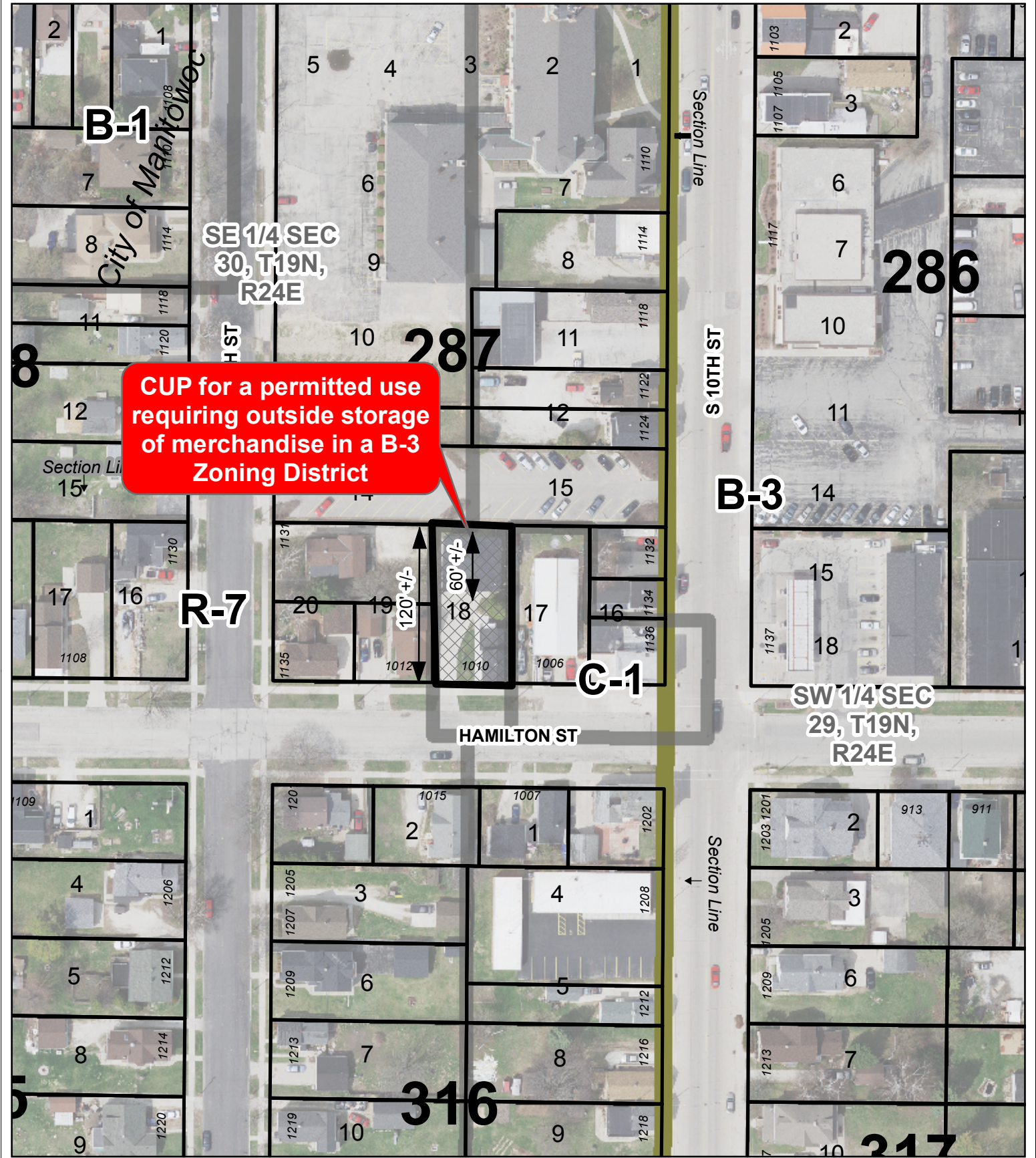
To whom it may concern:

I wish to apply for a conditional use permit for the property at 1010 Hamilton Street. I would like to be able to store up junk water heaters and cast iron and galvanized piping until I am able to fill my utility trailer to recycle them. the area I wish to use is currently fully enclosed by privacy fencing on the north side of the garage. I also intend to install a lockable privacy gate on the front of the west side of the garage to park my utility trailer and to keep people out of the area. Nothing would be easily seen by any neighbor or any local traffic and nothing will accumulate for more than a month or so. The area will be kept as neat as possible. Please contact me with any questions or concerns you may have in this matter. Thank you for your consideration.

James R Larson
Jim Larson Plumbing LLC
2508 Wollmer Street
Manitowoc, WI 54220

(920) 860-1619
blyzzy@ameritech.net





CUP for a permitted use requiring outside storage of merchandise in a B-3 Zoning District

CONDITIONAL USE PERMIT

City of Manitowoc, WI

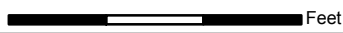


Prepared by City of Manitowoc
 Planning Department
 www.manitowoc.org
 Map Plotted: 05/16/2018
 Y:\Planning\PC Plan Commission\Actions 2018\PC 15-2018 Larson Plumbing CUP

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.

Area of Conditional Use Permit for Outside Storage

PC15-2018 Larson Plumbing CUP
 Hamilton and 10th Street





05.17.2018 12:31