

## Report to the Manitowoc Plan Commission

**Meeting Date:** January 22, 2025

**Request:** PC 20-2024: Whispering Meadows MHC LLC; Request to Amend a Conditional Use Permit for the expansion of an existing Manufactured Home Park.

**Existing Land Use for Subject Property:** Vacant / Undeveloped

**Existing Zoning for Subject Property:** R-4 Single and Two Family Residential

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North, East	Residential	R-4 Single and Two Family Residential
West, South	Residential, undeveloped	R-6 Multiple Family Residential

**Report:** This request from Whispering Meadows MHC LLC is related to the prior Plan Commission item regarding the rezoning. Whispering Meadows is requesting an amendment to an existing Conditional Use Permit that was issued to them in 2022. The amendment would add an area 0.74 acres to the existing CUP from 2022. No conditions would change.

The subject area would become part of the Whispering Meadows manufactured house development. Manufactured housing developments are only permitted in the R-6 Multiple Family Residential district after issuance of a conditional use permit.

Conditional Use Permits are controlled by section 15.370(27) of the municipal code.

In acting upon any application for a conditional use, the Plan Commission and Council shall consider whether the requested use: (1) is reasonably necessary for the convenience and welfare of the public; (2) is in harmony with the character of the surrounding area; and (3) will have a minimal or no effect on surrounding property values.

### Municipal Code:

Pursuant to Section 15.370(27)(c) of the Municipal Code, “the Plan Commission and Council shall consider whether the requested 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.

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.”

**State Statute:**

“ §62.23(7)(de) Conditional use permits.

1. In this paragraph:

a. “Conditional use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

b. “Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

4. Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

5. If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.”

Public Comments: Notices were mailed out to property owners adjoining and abutting the property and at the time of this writing no comments were received.

Timeline

- Application Received: September 25, 2024
- Notifications Sent: October 16, 2024
- Plan Commission Public Informational Hearing: October 23, 2024
- Common Council Public Hearing scheduled for: November 18, 2024

**Recommendation:** Approve Whispering Meadows MHC LLC's request for a boundary amendment of a Conditional Use Permit that was issued in 2022.



## LAND USE APPLICATION

APPLICANT Eric Flood and Russell Gilson PHONE 920-960-4330

MAILING ADDRESS N7559 N. Pioneer RD, Fond Du Lac, WI 54937 EMAIL eflood@floodhomesinc.com

PROPERTY OWNER LCR Development LLC PHONE \_\_\_\_\_

MAILING ADDRESS 2435 W. Prospect Ave, Appleton WI 54914 EMAIL russ.gilson@yahoo.com

REQUEST FOR:

☒ Conditional Use Permit (CUP) \$350\*

☒ Zoning District Change/Map Amendment \$350\*

\_\_\_\_ Site Plan Review \$350

\_\_\_\_ Request for Annexation \$350\*

\_\_\_\_ Certified Survey Map (CSM) \$100

\_\_\_\_ Planned Unit Development (PUD) \$350\*

\_\_\_\_ Official Map Review \$350\*

\_\_\_\_ Street/Alley Vacation \$350\*

*\*Publication of legal notice fees additional.*

STATUS OF APPLICANT: ☒ Owner ☐ Agent ☐ Other

PROJECT LOCATION ADDRESS N/A

PARCEL ID# 052-80110206100 CURRENT ZONING R6

CURRENT USE OF PROPERTY Vacant Land

PROPOSED USE OF PROPERTY Multiple Manufactured Homes

**REQUIRED: Attach a detailed written description of your proposal or request.**

*Include as much information as possible including planned use, maps, project renderings or drawings, etc.*

*The undersigned hereby represents and warrants that it has the authority to enter into this Contract. If the party entering into this Contract is not an individual, the person(s) signing on behalf of the entity represents and warrants that they have been duly authorized to bind the entity and sign this Contract on the entity's behalf.*

Signature  Date 11/8/2024  
Russ Gilson (Nov 12, 2024 16:16 EST)  
(Property Owner)

Print Name Russell Gilson

**For Office Use Only**

Date Received: \_\_\_\_\_

PC/SP #: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Check#: \_\_\_\_\_

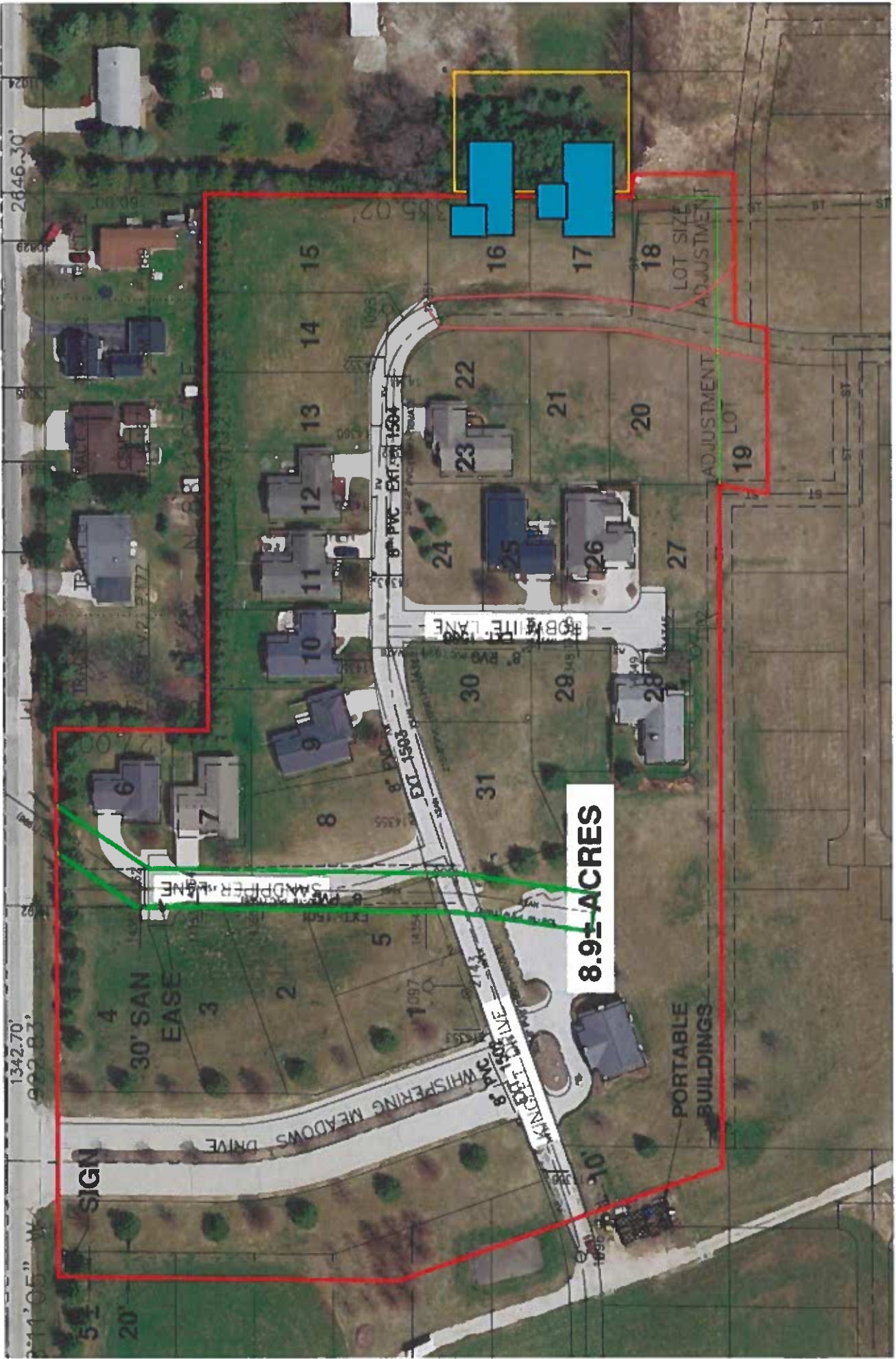
Plan Commission Date: \_\_\_\_\_

**The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.**

**Deadline for submission is the Friday two weeks prior to the meeting.**

Please contact the Community Development Department at 920-686-6930 if you have any questions.







SW 1/4  
Sec 36  
T19N, R23E

R-4

I-1

SE 1/4  
Sec 36  
T19N, R23E

I-2

Area to be Added to  
4/18/2022 Conditional Use Permit

VIEBAHN ST.

Township Line

R-4

R-4

Existing Conditional Use  
Permit Area - PC 13-2022

City Limits

S. 35TH ST.

R-6

Existing Conditional Use  
Permit Area - PC 33-1996

NW 1/4  
Sec 1  
T18N, R23E

Town of  
Newton

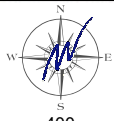
1/4 Section Line

ORCHARD LN.

NE 1/4  
Sec 1  
T18N, R23E

City Limits

I-2



0 400 800 Feet

## CONDITIONAL USE PERMIT

City of Manitowoc, WI



Conditional Use Permit Area  
to be Assigned

Existing Conditional Use Permit  
Areas - PC 33-1996 & PC 13-2022

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.

Prepared by City of Manitowoc  
Community Development Department  
www.manitowoc.org

Map Plotted: 1/8/2025  
O:\Committees\PC Plan Commission\PC\_CUP\2024\PC 20-2024 Whispering Meadows Viebahn Street\Maps\PC 20-2024 CUP Zoning.mxd

PC 20-2022  
Viebahn St.

Manitowoc City Plan Commission

REQUIREMENTS FOR  
CONDITIONAL USE PERMIT (CUP) APPROVAL FOR  
WHISPERING MEADOWS MHC, LLC  
LOCATED AT 3307 KINGLET DRIVE  
TAX PARCEL # 801-102-040 & 801-102-061  
2/17/2025

NOTE: THIS CONDITIONAL USE PERMIT REPLACES A 1996 PERMIT ISSUED TO LCR DEVELOPMENT LLC (SEE PC 33-1996). THIS PERMIT COVERS AN 8.92 ACRE PARCEL – TAX ID # 801-102-040 AND A 0.74 ACRE PARCEL TAX ID # 801-102-061 WHICH ARE OWNED BY WHISPERING MEADOWS MHC, LLC. THE 1996 CUP ISSUED TO LCR DEVELOPMENT LLC FOR THE REMAINDER OF THEIR PROPERTY IS STILL VALID AND UNAFFECTED BY THIS PERMIT.

- A. Grant the CUP to Whispering Meadows MHC, LLC for an 8.92 acre area and a 0.74 acre area located south of Viebahn Street.
- B. The CUP shall not be assignable or transferrable without the written approval of the City Plan Commission and Common Council.
- C. The CUP shall require compliance with all applicable local, state and federal regulations.
- D. 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.
- E. Whispering Meadows MHC, LLC shall follow section 15.510(5) of the Municipal Code which requires an up to date site plan of the park.