CITY OF WISCONSIN DELLS MEETING AGENDA
Meeting Description: CITY PLAN COMMISSION
Date: MONDAY, AUGUST 13, 2018  Time: 6:00PM  Location: MUNICIPAL BUILDING
300 LA CROSSE STREET, WISCONSIN DELLS,

<table>
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<tr>
<th>Committee Members</th>
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<tr>
<td>Mayor Ed Wojnicz-Chair</td>
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<tr>
<td>Alder. Mike Freel</td>
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<td>Fire Chief Pat Gavinski</td>
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<td>Chris Lechnir</td>
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<tr>
<td>Dan Anchor</td>
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<td>Lisa Delmore</td>
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<td>Phil Helley</td>
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AGENDA ITEMS:
1. CALL MEETING TO ORDER AND ATTENDANCE
2. APPROVAL OF THE MINUTES FROM THE JULY 9, 2018 MEETING
3. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FROM LILY C DEWITT – ABFALL FOR A HOME OCCUPATION AT 813 RACE ST., COLUMBIA CO, CITY OF WIS. DELLS PARCEL 11291-995. THE PROPERTY IS ZONED C-1 COMMERCIAL-NEIGHBORHOOD.
4. DISCUSSION/DECISION ON ITEM #3
5. ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETINGS
6. CONFIRM DATE FOR THE NEXT PLAN COMMISSION MEETING (SEPTEMBER 10, 2018 @ 6PM)
7. ADJOURNMENT

Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.

MAYOR ED WOJNICZ CHAIRPERSON  DISTRIBUTED AUGUST 10, 2018
The City has received an application from Lily C DeWitt – Abfall to operate a Home Occupation inside her residence at 813 Race St. The applicant intends to perform seamstress work from her home. The applicant has stated that there will be no merchandise display, no retail activities at her home. The applicant has stated that sales will be over the phone or through a web-site. The applicant has stated that client consultations will be at the client’s home. Clients will only drop-off and pick up items from the home at 813 Race St. The applicant has stated that clients will not enter the home, and a small drop box will be located outside the home. A picture of the drop-box has been provided with the application. The applicant as stated that the seamstress work will occur in a single 280 sq ft room within the 2400 sq ft house, with means the use will occupy approximately 11% of the total floor area.

“Home Occupation” is defined in the City of Wisconsin Dells Zoning Code, and requires a Conditional Use Permit in Residential Zoning Districts. The subject property is zoned C-1 Commercial-neighborhood, which allows both residential and commercial uses. As the primary use of the subject property is a single-family residence, this seamstress business is classified as a “Home Occupation”. It is noted that due to the Commercial Zoning of this property, this business would be allowed as a Primary Use of the property.

The City of Wisconsin Dells Zoning Code defines a Home Occupation as:

**Home occupation** Any occupation, profession, enterprise, or similar activity conducted on the premises of a single-family residence as an accessory use and that is compatible in size and scope in an urban residential setting. The term does not include hobbies or similar non-commercial activities or any activity that meets the definition of an industrial use.

The City of Wisconsin Dells Zoning Code applies the following Standards to a Home Occupation:

19.810 Home occupation
(1) **Validity of use.** The individual primarily responsible for operation of the home occupation shall reside in a dwelling unit on the parcel.
(2) **Location and space limitation.** The home occupation shall occur entirely within the dwelling unit and space specifically designated for use of the home occupation shall occupy no more than 30 percent of the total floor area.
(3) **Exterior character of the dwelling unit.** The exterior character of the dwelling unit shall not be substantially altered to accommodate the home occupation.
(4) **Storage of materials.** Exterior storage of materials or equipment is prohibited.
(5) **Signs.** No exterior display shall be permitted except that one non-illuminated nameplate or home occupation sign shall be allowed. The sign shall be limited to 144 square inches (one square foot) in area. Such sign or nameplate shall be placed flat against the dwelling unit.
(6) **Retail sales.** The indoor display or retail sales of those products produced on the premises are permitted. All other on-site sales are prohibited.
(7) **Limitations on business vehicles.** No vehicle used for the home occupation shall exceed a one ton rate capacity. No more than one such vehicle shall be parked on the premise or on a public street.
(8) **Prohibited uses.** The following uses do not qualify as a home occupation: veterinary services, medical offices, animal boarding or grooming, barber, hair care, restaurant, vehicle repair, or any other similar activity.

(9) **Local licensing.** Prior to establishment of this use and every year thereafter, the operator shall obtain a license from the city consistent with chapter 16 of the municipal code.

The City of Wisconsin Dells Zoning Code requires a Home Occupation have: 1 space for a company vehicle; plus 1 space when sufficient on-street parking is not available. Review of the 800 block of Race St. indicates that sufficient on-street parking is available.

Review of the American Planning Association guidance on the Zoning of Home Occupations finds three (3) Basis for Regulation of Home occupations, that are: The use must be 1) customary, 2) incidental, and 3) not be a business. Dressmaking, sewing, and seamstresses were by all accounts considered customary home occupations. The State of Wisconsin Building Code has defined home occupations as incidental if they “occupy less than 25% of the floor area of the dwelling unit”. Businesses are considered undesirable due to their commonly higher degree of: vehicular and pedestrian traffic, noise, dirt, smoke, and odor.

Many of the APA guidelines appear to be addressed in the City of Wisconsin Dells Zoning Standards in the form of: Prohibited uses (not customary), Location and space limitations (defining incidental), and Exterior character, storage of materials, signs, and limitations on business vehicles (to minimize undesirable business characteristics.

The City has also utilized a “rule of thumb” that a home occupation should not allow more than five (5) customers in the home at any one time.

In general, the main concern with a home occupation is that it does not create a nuisance or cause blight to the existing neighborhood.

Approval of this permit should come with the following conditions:
1. The operator follows the zoning code Standards for a Home Occupation.
2. The operator adequately maintains the home and premise.
3. The applicant cooperates with the City to address any nuisances that may arise as a result of the Home Occupation.

Prepared by: Chris Tollaksen
General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don’t hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

1. Applicant information

Applicant name
Lily C DeWitt - Abfall

Street address
813 Race Street

City
Wisconsin Dells

State and zip code
Wisconsin 53965

Daytime telephone number
608-220-4538

Fax number, if any

E-mail, if any
LilyDeWitt@live.com

2. Subject property information

<table>
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<tr>
<th>Street address</th>
<th>813 Race Street</th>
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<tr>
<td>Parcel number</td>
<td>Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.</td>
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<tr>
<td>Current zoning classification(s)</td>
<td>Single family home</td>
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3. Proposed use. Describe the proposed use.

New seamstress Opening - Valaundra Cosplay Consultant and Alterations:
Whatever the occasion may be alterations and Custom garment making. Whether it is strong and confident, feminine and romantic, sexy and alluring, or all of the above. The interview time with the client is one of my favorite parts of the custom clothing making process — it is crucial to creating the unique garment a client envisions for a convention, burlesque event, or anything in-between.
A drop box will be available for customers who have already paid to drop off articles for alterations or repairs.
Contact Valaundra at (608) 432 – 9160, or Email ValaundraCosplay@hotmail.com
"Leave all the work and worries to me."
"Helping make cosplay dreams Reality." Everything from; armor, props, costumes, quilts, alterations, crafts, and so much more.

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

There will be no in house sales! Most of the sales can be done through phone or website Valaundra.com, and consultations will be at the clients home. I will be doing the alterations at this location but sales will not be done in person at my home.
Hours of operation are Monday Wednesday Thursday Friday 9:00am - 5:00pm And Tuesdays 11:00am -5:00pm.
5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

There is on street parking for those using the drop off box for already paid articles.

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

   a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

      I will keep consistent with the city's and neighborhoods issues

   b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

      N/A There is should be no change to traffic or pedestrian circulation on and off site

   c. The suitability of the subject property for the proposed use

      A seamstress is needed in the local Dells area. Fresh fashion perspective With cosplay Twis

   d. Effects of the proposed use on the natural environment

      N/A There will be no change to natural environment on and off site

   e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

      N/A There should be little nuisance to the surrounding properties. Only the sewing will be done in home not sales

   f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

      N/A

   g. Effects of the proposed use on the city's financial ability to provide public services

      N/A
7. Project map. Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

8. Applicant certification

- I certify that the application is true as of the date it was submitted to the City for review.
- I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

07-08-2018

Applicant Signature  Date

Governing Regulations  The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.
By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.
To guarantee reimbursement, the applicant shall submit one of the following along with this application:
1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.
If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

07-08-2018

Applicant Signature  Date
## Project Map Checklist

### Project Information
- **Project name (e.g., business name, subdivision name)**
- **Applicant name**
- **Preparation date**

### Survey Information
- **North arrow and graphic scale**
- **Address of subject parcel or legal description**
- **Property boundaries**
- **Acreage of subject parcel**

### Project Development Information
- **Easements/rights-of-ways (location, width, purpose, ownership)**
- **Common areas/conservancy areas (location, purpose, ownership)**
- **Setting**
  - Property boundaries within 50’ of the subject parcel
  - Land uses within 50’ of the subject parcel
  - Zoning district boundaries within 50’ of the subject parcel
  - Municipal boundaries within 50’ of the subject parcel

### Site Features (Existing and Proposed)
- **Wetlands**
- **Woodlands**
- **Wildlife habitat, including critical wildlife habitat**
- **Environmentally sensitive features**
- **Water resources (rivers, ponds, etc.)**
- **Floodplain boundaries**
- **Environmental and man-made hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, high-pressure natural gas lines, and others as appropriate**
- **Fences, buffers, and berms**
- **Existing trees and other prominent vegetation**

### Transportation Facilities (Existing and Proposed)
- **Streets**
- **Driveways and road access onto public and private roads**
- **Sidewalks / trails**

### Buildings / Structures (footprint, use, etc.)
- **Existing and proposed within subject parcel**
- **Existing within 50’ of subject parcel**