

CITY OF PRESCOTT, WISCONSIN

MEETING NOTICE

ZONING BOARD OF APPEALS

WEDNESDAY, MAY 12, 2021

6:00 PM

City Municipal Building

800 Borner Street

1. Call to order
2. Roll Call
3. Public Hearing – Conditional Use Permit application for retail sales of Old Hickory Buildings (portable storage sheds) for Herman and Andrea Fasbender, 1110 Hampshire St.
4. Close public hearing
5. Approve/Deny Conditional Use Permit application for retail sales of Old Hickory Buildings (portable storage sheds) for Herman and Andrea Fasbender, 1110 Hampshire St.
6. Other Business
8. Adjourn

NOTICE

ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS AVAILABLE THROUGH THE MUNICIPAL BUILDING PARKING LOT ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY HALL OFFICES (262-5544) IF ASSISTANCE IS REQUIRED.



**PUBLIC HEARING NOTICE
PRESCOTT ZONING BOARD OF APPEALS
CONDITIONAL USE PERMIT**

Public notice is hereby given to all persons in the City of Prescott, Pierce County, Wisconsin that a public hearing will be held on Wednesday, May 12, 2021 at 6:00 p.m. at the Municipal Building, 800 Borner Street North. The hearing is on the following conditional use permit application for:

Herman and Andrea Fasbender
13150 Maycrest Ave Ct S
Hastings, MN 55033

The conditional use permit is for retail sales of Old Hickory Buildings (portable storage sheds) for property located 1110 Hampshire in the City of Prescott. The property is a single family resident.

All persons having an interest are invited to attend the hearing and be heard or submit written comment to City Hall prior to the hearing.

Jayne M. Brand
City Administrator

Published: April 29, 2021



CONDITIONAL USE APPLICATION

Instructions:

- 1. Submit a plot plan, show property dimensions and existing structures and their uses.
2. Submit application fee.

Owner's Name Herman and Andrea Fastbender

Address 13150 Maycrest Ave. Ct. 50.

City Hastings State MN Zip Code 55033

Telephone # 651-492-1147

Site Address 1110 Hampshire St., Prescott, WI

Conditional Use Request - Describe Request

Retail sales of Old Hickory Buildings (portable storage sheds)
There will be no signage. Vehicles on site would not exceed 5 and the majority of the time would be 1.

The applicant agrees to comply with the following:

- 1. All Municipal Codes of the City
2. All conditions of the permit

The applicant also understands that the issuance of the conditional use permit creates no legal liability, expressed or implied, on the Municipality and certifies that all the above information is accurate.

Applicant's Signature [Signature] Date 4-12-2021
City Use Only:

Date Filed _____ Mailing Date _____
Fee Paid _____ Publish Date _____
Receipt # _____ Zoning Dist. _____
Hearing Date _____ Date Approved _____

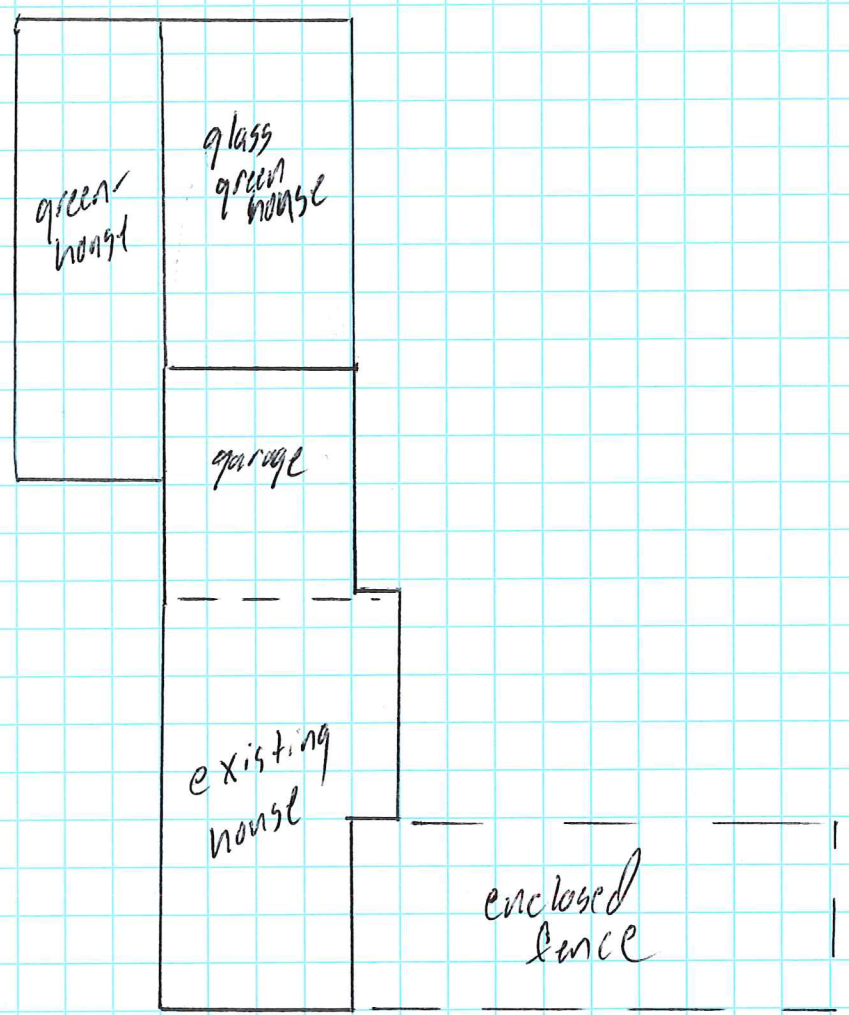
Application # _____

curb cut out

Area of use

Hampshire

200'



150'

City of Prescott, WI
Thursday, April 15, 2021

Chapter 635. Zoning

Article IV. Conditional and Special Uses

§ 635-40. Standards for conditional uses.

- A. No application for a conditional use shall be approved by the Zoning Board of Appeals unless the following conditions are present:
- (1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - (2) The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
 - (3) The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - (4) Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
 - (5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - (6) The conditional use shall conform to all applicable regulations of the district in which it is located.
 - (7) The proposed use does not violate floodplain regulations governing the site.
- B. When applying the above standards to any new construction of a building or an addition to an existing building, the Zoning Board of Appeals shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objectives of the zoning district and the City's Comprehensive Master Plan.
- C. In addition to passing upon a conditional use permit, the Zoning Board of Appeals shall also evaluate the effect of the proposed use upon:
- (1) The maintenance of safe and healthful conditions.
 - (2) The prevention and control of water pollution including sedimentation.
 - (3) Existing topographic and drainage features and vegetative cover on the site.
 - (4) The location of the site with respect to floodplains and floodways of rivers and streams.
 - (5) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.

Chapter 635. Zoning

Article IV. Conditional and Special Uses

§ 635-43. Conditions and guarantees.

The following provisions shall apply to all conditional uses:

- A. Conditions. Prior to the granting of any conditional use, the Zoning Board of Appeals may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified in § 635-40 above. In all cases in which conditional uses are granted, the Zoning Board of Appeals shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. Such conditions may include specifications for, without limitation because of specific enumeration:
- (1) Landscaping;
 - (2) Type of construction;
 - (3) Construction commencement and completion dates;
 - (4) Sureties;
 - (5) Lighting;
 - (6) Fencing;
 - (7) Operational control;
 - (8) Hours of operation;
 - (9) Traffic circulation;
 - (10) Deed restrictions;
 - (11) Access restrictions;
 - (12) Setbacks and yards;
 - (13) Type of shore cover;

(14) Specified sewage disposal and water supply systems;

(15) Planting screens;

(16) Piers and docks;

(17) Increased parking; or

(18) Any other requirements necessary to fulfill the purpose and intent of this chapter.

- B. Site review. In reviewing each application, the Zoning Board of Appeals shall evaluate each application and may request assistance from any source which can provide technical assistance. The Zoning Board of Appeals may review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, stormwater detention, highway access, traffic generation and circulation, drainage, sewerage and water systems and the proposed operation/use.
- C. Signage; evidence of use. One sign having an area of not more than four square feet shall be permitted.
- D. Extent of use. At no time shall the proposed conditional use utilize more than 35% of the gross floor area of the conforming use.
- E. Alteration of conditional use. No alteration of a conditional use shall be permitted unless approved by the Zoning Board of Appeals.
- F. Architectural treatment. Proposed architectural treatment will be in general harmony with surrounding uses and the landscape. To this end, the Zoning Board of Appeals may require the use of certain general types of exterior construction materials and/or architectural treatment.
- G. Sloped sites; unsuitable soils. Where slopes exceed 6% and/or where a use is proposed to be located on areas indicated as having soils which are unsuitable or marginal for development, on-site soil tests and/or construction plans shall be provided which clearly indicate that the soil conditions are adequate to accommodate the development contemplated and/or that any inherent soil condition or slope problems will be overcome by special construction techniques. Such special construction might include, among other techniques, terracing, retaining walls, oversized foundations and footings, drain tile, etc.
- H. Conditional uses to comply with other requirements. Conditional uses shall comply with all other provisions of this chapter such as lot width and area, yards, height, parking and loading. No conditional use permit shall be granted where the proposed use is deemed to be inconsistent or conflicting with neighboring uses for reasons of smoke, dust, odors, noise, vibration, lighting, health hazards or possibility of accident.