

**CITY OF PRESCOTT, WISCONSIN
MEETING NOTICE
ZONING BOARD OF APPEALS
THURSDAY, AUGUST 10, 2023
6:00 P.M.
PRESCOTT MUNICIPAL BUILDING
800 BORNER ST., PRESCOTT, WI 54021**

- 1) Call to order
- 2) Roll Call
- 3) Public Hearings
 - a) Conditional Use Permit Request for a Home Occupation at 201 N Vine Street, Prescott, WI 54021 per City Code 635-48.
- 4) Other Business
- 5) Adjourn

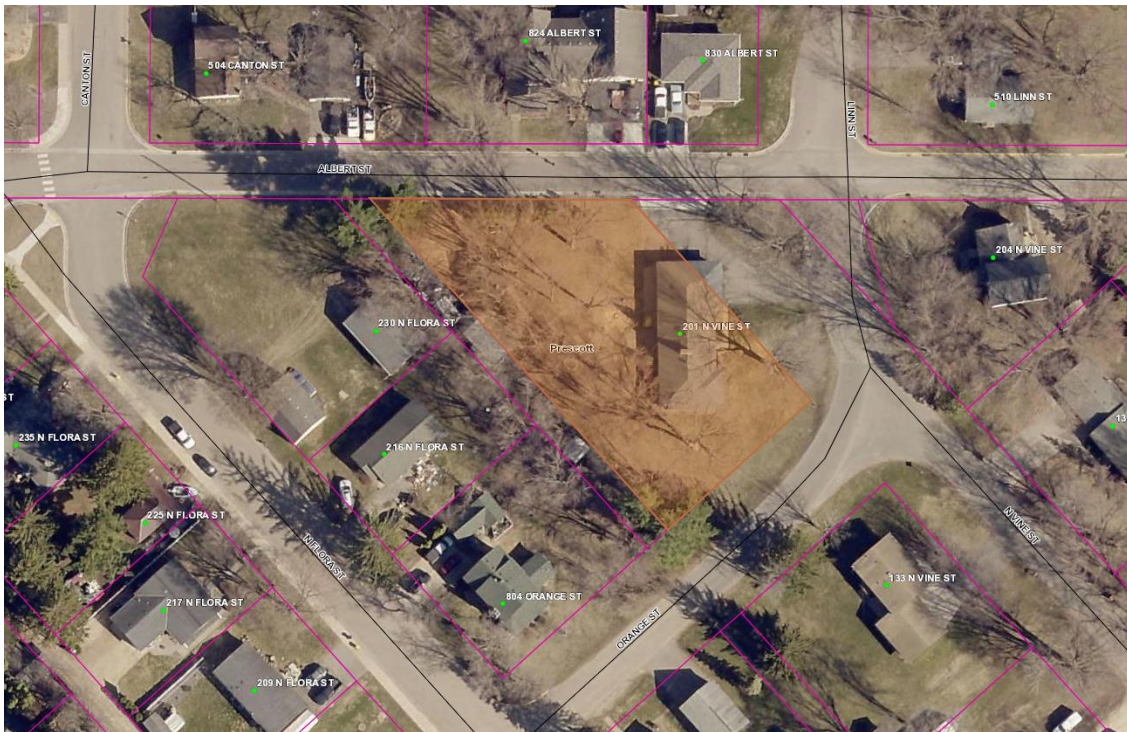
ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS AVAILABLE THROUGH THE REAR PARKING LOT ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY HALL OFFICES (262-5544) IF ASSISTANCE IS REQUIRED.



To: Zoning Board of Appeals
From: Carter Hayes, City Planner
Date: July 14th, 2023
Subject: Public Hearing – Conditional Use Permit Request for 201 North Vine Street, per City Code 635-48 Home Occupations.

Background

The property at 201 North Vine Street is currently owned by Emily and Carl Calabrese. The property sits on 0.56 acres of land. This property is currently zoned Mixed Residential (R-1) and the property owners have requested a Conditional Use Permit for a home occupation, specifically chiropractic work. Per City Code 635-34 C. home occupations that require a federal license may be allowed by the Zoning Board of Appeals as a conditional use. A public notice was sent out to all property owners within 250' of the boundaries of the property per City Code 635-39 and run in the City official newspaper as a Class 1 Public Notice.



Discussion

The applicant has submitted proposed plans for the requested home occupation. Per City Code 635-48 C., home occupations that require a federal license are allowed as long as a conditional use permit is approved by the Zoning Board of Appeals. City staff has found that the proposed home occupation meets all standards listed in 635-48 C. besides being a holder

of a federal license for chiropractic work and requires Zoning Board of Appeals review for approval as a conditional use.

The proposed parking area for business purposes requires vehicles to back into the public street when leaving, and thus the area shall be designed for no more than two parking spaces, each no less than 180 square feet in area.

Requirements under 635-48 C. Home Occupations are listed below.

1. The home occupation shall be conducted only within the enclosed area of the dwelling unit or an attached garage.
2. There shall be no exterior alterations which change the character thereof as a dwelling and/or exterior evidence of the home occupation other than those signs permitted in the district.
3. No storage or display of materials, goods, supplies or equipment related to the operation of the home occupation shall be visible outside any structures located on the premises.
4. No home occupation use shall create smoke, odor, glare, noise, dust, vibration, fire hazard, small electrical interference or any other nuisance not normally associated with the average residential use in the district.
5. Only one sign may be used to indicate the type of occupation or business. Such sign shall not be illuminated and shall not exceed two square feet. Refer to § 635-63A(1).
6. No business which generates excessive parking load (defined as parking which regularly exceeds the parking available in the normal driveway, including vehicles owned by residents of the property), nor traffic in excess of or beyond the amount generally associated with residential uses, shall be permitted.
7. A permitted home occupation shall not occupy more than 25% of the gross combined floor area of the dwelling.
8. Persons employed by a permitted home occupation shall be limited to those persons residing on the premises.
9. Mechanical repair for hire (including automobile or boat repair, small engine repair, and body shop work), barbershops, beauty shops, recreation establishments of any kind, snow removal, businesses which store heavy equipment on the premises, dog grooming, massage parlors, tattoo parlors, restaurants, or if a federal license is required such as veterinarians, doctors, chiropractors, counselors, and psychologists, or similar uses shall not be permitted as a home occupation. (This list is to be considered to provide examples but is not considered all inclusive.) (Such uses may, upon approval by the Zoning Board of Appeals, be allowed under a conditional use permit.)
10. Home occupation permits are not transferable in terms of location or ownership.
11. Products, materials, and goods shall be kept completely enclosed within a building in a lawful manner where they are not visible from the street or other public or private property. The area in which products, materials and goods are kept shall be considered to be part of the 25% of the gross combined floor area permitted for a home occupation.
12. Home occupations must meet all fire codes and no home occupation shall refuse to allow inspection by the fire department, zoning officials or police.
13. A home occupation shall not be detrimental to the health, safety, welfare, peace and quiet or enjoyment of the surrounding property or neighborhood.
14. Home occupations may operate only during the hours between 8:00 a.m. and 8:00 p.m.
15. Not-for-profit organizations such as churches, food shelves, community-based residential facilities and other tax-exempt organizations shall be registered.
16. In-home day care for children and adults shall be registered.
17. Refer to fee schedule for fees.

Decision Criteria

For the Board of Appeals to grant a Conditional Use Permit, it must review the proposal upon the following:

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.

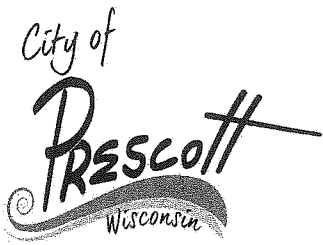
Recommendation

Staff recommends approval of the requested Conditional Use Permit with the following conditions:

1. Any omissions of any conditions not listed shall not release the property owner/developer from abiding by all City Ordinances.
2. The applicant must comply with all home occupation requirements under 635-48 C.
3. All signage must comply with both 635-48 C. and Article VII Signs, Canopies, Awnings and Billboards.
4. Parking for business purposes in the designated business parking area must be designed to the standards listed in 635-56 Parking Requirements, which is 2 spaces each no less than 180 square feet in area.

Attachments

1. Conditional Use Application & Materials
2. Submitted Site Plan
3. Public Hearing Notice



City of Prescott
 Telephone: 715-262-5544
 Website: www.prescottwi.org
 E-Mail: planning@prescottwi.org

PLANNING APPLICATION

Applicant Carl Calabrese	Contact Name (if different)
Mailing Address 201 Vine Street North, Prescott, WI 54021	E-Mail Address onlifeprescott@gmail.com
Preferred Telephone Number 715-262-2086	Fax 715-262-2087

Property Owner Emily and Carl Calabrese	Contact Name (if different)
Mailing Address 201 Vine Street North, Prescott, WI 54021	E-Mail Address onlifeprescott@gmail.com
Preferred Telephone Number 507-696-7939	Fax 715-262-2087

Property Address/Location 201 Vine Street North, Prescott, WI 54021	Property Identification Number
Legal Description Single Family Residential Home	

Type of Application: (check all that apply to your proposal)				
Site Plan Review	\$300 + Developer's Deposit	<input type="checkbox"/>	Conditional/Special Use Permit	\$500 <input checked="" type="checkbox"/>
Preliminary Plat	\$300 + Developer's Deposit	<input type="checkbox"/>	Variance Request	\$500 <input type="checkbox"/>
Final Plat	\$300 + Developer's Deposit	<input type="checkbox"/>	Street Opening Fee	\$1000 <input type="checkbox"/>
Rezoning	\$500	<input type="checkbox"/>	Demolition Permit	\$500 <input type="checkbox"/>
			Other:	\$ <input type="checkbox"/>

Description of Proposal (If more space is needed, please attach a letter describing your request):
 Small, family owned and operated chiropractic business. We have limited hours and typically only have one family at the office at one time. There is a separate parking space (our side driveway, so there would be no street parking) and separate entrance into the office space. The total square footage of the home is 1,988 square feet, and the square footage of the proposed office space is 218.5 square feet.

Acknowledgment and Signature: By submitting this signed application, the applicant and property owner agree to provide the City with all necessary information including plans, surveys, drawings, and other materials necessary to process and examine this request. The applicant and property owner also agree to pay all fees and developer's deposit at the time of application and again whenever accounts are deficient. The applicant and property owner also agree to allow City staff, City Council, and Planning Commission members access to the property where the planning consideration is being requested.

Signature of Applicant: <i>Carl Calabrese</i>	Signature of Property Owner: <i>Emily Calabrese</i>
Date: <i>7/03/2023</i>	Date: <i>7/03/2023</i>

Date Application Received: _____	Date Application Accepted: _____	By: _____
Case Number(s): _____	Amount Received: _____	By: _____



OFFICE USE ONLY
City Signature & Date

800 Bomer St. North, Prescott, WI 54021
715-262-5544 www.prescottwi.org

HOME OCCUPATION APPLICATION

1. Applicant Information:

Company name: One Life Chiropractic
Last name: Calabrese First name: Carl
Address: 201 Vine Street North City/State/Zip: Prescott, WI 54021
Phone number: 715-262-2086 Email address: onelifeprescott@gmail.com

2. Type of Occupation: (attach additional information as necessary)

Small, family owned and operated chiropractic business. We have limited hours and typically only
one family is at the office at one time. There is already a separate parking area (our side driveway) as
well as a separate entrance into the office space.

3. Signature(s):

I have reviewed and understand the performance standards for the home occupations contained in Section 635-48(C) of the Prescott City Code and understand that violation of the standards shall be grounds for revocations of the registration.

Applicant: Date: 07/03/2023

Property Owner: Date: 7/3/2023

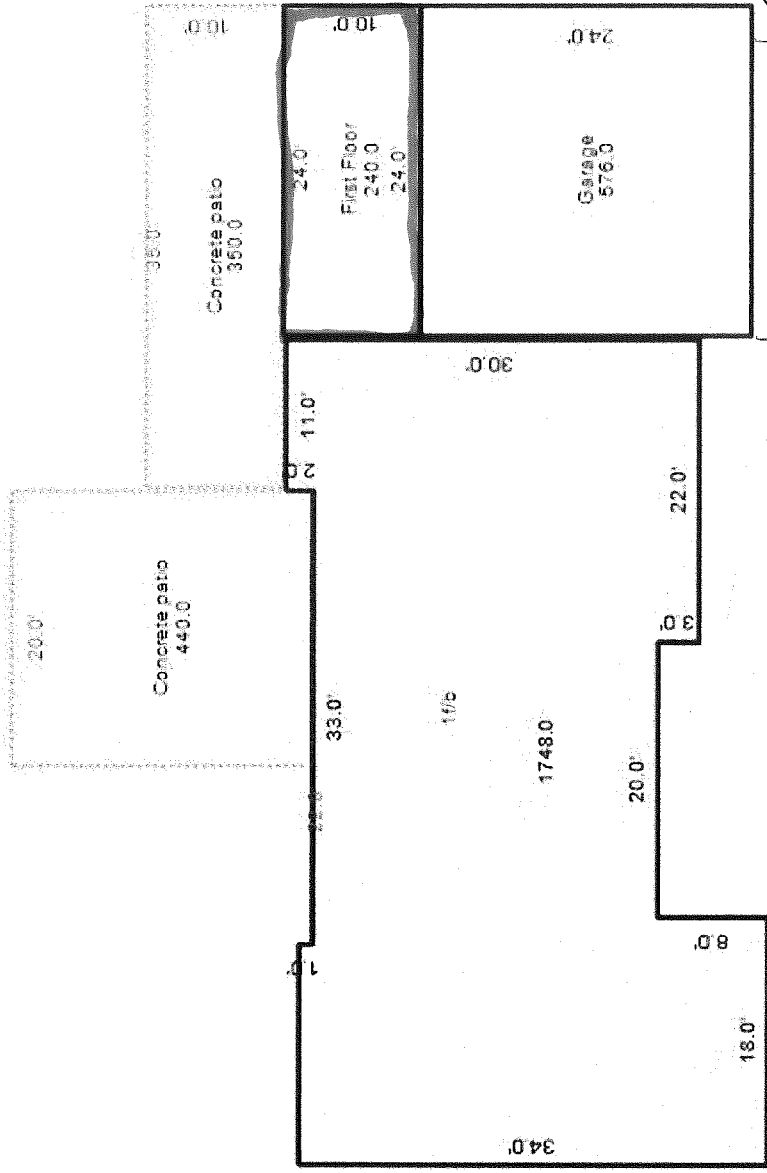
↑
2

Office parking

Existing
drive way

42

Existing
drive way



37'4"



ALBERT ST

LINN ST

201 N Vine Street

N VINE ST

ORANGE ST

N FLORA ST



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

201 N Vine Street

Pierce County, WI



1:600

Date: 7/12/2023

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



NOTICE OF PUBLIC HEARING BY THE ZONING BOARD OF APPEALS

Hearing Date: Thursday, August 10th, 2023
Place: Municipal Building, 800 Borner Street N., Prescott, WI 54021
Time: 6:00 PM.

THE ZONING BOARD OF APPEALS OF THE CITY OF PRESCOTT IS SCHEDULED TO HOLD A PUBLIC HEARING AT THE ABOVE TIME AND PLACE REGARDING THE FOLLOWING ITEM:

Conditional Use Permit for a home occupation at 201 North Vine Street, Prescott, WI 54021:

Applicant: Emily and Carl Calabrese of One Life Chiropractic
Location: 201 North Vine Street, Prescott, WI 54021

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

Carter Hayes

Carter Hayes
City Planner

Publish Date: July 26th, 2023.