



**CITY OF WAUKESHA**

**Administration**

201 Delafield Street, Waukesha, WI 53188  
 Tel: 262.524.3701 fax: 262.524.3899  
 www.ci.waukesha.wi.us

<b>Committee:</b> Plan Commission	<b>Date:</b> 2/14/2018
<b>Item Number: PC18-0001</b>	<b>Date:</b> 2/14/2018
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney <a href="#">Click here to enter text.</a>
<b>Subject:</b> <b>537 Elizabeth Street – Home Industry</b>	

**Details:** The applicant, Alfonzo Ortiz-Mendez, is seeking approval of a Conditional Use Permit to operate a Home Industry at 537 Elizabeth Street. 537 Elizabeth Street is a single family home in an RM-1 Multi-Family Residential zoning district. Mr. Ortiz-Mendez, is also the owner and operator of AV Mendez Landscaping Services.

AV Mendez Landscaping provides lawn mowing and other landscaping services during the summer months, and snow plowing during the winter. During the summer months Mr. Ortiz-Mendez operates from roughly 7 AM to 7 PM. During the winter months his operations depend on snowfall. All operations happen at remote sites, and the home is used for storing equipment and vehicles only. At this time Mr. Ortiz-Mendez and his wife are the only employees.

Home occupations are a permitted accessory use in RM-1 districts, and Mr. Ortiz-Mendez has been operating the business there for several years. Home industries are defined in the code as home occupations which may have a detrimental effect on the neighborhood. In December of 2017 Mary Strankowski, a city code enforcement inspector, visited the property in response to a complaint and found several violations. Landscaping equipment was stored outside, along with firewood for sale. Parts of the driveway were also unpaved, and there was a partially built shed on the property which did not have a building permit.

Mr. Ortiz-Mendez is still storing some equipment outside, along with the firewood. He plans to build a shed in the rear of his yard if this Conditional Use Permit is approved, and he will move the equipment into the shed once it is finished. He no longer plans to sell the firewood, but will instead keep it for personal use. He also plans to pave the unpaved sections of the driveway. He understands that he will need to re-apply for a permit for the shed, and that the improvements will need to follow all building and zoning code regulations.

**Options & Alternatives:**  
 The Plan Commission could impose any conditions it sees fit.



**Financial Remarks:**

[Click here to enter text.](#)

**Staff Recommendation:**

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

1. That the applicant will obtain a permit and construct a new shed by no later than May 31, and that all equipment will be stored inside from the date of completion.
2. That the applicant will remove the gravel parking surfaces from the yard or pave the surfaces by no later than May 31, as the code enforcement inspector ordered.
3. That no vehicles related to business operations will be parked on the street.
4. That any onsite operation of business related machinery will take place between the hours of 9:00 AM and 4:00 PM and will conform to the Performance Standards in section 22.59 of the city zoning code, particularly the Noise standards.