Meeting Date: January 20, 2014
Agenda Item: # 12

VILLAGE OF HOWARD PLAN COMMISSION
STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Plan Commission

REPORT FROM: Dave Wiese, Executive Director of Community Development

REPORT SUBJECT: Review and take action on Final Plat for Spring Green Heights

BASIC INFORMATION	
Project Name	Spring Green Heights
Applicant Name	Village of Howard
Consultant	Mau & Associates-----920-434-9670
Size of Parcel	39.03 Acres
Existing Zoning	To Be zoned R-1 Residential Single Family
Requested Zoning	R-1
Property Location	Adjacent to Spring Green Park
Comprehensive Land Map Designation	Neighborhood Residential Shows Some Medium density

ADJACENT LAND USE/ZONING MATRIX		
Direction	***Land Use***	***Zoning***
North	Vacant- Rural Residential Homes	R-5
South	Rural Residential Homes	R-5
East	Vacant Land	R-5
West	Village Park	R-5

BACKGROUND:
The proposed Final Plat creates 63 single-family lots. The property is currently being rezoned to R-1 Residential Single Family. The property is designated as Neighborhood Residential in the current Comprehensive Plan. The proposed lots meet the minimum R-1 requirements. Trail connections are proposed to connect to Spring Green Park. Approximately 10 acres will be added to expand Spring Green Park in the future.

EXECUTIVE ANALYSIS

1. **Zoning.**
   The proposed zoning is R-1 Residential Single Family.

2. **Lot & Width Area**.
   The proposed lots meet the 80 feet of street frontage and 10,800 square feet of lot area requirements.

3. **Floodplain, Shoreland Zoning & Stormwater Management**.
   Onsite stormwater management would need to be provided and approved by the Village of Howard Engineering Department before building permits are issued.

4. **Fire Protection**
   Utilities will be extended from the corner of Glendale Avenue and Spring Green Road.

RECOMMENDATION

Approve the Final plat with the conditions that:

1. Village incorporates restrictive covenants regulating design and minimum square footage that are recorded with the final plat ---attached.

ATTACHMENTS

I. Comprehensive Plan Text and Future Land Use Map
II. Restrictive Covenants
III. Proposed Final Plat

ATTACHMENT I

Comprehensive Plan

Spring Green. This major residential development area on the north side of Howard is defined by Lineville, Pinecrest, and the Mountain Bay State Trail, and is served by the Akzo Nobel complex on the east and Spring Green Park on the west. Full development requires a collector street grid, with key corridors including an extended Red Oak Road from Lineville to Spring Green Road, and an east-west collector between Red Oak and Pinecrest. The concept recommends medium-density residential along Spring Green Park and low-density residential in other parts of the area.

> ****low density (1-4 units per acre), medium density (4-10 units per acre), and high density (over 10 units per acre). These gradients may incorporate a variety of housing types. For example, medium density development includes small-lot detached single family, attached single-family, duplexes, townhomes, and low-density multifamily forms.

SPRING GREEN HEIGHTS

RESTRICTIVE COVENANTS

REAL ESTATE: **Lots 1 through 63, according to the recorded Plat of Spring Green Heights, in the Village of Howard, West Side of Fox River, Brown County, Wisconsin.**

Use Restrictions: All Lots shall be used for single-family residential purposes only. A Lot may be used in conjunction with a single-family improvement for private recreational type improvements such as a swimming pool, tennis court(s) or other recreational uses, subject to receipt of prior written approval from the Village of Howard and further subject to the other covenants contained herein and any other restrictions, easements, setbacks or reservations of record.

Governmental Permits: All homes in Spring Green Heights are subject to permits and fees as required by the Village of Howard and Brown County and any other that may apply. Village of Howard discloses a portion of certain lots may contain wetlands, floodplains, environmental corridors or other sensitive areas subject to laws and regulations further restricting use; including but not limited to the following: Lots 52, 53, 54, 56, 60, 61, 62, 63, Outlot 2 and Outlot 3 contain Environmentally Sensitive Area(s) (ESA) and are subject to applicable requirements. See Notes and Restrictions on the recorded Plat of Spring Green Heights.

Drainage Easements: There is a drainage easement between Lots -- and --; and Lots -- and --, respectively. Property owners must comply with these drainage easements at all times (before, during, and after construction). See also "Drainage Easement" notes on the recorded Plat of Spring Green Heights.

Plan Approval: Complete copies of Plans (Construction Blueprint), including the plan for each level of home containing finished living space (above or below ground), all elevations, and plot plan must be submitted to the Village of Howard for approval prior to the start of construction and shall remain on file with the Village of Howard.

All homes to have a minimum 6/12 roof pitch
All homes to have a minimum 2 stall attached garage
All homes to have a concrete driveway
All homes to be built on site
All homes must have Basements
All single story homes on Lots 1-12, 20, 21, and 43-63 shall be a minimum of 1600 square feet and two story homes 1800 square feet in size
All homes shall have a minimum of 25% masonry front, excluding doors and windows

Village Approval: The improvements on each Lot or any alteration thereof shall be subject to the approval of the Village of Howard or their Designee which has the authority to approve or reject the building plan, design, floor plan, color, elevation and site location of improvements on any Lot in order to preserve and protect the integrity and harmony of the plat. Such approval may be evidenced on the blueprint itself or on a separate written instrument, signed by the Village of Howard or their Designee.

Building Relocation: No building erected elsewhere may be moved onto any Lot or Lots within the plat.

Temporary Structures: No temporary structures (including, within exclusions of others, trailers, basement without residence above, tent, shack, garage or barn of any kind) will be permitted for dwelling purposes.

Grade: Every house shall have a full foundation below the frost line. Every house shall be placed on the lot to establish the top of foundation at a minimum of 24" above the curb height and maximum of 36"; with adjustments being made for the contour of the road and existing homes. Final grade, after construction; the construction area and land occupied by public easement shall not be graded in such a manner as to interfere with drainage of storm water and said lot or neighboring lots. Exposed or walk-out lots shall not have lower level openings below

the current known high water elevation for the area. Said use shall be identified with plans submitted for plan approval and the individual lot owner shall be solely responsible to insure that the structure is properly placed so as to not cause themselves, their neighbors, or the rest of the development drainage problems in the future.

Start Date/Completion: Projects must be completed within one year of start of construction (issuance of building permit by the Village of Howard). Every structure shall have a permanent finish on the exterior within six months of start. Completion of a project includes the dwelling and the Lot, which shall be finally graded to meet existing grade requirements, landscaping, lawn, and hard surface driveway.

Lot Stakes/Corner Markers: Survey Stakes (metal pipes in the ground) identify every Lot corner. Whether done by individual lot owner, their builder, or professional surveyor, the Lot owner is responsible to locate corner markers. The home must be placed within the legal limits of the Lot/plat and the requirements of the Village of Howard. Lot owners shall be solely responsible for maintaining all survey markers and must be sure they are not moved or removed during the construction of their individual homes. A disturbance of a survey stake by anyone is a violation of Section 236.32 of the Wisconsin Statutes.

Maintenance of Vacant Lot: The Lot owner is responsible for maintenance and upkeep of the Lot prior to the start of construction, including but not limited to keeping the Lot free of trash and debris and cutting long grass and weeds.

Suitability of Soil: During the development process, soil(s) may have been moved on to/off of/across Lots in this development. Village of Howard makes no representation or warranty whatsoever, express or implied, regarding the physical condition of any Lot. Village of Howard recommends prospective buyers have their Lot inspected and tested by a qualified professional regarding subsurface conditions or any other matter which may be of concern.

Construction Debris/Curb Cuts: The Lot owners shall dispose of all debris created during construction, including curb cuts. Any cost incurred by Village of Howard for removal of such debris shall be billed to the homeowner who was responsible for removal of such debris.

Outbuildings: No storage shed structure shall be constructed in any setback or placed in such a way as to block a scenic view. No structure shall exceed the maximum size of 10’ x 12’. All such structures shall be of an exterior material to match the roof and siding of the residence. All such structures shall comply with all zoning regulations and building codes of the Village of Howard and shall require prior written approval (including the specific location(s) of such structure).

Outdoor Storage
No long term exterior storage (in cexessof 15 days) of boats, motor homes, RV’s or recretional vehicles of any kind or inoperable automobiles is permitted on lots within the subdivision.

Outdoor Kennels or Runs
No outdoor animal kennels or runs shall be allowed in the subdivision

Fences: No chain link or barricade fences of any kind shall be permitted on any Lot. All fences must be located by a professional surveyor and must comply with all restrictions imposed by the Village of Howard.

Walking Trails: Between Lots 4 & 5 and 10 & 11, there will be concrete walking trails to provide access to the Village Park.

Duration: The covenants are restrictions of this Declaration and shall remain in effect for a period of twenty (20) years from the date hereof and thereafter shall automatically continue to be in effect for additional periods of five (5) years unless terminated or otherwise limited or enlarged by the recording of an instrument executed and acknowledged by the then owners of at least seventy-five percent (75%) of the Lots covered by this Declaration.

Executed at Green Bay, Wisconsin this ____ day of _____, 2013.

The Village of Howard:

_____

By: Burt McIntyre, Village President

_____

By: Christopher A. Haltom, Village Clerk

Subscribed and sworn to before me this
_____ day of _____, 2013.

_____

Notary Public:_____
Brown County, Wisconsin
My commission expires:_____

~ Spring Green Heights ~

All of Lot 1, Volume 19, Certified Survey Maps, page 69, Map Number 3454, Document Number 1145194, Brown County Records, part of Lot 2, Volume 19, Certified Survey Maps, page 19, Map Number 3440, Document Number 1143381, Brown County Records, all of the Southeast ¼ of the Northwest ¼, and parts of the Northeast ¼ of the Northwest ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of the Northeast ¼ of Section 6, T24N-R20E, all in the Village of Howard, Brown County, Wisconsin.

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record _____, 20____,
at _____o'clock____M and recorded as
Document # _____in
Volume _____of _____on Page ____.

Cathy Williquette Lindsay, Register of Deeds

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

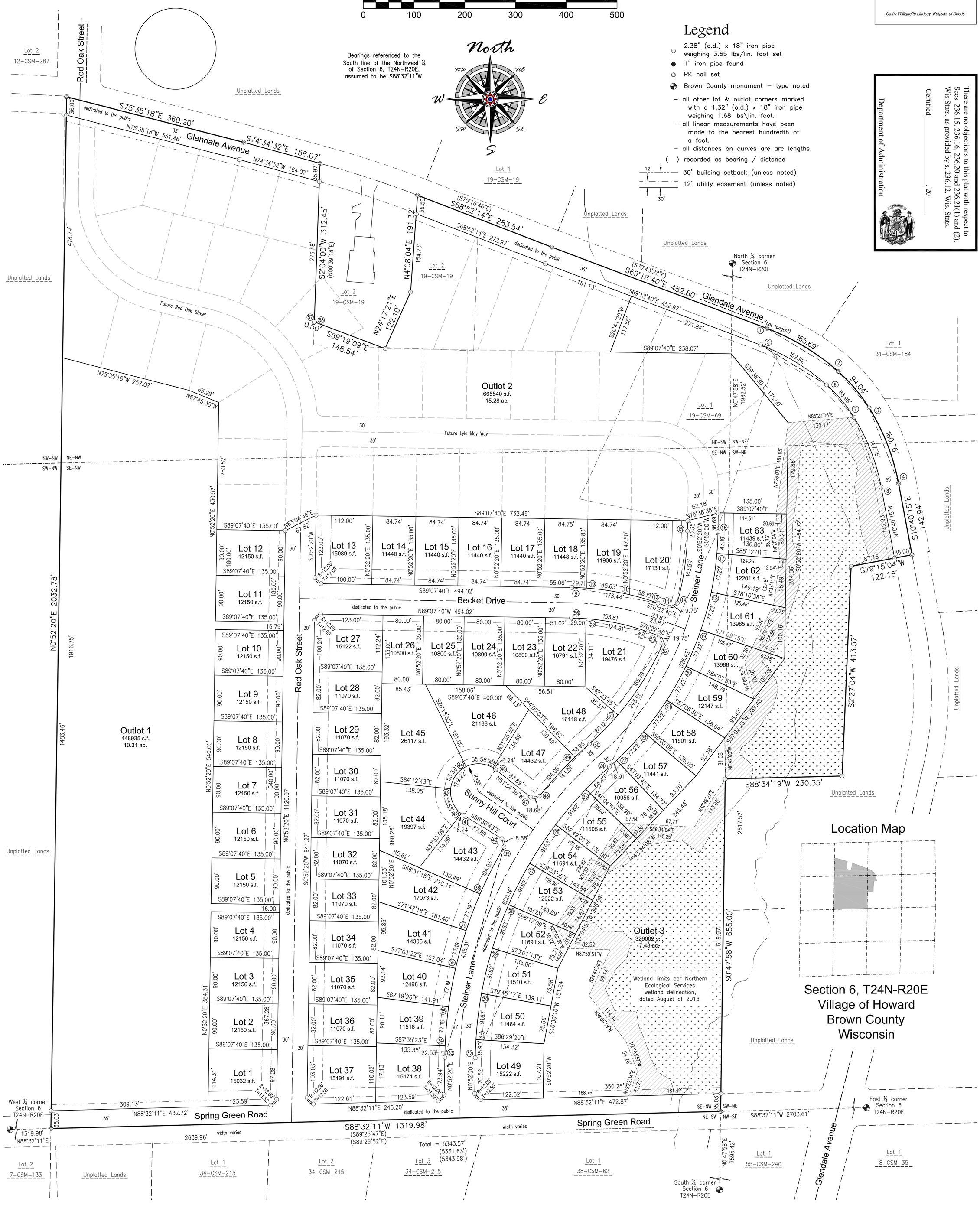
Department of Administration

0 100 200 300 400 500

Bearings referenced to the South line of the Northwest ¼ of Section 6, T24N-R20E, assumed to be S88°32'11"W.

Legend

- 2.38" (o.d.) x 18" iron pipe weighing 3.65 lbs/lin. foot set
- 1" iron pipe found
- PK nail set
- Brown County monument – type noted
- all other lot & outlot corners marked with a 1.32" (o.d.) x 18" iron pipe weighing 1.68 lbs\lin. foot.
- all linear measurements have been made to the nearest hundredth of a foot.
- all distances on curves are arc lengths.
- ( ) recorded as bearing / distance
- 30' building setback (unless noted)
- 12' utility easement (unless noted)



Location Map

Section 6, T24N-R20E
Village of Howard
Brown County
Wisconsin

TAX PARCEL NO. VH-200, VH-200-3, VH-197 & VH-205

Village of Howard

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Spring Green Heights

File: P-17503Plat 111913.dwg

DRAWN BY BAR

SCALE 1"=100'

PROJECT NO. P-17503

SHEET NO. 1 of 2

DRAWING NO. P-2199

~ Spring Green Heights ~

All of Lot 1, Volume 19, Certified Survey Maps, page 69, Map Number 3454, Document Number 1145194, Brown County Records, part of Lot 2, Volume 19, Certified Survey Maps, page 19, Map Number 3440, Document Number 1143381, Brown County Records, all of the Southeast ¼ of the Northwest ¼, and parts of the Northeast ¼ of the Northwest ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of the Northeast ¼ of Section 6, T24N-R20E, all in the Village of Howard, Brown County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, David J. Chrouser, Registered Land Surveyor, S-1579, hereby certify:

That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the Village of Howard and the Brown County Planning Commission and under the direction of the owners listed hereon, I have surveyed, divided and mapped "Spring Green Heights", and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is all of Lot 1, Volume 19, Certified Survey Maps, page 69, Map Number 3454, Document Number 1145194, Brown County Records, part of Lot 2, Volume 19, Certified Survey Maps, page 19, Map Number 3440, Document Number 1143381, Brown County Records, all of the Southeast ¼ of the Northwest ¼, and parts of the Northeast ¼ of the Northwest ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of the Northeast ¼ of Section 6, T24N-R20E, all in the Village of Howard, Brown County, Wisconsin, more fully described as follows:

Commencing at the West ¼ corner of Section 6, T24N-R20E; thence N88°32'11"E, 1319.98 feet along the South line of the Northwest ¼ of said Section 6 to the Southwest corner of the Southeast ¼ of said Northwest ¼, and the point of beginning; thence N0°52'20"E, 2032.78 feet along the West line of said quarter-quarter, and the West line of the Northeast ¼ of the Northwest ¼ of said Section 6 to the centerline of Glendale Avenue; thence S75°35'18"E, 360.20 feet along said centerline; thence S74°34'32"E, 156.07 feet along said centerline to the West line of Volume 19, Certified Survey Maps, page 19, Map Number 3440, Document Number 1143381, Brown County Records; thence S2°04'00"W, 312.45 feet along the West line of said Certified Survey Map; thence 0.50 feet along the arc of a 235.00 foot radius curve to the right whose lonog chord bears S69°22'47"E, 0.50 feet; thence S69°19'09"E, 148.54 feet along the North line of Document Number 2251531, Brown County Records; thence N24°17'21"E, 122.10 feet along the West line of said Document Number 2251531, Brown County Records; thence N4°08'04"E, 191.32 feet along said West line and its Northerly extension to said centerline of Glendale Avenue; thence S68°52'14"E, 283.54 feet along said centerline; thence S69°18'40"E, 452.80 feet along said centerline; thence 165.69 feet along said centerline being the arc of a 455.00 foot radius curve to the right whose long chord bears S58°52'57"E, 164.78 feet; thence 94.04 feet along said centerline being the arc of a 326.99 foot radius curve to the right whose long chord bears S40°12'41"E, 93.72 feet; thence 160.76 feet along said centerline being the arc of a 432.40 foot radius curve to the right whose long chord bears S21°19'18"E, 159.84 feet; thence S10°40'15"E, 142.94 feet along said centerline; thence S79°15'04"W, 122.16 feet; thence S2°27'04"W, 413.57 feet; thence S88°34'19"W, 230.35 feet to the East line of said Southeast ¼ of the Northwest ¼ of Section 6; thence S0°47'58"W, 655.00 feet along said East line to the Southeast corner of said quarter-quarter; thence S88°32'11"W, 1319.98 feet along the South line of said quarter-quarter to the point of beginning.

Parcel contains 2,571,974 square feet / 59.04 acres, more or less.

Road dedication contains 313,108 square feet / 7.19 acres, more or less.

_____
David J. Chrouser S-1579
December 02, 2013

NOTES

1) The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Department of Natural Resources' applicable WDNR Technical Standards, to prevent soil erosion. However, if the Village, at the time of construction, has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

2) Lots 52-56, 60-63 and Outlots 2 & 3 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, Brown County Planning Commission, or the Village of Howard Zoning Administrator's Office prior to any development activity.

RESTRICTIVE COVENANTS

1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

2) Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

3) No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

4) Lots 52-56, 60-63 and Outlots 2 & 3 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater, navigable waterways, and all land within 75 feet of the ordinary high water mark of navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.

CORPORATE OWNER'S CERTIFICATE

The Village of Howard, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land described and easements granted on this Plat to be surveyed, divided, mapped and dedicated as represented hereon. The Village of Howard also certifies that this Plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOWARD
BROWN COUNTY PLANNING COMMISSION
DEPARTMENT OF ADMINISTRATION

In Witness Whereof, the said Village of Howard, has caused these presents to be signed by _____, it's _____ on this ___ day of _____, 20__.

_____

Personally came before me this ____ day of _____, 20__, the above named officer of said corporation and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

_____
Notary Public My Commission Expires _____
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

CERTIFICATE OF THE BROWN COUNTY PLAN COMMISSION

Approved for the Brown County Plan Commission this ____ day of _____, 20__.

_____
Peter Schleinz
Senior Planner

CERTIFICATE OF THE VILLAGE OF HOWARD

Approved for the Village of Howard this ____ day of _____, 20__.

_____
Paul F. Evert
Village Administrator

CERTIFICATE OF THE BROWN COUNTY & VILLAGE OF HOWARD TREASURERS

As duly appointed / elected Brown County Treasurer and Village of Howard Treasurer, we hereby certify that the records in our offices show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Plat as of the dates listed below.

_____ _____
Kerry M. Blaney Date Chris Haltom Date
Brown County Treasurer Village of Howard Treasurer

Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	165.69	455.00	164.78	S58°52'57"E	20°51'52"	N69°18'53"W
2-3	94.04	326.99	93.72	S40°12'41"E	16°28'40"	S48°27'01"E
3-4	160.76	432.40	159.84	S21°19'18"E	21°18'06"	S31°58'21"E
5-6	152.92	420.00	152.08	S58°52'51"E	20°51'40"	S69°18'41"E
6-7	83.98	291.99	83.69	S40°12'41"E	16°28'40"	S48°27'01"E
7-8	147.75	397.40	146.90	S21°19'18"E	21°18'06"	S31°58'21"E
9-12	173.44	530.00	172.67	S79°45'10"E	18°45'00"	
9-10	29.71	530.00	29.70	S87°31'19"E	03°12'42"	
10-11	85.63	530.00	85.54	S81°17'15"E	09°15'26"	
11-12	58.10	530.00	58.07	S73°31'06"E	06°16'52"	
13-14	19.75	12.00	17.60	N62°27'50"E	94°19'00"	N15°18'20"E
14-15	143.59	570.00	143.21	N08°05'20"E	14°26'00"	
16-24	525.42	630.00	510.33	S24°45'53"W	47°47'06"	S48°39'26"W
16-17	43.19	630.00	43.18	N02°50'11"E	03°55'42"	
17-18	77.22	630.00	77.17	N08°18'43"E	07°01'22"	
18-19	77.22	630.00	77.17	N15°20'05"E	07°01'22"	
19-20	77.22	630.00	77.17	N22°21'27"E	07°01'22"	
20-21	77.22	630.00	77.17	N29°22'49"E	07°01'22"	
21-22	77.22	630.00	77.17	N36°24'11"E	07°01'22"	
22-23	77.22	630.00	77.17	N43°25'33"E	07°01'22"	
23-24	18.91	630.00	18.91	N47°47'50"E	01°43'12"	
24-32	650.14	779.54	631.46	S24°45'53"W	47°47'06"	
24-25	64.49	779.54	64.47	N46°17'15"E	04°44'22"	
25-26	91.62	779.54	91.57	N40°33'02"E	06°44'04"	
26-27	91.63	779.54	91.57	N33°48'58"E	06°44'04"	
27-28	91.62	779.54	91.57	N27°04'54"E	06°44'04"	
28-29	91.63	779.54	91.57	N20°20'50"E	06°44'04"	
29-30	91.62	779.54	91.57	N13°36'46"E	06°44'04"	
30-31	91.63	779.54	91.57	N06°52'42"E	06°44'04"	
31-32	35.90	779.54	35.90	N02°11'30"E	02°38'20"	
33-39	435.31	839.54	430.45	S15°43'35"W	29°42'30"	
33-34	22.53	839.54	22.54	S01°38'28"W	01°32'16"	
34-35	77.16	839.54	77.13	S05°02'35"W	05°15'58"	
35-36	77.19	839.54	77.16	S10°18'36"W	05°16'04"	
36-37	77.19	839.54	77.16	S15°34'40"W	05°16'04"	
37-38	77.19	839.54	77.16	S20°50'44"W	05°16'04"	
38-39	104.05	839.54	103.99	S27°01'48"W	07°06'04"	
39-40	18.68	12.00	16.85	S14°00'56.5"E	89°11'33"	S30°34'50"W
41-46	179.22	55.00	109.81	S34°44'20.5"W	186°42'07"	
41-42	6.24	55.00	6.23	S55°21'47"E	06°29'52"	
42-43	55.58	55.00	53.25	S23°09'47"E	57°54'08"	
43-44	55.58	55.00	53.25	S34°44'20.5"W	57°54'07"	
44-45	55.58	55.00	53.25	N87°21'32"W	57°54'08"	
45-46	6.24	55.00	6.23	N55°09'32"W	06°29'52"	
47-48	18.68	12.00	16.85	S83°29'37"W	89°11'34"	
48-50	143.01	839.54	142.83	S43°46'38"W	09°45'36"	S38°53'50"W
48-49	104.06	839.54	103.99	S42°26'53"W	07°06'06"	
49-50	38.95	839.54	38.95	S47°19'41"W	02°39'30"	
50-52	245.91	570.00	244.01	S36°17'53"W	24°43'06"	S48°39'26"W
50-51	80.12	570.00	80.05	S44°37'50"W	08°03'12"	
51-52	165.79	570.00	165.21	S32°16'17"W	16°39'54"	
52-53	19.75	12.00	17.60	S23°13'10"E	94°19'00"	S23°56'20"W
54-56	153.81	470.00	153.12	S79°45'10"E	18°45'00"	
54-55	124.81	470.00	124.44	S77°59'07"E	15°12'54"	
55-56	29.00	470.00	29.00	S87°21'37"E	03°32'06"	
57-58	0.50	235.00	0.50	S69°22'47"E	00°07'16"	N69°26'25"W

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record _____, 20____,
at _____o'clock_____M and recorded as
Document # _____in
Volume_____of _____on Page____.

Cathy Williquette Lindsay, Register of Deeds

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

TAX PARCEL NO. VH-200, VH-200-3, VH-197 & VH-205

DRAWING NO. P-2199
SHEET NO. 2 of 2
PROJECT NO. P-17503

Village of Howard

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Spring Green Heights

DRAWN BY BAR

File: P-17503Plat 111913.dwg