



Meeting Date: June 10, 2013
Agenda Item: #4h

VILLAGE OF HOWARD STAFF REPORT

REPORT TO: Burt McIntyre, President
 Village Board of Trustees

REPORT FROM: Dave Wiese, Director of Community Development

REPORT SUBJECT: Review and take action on Ordinance 2013-06 to rezone 4343 Shawano Avenue, VH-38-1, from R-5 Rural Estate Residential to R-1 Residential Single Family.

RECOMMENDED ACTION BY THE PLAN COMMISSION

Based on the findings of fact, the Plan Commission unanimously recommended approval of the rezoning at the May 20, 2013 Plan Commission meeting.

When reviewing the Finding of Facts as outlined in 17.20(9)(c) the following criteria have been satisfied:

- Consistent with existing land use in the area
- Consistent with the zoning in the area
- Not suitable for development under the current zoning because utilities have been extended
- It is consistent with the trend of development in the area
- The property is larger than 25,000 square feet in size and has more than 200 feet of frontage

BACKGROUND

BASIC INFORMATION

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Project Name	Schimd Rezoning
Applicant Name/Contact No.	Rhonda Schmid
Consulting Planner and/or Engineer	N/A
Size of Parcel	1.99 Acres
Existing Zoning	R-5 Rural Estate Residential
Requested Zoning	R-1 Residential Single Family
Abbreviated Legal	VH-38-1
Comp. Land Map Designation	Residential Neighborhood

ADJACENT LAND USE/ZONING MATRIX

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Village Park	A-1 Exclusive Ag
South	Agriculture	A-1
East	Ag & Single-Family	A-1
West	Vacant	A-1

ZONING CONSISTENCY MATRIX		
	<i>Required</i>	<i>Provided</i>
Zoning Requested:		
Minimum Development Area	12,150 square feet	1.99 acres
Minimum Lot Width	90 feet	268 feet

BACKGROUND

The applicant is requesting rezoning for a 1.99-acre parcel on Shawano Avenue. The parcel has two homes located on it. The applicant would have the ability to divide the lot into two separate parcels in the future. The minimum area and width requirements are in place.

REZONING CRITERIA

Section 17.20(9)(c) of the Zoning Ordinance requires, “Where the purpose and effect of the proposed ordinance amendment is to change the zoning district classification of a particular property, the Plan Commission shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

1. Existing land uses within the general area of the property in question.
2. The zoning district classification of land within the general area of the property in question.
3. The suitability of the property in question to uses permitted under the existing zoning district classification.
4. The trend of development in the general area of the property in question, including recent changes, if any, in zoning district classification.”

EXECUTIVE ANALYSIS

1. **Zoning** The property is presently zoned R-5 and the current use of the property as well as the use of all surrounding properties is residential in nature. Rezoning the property would create consistency with development that has taken place in the area.
2. **Floodplain, Shoreland Zoning & Stormwater Management** N/A
3. **Land Division** No land division is being proposed in this request.
4. **Fire Protection** The property is located approximately .5 road miles from the nearest fire station.

ATTACHMENTS

- I Plat map showing location of subject property
- II Rezoning Ordinance 2013-06

ATTACHMENT I



ORDINANCE NO. 2013-06

An Ordinance Rezoning parcels VH-38-1, 4343 Shawano Avenue, from R-5 Rural Estate Residential to R-1 Residential Single Family.

WHEREAS the Village Clerk published a notice of public hearing regarding such proposed zoning change and a public hearing was held at the Village Hall 5:35 p.m. on May 20, 2013, whereupon the Plan Commission heard all interested persons and/or their agents and attorneys; and

WHEREAS the Village Board of the Village of Howard has received a written recommendation and findings of the Village Plan Commission regarding the following proposed changes in the zoning district classification of the properties described below;

NOW THEREFORE the Village Board of the Village of Howard, Brown County, Wisconsin, does hereby ordain that the Zoning Ordinance be amended to read as follows:

SECTION 1 Section 50-317, together with the zoning map referred to therein, is hereby amended by rezoning the following property from Rural Estate Residential (R-5) to Residential Single Family (R-1) :

Parcel 38-1, located at 4343 Shawano Avenue

SECTION 2 All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3 This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 10th day of June, 2013.

Burt McIntyre, Village President

ATTEST:

Christopher Haltom Village Clerk

DATE OF PUBLICATION: 6/14/2013