



Meeting Date: April 22, 2013
Agenda Item: #8g

Mission Statement
 Delivering quality services in a courteous, cost-effective and efficient manner

VILLAGE BOARD STAFF REPORT

REPORT TO: President Burt McIntyre and Village Board of Trustees

REPORT FROM: Dave Wiese, Director of Community Development

AGENDA ITEM: Review and take action on Ordinance 2013-05 rezoning VH-130-3 and VH-130-2, 1505 and 1513 West Deerfield from R-5 Rural Estate Residential to I-3 Industrial Park Light Industry.

ACTION REQUESTED: Approval of the rezoning

POLICY ISSUE

Should the Village approve the rezoning of VH-130-3 and VH-130-2, located at 1505 and 1513 West Deerfield, from R-5 Rural Estate Residential to I-3- Industrial Park Light Industry?

RECOMMENDED ACTION BY PLAN COMMISSION

The Plan Commission unanimously recommended the rezoning. If in favor of the rezoning the following motion could be made:

“Motion to approve Ordinance 2013-05 rezoning of VH-130-3 and VH-130-2, located at 1505 and 1513 West Deerfield, from R-5 Rural Estate Residential to I-3- Industrial Park Light Industry.”

BASIC INFORMATION

Project Name	Roland Deerfield Rezoning
Applicant	Russ Roland
Phone	920-499-9000
Consultant/ Engineer	N/A
Parcel Size	
Existing Zoning	R-5
Proposed Zoning	I-3 Industrial Park Light Industry

ADJACENT LAND/ZONING MATRIX

	LAND USE	ZONING
North	Rural Residential	R-5
South	Woodland	I-3
East	Rural Residential	R-5
West	Highway 41/ Deerfield	n/a

POLICY ALTERNATIVE(S)

The Village Board could take any of the following actions:

- Approve the request
- Deny the request
- Table the request until a later meeting date

BACKGROUND

The applicant is requesting to rezone the property from R-5 Rural Estate Residential to I-3 Industrial Park Light Industry. The applicant owns the adjacent 50+ acres that is zoned I-3 to the south. The applicant does have on the agenda a request for a Conditional Use approval for trailer sales as a separate request for the south parcel (1505 / VH-13-2.)

FINDINGS AND RECOMMENDATIONS --Sec. 50-230.

Following such public hearing, the village plan commission shall make written findings of fact on the proposed amendment and shall submit such findings, together with its recommendation for approval or disapproval, to the village board. Where the purpose and effect of a proposed amendment is to change the zoning district classification of a particular property, the village 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.

CHANGES IN ZONING DISTRICT CLASSIFICATION- Sec. 50-231.

In no case shall a lot or parcel of land qualify for a change in zoning district classification unless it possesses at least 200 feet of frontage on a public street or right-of-way, or is at least 25,000 square feet in area, or adjoins a lot or parcel of land which bears the same classification as proposed in the amendment. The village plan commission may recommend the adoption of an amendment changing the zoning district classification of the property in question to a higher classification than that requested by the applicant. For the purpose of this section, the rural estate (R-5) zoning district shall be considered the highest classification and the general industrial (I-1) zoning district shall be considered the lowest classification.

EXECUTIVE ANALYSIS

The following links are to the I-3 zoning regulations that can be found on the Village website:

<http://library.municode.com/index.aspx?clientId=14479&stateId=49&stateName=Wisconsin>

1. **Zoning** The property is presently zoned R-5.
2. **Setbacks** The setbacks for buildings constructed in I-3 are :
Front and corner side yard: 35 feet.
Interior side yard: ten feet.
Rear yard: 17 feet.
3. **Parking** *Motor vehicle and machinery sales businesses.* One space for every 400 square feet of building floor area plus one space per employee.

4. **Floodplain, Shoreland, Zoning and Stormwater Management** Impervious surface greater than 20,000 square feet will cause a stormwater management plan to be approved by the Village of Howard Engineering Department.
5. **Land Division** Any development will on the property will require a retracement CSM.
6. **Lighting** No lighting alterations are being proposed with this request.
7. **Fire Protection** This property is currently not served by the municipal water system and is located approximately 2.5 miles from the nearest fire station.

ATTACHMENTS

- I** Rezoning Application
- II** Aerial Photo
- III** Ordinance 2013-05

Link to Google Area Maps:

<http://data.mashedworld.com/dualmaps/map.htm?x=-88.0495939052&y=44.5829299304=16&gm=2&ve=5&gc=0&bz=16&bd=0&mw=1&sv=1&svb=0&svp=0&svz=0&svm=1&svf=1>

DEPARTMENT OF CODE ADMINISTRATION
 2456 Glendale Avenue, Green Bay, WI 54313
 (Office) 920-434-4640 (FAX) 920-434-4643
 (email) DWiese@villageofhoward.com



**APPLICATION FOR
 REZONING**

IMPORTANT INFORMATION FOR APPLICANTS

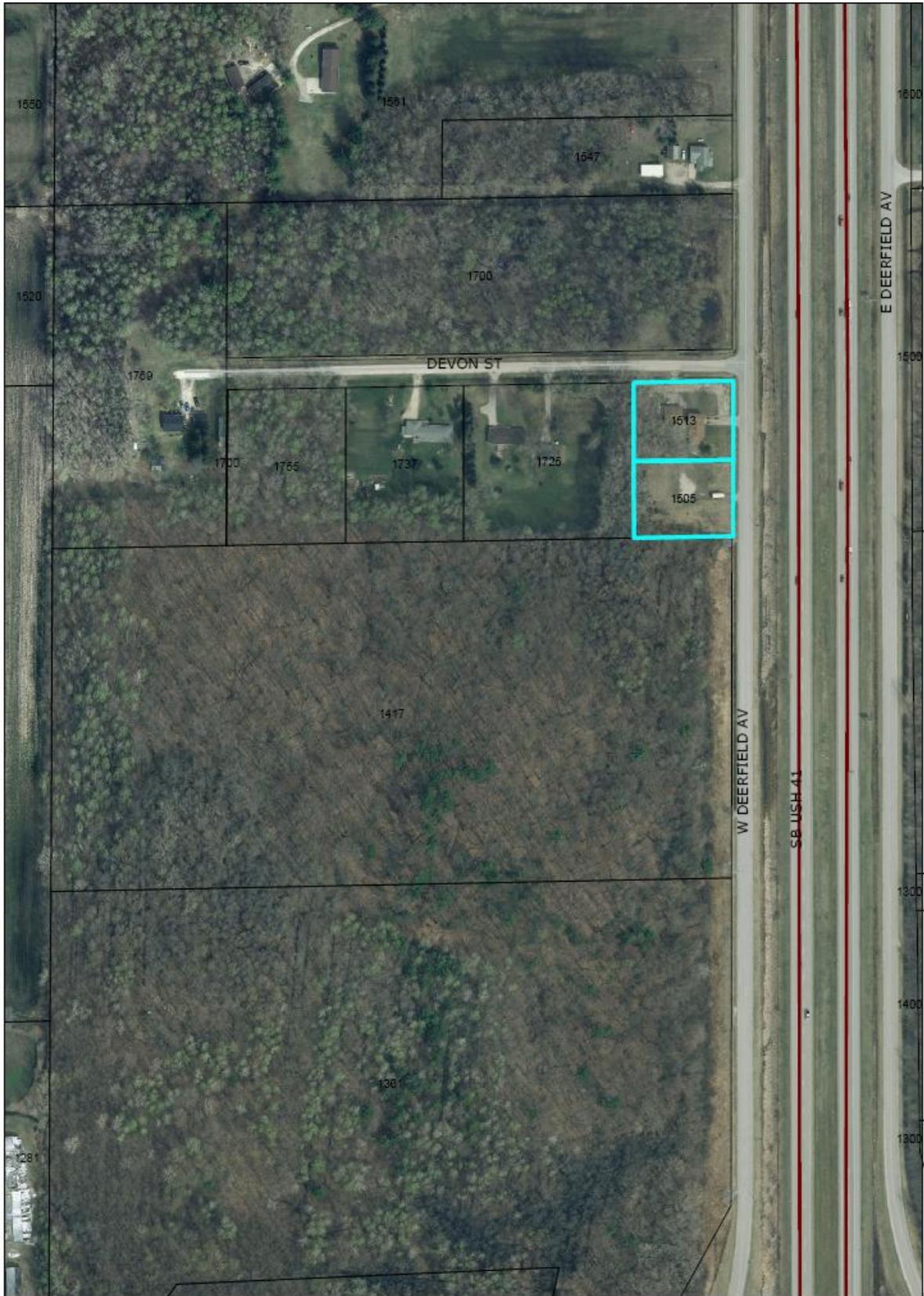
- (1) ADDITIONAL INSTRUCTIONS AND FREQUENTLY ASKED QUESTIONS CAN BE VIEWED ON PAGE TWO.
- (2) INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED OR PROCESSED
- (3) A PLAT MAP OR EQUIVALENT SHALL BE SUBMITTED WITH THIS APPLICATION SHOWING THE LOCATION, DIMENSIONS, BOUNDARIES, USES AND SIZE OF THE PARCEL.
- (4) PROCESSING THIS APPLICATION MAY TAKE UP TO SIXTY (60) DAYS DUE TO LEGAL NOTICES MANDATED BY STATE LAW.
- (5) THIS APPLICATION MUST BE ACCOMPANIED BY A NONREFUNDABLE APPLICATION FEE OF \$250 IN ORDER TO BE ACCEPTED AND PROCESSED.
- (6) PLEASE USE YOUR COMPUTER KEYBOARD TO FILL IN THIS APPLICATION FORM AND USE THE "TAB" KEY TO TAB FROM FIELD TO FIELD.
- (7) PLEASE SUBMIT YOUR COMPLETED APPLICATION AND FEE TO THE DEPARTMENT OF CODE ADMINISTRATION AT THE ABOVE ADDRESS.

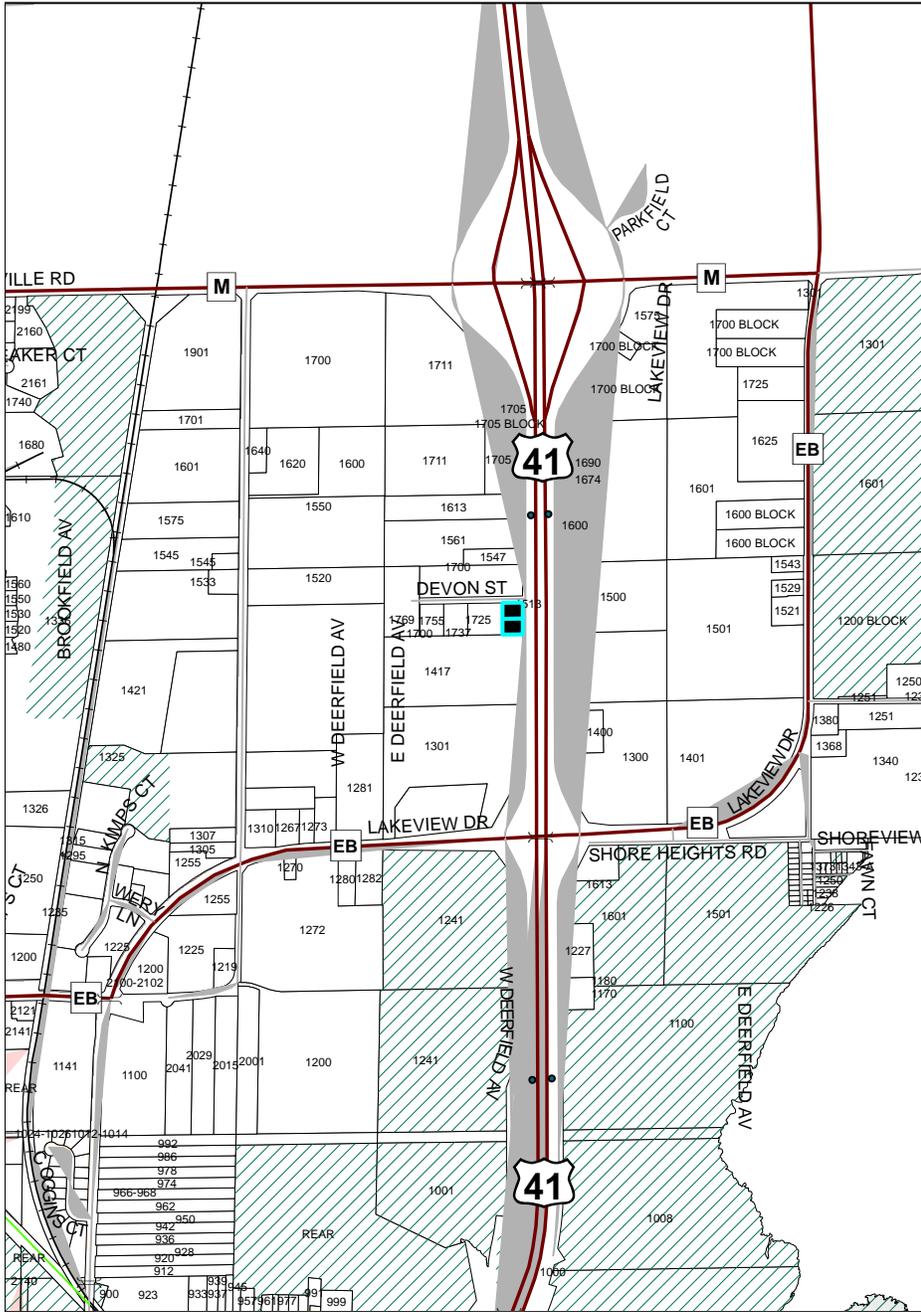
LOCATION	ADDRESS OF SUBJECT PROPERTY (Street Number and Name)		LOT #	SUBDIVISION	TAX PARCEL #
	1505 & 1513 W Deerfield		VH-130-3	130-2	VH-130-3 & 130
PROPERTY OWNER	PROPERTY OWNER'S FULL NAME			DAYTIME PHONE #	ALTERNATE PHONE #
	PROPERTY OWNER'S MAILING ADDRESS (include Zip Code)			PROPERTY OWNER'S E-MAIL ADDRESS	
APPLICANT/ AGENT	APPLICANT/AGENT FULL NAME AND BUSINESS NAME			APPLICANT/AGENT PHONE #	ALTERNATE PHONE #
	APPLICANT/AGENT MAILING ADDRESS (include Zip Code)			APPLICANT/AGENT E-MAIL ADDRESS	
PARCEL INFO	CURRENT ZONING CLASSIFICATION	REQUESTED ZONING CLASSIFICATION	DOES CURRENT ZONING CLASSIFICATION PERMIT PROPOSED USE?		
	VH-130-3	130-2	1.32 Acres		
DESCRIPTION (Describe Specifically the Nature of this Request, Including the Proposed Future Use of the Property)	Rezone from R-5 to I-3				
SIGNATURE	ENTER YOUR INITIALS IN THIS BOX TO VERIFY THAT YOU HAVE READ AND AGREE TO THE TERMS AND CONDITIONS DETAILED BELOW (REQUIRED FOR APPLICATION TO BE PROCESSED)			APPLICATION DATE	
	RW			3-26-13	

BY INITIALING THE BOX ABOVE, THE APPLICANT DOES HEREBY CERTIFY THAT: (1) ALL INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT. (2) THE APPLICANT UNDERSTANDS THAT APPROVAL OF THIS REQUEST CREATES NO LEGAL LIABILITY, EXPRESSED OR IMPLIED, ON THE VILLAGE OF HOWARD OR ON ANY OF ITS EMPLOYEES. (3) THE APPLICANT WILL BE BOUND BY AND SUBMIT TO ALL STATUTES OF THE STATE OF WISCONSIN, CONFORM TO ALL APPLICABLE CODES AND ORDINANCES OF THE VILLAGE OF HOWARD, AND ABIDE BY ALL RULES AND REGULATIONS PRESCRIBED BY THE DEPARTMENT OF CODE ADMINISTRATION.

Russ Roland

Attachment II





ORDINANCE NO. 2013-05

An Ordinance Rezoning parcels VH-130-3 and VH-130-2, located at 1505 and 1513 West Deerfield Ave., from R-5 Rural Estate Residential to I-3 Industrial Park Light Industry.

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 on April 15, 2013 at 5:45 p.m., 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 Industrial Park Light Industry (I-3) :

Parcels VH-130-3 and VH-130-2, located at 1505 and 1513 West Deerfield

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 22nd day of April, 2013.

Burt McIntyre, Village President

ATTEST:

Christopher Haltom Village Clerk

DATE OF PUBLICATION: 4/26/2013