



**Meeting Date:** April 15, 2013  
**Agenda Item:** #10-11

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

**VILLAGE PLAN COMMISSION STAFF REPORT**

**REPORT TO:** President Burt McIntyre and Village Plan Commission

**REPORT FROM:** Dave Wiese, Director of Community Development

**AGENDA ITEM:** A public hearing at 5:45 p.m. concerning a request from Russ Roland to rezone 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.  
**THIS WILL BE A RECOMMENDATION TO THE VILLAGE BOARD FOR THE April 22, 2013 VILLAGE BOARD MEETING.**

**ACTION REQUESTED:** Approval of the rezoning

**POLICY ISSUE**

Should the Village approve the rezoning of 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?

**RECOMMENDED ACTION BY PLAN COMMISSION**

It is recommended that the Plan Commission open the public hearing and ask the applicant to explain his request in detail. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing. After the public hearing is closed, the Plan Commission should review the applicant's request. Finally, if satisfied with the proposal, the Plan Commission should recommend approval to the Village Board.

**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

**ADIACENT 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 Plan Commission 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 can be found on the Village website or by the following link.

<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.

**ACTION REQUESTED** It is requested that the Plan Commission open the public hearing and ask the applicant to present his proposal in detail. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing. The Village staff is requesting that, after the public hearing is closed, the Plan Commission review the applicant's request and, if satisfied with the proposal, recommend approval to the Village Board.

#### **ATTACHMENTS**

- I** Rezoning Application
- II** Aerial Photo

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](mailto: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.

<b>LOCATION</b>	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
<b>PROPERTY OWNER</b>	PROPERTY OWNER'S FULL NAME			DAYTIME PHONE #	ALTERNATE PHONE #
	Russ Roland				
<b>APPLICANT/ AGENT</b>	APPLICANT/AGENT FULL NAME AND BUSINESS NAME			APPLICANT/AGENT PHONE #	ALTERNATE PHONE #
				499-9000	
<b>PARCEL INFO</b>	CURRENT ZONING CLASSIFICATION		REQUESTED ZONING CLASSIFICATION		DOES CURRENT ZONING CLASSIFICATION PERMIT PROPOSED USE?
	VH-130-3 & 130-2		1.32 Acres		
<b>DESCRIPTION</b> (Describe Specifically the Nature of this Request, Including the Proposed Future Use of the Property)	Rezone from R-5 to I-3				
<b>SIGNATURE</b>	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.

*Russell V. Roland*

Attachment II



