



Meeting Date: 4/23/2011
Agenda Item: # 5e (ii)

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

VILLAGE BOARD STAFF REPORT

REPORT TO: President Burt McIntyre and Village Board of Trustees

REPORT FROM: Dave Wiese, Executive Director of Community Development

AGENDA ITEM: Approve a request from Eva Veach, representing Murdock Revocable Trust, for a rezoning of 37.61 acres at 4101 Shawano Ave., VH-65, from A-1 agricultural to R-5 rural residential.

ACTION REQUESTED: Approval of the rezoning.

POLICY ISSUE

Should the Village rezone VH-65 from A-1 Exclusive Agriculture to R-5 Rural Estate Residential?

RECOMMENDED ACTION BY PLAN COMMISSION

The Plan Commission unanimously recommended approval of the rezoning. If the Village Board agrees, the following motion may be made: **“Motion to approve the request from Eva Veach for a rezoning of 37.61 acres at 4101 Shawano Ave., VH-65, from A-1 Agricultural to R-5 Rural Residential.”**

POLICY ALTERNATIVE(S)

The Village Board could take the following action:

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

BASIC INFORMATION

Project Name	Veach Rezoning
Applicant	Eva Veach
Phone	920-434-2698
Consultant / Engineer	Mau & Associates 434-9670
Parcel Size	37.61 acres
Existing Zoning	A-1 Exclusive Agriculture
Proposed Zoning	R-5 Rural Estate Residential
Land Map Designation	Draft Plan Map indicates High Density Residential and Commercial

ADJACENT LAND/ZONING MATRIX

	LAND USE	ZONING
North	Agriculture/Rural Res	A-1
South	Agriculture	A-1
East	Agriculture/Rural Res.	R-5
West	Rural Residential/Agriculture	A-1/R-5

BACKGROUND

The subject property is currently located on Shawano Avenue near Fire Station #2. The property is currently occupied by a single-family home, and the majority of the property is used as cropland. The applicant is requesting the property be rezoned to R-5 in order to create two lots in order to divide the existing estate. A preliminary CSM has been attached to show the proposed land division.

EXECUTIVE ANALYSIS

1. **Zoning** The property is presently zoned A-1. A rezoning is necessary.
2. **Setbacks** A 35-foot setback to Shawano Avenue.
3. **Parking** N/A
4. **Floodplain, Shoreland Zoning and Stormwater Management** N/A
5. **Land Division** A CSM needs to be done in order to create the lots.
6. **Lighting** N/A
7. **Fire Protection** Directly Adjacent

REZONING CRITERIA The Zoning Ordinance requires that "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."

ATTACHMENTS

- I Zoning map
- II Rezoning Application and proposed CSM

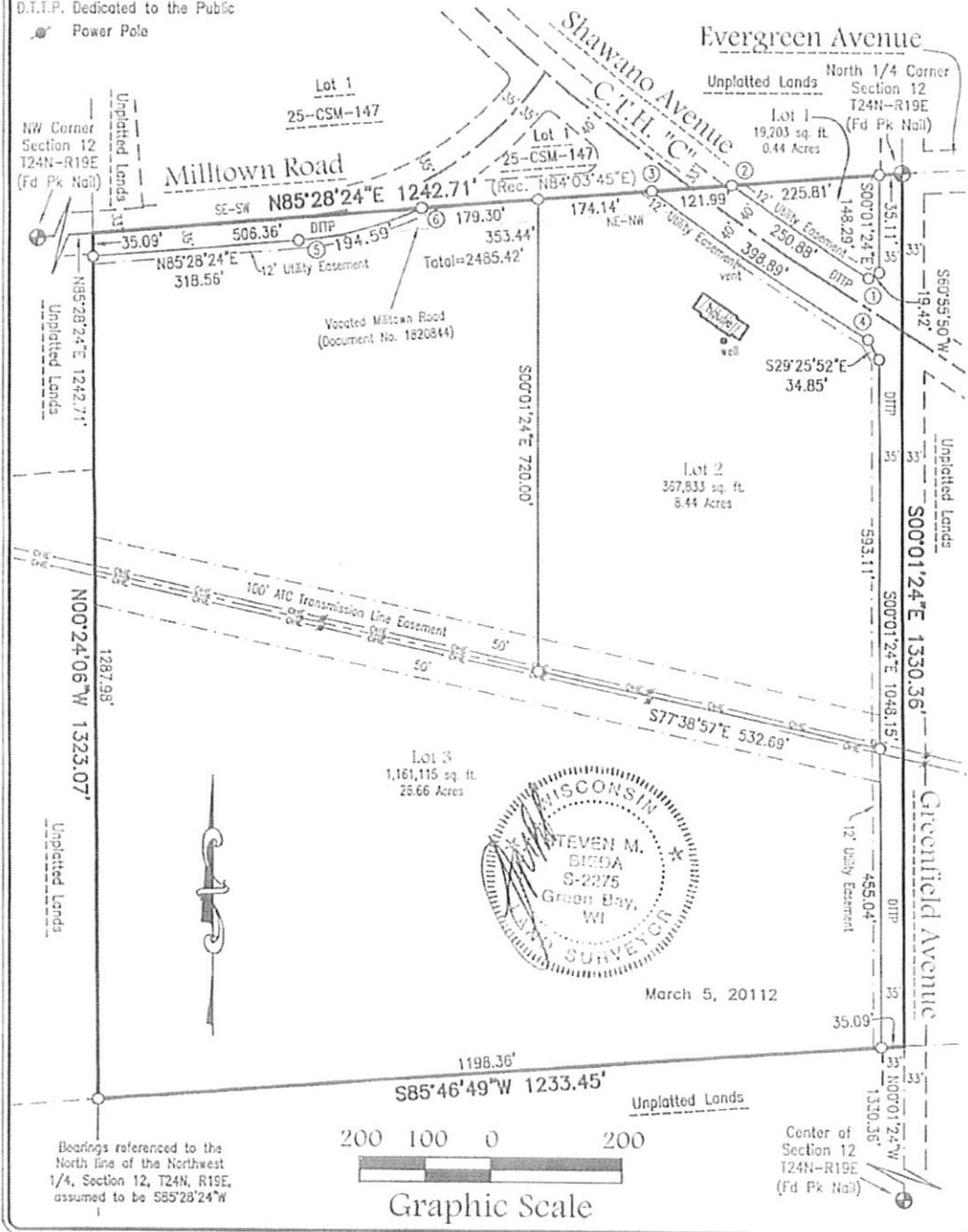
COPIES EMAILED TO sbieda@mau-associates.com

Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊕ Brown County Monument - type noted
- D.T.I.P. Dedicated to the Public
- ⊙ Power Pole

Certified Survey Map

All of the Northeast 1/4 of the Northwest 1/4, including the vacated portion of Milltown Road (Document No. 1820844) lying within Section 12, T24N-R19E, in the Village of Howard, Brown County, Wisconsin



Client: Eva Veach Drafted By: JMP File: V-5211CSM 061311.dwg	Scale: 1" = 200' Tax Parcel Number VH-65	Mau & Associates LAND SURVEYING & PLANNING CIVIL & WATER RESOURCE ENGINEERING Phone: 920-434-0670 Fax: 920-434-9672	Sheet One of Four Project No.: V-5211 Drawing No.: L-S006
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2456 Glendale Ave
Green Bay, WI 54313

REZONING APPLICATION

See Next Page
for Materials to be Submitted
with This Application

Application Fee: \$250.00

Date: _____

Initials: _____

Application #: _____

Applicant

Name: Eva Veach

Address: 3121 Harbor Winds Drive

Phone: ()-434 - 7670

Email: passion-grace@hotmail.com

Business Name: _____

Conditional Use Site Address: _____

Landowner of Record: Murdock Revocable Trust

Address: 4101 Shawano Ave

Phone: ()- _____ - _____ Email: _____

Consultant(s)

Architect

Name: _____

Address: _____

Phone: ()- _____ - _____ Email: _____

Contractor/Engineer

Name: Steve Bieda

Address: 400 Security Blvd

Phone: ()-434 9670 Email: sbieda@mau-associates.com

Parcel/Building Information

Lot Size: 3761 Acres/Sq. Ft Current Zoning: A-1 Requested

Zoning: ~~R-5~~ R-5

Lot Dimensions: 1370 x 1370 Does Current Zoning Permit Intended

Use: Residential + Agriculture

Bldg. Sq. Footage: 2000 Street Frontage: 2640

REQUIRED

- ✓ A plat of survey or the equivalent thereof depicting the location, dimensions, boundaries, uses and size of the parcel.

Please Note the Following:

- Incomplete applications will not be accepted and/or processed.
- All applications shall be submitted in accordance with the schedule on page three (3) of this application.
- Processing an application may take up to sixty (60) days due to legal notices mandated by State law.
- The Plan Commission meets on the third Monday of every month at 6:30 p.m. at 2456 Glendale Avenue.
- The Plan Commission will make a recommendation to the Village Board (often with conditions) to approve or deny the rezoning request. The Village Board will typically take action on the recommendation from the Plan Commission at the next scheduled Board meeting (typically the fourth Monday of the month). The Village Board is required to take action on the Plan Commission recommendation within 90 days.
- In order to qualify for rezoning, a lot or parcel of land must:
 - 1) Possess at least two-hundred (200) feet of frontage on a public street or right-of-way; or
 - 2) Parcel must be at least twenty-five thousand (25,000) square feet in area; or
 - 3) Parcel must adjoin a lot or parcel of land which bears the same zoning district classification as proposed.

Standards Used by Plan Commission When Ruling on a Rezoning Request

- Effect on existing land uses within the general area of the property in question.
- The zoning district classification of land within the general area of the property.
- The suitability of the property in question to uses permitted under the existing zoning district classification.
- The trend of development in the general area, including recent changes (if any) in zoning district classification.
- Whether the proposed rezoning is in the public interest or solely for the interest of the applicant

Can a proposed rezoning be contested?

If a written protest against a proposed rezoning is filed prior to final action on the request, the rezoning cannot be approved except by a favorable vote of three fourths (3/4) of all the members of the Village Board. The protest must be signed and acknowledged by the owners of twenty (20) percent or more of; the land included in the proposed rezoning; or the property immediately adjacent to and extending one hundred (100) feet from the land included in the proposed rezoning; or the property directly opposite to and extending one hundred (100) feet from the street frontage of the land included in the proposed rezoning.

I, the undersigned, do hereby certify that all information provided on this application is true and correct and I understand that the granting of approval creates no legal liability, expressed or implied, on the Village of Howard or on any of its employees. I further understand and agree that I will be bounded by and submit to all statutes of the State of Wisconsin,

Describe Specifically the Nature of the Request:

See attached Certified Survey Map
Rezone Property from A-1 to R-5

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.

X Eva M. Vesich 3/8/2012
Applicant Signature Date

Please direct all questions to Jim Korotev at 434-4640 or jkorotev@villageofhoward.com