



Meeting Date: February 20, 2012
 Agenda Item: # 6-7

**VILLAGE OF HOWARD PLAN COMMISSION
 STAFF REPORT**

REPORT TO: Burt McIntyre, President
 Village Plan Commission
 Village Board of Trustees

REPORT FROM: Dave Wiese, Director of Community Development

REPORT WRITTEN: February 16, 2012

REPORT SUBJECT: Agenda Item #6-7 – A Public Hearing Concerning a request from Jeff and Connie Lawniczak for a Conditional Use Permit to keep two trail riding horses at 3119 Lineville Road, VH-171-2.

BACKGROUND

BASIC INFORMATION	
Project Name	Lawniczak CUP
Applicant Name/Contact No.	Jeff Lawniczak
Size of Parcel	4.74 Acres
Existing Zoning	Rural Estate (R-5)
Requested Zoning	N/A
Abbreviated Legal	VH-171-2
Comprehensive Land Map Designation	Residential Neighborhood

ADJACENT LAND USE/ZONING MATRIX		
Direction	Land Use	Zoning
North	Rural Residential	Suamico
South	Vacant Land/Agricultural/ Village Conservancy	R-5
East	Vacant Land/Rural Residential	R-5
West	Vacant Land/Rural Residential	R-5

BACKGROUND

The applicant is requesting a conditional use permit to keep two trail riding horses at 3119 Lineville Road, VH-171-2. Existing buildings will be used for horse shelters and for hay and tack. A conditional use permit is required because the Zoning Ordinance lists "Agriculture" as conditional use in the R-5 zoning district.

Agriculture (farm) means the use of land and buildings for the production, keeping, management or maintenance (for sale, lease or personal use) of plants and animals useful to man including, but not limited to:

- (1) Forages and commercial feedlots;
- (2) Sod crops;
- (3) Grain and seed crops;
- (4) Dairy animals and dairy products;
- (5) Poultry and poultry products;
- (6) Livestock, as well as the breeding, pasturage and grazing of any or all such animals, including the following:
 - a. Beef cattle;
 - b. Sheep;
 - c. Swine;
 - d. Horses;
 - e. Ponies;
 - f. Mules;
 - g. Goats; or
 - h. Any mutations or hybrids thereof;
- (7) Fur-bearing animals;
- (8) Game animals;
- (9) Fish and fish products;
- (10) Bees and apiary products;
- (11) Trees and forest products;
- (12) Fruits of all kinds, including grapes, nuts and berries;
- (13) Vegetables;
- (14) Nursery, floral, ornamental and greenhouse products; and
- (15) Lands devoted to soil conservation, forestry management programs, game preserves and wildlife sanctuaries.

EXECUTIVE ANALYSIS

Zoning The property is presently zoned Rural Estate (R-5) and the proposed use is a conditional use in the R-5 zone.

Setbacks N/A

Parking N/A

Floodplain, Shoreland Zoning and Stormwater Management There are no mapped floodplain or wetland areas on the property.

Land Division No land division is being proposed in this request.

Lighting N/A

Fire Protection This property is not served by the municipal water system and is located approximately 5.5 miles from the nearest fire station.

CONDITIONAL USE STANDARDS Section 17.20(10)(g) of the Zoning Ordinance requires that *“The Plan Commission shall not recommend and the Village Board shall not approve a conditional use unless findings are first made, based on evidence presented, that the following standards are met.”*

1. The conditional use shall not be detrimental to or endanger the health, safety, morals, comfort or general welfare of the public.
2. The conditional use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted, nor shall it substantially diminish or impair property values within the neighborhood.
3. The conditional use shall not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
4. The exterior architectural appeal and functional plan of proposed buildings and structures shall not be so at variance with existing buildings and structures, or buildings and structures under construction in the immediate area, or the character of the zoning district, as to cause a substantial depreciation in property values within the neighborhood.
5. Adequate utilities, access roads, drainage and necessary facilities are in place or will be provided.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to applicable regulations of the zoning district in which it is located, except as such regulations may be modified by the Village Board pursuant to Plan Commission recommendations.

ACTION REQUESTED

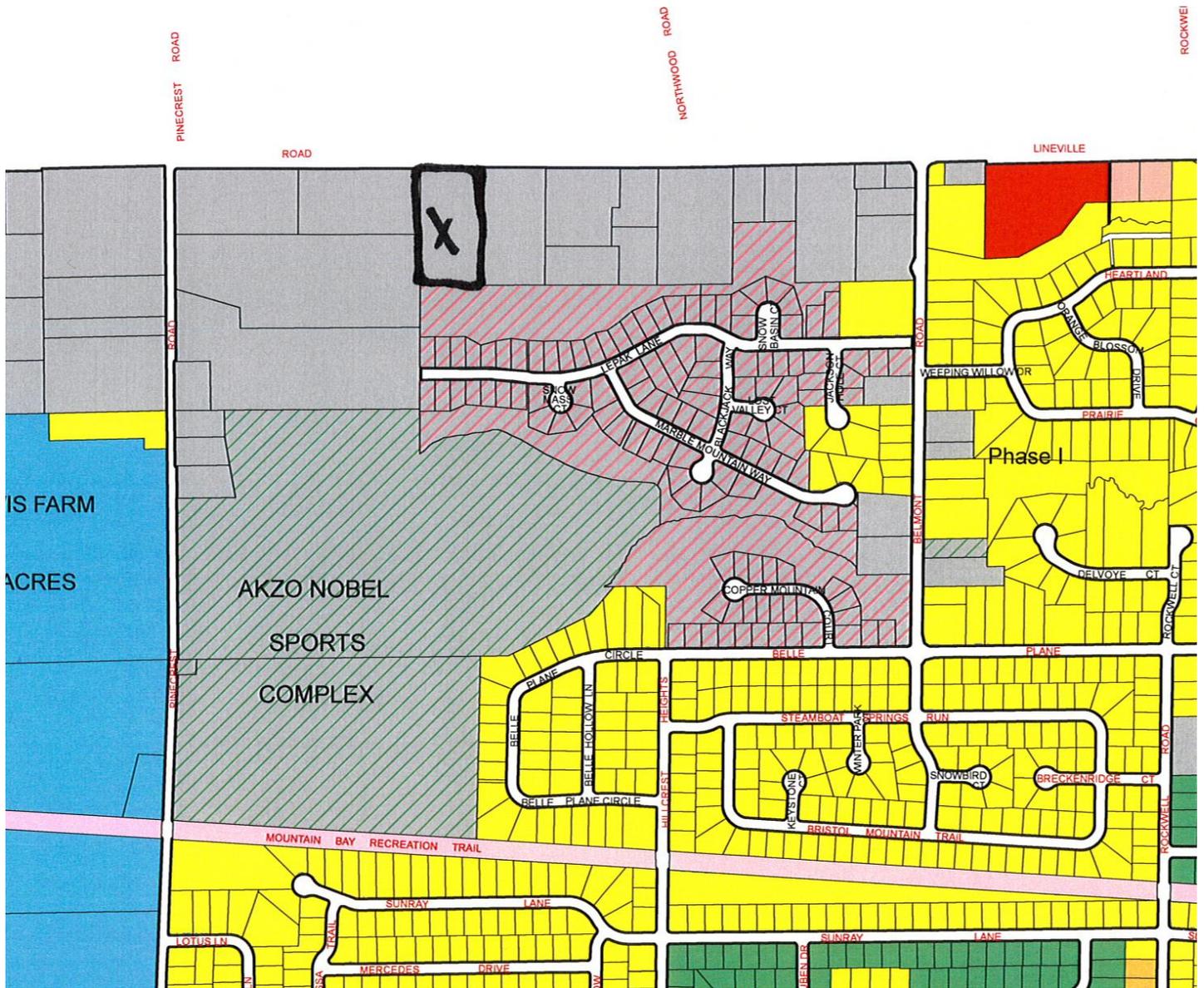
It is requested that the Plan Commission open the public hearing and ask the applicant to present the proposal in detail, including how the above referenced *“Conditional Use Standards”* will be met. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing.

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 with any specific conditions as may be necessary to satisfy the *“Conditional Use Standards”* referenced above:

ATTACHMENTS

- I Plat map identifying subject property
- II Completed Conditional Use Permit Application

ATTACHMENT I





2456 Glendale Ave
Green Bay, WI 54313

**CONDITIONAL USE PERMIT
APPLICATION**

See Following Pages
for Materials to be
submitted with this
application

Application Fee: \$250.00

Date: _____

Initials: _____

Application #: _____

Applicant

Name: Jeff and Connie Lawniczck
Address: 3119 Lincolnville Road
Phone: (920)-434-3630 Email: _____
Business Name: N/A
Conditional Use Site Address: 3119 Lincolnville Road
Landowner of Record: Jeff and Connie Lawniczck
Address: 3119 Lincolnville Road
Phone: (920)-434-3630 Email: _____

Consultant(s)

Architect

Name: N/A
Address: _____
Phone: () - - Email: _____

Contractor/Engineer

Name: _____
Address: N/A
Phone: () - - Email: _____

Parcel/Building Information

Lot Size: 4.776 Acres/Sq. Ft Current Zoning: R-5 Parcel Number: VH - 171-2
Lot Dimensions: 330' x 660' Does Current Zoning Permit Intended Use: C/4
Bldg. Sq. Footage: N/A Street Frontage: 330'

Describe Specifically the Nature of the Request:

See ATTACHED SHEET

REQUIRED

(Check the Box to Signify Your Submittal of Listed Items Which Apply to Your Request)

- A plat of survey or the equivalent thereof depicting the location, dimensions, boundaries, uses and size of the site.
- A site plan including the following:
 - Density and floor area ratio
 - Building heights and setbacks
 - Size & location of lots
 - Screening and fencing
 - Location of sanitary and storm sewer lines
 - Location of water mains
 - Site drainage
 - Location of roads, driveways and walks
 - Existing and proposed structures, parking, loading areas, ingress/egress points
 - Location of recreational and open space areas reserved or dedicated for public uses
 - Percentage of green space & impervious surface
- Landscape plan including table depicting quantity, size and name of species.
- Lighting plan showing photometrics and a specification sheet of all fixtures to be used.
- Full-color rendering of building facades and large samples of colors and building materials that will be used on the project.
- An attachment stating the methods and hours of operation.
- Sign plan with dimensions of sign.

Submit 10 copies of all color documents. If possible, provide electronic versions (pdf, word, excel, etc) of plans.

With this signature, I certify that all required materials above have been submitted. Furthermore, I understand any required materials not submitted will result in an incomplete application. Incomplete applications will be returned to the applicant until all required materials are submitted.

X  _____ 1-27-12
Applicant Signature Date

Please direct all questions to Dave Wiese at 434-4640 or dwiese@villageofhoward.com

We would like to keep Two Trail riding horses on Parcel VH 171-2 we have owned this property for 28 years

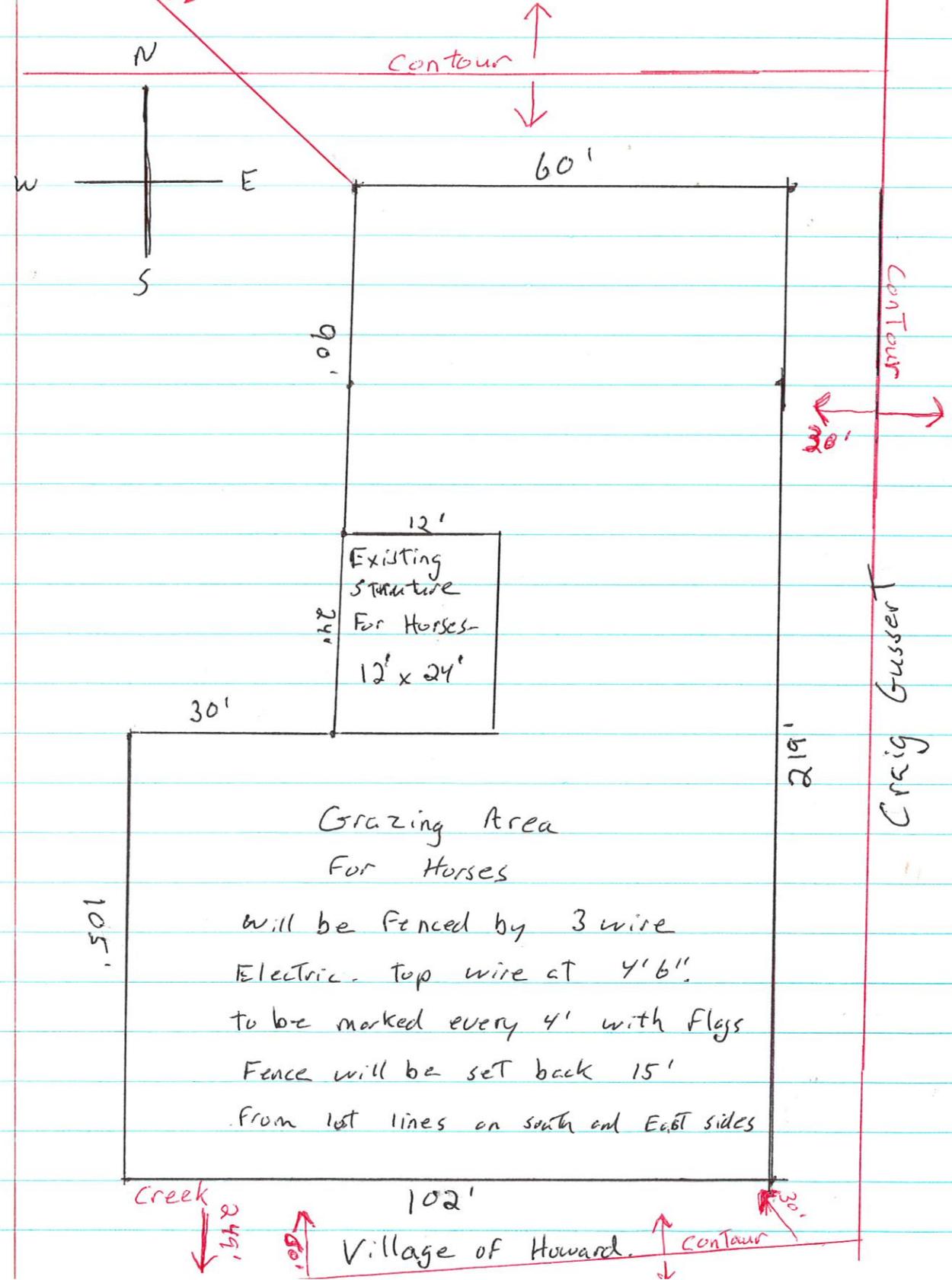
The property has an existing building on site ~~with~~ to keep the horses, with adequate room for the horses to also be outside (see attached maps and drawing)

No neighbors or Traffic on Lineville Road can see this area that we designated. other than my neighbor to the east

(Craig Gussert) And that's only if he walks the contour line on the back 250' of the South west edge of his property.

Waste from the horses will be hauled away on a regular basis to 40 acres of Farm land I own 20 miles north in oconto County.

South East Corner of VH 171-2
 Jeff and Connie Lawniczak



Grazing Area
 For Horses

will be fenced by 3 wire
 Electric. top wire at 4'6"
 to be marked every 4' with flags
 Fence will be set back 15'
 from lot lines on south and East sides

Village of Howard

Lawniczak



Map of Brown County, Wisconsin provided by the Planning & Land Services Department - Land Information Office (LIO)
This map is intended for advisory purposes only. It is based on sources believed to be reliable, but Brown County distributes this information on an "As Is" basis. No warranties are implied.

01/24/2012
Scale 1:1000

