



**Meeting Date:** 4/23/2011  
**Agenda Item:** # 9-10

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

**VILLAGE PLAN COMMISSION STAFF REPORT**

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

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

**AGENDA ITEM:** Action on 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 should review the applicant's request and, if satisfied with the proposal, recommend approval to the Village Board.

**POLICY ALTERNATIVE(S)**

The Plan Commission 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.”

## **RECOMMENDED ACTION BY THE PLAN COMMISSION**

It is requested that the Village of Howard Plan Commission open the public hearing, receive comments, and recommend approval or denial of the proposed rezoning. The proposed request is not consistent with the future land use map in the Current Comprehensive Plan. The Comprehensive Plan is currently being updated. The Plan Commission has the following options:

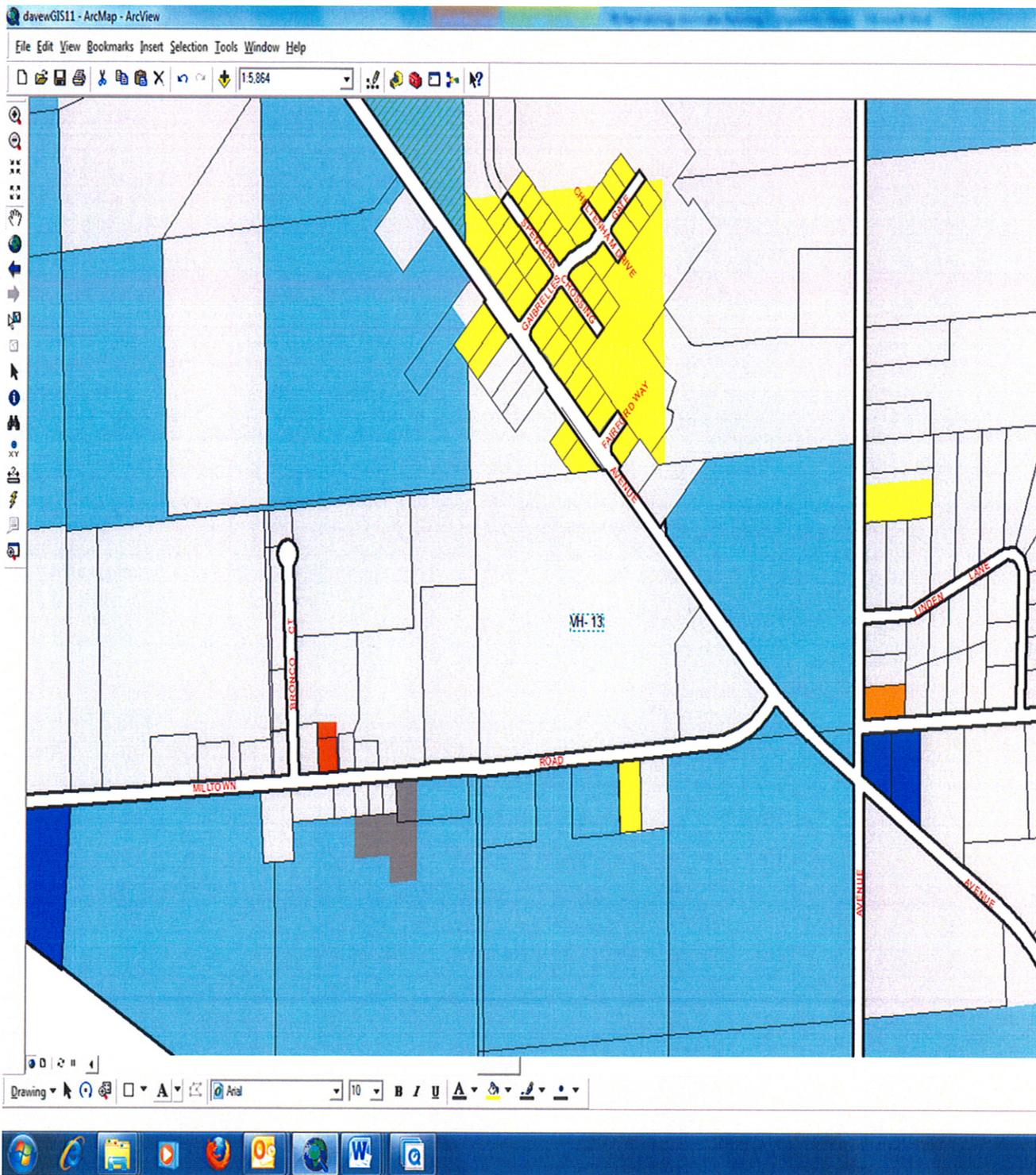
1. Approve the request as submitted.
2. Modify the request by either recommending another more restrictive district or rezoning less area.
3. Deny the request.
4. Table the request until the Village’s consultant can review the area prior to adoption of the final draft of the Comprehensive Plan.

## **ATTACHMENTS**

- I **Zoning map**
- II **Rezoning Application and proposed CSM**

**COPIES EMAILED TO** [sbieda@mau-associates.com](mailto:sbieda@mau-associates.com)

# ATTACHMENT I

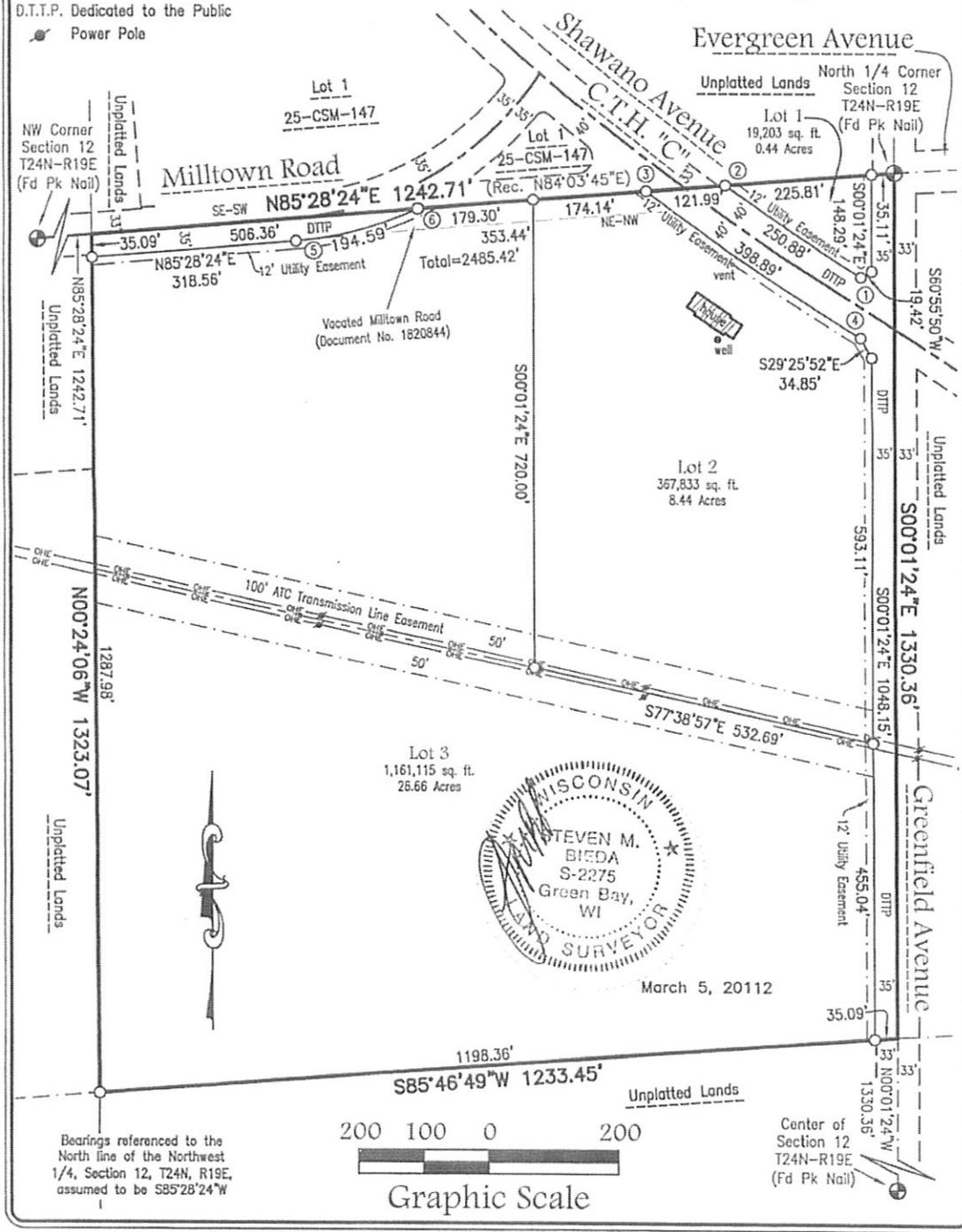


**Legend**

- 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.T.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: 920-434-9670 Fax: 920-434-9672

Sheet One of Four  
 Project No.: V-5211  
 Drawing No.: L-8006



REZONING APPLICATION

See Next Page  
for Materials to be Submitted  
with This Application

2456 Glendale Ave  
Green Bay, WI 54313

Application Fee: \$250.00  
Date: \_\_\_\_\_  
Initials: \_\_\_\_\_  
Application #: \_\_\_\_\_

Applicant

Name: Eva Veach

Address: 3121 Harbor Winds Drive

Phone: ( )-434 - 2698

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: 37.61 Acres/Sq. Ft Current Zoning: A-1 Requested

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

Lot Dimensions: 1320 x 1320 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

