



Meeting Date: 11/19/2012
 Agenda Item: #11

**VILLAGE OF HOWARD PLAN COMMISSION
 STAFF REPORT**

REPORT TO: Burt McIntyre, President
 Village Plan Commission

REPORT FROM: Dave Wiese, Director of Community Development

REPORT WRITTEN: October 10, 2012

REPORT SUBJECT: Review and take action on the request for conditional use approval to allow the outdoor sale and service of food at Gilligan's, 1985 Velp Avenue. (The Plan Commission unanimously denied this request on Oct. 15, 2012. The Village Board on Oct. 22, 2012 voted to refer the item back to Plan Commission for another review. Plan Commission action today will be considered again by the Village Board on Nov. 26, 2012.)

BACKGROUND

BASIC INFORMATION	
Project Name	Gilligans CUP
Applicant Name/Contact No.	Jess Senn 920-544-5922
Consulting Planner and/or Engineer	N/A
Size of Parcel	24,133 square feet, 0.55 acres
Existing Zoning	B-2
Requested Zoning	N/A
Abbreviated Legal	VH-630
Comp. Land Map Designation	Neighborhood Commercial

ADJACENT LAND USE/ZONING MATRIX		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Local Business	B-2
South	Single Family Residential	R-1
East	Residential	B-2
West	Duck Creek River & Cemetery	B-1 & B-2

ZONING CONSISTENCY MATRIX		
	<i>Required</i>	<i>Provided</i>
Zoning Requested:		
Minimum Development Area	7500 square feet	24,133 square feet
Minimum Lot Width	100 feet	>145 feet
Minimum Street Building Setback	35 feet	<20 feet
Minimum Side Yard Setback	10 feet	>40 feet
Minimum Rear Yard Setback	15 feet	>60 feet
Maximum Height	65	<20 feet

BACKGROUND

This is a request for a conditional use permit to allow the outdoor sale and consumption of alcoholic beverages and food at the referenced address. A conditional use permit is required per Section 17.11(2)(d) of the Zoning Ordinance which requires that *“Except for permitted off-street parking and loading, and except for services provided to and for motor vehicles, and except as specifically allowed as a conditional use in accordance with Section 17.20(10) of this ordinance, all business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings.”*

EXECUTIVE ANALYSIS

Zoning

The property is presently zoned B-2. Taverns are permitted in the B-2 zone but Section 17.11(2)(d) of the Zoning Ordinance requires a conditional use permit for any outdoor business, service or sales. The outdoor sale and consumption of alcoholic beverages and consumption and sale of food is considered outdoor business, service or sales.

Setbacks

The current building and deck comply with all required setbacks except the for the front yard setback. The building and deck are set back from Velp Avenue less than 20 feet while the Zoning Ordinance requires a minimum front yard setback of 35 feet.

Parking

The current facility has limited parking.

Floodplain, Shoreland Zoning & Stormwater Management

The current building and deck are located in a 100-year floodplain district.

Land Division

No land division is being proposed in this request.

Lighting

No additional exterior lighting is being proposed with this request.

Fire Protection

This property is currently served by the municipal water system and is located approximately 0.65 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.

RECOMMENDED ACTION BY THE PLAN COMMISSION

It is requested that the Plan Commission open the public hearing and ask the applicant to explain his request 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 recommends denial of the Conditional Use Permit for the following reasons:

- 1) The building and deck are set back from Velp Avenue less than 20 feet while the Zoning Ordinance requires a minimum front yard setback of 35 feet. The applicant has constructed an accessory building (smoking room) that does not meet the 35-foot setback and does not meet a 10-foot setback to the existing principal structure. All work was done without the proper permits.
- 2) The current facility has limited parking and adding additional area for patrons will make the current situation worse.
- 3) The area is directly adjacent to a residential property and increased use of the outdoor deck will intrude on privacy of the neighbors.
- 4) The current driveways are non-conforming and in staff's opinion dangerous. Patrons currently back on to existing public streets. Increasing traffic with additional patrons only increases potential conflicts.

If the Plan commission were in favor of the existing request staff would recommend the following:

- Establish limits for the hours of operation for the outdoor service area.
- Establish limits for the days of operation for the outdoor service area.
- Establish limits for the months of operation for the outdoor service area.
- Establish limits for the number of patrons permitted outdoors at any one time.
- The outdoor service area (deck) shall be enclosed within an opaque fence at least 6 feet in height above the deck surface.
- The sale and consumption of alcoholic beverages shall be confined to the fenced area.
- Access to the outdoor service area shall be through the tavern only.
- The outdoor service area shall be monitored and supervised by staff personnel at all times.
- No music or other electronically amplified sounds shall be permitted outdoors.
- No additional lighting or other electrical devices shall be permitted outdoors.
- Outdoor activities shall be limited to beverage and food consumption only.
- Landscaping and greenspace should be added to the parking lot and adjacent to the building.
- All recycling and garbage dumpsters shall be screened from public view with a fenced in area.
- Driveways shall be reconstructed to meet the commercial driveway regulations.
- State approved plans are needed for the current structure that was illegally built and for any future additions.

ATTACHMENTS

- | | |
|------------|---|
| I | Plat map showing location of subject property |
| II | Completed Conditional Use Permit Application |
| III | Photos of the existing property |

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: 9-10-12

Initials: JS

Application #: _____

Applicant

Name: Jess Senn +

Address: 1985 Velp Ave

Phone: (920)-544-5723 Email: Jess@Colligans95.com

Business Name: Colligans Bar & Grill

Conditional Use Site Address: same

Landowner of Record: Sherril Strickland

Address: N9955 Meadowlark Ln Kaukaun WI 54114

Phone: (215)-927-1368 Email: _____

Consultant(s)

Architect

Name: _____

Address: _____

Phone: () - - - - - Email: _____

Contractor/Engineer

Name: _____

Address: _____

Phone: () - - - - - Email: _____

Parcel/Building Information

Lot Size: _____ Acres/Sq. Ft Current Zoning: _____ Parcel Number: VI - 630

Lot Dimensions: _____ Does Current Zoning Permit Intended Use: yes

Bldg. Sq. Footage: _____ Street Frontage: _____

Describe Specifically the Nature of the Request:

To serve food + Alcohol on patio

The purpose is mainly food. serve food on patio

with to smoking shelter

~~at the bar~~

Please Note the Following

- Incomplete applications will not be accepted and/or processed.
- All applications and required materials must be submitted on or prior to the deadline on the schedule displayed 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 conditional use permit request. The Village Board will take action on the recommendation from the Plan Commission at the next scheduled Board meeting (typically the fourth Monday of the month).
- If approved, the permit must be signed by the Village Administrator and the applicant prior to any construction or business activity taking place.

Standards Used by Plan Commission When Ruling on a Conditional Use Permit Request

- Issuance of conditional use permit shall not be detrimental to or endanger the health, safety, morals, comfort or general welfare of the public.
- Shall not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- Shall not substantially diminish or impair property values within the neighborhood or impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
- The exterior aesthetic appeal and functionality of proposed buildings must complement existing buildings and the character of the zoning district.
- Adequate utilities, access roads, drainage and other necessary utilities are provided.
- Adequate ingress/egress shall be designed to minimize traffic congestion.
- Must conform to applicable regulations of the zoning district in which it is located.

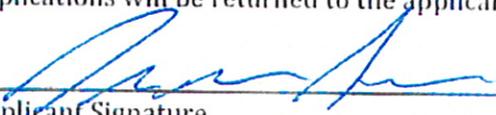
REQUIRED

(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  _____ 9/10/12
Applicant Signature Date

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





11a

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



**APPLICATION FOR
 PC PLAN APPROVAL**

IMPORTANT INFORMATION FOR APPLICANTS

- (1) INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED OR PROCESSED
- (2) YOU MAY USE YOUR COMPUTER KEYBOARD TO FILL OUT THIS APPLICATION FORM
- (3) PLEASE SUBMIT COMPLETED APPLICATIONS TO THE DEPARTMENT OF CODE ADMINISTRATION AT THE ABOVE ADDRESS

LOCATION	ADDRESS OF SUBJECT PROPERTY (Street Number and Name)	LOT #	SUBDIVISION	TAX PARCEL #
	1985 Velp Ave			VH-630
PROPERTY OWNER	PROPERTY OWNER'S FULL NAME	DAYTIME PHONE #	ALTERNATE PHONE #	
	PROPERTY OWNER'S MAILING ADDRESS (Include Zip Code)	715-927-1368		
APPLICANT/ AGENT	APPLICANT/AGENT FULL NAME AND BUSINESS NAME	APPLICANT/AGENT PHONE #	ALTERNATE PHONE #	
	APPLICANT/AGENT MAILING ADDRESS (Include Zip Code)			
USE	BRIEFLY DESCRIBE THE EXISTING AND PROPOSED USE OF THE PROPERTY			
	Day & Grill			
SUBMITTALS	WHERE APPLICABLE, THE FOLLOWING SUBMITTALS ARE REQUIRED TO ACCOMPANY THIS APPLICATION FOR THE APPLICATION TO BE ACCEPTED AND REVIEWED BY THE PLAN COMMISSION. REQUIRED SUBMITTALS MAY CONSIST OF PLANS, DRAWINGS, ANNOTATED PHOTOGRAPHS, OR OTHER DOCUMENTATION THAT SUFFICIENTLY PROVIDES ALL REQUIRED INFORMATION.			

- Exterior Building Design** (required for all new buildings, additions and exterior alterations to existing buildings)
- Exterior elevations of all proposed new and existing buildings showing wall materials and exterior construction details (including colors)
 - Height of all proposed new buildings and structures and all existing buildings and structures
 - Specific roof types (gable, hip, flat, etc.) and roof pitches of all proposed new and existing buildings
 - Roofing materials to be used on proposed new buildings and existing roofing materials on existing buildings (including colors)

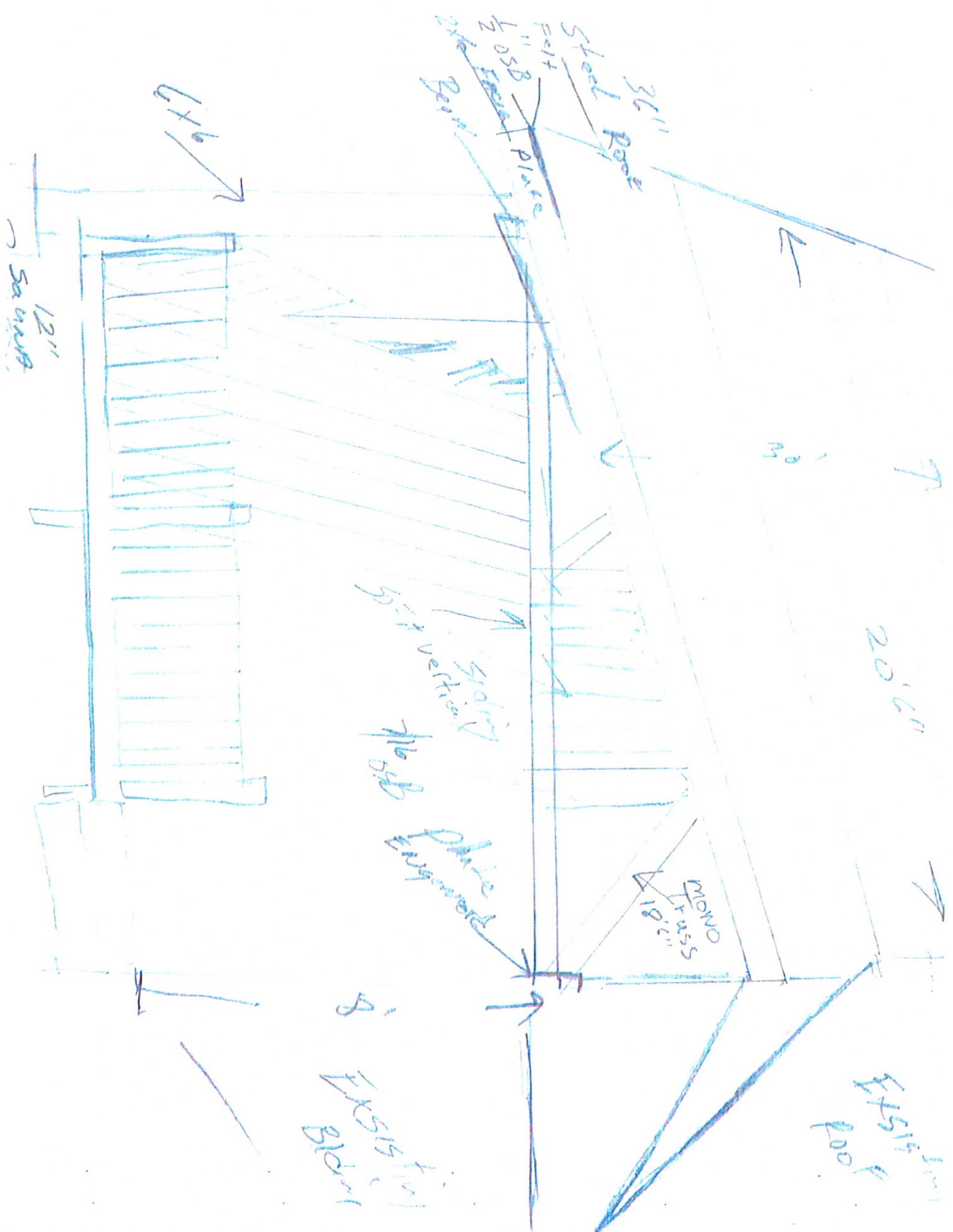
- Site Features** (required for all projects)
- Location of all proposed new and existing buildings & structures, including dimensions to property lines and to each other
 - Locations of all streets, property lines, wells, septic systems, power lines, easements, etc.
 - All proposed new and existing off-street parking drive and loading areas (location, number, size, access, etc.)
 - The total accumulated horizontal impervious surface area after development (surfaces impervious to the penetration of storm water)
 - The total accumulated greenspace on the property (non-impervious), including the percentage of lot area (post development)

- Landscaping** (required for all projects where landscaping will be installed or altered or where required by the Plan Commission)
- Number, size, species and location of all existing and proposed trees
 - Number, size, species and location of all existing and proposed shrubs and ground plantings
 - Description and location of any existing or proposed buffering (fences, berms, hedges, plantings, etc.)

- Exterior Lighting Features** (required where exterior lighting fixtures will be installed or altered)
- Number, fixture type, location and wattage of all existing and proposed building lighting
 - Number, fixture type, location, wattage and height of all existing and proposed parking lot and exterior grounds lighting
 - Number, fixture type, location, wattage and height of all existing and proposed other exterior lighting
 - Photometric plan prepared by a professional lighting designer (when required by the Plan Commission)

- Signage Details** (required for all projects where signage exists or where new signage will be installed)
- Building elevations showing the location, number, size and message of all existing and proposed building signs and building lettering
 - A site plan showing the location of all existing and proposed free-standing signs, including the distance of such signs to property lines
 - Elevations of all existing and proposed free-standing signs showing the height, width, depth, material composition, colors, illumination, sign area and message of all such signs

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
		9/27/12
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.		



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



PERMIT APPLICATION

PLEASE COMPLETE ALL APPLICABLE SECTIONS

INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED

LOCATION	JOB SITE ADDRESS (Street Number and Name) <i>1985 Velp Ave</i>	LOT # <i>VH-630</i>	SUBDIVISION
PROPERTY OWNER	PROPERTY OWNER'S FULL NAME <i>Sharon Stechko</i>	PROPERTY OWNER'S MAILING ADDRESS (include Zip Code) <i>N9955 Meadowlark Ln CRIVITE WI 54114</i>	DAYTIME PHONE # <i>715-927 1368</i>
PERMIT APPLICANT	PERMIT APPLICANT'S COMPANY NAME <i>Gilligan Bar & Grill</i>	PERMIT APPLICANT'S FULL NAME (First, Middle Initial, Last) <i>Jess D. Sem</i>	DAYTIME PHONE # <i>265-7500</i> ALTERNATE OR CELL PHONE #
BUILDING CONTRACTOR	BUILDING CONTRACTOR'S COMPANY NAME <i>TS construction</i>	BUILDING CONTRACTOR'S FULL NAME (First, Middle Initial, Last) <i>Tim J. Pollack</i>	DAYTIME PHONE # <i>920-822-1020</i>
ELECTRICAL CONTRACTOR	ELECTRICAL CONTRACTOR'S COMPANY NAME <i>RATKY</i>	ELECTRICAL CONTRACTOR'S FULL NAME (First, Middle Initial, Last) <i>Jeff Ratky</i>	WI DWELLING CONTRACTOR # <i>681577</i> WI ELECTRICAL CREDENTIAL # <i>846358</i> DAYTIME PHONE #
PLUMBING CONTRACTOR	PLUMBING CONTRACTOR'S COMPANY NAME <i>NA</i>	PLUMBING CONTRACTOR'S FULL NAME (First, Middle Initial, Last)	WI PLUMBING CREDENTIAL # DAYTIME PHONE #
HVAC CONTRACTOR	HVAC CONTRACTOR'S COMPANY NAME <i>NA</i>	HVAC CONTRACTOR'S FULL NAME (First, Middle Initial, Last)	WI HVAC CREDENTIAL # DAYTIME PHONE #
SEWER CONTRACTOR	SEWER CONTRACTOR'S COMPANY NAME <i>NA</i>	SEWER CONTRACTOR'S FULL NAME (First, Middle Initial, Last)	WI PLUMBING CREDENTIAL # DAYTIME PHONE #
PROJECT (CHECK ONE)	<input type="checkbox"/> NEW BUILDING <input type="checkbox"/> ADDITION <input checked="" type="checkbox"/> ALTERATION/REMODELING <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVING <input type="checkbox"/> DEMOLITION <input type="checkbox"/> OTHER _____		
BLDG TYPE (CHECK ONE)	<input type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> DUPLEX <input type="checkbox"/> MULTI-FAMILY <input checked="" type="checkbox"/> COMMERCIAL/INDUSTRIAL <input type="checkbox"/> GARAGE/STORAGE <input type="checkbox"/> AGRICULTURAL <input type="checkbox"/> OTHER _____		
WORK TYPE (CHECK ALL PROPOSED WORK)	<input checked="" type="checkbox"/> BUILDING CONSTRUCTION <input checked="" type="checkbox"/> ELECTRICAL <input type="checkbox"/> PLUMBING <input type="checkbox"/> HEATING/VENTILATING/AIR CONDITIONING <input type="checkbox"/> OTHER _____		
EST COST (LABOR AND MATERIALS)	BUILDING CONSTRUCTION (\$) <i>7900.00</i>	ELECTRICAL (\$) <i>1200.00</i>	PLUMBING (\$) HVAC (\$) OTHER (\$) TOTAL ESTIMATED COST (\$)
JOB DESCRIPTION (DESCRIBE ALL PROPOSED WORK)	<i>put roof over Deck Area.</i>		
GO GREEN! (DESCRIBE ANY ENERGY OR RESOURCE-SAVING 'GREEN' TECHNOLOGY, MATERIALS OR CONSTRUCTION TECHNIQUES PROPOSED FOR THIS PROJECT)	<i>Go Green! Save Green!</i>		
BUILDING FEATURES (COMPLETE THIS SECTION FOR NEW BUILDINGS AND ADDITIONS ONLY)	CONSTRUCTION TYPE (Site Constructed or Manufactured) <i>Constructed</i>	BASEMENT? (Yes or No) <i>No</i>	# OF STORES (Above Basement) <i>NA</i>
	ELECTRICAL SERVICE SIZE (Amperes) <i>Standard</i>	ELECTRICAL SERVICE LOCATION (Overhead or Underground)	FOUNDATION TYPE (Poured Concrete, Masonry Block, Treated Wood, Etc.) <i>House</i>
	HVAC EQUIPMENT (Forced Air, Radiant, Heat Pump, Boiler, Etc.)	HVAC FUEL (Natural Gas, LP Gas, Fuel Oil, Electricity, Solid Fuel, Gas, Etc.)	BUILDING USE (Permanent or Seasonal) <i>Permanent</i>
	CENTRAL AIR CONDITIONING? (Yes or No)	SEWER TYPE (Municipal or Private)	WATER HEATING FUEL (Natural Gas, LP Gas, Fuel Oil, Electricity, Etc.)
			WATER SUPPLY (Municipal Utility or Private Well)
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 <i>9/27/12</i>
			CONSTRUCTION START DATE <i>10-1-12</i>
BY INITIATING THE BOX ABOVE, THE PERMIT APPLICANT DOES HEREBY CERTIFY THAT: (1) ALL INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT. (2) THE PERMIT APPLICANT UNDERSTANDS THAT THE ISSUANCE OF A PERMIT CREATES NO LEGAL LIABILITY, EXPRESSED OR IMPLIED, ON THE VILLAGE OF HOWARD OR ON ANY OF ITS EMPLOYEES. (3) IN THE PERFORMANCE OF ALL WORK COVERED, THE PERMIT 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.			

**NOTICE OF
FIRE SAFETY CODE VIOLATION
AND
RE-INSPECTION**

Village of
Howard Fire Department
2456 Glendale AVE
Green Bay, WI 54313

Wednesday October 10, 2012

GILLIGANS BAR & GRILL
1985 Velp AVE
Green Bay, WI 54303

HFD OccID:5695

A fire and life safety building inspection was conducted at the property listed above on: Tuesday August 14, 2012 and that inspection revealed the fire code violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. A Re-inspection to determine compliance with this Notice is scheduled to be conducted on or about: Monday August 27, 2012

***If you fail to comply with this notice before reinspection, you may be liable for the penalties of law provided for such violations.

Violation Code

11.1.5 Extension Cords

Extension cords shall not be used as a substitute for permanent wiring.

14.14.5.2.1 Exit Light not illuminated

Every sign required to be illuminated shall be continuously illuminated.

exit light not working on test button being depressed

5-6 Flameproofing

Furnishings, contents, decorations and treated finishes in buildings and structures shall meet the requirements of NFPA 101.

Nejedlo, Thomas J
Fire Inspector

VILLAGE OF HOWARD
 Department of Code Administration
 2456 Glendale Avenue, Green Bay, WI 54313
 (Office) 920-434-4840 (FAX) 920-434-4843

**NONCOMPLIANCE NOTICE
 PROGRESS REPORT**

**RECORD #
 4,694**

RECORD DATA	STREET ADDRESS OF SUBJECT PARCEL	TAX PARCEL #	APPLICABLE PERMIT #	BUILDING/PROPERTY USE
	1985 Velp Avenue	630	N/A	Tavern/Restaurant
	OWNER/AGENT BUSINESS NAME	OWNER/AGENT FULL NAME		
	Gilligans Bar	Jess Senn		
OWNER/AGENT MAILING ADDRESS	OWNER/AGENT CITY/STATE/ZIP			
1985 Velp Avenue	Green Bay, WI 54303			
INITIAL FIELD INSPECTION DATE	NONCOMPLIANCE NOTICE DATE	REQUIRED COMPLIANCE DATE	INTENDED/PLANNED ENFORCEMENT DATE	SATISFACTION DATE
9/5/2012	9/5/2012	10/15/2012	10/15/2012	

VIOLATIONS

A RECENT INSPECTION OF THE PROPERTY AT THE ABOVE ADDRESS REVEALS SEVERAL VIOLATIONS OF THE HOWARD VILLAGE CODE.

- (1) HMC 50-528(4) The conditional use approval issued on 8/24/09 allowing outdoor alcohol and food consumption expired on 6/30/2010. All outdoor activities of this type shall cease immediately until the conditional use approval is renewed.
- (2) HMC 50-528-5 An enclosed structure has recently been erected on the exterior deck of the building. The Zoning Ordinance requires that "No building or any improvement shall be erected, placed, or altered on any building site in the highway commercial (B-2) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for review to the village plan commission. The village plan commission shall approve, conditionally approve or disapprove such plans with respect to conformity with this section and other applicable codes and ordinances of the village and with respect to harmony of external design and land use as it affects property within and adjacent to the highway commercial (B-2) zoning district." Plan Commission approval shall be applied for and received for this structure.
- (3) HMC 40-148 A building permit is required for the enclosed structure recently erected on the exterior deck of the building. Required documentation shall be submitted, proper fees paid and a permit obtained for the structure.
- (4) HMC 50-866 The Zoning Ordinance requires that "Accessory buildings and structures shall be located no closer than ten feet to any other accessory or principal building." The recently constructed enclosed structure on the deck of the building appears to be located substantially closer than 10 feet to the tavern. The structure shall be brought into compliance with the 10' separation rule.

THE ABOVE VIOLATIONS SHALL BE CORRECTED BY THE COMPLIANCE DATE SPECIFIED ABOVE.

INSPECTOR NOTES

JK 9/5/12 NC notice mailed.