



Meeting Date: 3/28/11
Agenda Item: #5f (i)

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

VILLAGE BOARD STAFF REPORT

REPORT TO: President Burt McIntyre & Village Trustees

REPORT FROM: Dave Wiese, Executive Director of Community Development

AGENDA ITEM: #5f (i) Action on a request for conditional-use approval from Arnold Moder to erect a 30' x 96' "high tunnel," unheated greenhouse at 3439 Lineville Road, VH-194-1.

POLICY ISSUE

Should the Village Board approve the conditional use thereby allowing the erection of a 30' x 96' "high tunnel," unheated greenhouse at 3439 Lineville Road, VH-194-1?

RECOMMENDED ACTION BY PLAN COMMISSION

The Plan Commission unanimously recommended approval of the proposed conditional use with the following conditions:

1. The building location shall be as specifically shown on the site plan submitted.
2. The size of the greenhouse shall be 30' x 96' and the height shall not exceed 13 feet.
3. The greenhouse shall be constructed of steel framework with clear polyethylene film exterior surface.
4. No permanent sewer, water, heating or electrical power shall be provided to the structure.

BASIC INFORMATION

Project Name	Arnold Moder Conditional Use
Applicant	Arnold Moder
Phone	920-434-0730
Consultant/ Engineer	N/A
Parcel Size	4.88 Acres
Existing Zoning	R-5
Proposed Zoning	N/A
Land Map Designation	Agricultural

ADJACENT LAND/ZONING MATRIX

	LAND USE	ZONING
North	Town of Pittsfield	NA
South	Vacant Land & Rural Residential & Ag	A-1 R-5
East	Vacant Land & Rural Residential & Ag	A-1 R-5
West	Vacant Land & Rural Residential & Ag	A-1 R-5

POLICY ALTERNATIVE(S)

The Village Board could take any of the following actions:

- Approve the request without conditions.
- Approve the request with conditions.
- Deny the request
- Table the request until a later meeting date

BACKGROUND

The applicant is requesting conditional-use approval to construct a 30' x 90' greenhouse at the referenced address. The proposed greenhouse is a "Temporary Building" by definition. A conditional-use permit is required per Section 50-1012 of the Zoning Ordinance which requires that *"temporary buildings erected or used for a period exceeding 60 days per calendar year per parcel shall be allowed as a conditional use only."*

EXECUTIVE ANALYSIS

1. **Zoning** The property is presently zoned R-5. Temporary buildings erected or used for a period exceeding 60 days per calendar year per parcel are allowed as a conditional use only in the R-5 Zone.
2. **Setbacks** The use of the proposed structure is expected to be agricultural in nature. Permanent agricultural buildings are required to be set back a minimum of 75 feet from a front property line and 50 feet from a side or rear property line. Temporary buildings, even if used for agricultural purposes, are not required to comply with the setback regulations applicable to permanent buildings. The Plan Commission may wish to use the minimum setbacks applicable to permanent buildings as a guideline for placement of temporary buildings, however, Section 50-1014 allows the Plan Commission to establish the minimum setbacks as part of the approval process. The proposed location of the greenhouse is 250+ feet from a front property line, 50 feet from the east side property line and 100 feet from the west side property line.
3. **Parking** N/A
4. **Floodplain, Shoreland Zoning & Stormwater Management** N/A
5. **Land Division** No land division is being proposed in this request.
6. **Lighting** N/A
7. **Fire Protection** This property is not currently served by the municipal water system and is located approximately 3.0 road miles from the nearest fire station.

CONDITIONAL-USE STANDARDS Section 50-267 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.

CONDITIONS REQUIRED BY CODE

1. 50-1012(1) No conditional use approval granted by the village board shall be valid unless the building location (distance from property lines and other structures), intended use, size (length, width and height), composition of materials, exterior colors, and permitted duration of use are specifically approved by the village board upon village plan commission recommendation.
2. 50-1012(2) No building shall be installed, placed, used or occupied without a building permit being obtained in accordance with chapter 40.
3. 50-1013 A conditional use approval granted by the village board per section 50-1012 shall be valid for a period not to exceed five years at which time the approval shall expire and the structure shall be dismantled and removed from the property.
4. No temporary building shall be located in a required yard as specified in section 50-905 unless specifically permitted as a conditional use per section 50-1012.

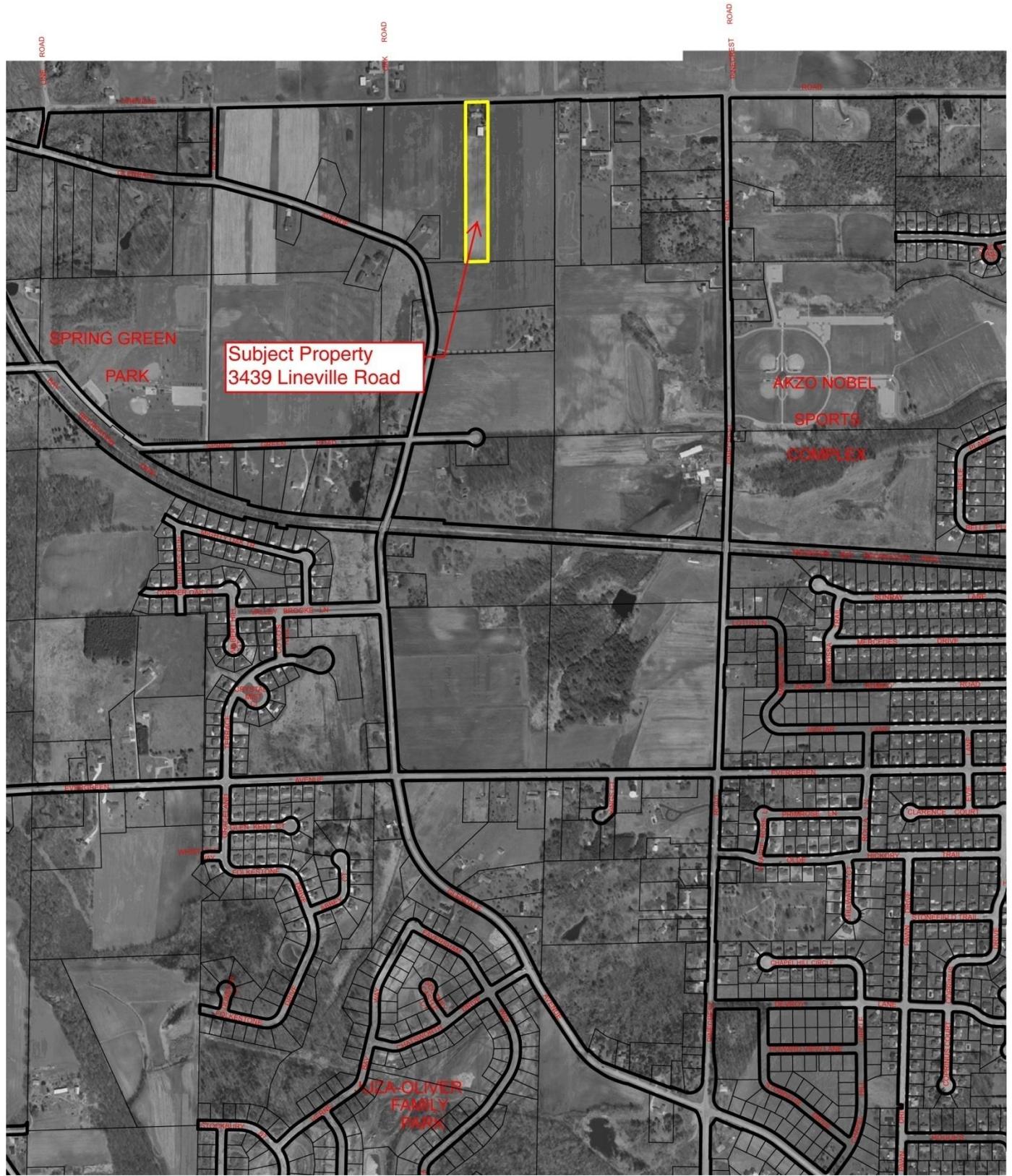
STAFF RECOMMENDED CONDITIONS

1. The building location shall be as specifically shown on the site plan submitted.
2. The size of the greenhouse shall be 30' x 96' and the height shall not exceed 13 feet.
3. The greenhouse shall be constructed of steel framework with clear polyethylene film exterior surface.
4. No permanent sewer, water, heating or electrical power shall be provided to the structure.

ATTACHMENTS

- I** Property Location Photo
- II-III** Completed Conditional Use Permit Application
- IV** Site Plan
- V-VI** Structure Design Drawings
- VII** Letter from Adjoining Neighbor

ATTACHMENT I



ATTACHMENT II

REC'D FEB 28 2011



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: ARNOLD MODER
Address: 3439 LINEVILLE RD.
Phone: (920) - 434 - 0730 Email: _____
Business Name: MODERS GARDENS
Conditional Use Site Address: 3439 LINEVILLE RD
Landowner of Record: ARNOLD MODER
Address: 3439 LINEVILLE RD
Phone: (920) - 434 - 0730 Email: AMODER@NEW.PR.COM

Consultant(s)

Architect

Name: _____
Address: _____
Phone: () - - Email: _____

Contractor/Engineer

Name: _____
Address: _____
Phone: () - - Email: _____

Parcel/Building Information

Lot Size: 5 Acres/Sq. Ft Current Zoning: RES + FARMING Parcel Number: VH - 194-1
Lot Dimensions: _____ Does Current Zoning Permit Intended Use: _____
Bldg. Sq. Footage: _____ Street Frontage: _____

Describe Specifically the Nature of the Request: 30' x 96' HIGH TUNNEL

BASICALLY THIS IS A GREENHOUSE, WITHOUT ANY HEATING,
ELECTRICITY, OR PLUMBING. MATERIALS CONSIST OF
STEELBOWS AND PLASTIC

ATTACHMENT III

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.

Arnold Mader
Applicant Signature

2-25-2011
Date

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

ATTACHMENT IV

N

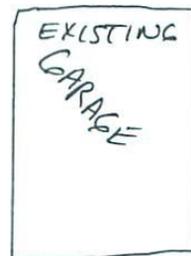
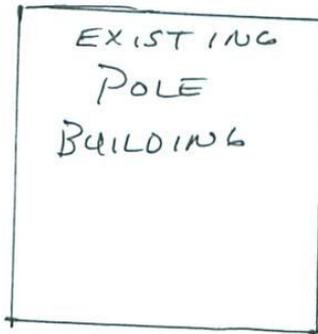
3439 LINEVILLE RD



187' LOT

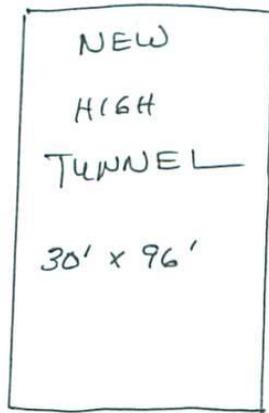


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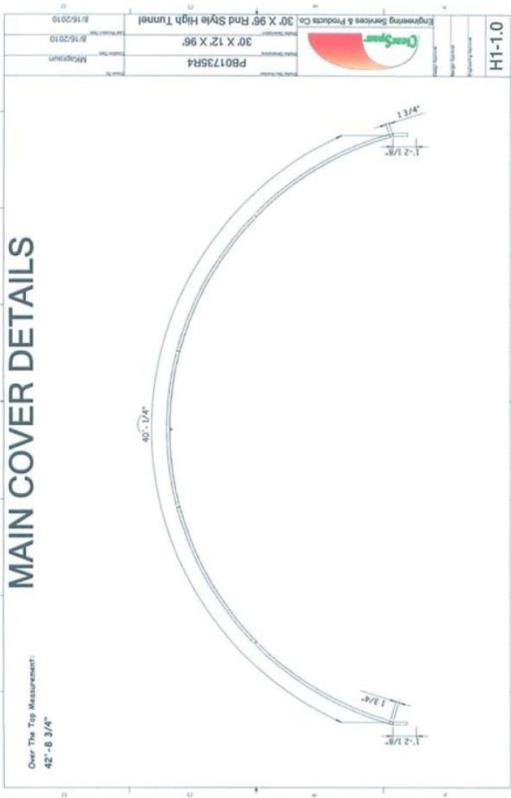
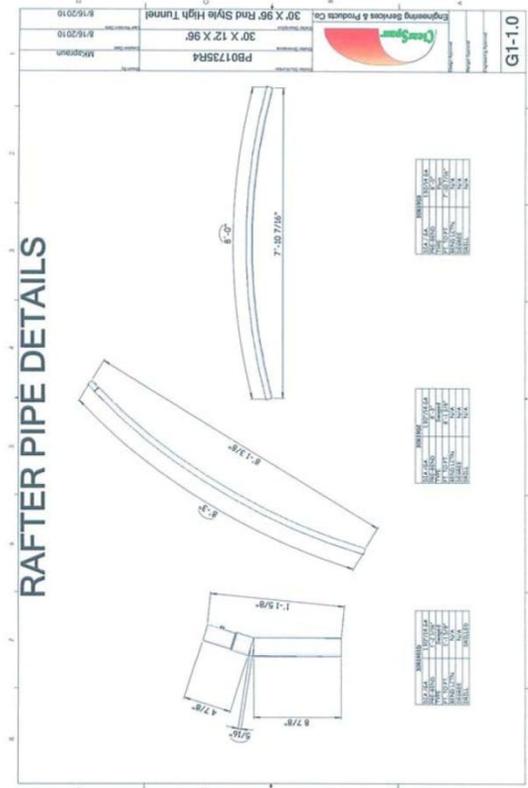
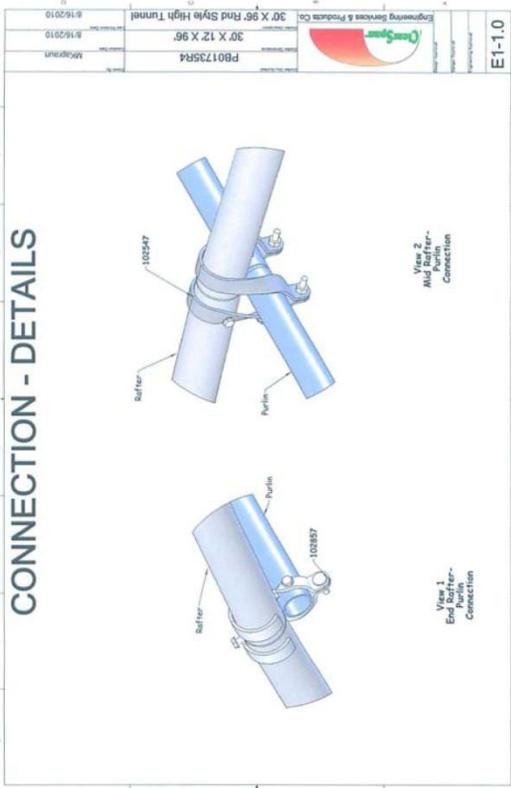
← 100'



50' →

S

ATTACHMENT VI



ATTACHMENT VII

Jim Korotev

From: Dave Chrouser [dchrouser@mau-associates.com]
Sent: Thursday, March 10, 2011 3:47 PM
To: Jim Korotev
Subject: Moders Public Hearing

Jim, I have no problem with the green house they want to putting up. They are very good neighbors and run a top notch farming business.

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David J. Chrouser
Mau & Associates
Office 920-434-9670
Cell 920-680-3141