



**Meeting Date:** 9/19/11  
**Agenda Item:** # 8-9

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

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## VILLAGE PLAN COMMISSION STAFF REPORT

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

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

**AGENDA ITEM:** **Public hearing and action concerning a request from Marcus and Sara Vanderleest to rezone parcel VH-262-12, located at 2913 Glendale Avenue from Single Family (R-1) to Business (B-1)**

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### **POLICY ISSUE**

Should the Village rezone VH-262-12 from Single Family (R-1) to Business (B-1)?

### **BACKGROUND**

The applicant is requesting to rezone the existing property from R-1 Residential Single Family to B-1 Business. The existing dentist office has been in place for a number of years and the principal structure is located on the lot directly to the east. The subject property currently provides parking and driveway access to the existing facility.

**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 PLAN COMMISSION**

It is recommended that the Plan Commission open the public hearing and ask the applicant to explain his request in detail. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing. After the public hearing is closed, the Plan Commission should review the applicant's request. If satisfied with the proposal, the Plan Commission should recommend approval to the Village Board with any specific conditions as may be necessary to address concerns voiced by the public, staff or Commission members. Staff recommends approval of the proposed zoning from R-1 Residential Single Family to B-1 Business.

**THIS WILL BE A RECOMMENDATION TO THE VILLAGE BOARD FOR THE SEPT. 26, 2011 VILLAGE BOARD MEETING.**

**POLICY ALTERNATIVE(S)**

The Plan Commission could take the following action:

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

**ATTACHMENT**

**I      Re-zoning Application**

Rezoning Application



Contact Type	Contact Information
Village Hall Phone Number	(920)-434-4640
Village Hall Fax Number	(920)-434-4643
Village Hall Email	jkorotev@villageofhoward.com

Village of Howard  
2456 Glendale Avenue  
Green Bay, WI 54313



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: Marcus + Sara Vanderleest

Address: 2913 Glendale Ave

Phone: (920) 434-3450

Email: marc@vanderleestdental.com

Business Name: VANDERLEEST Dentistry

Conditional Use Site Address: \_\_\_\_\_

Landowner of Record: Marcus + Sara Vanderleest

Address: 2851 Antlar Trail (Home)

Phone: (920) 366-4531 Email: marc@vanderleestdental.com

Consultant(s)

Architect

Name: NONE

Address: \_\_\_\_\_

Phone: ( ) - - Email: \_\_\_\_\_

Contractor/Engineer

Name: UNKNOWN

Address: \_\_\_\_\_

Phone: ( ) - - Email: \_\_\_\_\_

Parcel/Building Information

PARCEL # VH-262-12

Lot Size: 100 x 160 Acres/Sq. Ft. Current Zoning: Residential (R1) Requested

Zoning: B-1 216000

Lot Dimensions: 100 x 160 Does Current Zoning Permit Intended

Use: No

Bldg. Sq. Footage: 900 Sq. Foot.

Street Frontage: 100 feet

But Adjacent to Dental office  
which is zoned B1. ~ 100  
ft of  
Frontage

## 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:

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I currently have a dental practice located at 2913 Glendale Avenue, which is zoned Business 1. The vacant lot located at 2907 Glendale Avenue is zoned Residential. I would like to have the zoning changed from Residential to Business 1 so I am able to build a small garage on the vacant lot. It is my understanding that the lot must be rezoned in order to construct any type of structure.

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 Dr. Marc Van der Grint  
Applicant Signature

8/4/11  
Date

Please direct all questions to Jim Korotev at 434-4640 or [jkorotev@villageofhoward.com](mailto:jkorotev@villageofhoward.com)



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.

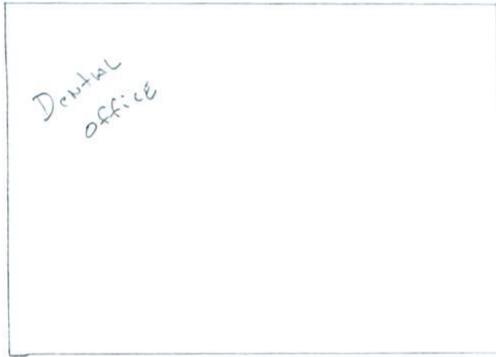
**Marcus J. Vanderleest, D.D.S.**

2913 GLENDALE AVENUE  
GREEN BAY, WISCONSIN 54313  
TELEPHONE (920) 434-3950  
FAX (920) 434-3912



GLENDALE AVE

PARCEL  
VH-262-13  
ZONE B1



Willigette Drive

PARCEL VH-262-12  
ZONED R1  
Apply for change to B1

