

REZONE PETITION NO. 2015-0002

PETITION FOR AMENDMENT TO THE VILLAGE OF LAKE HALLIE ZONING ORDINANCE

The undersigned hereby petitions the Village Board to amend the zoning districts as follows:

APPELLANT: Kevin Normand

AGENT: Heather Marble

Physical Address: 4668 133rd Street

PARCEL: Lots 8, 9, and part of 10, Block 1, Stafford Addition, which is located in the SE ¼ of the NW ¼, Section 18, Township 28 North, Range 08 West.

FROM: Residential 2

TO: Highway or Local Commercial



Heather Marble

Please sign and return by February 27th, 2015 utilizing one of the following:

Mailing Address: Chippewa County Department of Planning and Zoning 711 N. Bridge Street Chippewa Falls, Wisconsin 54729	Email Address: dclary@co.chippewa.wi.us
	Fax Number: (715) 726-4596

RECEIVED
FEB 25 2015
BY: _____

For the address of 4668 133rd street Chippewa Falls WI 54729 the Blue Marble Pub does not plan on changing the exterior of the building except maybe the possibility of putting a deck with additional outside dining seating attached to the northeast side of building. The Blue Marble Pub and restaurant plan to remodel the inside and place a 20'x45'-50' kitchen with office space and a 10'x30' bar area with service station in. We will also have a small area for gaming and arcade machines. The rest of the square footage will be utilized for large and small tables for restaurant seating.

Kevin Normand
Property owner
knormand@gmail.com

Heather Marble
hmarble83@hotmail.com



VILLAGE OF LAKE HALLIE
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management
715.726.7940, Rm 009

Land Planning
715.726.7941, Rm 009

Land Records & G.I.S.
715.738.2595, Rm 005

POWTS & Wells
715.726.7943, Rm 009

Date: February 23, 2015

To: Property Owner(s)

From: Douglas Clary, Director

Re: Rezone Petition # 2015-0002

Dear Property Owner(s):

The Department of Planning & Zoning has received a request for a rezone as shown below. Your property has been determined to be within the legal public hearing notification distance per village and state requirements.

The Village Plan Commission will meet on **March 9th, 2015 at 6:00 PM** to review this particular request. The Plan Commission will make a recommendation for approval, approval with modification or denial of the request. The recommendation will be forwarded to the Village Board for their **March 16th, 2015** meeting. The public hearing notice for the Village Board meeting is located below.

Both meetings will be held at the Lake Hallie Village Hall. If you have any questions regarding this request, please feel free to contact me at the above telephone number and/or attend the meeting(s) as described.

(Publish – Chippewa Herald – March 2nd, 2015 & March 9th, 2015)

VILLAGE OF LAKE HALLIE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

NOTICE is hereby given to all persons in the Village of Lake Hallie, Wisconsin, that a meeting will be held on **March 9th, 2015** beginning at **7:00 P.M.**, at the Lake Hallie Village Hall, relative to the following request:

APPELLANT: Kevin Normand

AGENT: Heather Marble

Physical Address: 4668 133rd Street

PARCEL: Lots 8, 9, and part of 10, Block 1, Stafford Addition, which is located in the SE ¼ of the NW ¼, Section 18, Township 28 North, Range 08 West.

FROM: Residential 2



TO: Highway or Local Commercial

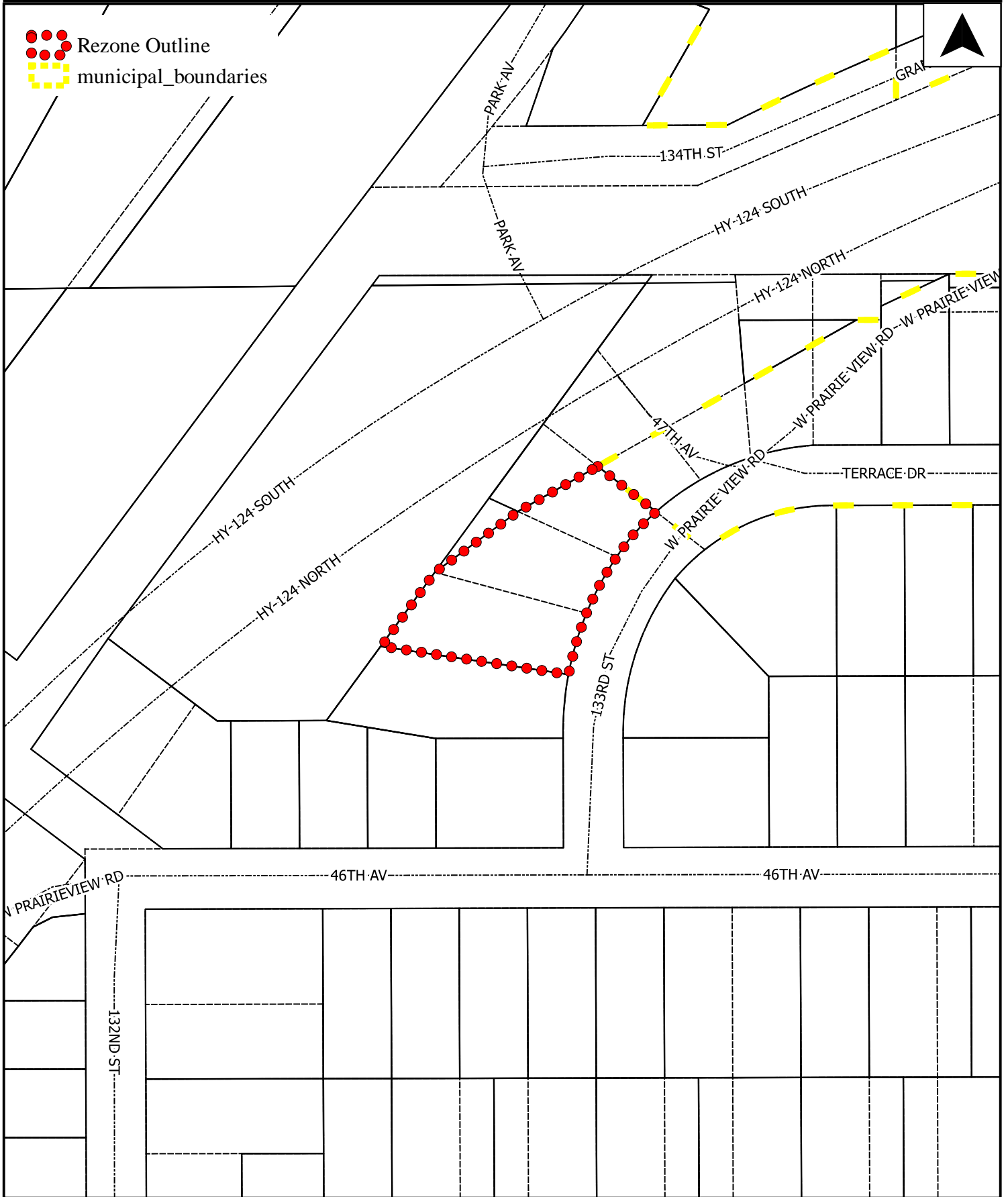
General Information: Specific information regarding this meeting can be obtained at the Department of Planning & Zoning. All persons interested are invited to attend said meeting and be heard.

Dated this **23rd** day of **February**, 2015.

Douglas Clary, Director
Department of Planning & Zoning
Village of Lake Hallie

2015-0002 - Normand Rezone Request - Location Map

 Rezone Outline
 municipal_boundaries



VILLAGE OF LAKE HALLIE
DEPARTMENT OF PLANNING & ZONING

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POWTS & Wells
715.726.7943, Rm 009

Date: March 3rd, 2015

To: Eloise Rowan, Plan Commission Chair

From: Douglas Clary, Director of Planning & Zoning 

Re: Rezone Petition #2015-0002

- 1. Notification:** Property owners within 400' of the proposed rezone were notified of the Plan Commission and Village Board meetings regarding this request. The Plan Commission's recommendation will be forwarded to the Village Board for their March 16th, 2015 meeting.
- 2. General Location of Property:** Please see the attached location map for reference.
- 3. Request:** To rezone the existing property from the *Residential 2 District (two-family dwellings)* into the *Highway Commercial District (proposed use is a bar/restaurant)*. I have attached copies of the local and highway commercial districts for your review.
- 4. Analysis:** In 2009, the Jehovah's Witnesses submitted rezone petition 2009-0020, which requested the parcel be rezoned into the Highway Commercial District. The neighborhood submitted a petition asking that the rezone be denied. Ultimately, the Plan Commission and the Village Board denied the rezone request.

This request is to rezone the property to the Highway Commercial district in order to utilize the property for a restaurant/bar. The existing building and land is currently utilized as a church by the Jehovah's Witnesses. The surrounding area is 100% residential use. To the north, across HWY 124, there is a small parcel already zoned Highway Commercial, while to the south-west between N. Prairie Road and 132nd Street, there are several parcels zoned Local Commercial. Please see the attached zoning district map.

5. Plan Commission Options for Recommendation:

- a. Deny the rezone as a whole.** This would leave the property in the current zoning district.
- b. Approval of the rezone with modification.** A restaurant would be allowed in the local commercial district as a permitted use.
- c. Approval of the rezone as presented.**

- 6. Staff Recommendation:** Public concerns with rezones into the highway commercial district usually deal with noise, stormwater runoff, screening and lighting of the site. The zoning ordinance does have specific sections dedicated to lighting and screening requirements. If stormwater management is not a problem now, I cannot see this being a problem in the future, unless more pavement is added or soil is compacted, thus further restricting infiltration. Noise from a site is always hard to decipher – what is acceptable to one, may not necessarily be acceptable to another.

This particular site has been utilized as a church, which in my opinion would not be as intrusive as the proposed use or some of the other uses allowed within the Highway Commercial district. While it does have frontage on HWY 124, it only has direct access via city/village roads. The village roads in the immediate area are predominately utilized by residential traffic and not for business type activities.

A church is a permitted use within the residential district. The building and land in question can continue to operate as such. However, as we have seen, the only interest in this particular building has been for some type of commercial use. This alone signifies that maybe churches do not belong in the residential neighborhoods, but rather should be allowed only within the commercial districts. Or, that while the churches are allowed in the residential districts, the congregation needs to acknowledge that the future use of the structure would be for another congregation or for residential development.

My recommendation would be for the village to **DENY** the rezone request based on the fact that the area is predominately residential and that there is adequate land within the village already zoned for this type of use.



But, the Village Plan Commission and Village Board are in favor of the request, the following is a simple list of items that need to be addressed:

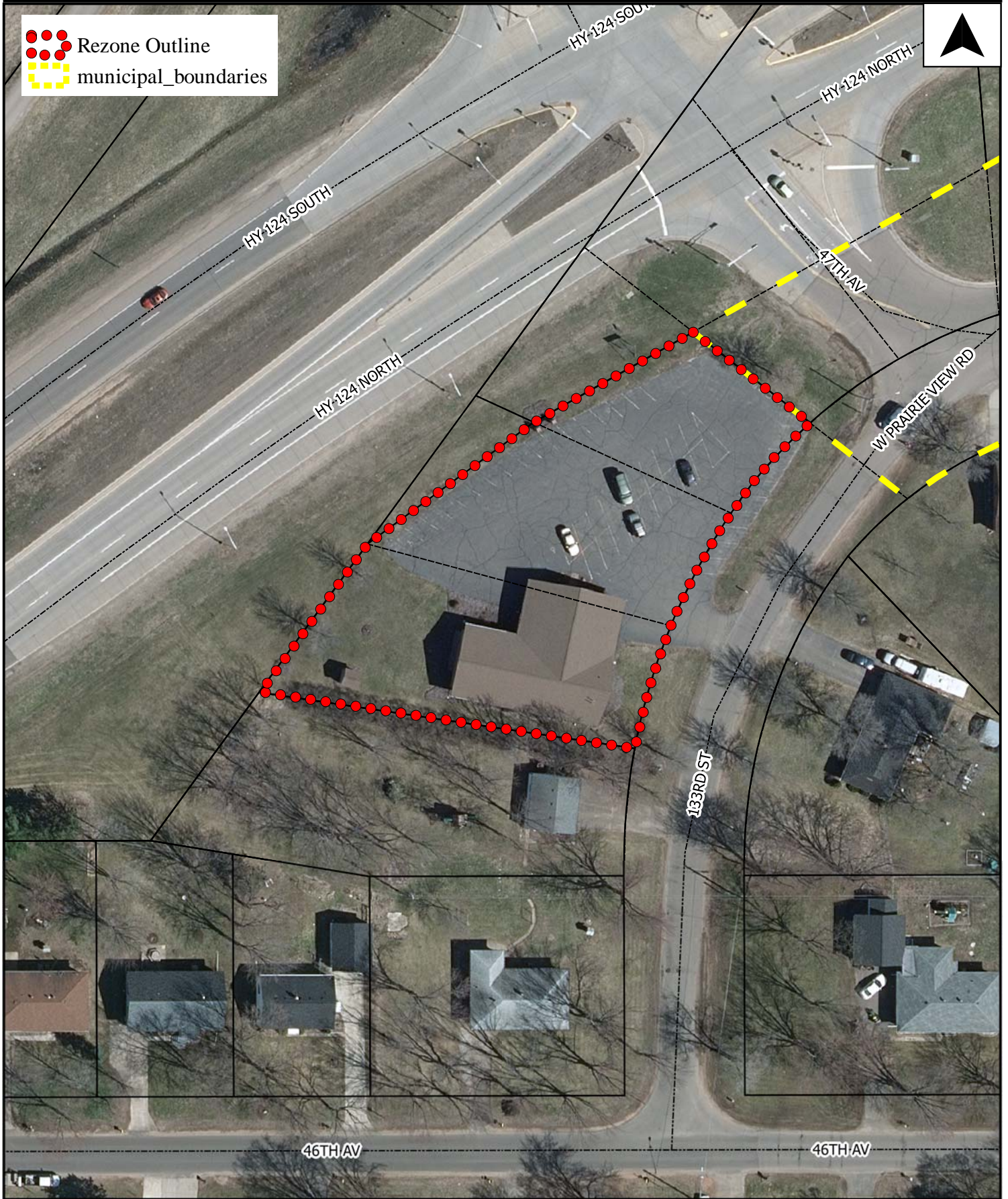
1. *Commercial Building Code requirements* – Structure needs to be brought up to commercial building code requirements.
2. *Septic System* – Full evaluation of septic system to determine existing size of septic system. Additional drainfield and septic tank capacity would most likely be required. Also, a grease interceptor would need to be installed based on the proposed use.
3. *Commercial Fencing* – Fencing requirements along the south-western property line would be required.
4. *Commercial Outdoor Lighting* – Outdoor lighting shall conform to the village's standards.

Attachments:

1. Aerial View - Map
2. Zoning Districts – Map

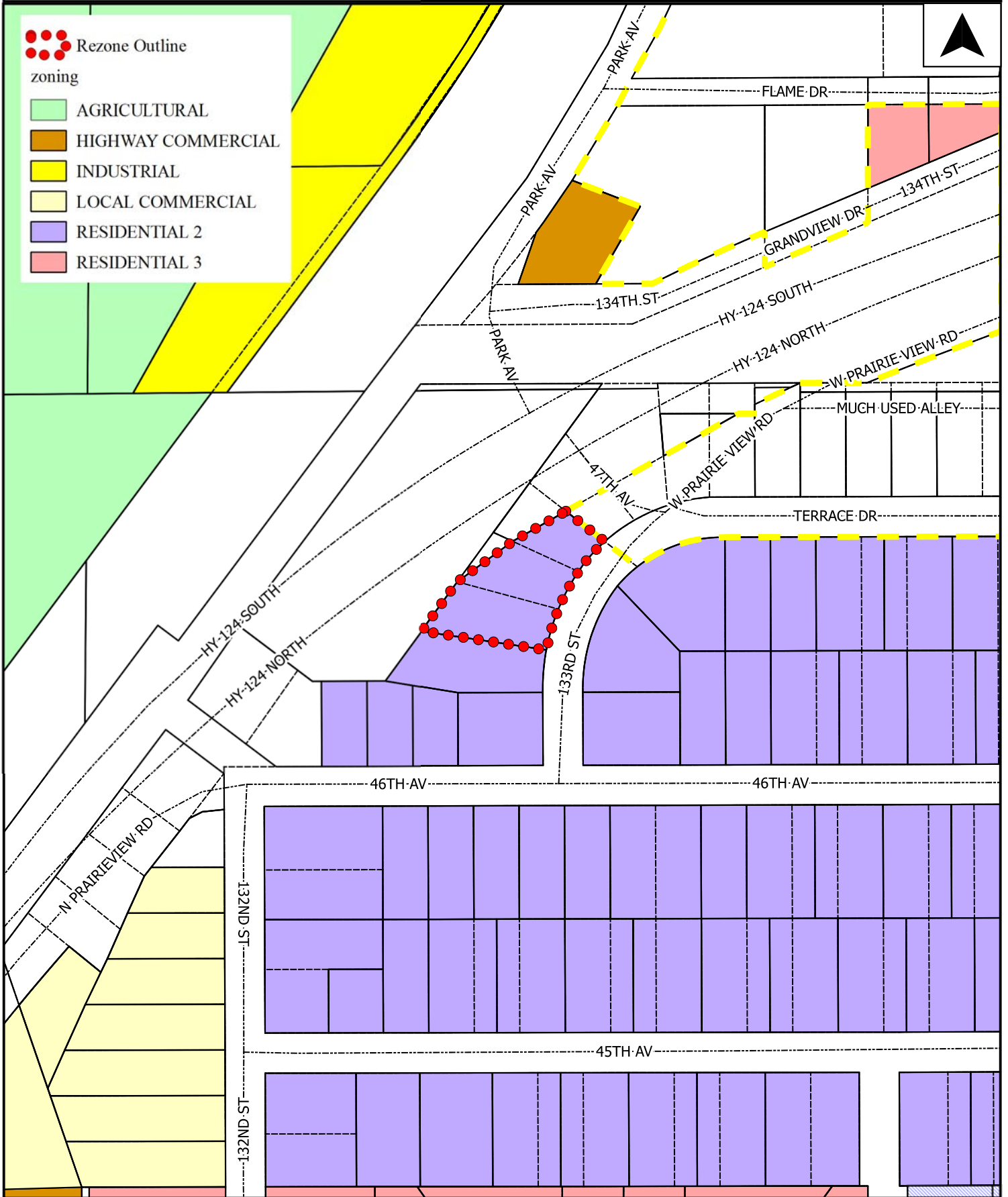
2015-0002 - Normand Rezone Request - 2014 Aerial

 Rezone Outline
 municipal_boundaries



Map produced on February 22nd, 2015 by the Chippewa County Department of Planning & Zoning and is for reference purposes only. Scale: 1" = 100'

2015-0002 - Normand Rezone Request - Zoning Districts



Douglas Clary

Feb 26 - 15

I am Carol Balts. I live at
13444 46th Ave. Village of Lake Hallie.
To let you know I am against the
change Parcel Lots 8 - 9 - and part of
10 Block 1 Stafford Addition which
is located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$
Section 18, Township 28 North, Range
08 West. I want this left as
Residential 2. It is hard for me to
get around and I don't drive nights
Do not change this parcel. Leave it
Residential 2.
Rezone Petition # 2015 - 0002

Carol Balts

