



AGENDA

VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Monday, March 13, 2023

TIME: 6:00 p.m.

Virtually attend the March 13th Plan Commission meeting at 6 PM by following the link here:

Join Zoom Meeting: <https://us06web.zoom.us/j/85842889948>

Meeting ID: 858 4288 9948

Dial by your location: +1 312 626 6799 US (Chicago)

A. Call to Order

B. Roll Call

C. Public Appearance for Items Not on the Agenda

1. Approval of Minutes from the Plan Commission Meeting of February 13th 2023
2. Public Hearing – 819 Grand Home Occupancy for in Home Daycare
3. Discussion/Action – 819 Grand Home Occupancy for in Home Daycare
4. Public Hearing – Conditional Use 1320 E Main St
5. Discussion/Action – Conditional Use 1320 E Main St
6. Recommendation – CSM Tri-S Management
7. Discussion/Action – Sec 44-394 Fence update
8. Discussion/Recommendation – Sec. 8 Update
9. Recommendation – CSM Agropur
10. Discussion – Section 44-191 44-192
11. Items for Future Agenda
12. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 March 9, 2023

MINUTES OF THE PLAN COMMISSION MEETING OF FEBRUARY 13, 2023

Call to Order

The Plan Commission meeting was called to order at 6:00 PM by President Vanden Berg

Roll Call

PRESENT: President Vanden Berg
Jim Moes
Bill Van Berkel
Kent Taylor
Larry Van Lankvelt
EXCUSED: Todd Verboomen
STAFF PRESENT: Dave Kittel

Public Appearance for Items Not on the Agenda

None

Approval of Minutes from the Plan Commission Meeting of January 9, 2023

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to approve the Plan Commission Meeting Minutes of January 9, 2023.

All Ayes – Motion Carried

Recommendation – CSM Freedom Rd

Director Kittel Presented a CSM for Freedom Rd, this CSM would add to land to an existing property that would allow the property to be developed. This combination will also need a rezoning as well.

Moved by Commissioner Moes, seconded by Commissioner Taylor to recommend approval of the CSM to the Village Board

All Ayes – Motion Carried

Recommendation – CSM Spirit Investments

Director Kittel Presented a CSM for Spirit Investments to combine 2 lots into one on Spirit Ct.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to recommend approval of the CSM to the Village Board

All Ayes – Motion Carried

Recommendation – Rezoning Freedom Road

Director Kittel Presented a rezoning request for a portion of a property on Freedom Road. This is connection with the CSM presented previously and would be to change a small portion of property from RC-single family to CH-commercial Highway.

Moved by Commissioner Moes, seconded by Commissioner L. Van Lankvelt to recommend approval of the rezoning to the Village Board and for the Board to schedule a hearing for the Rezoning Request.

All Ayes – Motion Carried

Discussion – Section 8 Updates

Director Kittel Presented some proposed updates to Section 8 of the Village of Little Chutes Ordinances. These ordinances go over building codes and need updating to reference updated state statues. Director Kittel proposed that updating the code further and simplifying many parts to reference State Code specifically would reduce confusion, and simplify any updates in the future if a law changed or the state updated to a newer version of the building code.

Staff was directed by the Plan Commission to present an updated version of Section 8 to the Plan Commission that staff recommended.

Items for Future Agenda

None

Adjournment

*Moved by Commissioner L. Van Lankvelt, seconded by Commissioner Van Berkel to Adjourn
Plan Commission Meeting at 6:32 PM*

All Ayes – Motion Carried

VILLAGE OF LITTLE CHUTE

By: _____
Michael Vanden Berg, Village President

Attest: _____
Laurie Decker, Village Clerk

**VILLAGE OF LITTLE CHUTE
PLAN COMMISSION
NOTICE OF PUBLIC HEARING**

CONDITIONAL USE REQUEST

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on March 13, 2023 at 6:00 p.m. by the Plan Commission, for consideration of the granting of conditional use under authority provided in Section 44 Village Code of Ordinance. Owner requests a conditional use permit for a home-based occupancy, more specifically to operate a in home daycare at the owner's residence under the name Kenna Cares LLC. The property is Zoned; RC-Residential single-family District in the Village of Little Chute, Outagamie County, Wisconsin.

Address: 819 Grand Ave

Parcel # 260064900

Legal Description: 1988 AMENDMENT TO 1917 ASSESSORS PLAT LOT 1 BLK 41

Current Owner: Angela Olsen

Applicant: McKenna Johnson

DATE OF HEARING: March 13, 2023

TIME OF HEARING: 6:00 p.m.

PLACE OF HEARING: Village Hall

Board Room

108 West Main Street

Little Chute, WI 54140

If you have any questions, please contact the Zoning Administrator at (920) 423-3870

Publish: March 1, 2023

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

David

Fee \$125
Receipt No. 11.076918

VILLAGE OF LITTLE CHUTE
APPLICATION FOR HOME OCCUPATION PERMIT

SITE ADDRESS 819 Grand Ave, Little Chute
PROPERTY OWNER(S) Angela Oisen
ADDRESS/ZIP N2708 McCabe Rd TELEPHONE 920-676-8422
CITY/ZIP Kaukauna WI 54130 FAX _____
OCCUPANT/APPLICANT(S) McKenna Johnson
BUSINESS/CORPORATION NAME (IF APPLICABLE) not formed yet maybe Kenna Caves LLC
ADDRESS 729 Depot St TELEPHONE 920-619-3736
CITY/ZIP Little Chute, WI 54146 FAX _____

DESCRIBE IN **DETAIL** ALL EXISTING USES AND OF ADDITIONAL USES BEING PROPOSED FOR THIS LOCATION
APPLICANT MAY INCLUDE ANY ATTACHMENTS SUCH AS MAPS, DRAWINGS, PLANS, LEASE DOCUMENTS, ETC.
-COMPLETE DETAILS OF ALL USES MUST BE INCLUDED, OMISSIONS SHALL BE CAUSE FOR DENIAL OR REVOCATION-

Licensed Approved in home daycare
Est. Start Date Aug 2023

DESCRIBE ALL HOURS OF OPERATION FOR EXISTING AND PROPOSED COMMERCIAL NON-RESIDENTIAL USES

M-F 7am to 5pm

DESCRIBE ALL AREAS (1ST FLOOR, 2ND FLOOR, BASEMENT, ETC.) AND INCLUDE THE ACTUAL SQUARE FOOT AREA WHICH WILL BE USED FOR ANY PROPOSED COMMERCIAL/BUSINESS USES.

730^{sq} First Floor - Kitch/Bathroom/Bedroom/Living Room/
Dining Room/Front room / (Basement only Storage 200^{sq})
upstairs 200^{sq} office/Storage

ZONING DISTRICT _____ LOT SIZE 65 x 160^{??}

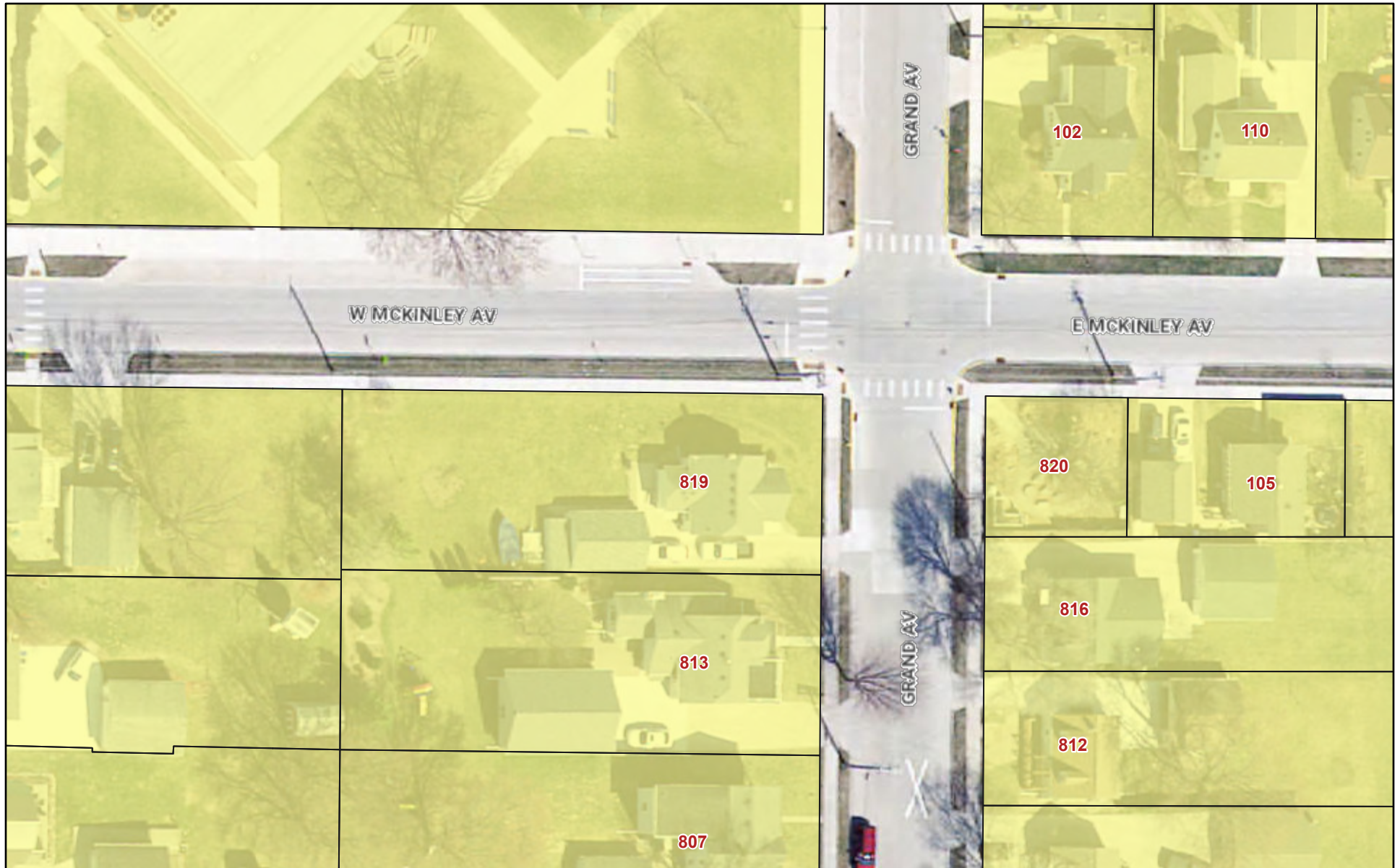
OF STORIES 2 BASEMENT ☒ YES ☐ NO BUILDING HEIGHT _____ TOTAL FLOOR AREA 1130

TOTAL # OF EMPLOYEES PROPOSED (IF APPLICABLE) 0 NUMBER OF ON SITE PARKING STALLS 0

I CERTIFY THAT THIS APPLICATION AND ANY ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE, COMPLETE IN ACCORDANCE WITH ALL APPLICABLE CODES.

APPLICANT SIGNATURE McKenna Johnson DATE 2/17/23
OWNER SIGNATURE Angela Oisen DATE 2/13/23
OCCUPANCY APPROVED BY _____ DATE ____/____/____
OCCUPANCY DENIED BY _____ DATE ____/____/____

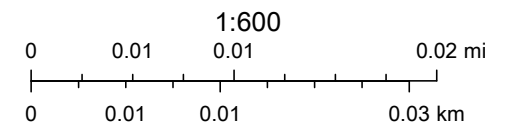
819 Grand CU map



3/2/2023, 8:35:06 AM

Address Zoning

Parcels RC: Residential Single-Family



Robert E. Lee & Associates, Brown County, Outagamie County

Village of Little Chute
Robert E. Lee & Associates, Inc., Outagamie County

**VILLAGE OF LITTLE CHUTE
PLAN COMMISSION
NOTICE OF PUBLIC HEARING**

CONDITIONAL USE REQUEST

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on December 12, 2022 at 6:00 p.m. by the Plan Commission, for consideration of the granting of conditional use under authority provided in Section 44 Village Code of Ordinance. Owner requests a conditional use permit for a automotive business, more specifically a facility that repairs and sells automobiles. The property is Zoned; CH-Commercial Highway in the Village of Little Chute, Outagamie County, Wisconsin.

Address: 1320 E MAIN ST

Parcel # 260134300

Legal Description: CSM 170 LOT 1 (PLATTED OUT OF PRT NW NE SEC22-21-18) .50AC M/L

Current Owner: W&F HOLDINGS LLC

Applicant: MATT PETERS

DATE OF HEARING: December 12, 2022

TIME OF HEARING: 6:00 p.m.

PLACE OF HEARING: Village Hall
Board Room
108 West Main Street
Little Chute, WI 54140

If you have any questions, please contact the Zoning Administrator at (920) 423-3870

Publish: December 7, 2022

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Village of Little Chute Application for CONDITIONAL USE UNDER CHAPTER 44 ZONING CODE

Application fee \$125.00

Date filed 02-27-23

The undersigned owner(s) of the property herein described hereby petition for a Conditional Use under the Village of Little Chute Zoning Ordinance Chapter 44, in the Village of Little Chute, Outagamie County, Wisconsin

Property location: 1360 E Main St Little Chute

Legal Description: Auto Repair

Current Zoning Classification: _____

Petitioner(s) request permission be granted for the following conditional use(s): Auto Repair & Sales

Petitioner(s) reason(s) for requesting the above described conditional use are as follows: _____

Attach Surveys, building plans, drainage plans, site plans, statements of days & hours of operation, estimates of additional traffic generated, statements regarding effect on neighboring properties and any other additional information which may assist in determining that the proposed use is appropriate that such use is not hazardous, harmful, offensive or adverse to the environment or the value of the neighborhood or the community.

Owner(s) Name(s) Nick Mober

Owner(s) Address _____

Phone Numbers 920-224-9405

APPLICANT(S) Signature(s) [Signature]

Date Signed 02.27.23

Article IV: Conditional Uses

Sec. 44-113. Purpose.

The development and execution of this article is based upon the division of the village into districts, within which districts the use of land and buildings, and bulk and location of buildings and structures in relation to the land, are mutually compatible and substantially uniform. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as unrestricted permitted uses in any particular district, without consideration, in each case, of the impact of those uses upon neighboring land or public facilities, and of the public need for the particular use of a particular location. Such uses, nevertheless, may be necessary or desirable to be allowed in a particular district provided that due consideration is given to location, development and operation of such uses. Such uses are classified as conditional uses.

Sec. 44-114. Authority of the plan commission and village board; requirements.

(a) The plan commission or village board may authorize the zoning administrator to issue a conditional use permit after review and public hearings. The village board shall have sole authority to approve conditional uses for multifamily developments whenever a conditional use permit is required. The village board shall prior to holding a public hearing on a conditional use, refer the requested use to the plan commission for review and recommendation. The plan commission may authorize all other conditional uses. Prior to authorization of the zoning administrator to issue a conditional use permit, the board or commission (whichever has jurisdiction), shall hold a public hearing to review the requested use and shall determine that such conditional use and involved structure are found to be in accordance with the purpose and intent of this chapter, and are further found not to be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community. The issuance of a conditional use permit shall specify the period of time for which effective, the name of the permittee, the location and legal description of the affected premises, permitted hours and days of operation if specified, and any other restrictions or regulations imposed so that the standard of this article may be complied with. Prior to the granting of a conditional use the board or the commission shall make findings based upon evidence presented that the standards herein prescribed are being complied with.

(b) Any development within 500 feet of the existing or proposed rights-of-way of freeways, expressways and within one-half mile of their existing or proposed interchange or turning lane rights-of-way shall be specifically reviewed by the highway agency that has jurisdiction over the traffic way. The plan commission or village board shall request such review and await the highway agency's recommendation for a period not to exceed 20 days before taking final action.

(c) Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operation control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the plan commission or village board upon its finding that these are necessary to fulfill the purpose and intent of this chapter.

(d) Compliance with all other provisions of this chapter, such as lot width and area, yards, height, parking, loading, traffic, highway access and performance standards shall be required of all conditional uses.

Sec. 44-115. Initiation of conditional use.

Any person, firm, corporation or organization having a freehold interest or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest, and which is specifically enforceable in the land for which a conditional use is sought may file an application to use such land for one or more of the conditional uses in the zoning district in which such land is located.

Sec. 44-116. Application.

(a) *Required application materials.* An application for a conditional use shall be filed in duplicate on a form prescribed by the village. Such applications shall be forwarded to the plan commission or village board on receipt by the zoning administrator. Such applications shall include where applicable:

(1) A statement, in writing, by applicant and adequate evidence showing that the proposed conditional use shall conform to the standards set forth in section 44-119.

(2) Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor and all property owners of record within 100 feet.

(3) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees and the zoning district within which the subject site lies.

(4) Plat of survey prepared by a registered land surveyor showing all of the information required for a building permit and existing and proposed landscaping.

(5) Additional information as may be required by the plan commission or village board or other boards, commissions or officers of the village. The village board may require such other information as may be necessary to determine and provide for an enforcement of this chapter, including:

a. A plan showing contours and soil types;

b. High-water mark and groundwater conditions;

c. Bedrock, vegetative cover, specifications for areas of proposed filling, grading, and lagooning;

d. Location of buildings, parking areas, traffic access, driveways, walkways, open spaces and landscaping;

e. Plans of buildings, sewage disposal facilities, water supply systems and arrangements of operations.

(6) Fee receipt in the amount of \$125.00.

(b) *Conditional use permits granted to applicant only.* All applications for conditional use permits shall be in writing and shall be signed by the real estate property owner. The conditional use permit, if and when granted, shall inure to the benefit of the real estate and any successor in title to ownership of that real estate.

(c) *Plans.* In order to secure information upon which to base its recommendation, the plan commission or village board, in making its determination, may require the applicant to furnish, in addition to the information required for a building permit, the following information:

(1) A plan of the area showing contours, soil types, high-water mark, groundwater conditions, bedrock, slope and vegetation cover;

(2) Location of buildings, parking areas, traffic access, driveways, walkways, open spaces, landscaping, lighting;

(3) Plans for buildings, sewage disposal facilities, water supply systems and arrangements of operations;

(4) Specifications for areas of proposed filling, grading, lagooning or dredging;

(5) Other pertinent information necessary to determine if the proposed use meets the requirements of this chapter.

Sec. 44-117. Hearing on application.

All requests for conditional uses shall be to the plan commission or the village board can, on its own motion, apply conditional uses when applications for rezoning come before it. Nothing in this chapter shall prohibit the village board, on its own motion, from referring the request for conditional use to the plan commission. Upon receipt of the application and statement referred to in section 44-116, the plan commission or village board shall hold a public hearing on each application for a conditional use at such time and place as shall be established by such commission or the village board. The hearing shall be conducted and a record of the proceedings shall be preserved in such a manner and according to such procedures, as the plan commission or village board shall, by rule, prescribe from time to time.

Sec. 44-118. Notice of hearing on application; approval by the plan commission or village board.

Notice of the time, place and purpose of such public hearing shall also be sent to the applicant, the zoning administrator, members of the plan commission or village board, and the owners of record as listed in the office of the village assessor who are owners of property in whole or in part situated within 100 feet of the boundaries of the properties affected, said notice to be sent at least five days prior to the date of such public hearing. Failure to comply with this provision shall not, however, invalidate any previous or subsequent action on the application. The notification shall include the date and time that the matter will be discussed and acted upon by the commission or village board. The plan commission or village board shall hold said hearing not later than 60 days from the date that the conditional use petition has been presented to the village. The plan commission or village board may also mail copies of the application and notice of the plan commission or village board public hearing thereon to any other interested persons as determined from time to time by the plan commission or village board.

Sec. 44-119. Standards.

No application for a conditional use shall be granted by the plan commission or village board on appeal unless such commission or board shall find that the following conditions are present:

- (1) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (2) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
- (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
- (5) That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.
- (6) That the proposed use does not violate floodplain regulations governing the site.
- (7) That, when applying the above standards to any new construction of a building or an addition to an existing building, the plan commission or village board shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objectives of the zoning district.
- (8) That, in addition to passing upon a conditional use permit, the plan commission or village board shall also evaluate the effect of the proposed use upon the following:
 - a. The maintenance of safe and healthful conditions.
 - b. The prevention and control of water pollution including sedimentation.
 - c. The existing topographic and drainage features and vegetative cover on the site.
 - d. The location of the site with respect to floodplain and floodways of rivers and streams.
 - e. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
 - f. The location of the site with respect to existing or future access roads.
 - g. The need of the proposed use for a shoreland location.
 - h. Its compatibility with uses on adjacent land.
 - i. The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.

Sec. 44-120. Approval or denial of conditional use permit.

- (a) *Plan commission or village board action.* The plan commission or village board may approve, disapprove, or approve subject to stipulated conditions and safeguards a request for a conditional use permit. If the plan commission or village board shall disapprove of an application, it shall state fully in its record its reasons for doing so. Such reasons shall take into account the factors stated in section 44-119 or such of them as may be applicable to the action of disapproval and the particular regulations relating to the conditional use requested, if any.
- (b) *Denial.* When the decision of denial of a conditional use application is made, the plan commission or village board shall furnish the applicant, in writing when so requested, those standards that are not met and enumerate reasons used in determining that each standard was not met.

Sec. 44-121. Appeals.

Any action of the plan commission or village board in granting or denying a conditional use permit may be appealed to the board of appeals, if a written request for an appeal is filed within ten days after the date of action in granting or denying the permit. Such request for appeal shall be signed by the applicant or by the owners of at least 20 percent of the land area immediately adjacent extending 100 feet therefrom or by the owners of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land. The request shall be filed with the zoning administrator who shall submit it to the board of appeals at its next meeting, together with any documents and other data used by the plan commission or village board in reaching its decision. The board of appeals may consider the matter forthwith, refer the matter to a subsequent meeting or set a date for a public hearing thereon. In the event the board of appeals elects to hold a public hearing, notice thereof shall be given by mail to the known owners of the land immediately adjacent thereto and directly opposite any street frontage of the lot or parcel in question and by publication of a Class 1 notice in the official newspaper at least ten days before the date of the hearing. The board of appeals may either affirm or reverse in whole or in part the action of the plan commission or village board and may finally grant or deny the application for a conditional use permit.

Sec. 44-122. Conditions and guarantees.

The following provisions shall apply to all conditional uses:

(1) *Conditions.* Prior to the granting of any conditional use, the plan commission or village board may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified in section 44-119. In all cases in which conditional uses are granted, the plan commission or village board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. Such conditions may include specifications for, without limitation because of specific enumeration:

- a. Landscaping;
- b. Type of construction;
- c. Construction commencement and completion dates;
- d. Sureties;
- e. Lighting;
- f. Fencing;
- g. Operational control;
- h. Hours of operation;
- i. Traffic circulation;
- j. Deed restrictions;
- k. Access restrictions;
- l. Setbacks and yards;
- m. Type of shore cover;
- n. Specified sewage disposal and water supply systems;
- o. Planting screens;
- p. Piers and docks;
- q. Increased parking; or
- r. Any other requirements necessary to fulfill the purpose and intent of this chapter.

(2) *Site review.* In making their decisions, the plan commission or village board shall evaluate each application and may request assistance from any source, which can provide technical assistance. The commission or board may review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems and the proposed operation/use.

(3) *Alteration of conditional use.* No alteration of a conditional use shall be permitted unless approved by the plan commission or village board.

(4) *Architectural treatment.* Proposed architectural treatment will be in general harmony with surrounding uses and the landscape. To this end, the plan commission or village board may require the use of certain general types of exterior construction materials and/or architectural treatment.

(5) *Sloped sites; unsuitable soils.* Where slopes exceed six percent and/or where a use is proposed to be located on areas indicated as having soils which are unsuitable or marginal for development, on-site soil tests and/or construction plans shall be provided which clearly indicate that the soil conditions are adequate to accommodate the development contemplated and/or that any inherent soil condition or slope problems will be overcome by special construction techniques. Such special construction might include, among other techniques, terracing, retaining walls, oversized foundations and footings, drain tile, etc.

(6) *Conditional uses to comply with other requirements.* Conditional uses shall comply with all other provisions of this chapter such as lot width and area, yards, height, parking and loading. No conditional use permit shall be granted where the proposed use is deemed to be inconsistent or conflicting with neighboring uses for reasons of smoke, dust, odors, noise, vibration, lighting, health hazards or possibility of accident.

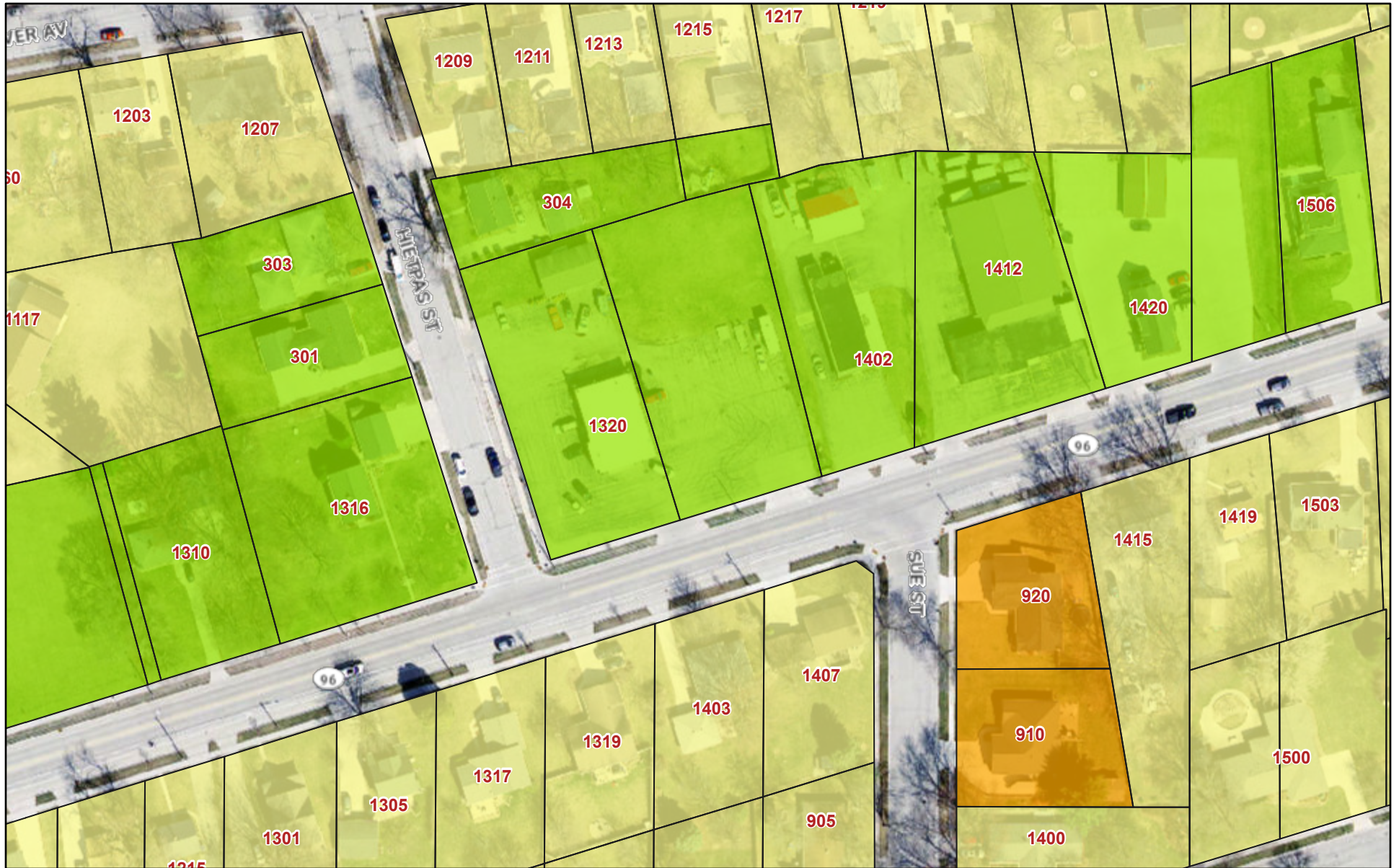
Sec. 44-123. Validity of conditional use permit.

Where the plan commission or village board has approved or conditionally approved an application for a conditional use, such approval shall become null and void within 12 months of the date of the commission's or board's action unless the use is commenced, construction is underway or the current owner possess a valid building permit under which construction is commenced within six months of the date of issuance and which shall not be renewed unless construction has commenced and is being diligently prosecuted. Approximately 45 days prior to the automatic revocation of such permit, the zoning administrator shall notify the holder by certified mail of such revocation. The plan commission or village board may extend such permit for a period of 90 days for justifiable cause, if application is made to the village at least 30 days before the expiration of said permit.

Sec. 44-124. Complaints regarding conditional uses.

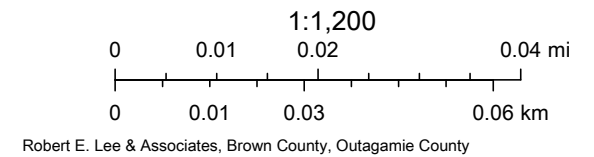
The plan commission or village board shall retain continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses. Such authority shall be in addition to the enforcement authority of the zoning administrator to order the removal or discontinuance of any unauthorized alterations of an approved conditional use, and the elimination, removal or discontinuance of any violation of a condition imposed prior to or after approval or violation of any other provision of this Code. Upon written complaint by any citizen or official, the plan commission or village board shall initially determine whether said complaint indicates a reasonable probability that the subject conditional use is in violation of either one or more of the standards set forth in section 44-119, or a condition of approval or other requirement imposed hereunder. Upon reaching a positive initial determination, a hearing shall be held upon notice as provided in section 44-118. Any person may appear at such hearing and testify in person or represented by an agent or attorney. The plan commission or village board may, in order to bring the subject conditional use into compliance with the standards set forth in section 44-119 or conditions previously imposed by the plan commission or village board modify existing conditions upon such use and impose additional reasonable conditions upon the subject conditional use. Additionally, the offending party may be subjected to a forfeiture as set forth in section 1-12. In the event that no reasonable modification of such conditional use can be made in order to ensure that standards in section 44-119(a) and (b) will be met, the plan commission or village board may revoke the subject conditional approval and direct the zoning administrator and the village attorney to seek elimination of the subject use. Following any such hearing, the decision of the plan commission or village board shall be furnished to the current owner of the conditional use, in writing, stating the reasons therefore. An appeal from a decision of the plan commission or village board under this section may be taken to the board of appeals.

1320 E Main St CU Map



3/2/2023, 9:31:12 AM

- Address
- Parcels
- Zoning
 - CH: Commercial Highway District
 - RC: Residential Single-Family
 - RT: Residential Two-Family





APPLICATION FOR SUBDIVISION AND/ OR CSM REVIEW

Name of Subdivision: CSM 141 & CSM 5580

Parent Parcel # 26-0127900 & 26-0127910

Number of Lots: 2

☐ Preliminary Plat

☐ Final Plat

☒ CSM

Will deed restrictions be recorded? ☐ Yes ☒ No

Property Owner Information:

Name: Tri-S Management

Telephone Number: 920-858-0726

Mailing Address: PO Box 166, Little Chute 54140

Surveyor Information:

Name: Scott R. Andersen (S-3169)

Telephone Number: 920-560-6569

email scott@davel.pro

Engineer Information:

Name: John Davel

Telephone Number: 920-560-6563

email john@davel.pro

Required for plat review:

☐ Lot Layout (4 full size copies) and (24) 11" x 17" copies

☐ Topographic survey (4 full size copies) and (2) 11" x 17" copies

☐ Drainage plan (4 full size copies) and (2) 11" x 17" copies

☐ Pavement Design Catalog (3 copies)

☐ Stormwater Pollution Prevention Plan / Erosion Prevention & Sediment Control Plan (3 copies)

☐ Final plans and specifications of public improvements (4 full size copies) and (2) 11" x 17" copies

☒ Proposed CSM (24) copies

☐ Plat restrictions or covenants to be recorded (3 copies)

Filing Fees:

☐ Preliminary Plat \$100.00 plus \$5.00 per lot.

☐ Final Plat \$50.00 plus \$2.00 per lot.

☒ CSM \$50.00 flat fee.

Amount of Fees submitted: \$ 50

Signature of Applicant

Date 2023.03.01

Submit to:

Director of Community Development
108 W Main Street, Little Chute, Wisconsin 54140
(920)423-3870 jim@littlechutewi.org

Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin.



1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Drafted by: scott
Sheet : 1 of 5

Certified Survey Map No. _____

Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin.

Surveyor's Certificate

I, Scott R. Andersen, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Village of Little Chute, and under the direction of The Village of Little Chute and Tri S Management, the property owners of said land, I have surveyed, divided and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin, containing 321,975 Square Feet (7.3915 Acres) of land described as follows:

Commencing at the South 1/4 corner of Section 15; thence S89°54'01"E along the south line of the Southeast 1/4 of said Section 15, 1314.31 feet to the east line of the Southwest 1/4 of the Southeast 1/4 of said Section 15; thence N00°16'32"W along said east line, 459.06 feet to the north right of way line of E. North Ave. (CTH "OO"); thence S82°09'07"W along said right of way line, 111.73 feet to the southeast corner of Lot 2 of Certified Survey Map No. 141 and to the Point Of Beginning of the parcel to be described; thence S82°09'07"W continuing along said right of way line, 54.01 feet to the east line of Frontage Road as shown on said Map No. 141; thence N07°50'53"W along said east line, 30.00 feet to the north line of said Frontage Road; thence S82°09'07"W along said north line, 156.00 feet to the Southwest corner of Lot 2 of said Map No. 141; thence N07°51'03"W along the west line of said Lot 2, 380.93 feet to the south line of Lot 1 of Certified Survey Map No. 5580; thence N89°51'23"W along said south line, 0.31 feet to the east line of Lot 1 of Certified Survey Map No. 7128; thence N00°04'16"E along said east line, 218.92 feet to the north line of said Lot 1; thence N89°55'45"W along said north line, 165.00 feet to the intersection of the south right of way line of Eisenhower Drive and the east right of way line of Nixon Steet; thence N00°00'38"E along said east right of way line, 275.08 feet to the north line of the Southwest 1/4 of the Southeast 1/4 of said Section 15; thence S89°55'45"E along said north line, 546.20 feet to the east line of Lot 1 of Certified Survey Map No. 5580; thence S00°02'35"W along said east line, 494.48 feet to the south line of said Lot 1; thence N89°51'23"W along said south line 117.40 feet to the east line of Lot 2 of Certified Survey Map No. 141; thence S00°06'38"E along said east line, 377.75 feet to the point of beginning. Described parcel is subject to all easements, and restrictions of record.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 82°09'07" W	54.01'
L2	N 07°50'53" W	30.00'
L3	N 89°51'23" W	0.31'
LINE	(Recorded BRG)	(Recorded DIST)
L1	(S 81°58'00" W)	(54.00')
L2	(N 08°02'00" W)	(30.00')

Certified Survey Map No. _____

Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin.

Owner's Certificate

Tri-S Management, a Wisconsin General Partnership duly organized and existing under and by virtue of the Laws of the State of Wisconsin, as the property owners, do hereby certify that we caused the land above described to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Village of Little Chute

IN WITNESS WHEREOF, the said Tri-S Management, has caused these presents to be

signed by its authorized representatives, located at, _____, Wisconsin, and its corporate seal to be hereunto affixed

this _____ day of _____, 20_____.

In the Presence of: Tri-S Management

By _____ By _____

print name _____ print name _____

Title _____ Title _____

State of Wisconsin)
)ss
_____ County)

Personally came before me this _____ day of _____, 20____,

the above named, officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

_____ My commission expires: _____
Notary Public, Wisconsin

Certified Survey Map No. _____

Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin.

Owner's Certificate

The Village of Little Chute, a Wisconsin Municipal Corporation duly organized and existing under and by virtue of the Laws of the State of Wisconsin, as the property owners, does hereby certify that we caused the land above described to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Village of Little Chute

Dated this _____ day of _____, 20_____

Michael Vanden Berg
Village President

Laurie Decker
Village Clerk

State of Wisconsin)
)SS
_____County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____
Notary Public, Wisconsin

Certified Survey Map No. _____

Lot 2 of Certified Survey Map No. 141 and Part of Lot 1 of Certified Survey Map No. 5580, Being Located in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin.

Village Board Certificate

Resolved, that this Certified Survey Map in the Village of Little Chute, Outagamie County, The Village of Little Chute and Tri-S Management, the property owners, is hereby approved by the Village Board of the Village of Little Chute.

Michael Vanden Berg
Village President

Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Little Chute.

Laurie Decker
Village Clerk

Date

Treasurers' Certificate

I, being the duly elected, qualified and acting Treasurers of the City of Menasha, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

Lisa Remiker-Dewall
Village Treasurer

Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

the property owners of record:	Recording Information:	Parcel Number(s):
Tri-S Management	Doc. 1063924	26-0127900
Village of Little Chute	Doc. 1899270	26-0127910



Item For Consideration

For Plan Commission Review On: 3/13/20230
Agenda Item Topic: Updates to Sec 44-394

Prepared On: 3/2/2023
Prepared By: Dave Kittel CDD

Report: Over the last few years there has been many residents that question the fence height requirement of 42" in the front yard/abutting a street. There have been many upset residents over this due to most fences you can order from a hardware store are either 48" or 6ft tall. I have had many requests to bring this up for discussion at the plan commission/Village Board to reevaluate this provision. There are public safety concerns from having too tall of a fence is blocking sight lines for cars backing out of driveways among other items. The department examined surrounding municipalities ordinances on this and found a mixture of approaches to fences in the front yard area, see chart below:

Municipality	Front yard Fence height	Additional regulation (Not fully inclusive of all additional regulation)
City of Appleton	3ft	
City of Kaukauna	42in	Not in vision triangle
Village of Kimberly	48in	50% open to vision
Village of Combined Locks	48in	
Village of Greenville	48in	Cannot inhibit flow of surface water
Town of Grand Chute	42in	
Town of Buchanan	42in	

After reviewing the requests and looking at other approaches to this allowing for a 48" tall fence in the front yard that is at least 50% open to vision would still protect public safety while allowing for more fencing options to the residents of the Village. See below update to Sec 44-394



Item For Consideration

Sec. 44-394. Fences and hedges.

- (c) *Height regulated.* Notwithstanding other provisions of these regulations, ornamental fences, walls and hedges may be permitted in any required yard or along the edge of any required yard provided no such fence, wall shall exceed a height of ~~42- 48~~ inches in any yard abutting a street **with 50% open to vision if fence is over 42 inches**, and no such fence, wall shall exceed a height of six feet in any other required yard.

Fiscal Impact: None

Recommendation/ Action: To recommend the Village Board to hold a hearing on updating Sec. 44-394 to allow for fencing in any yard abutting as street up to 48 inches with 50% open to vision if fence is over 42 inches.

Respectfully Submitted,

Dave Kittel, Community Development Director



Item For Consideration

For Plan Commission Review On: 3/13/2023
Agenda Item Topic: Updates to Sec 8

Prepared On: 3/9/2023
Prepared By: Dave Kittel CDD

Report:

Section 8 of the Village of Little Chute code of Ordinances covers Buildings and Building Regulations. As discussed during the previous plan commission meeting the commission direct staff to proceed with an update and simplification of Sec 8. The Section has been updated to adopt the building codes as prescribed by DSPS in state Statute. The areas that detailed the code has been removed and is reference to the adopted building codes to prevent any confusion and simplify any updates in the future. The articles in this section have been re-numbered as well. The Code is still being reviewed to ensure that other parts of the overall Village Ordinance are updated as well if needed. See attached updates to Sec 8.

Fiscal Impact: None

Recommendation/Board Action: Discussion on updates to Sec 8 and recommendation to update Sec 8

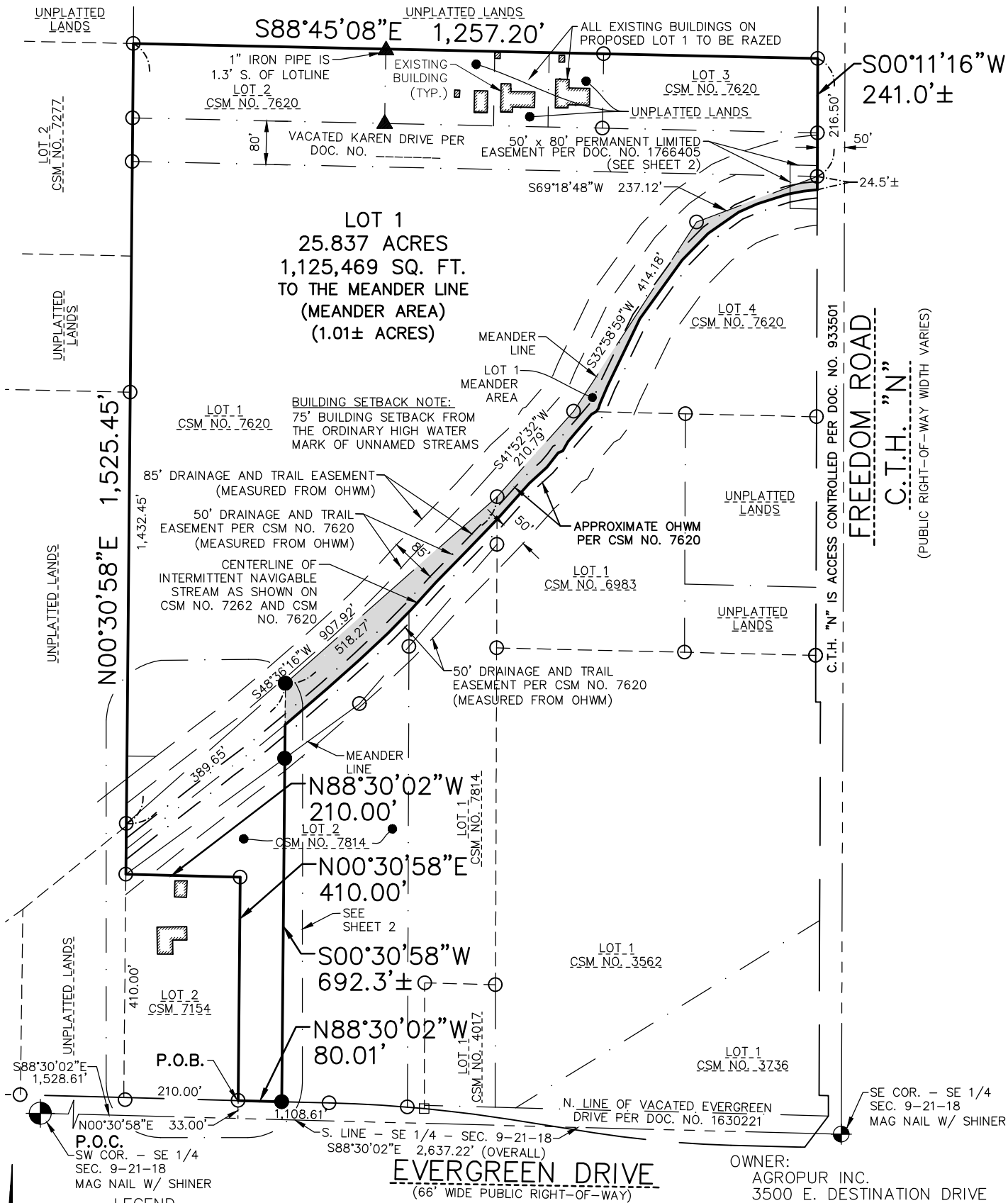
Respectfully Submitted,

Dave Kittel, Community Development Director

CERTIFIED SURVEY MAP NO.

FOR
AGROPUR, INC.

LOTS 1, 2 & 3 OF CSM NO. 7620, PART OF LOT 2 OF CSM NO. 7814, PART OF THE NE 1/4 OF THE SE 1/4, VACATED KAREN DRIVE, ALL BEING PART OF THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.



OWNER:
AGROPUR INC.
3500 E. DESTINATION DRIVE
APPLETON, WI 54915

SHEET 1 OF 5 SHEETS

LEGEND

- - 3/4" REBAR SET
- - 3/4" REBAR FOUND
- ▲ - 1" IRON PIPE FOUND
- ⊙ - SECTION CORNER MONUMENT FOUND

NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY. THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 9 HAS A BEARING OF SOUTH 88°-30'-02" EAST.

$$1'' = 250'$$

SCALE

FEET



EXCEL
ARCHITECTS • ENGINEERS • SURVEYORS

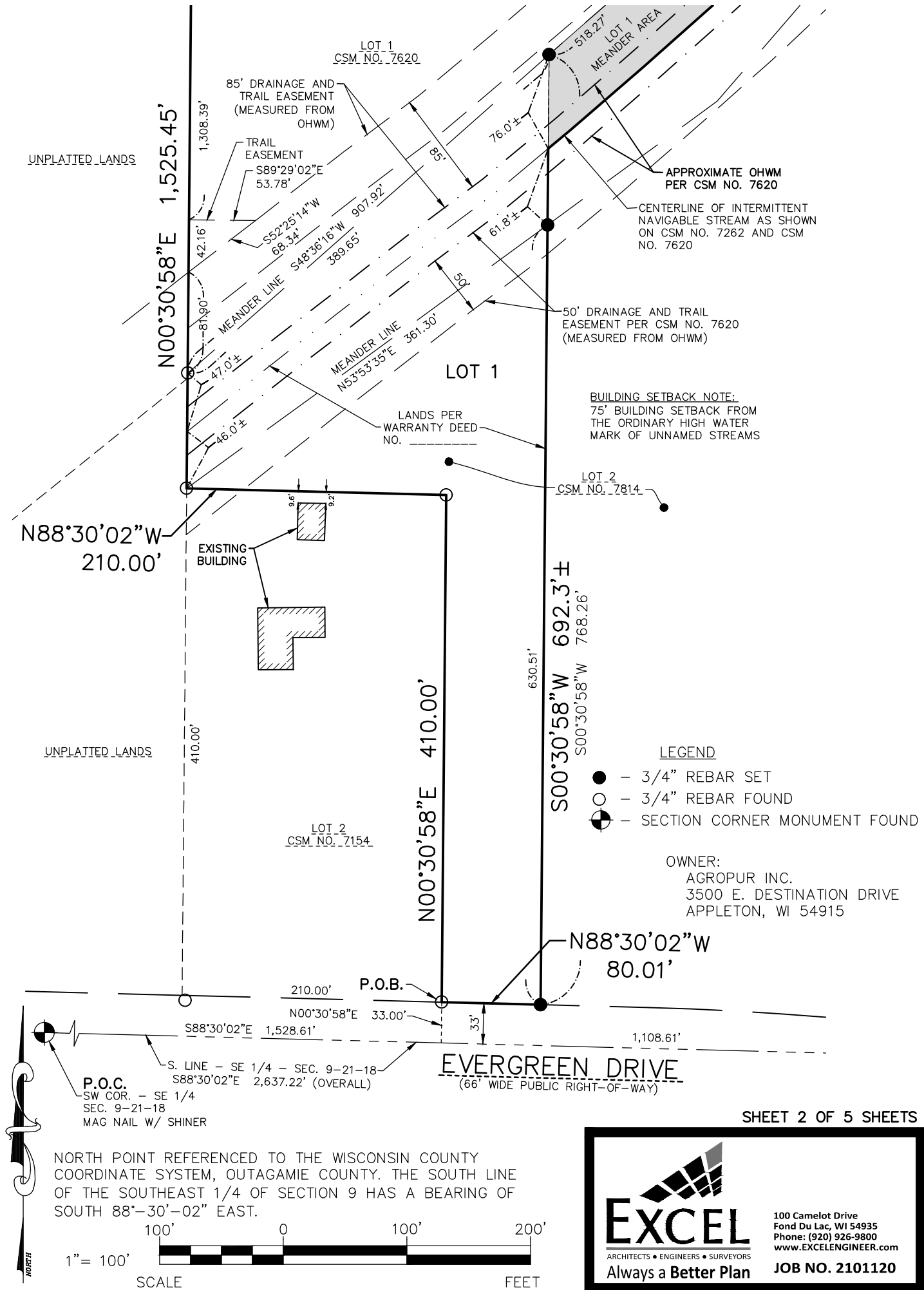
**100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com**

JOB NO. 2101120

CERTIFIED SURVEY MAP NO.

FOR
AGROPUR, INC.

LOTS 1, 2 & 3 OF CSM NO. 7620, PART OF LOT 2 OF CSM NO. 7814, PART OF THE NE 1/4 OF THE SE 1/4, VACATED KAREN DRIVE, ALL BEING PART OF THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.



CERTIFIED SURVEY MAP NO. _____

LOTS 1, 2 & 3 OF CSM NO. 7620, PART OF LOT 2 OF CSM NO. 7814, PART OF THE NE 1/4 OF THE SE 1/4, VACATED KAREN DRIVE, ALL BEING PART OF THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of Agropur, Inc. bounded and described as follows:

Lots 1, 2 & 3 of Certified Survey Map No. 7620 recorded in the Outagamie County Register of Deeds office in Volume 46 of Maps on Page 7620 as Document No. 2144899, Part of Lot 2 of Certified Survey Map No. 7814 recorded in the Outagamie County Register of Deeds office on October 10, 2019 as Document No. 2173383, part of the Northeast 1/4 of the Southeast 1/4, Vacated Karen Drive per Street Vacation Resolution No. _____ recorded in the Outagamie County Register of Deeds office as Document No. _____, all being part of the Northeast 1/4 & Southeast 1/4 of the Southeast 1/4 of Section 9, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin being more particularly described as follows:

Commencing at Southwest corner of the Southeast 1/4 of said Section 9; thence South 88°-30'-02" East along the South line of said Southeast 1/4, a distance of 1,528.61 feet to the Southerly extension of a West line of Lot 2 of said Certified Survey Map No. 7814; thence North 00°-30'-58" East along said Southerly extension, a distance of 33.00 feet to the Northerly right-of-way line of Evergreen Drive, said point also being the Southwest corner of said Lot 2 and the point of beginning; thence continuing North 00°-30'-58" East along said West line of Lot 2, a distance of 410.00 feet to a West corner of said Lot 2, thence North 88°-30'-02" West along a South line of said Lot 2, a distance of 210.00 feet to a West line of said Lot 2, thence North 00°-30'-58" East along said West line and the West line of said Certified Survey Map No. 7620, a distance of 1,525.45 feet to the Northwest corner of Lot 2 of said Certified Survey Map No. 7620; thence South 88°-45'-08" East along the North line of Lots 2 & 3 of said Certified Survey Map No. 7620, a distance of 1,257.20 feet to the Westerly right-of-way line of Freedom Road; thence South 00°-11'-16" West along said Westerly line, a distance of 216.50 feet to a Northwesterly meander line of an unnamed stream; thence South 69°-18'-48" West along said meander line, a distance of 237.12 feet; thence South 32°-58'-59" West along said meander line, a distance of 414.18 feet; thence South 41°-52'-32" West along said meander line, a distance of 210.79 feet; thence South 48°-36'-16" West along said meander line, a distance of 518.27 feet to the Northerly extension of the East line of lands per Warranty Deed Document No. _____; thence South 00°-30'-58" West along said East line and it's Northerly extension, a distance of 768.26 feet to the Northerly right-of-way line of Evergreen Drive; thence North 88°-30'-02" West along said Northerly line, a distance of 80.01 feet to the point of beginning and containing 25.837 acres (1,125,469 sq. ft.) of land more or less.

ALSO;

Those land lying between said Northwesterly meander line and the centerline of an unnamed stream containing 1.01 acres of land more or less.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Village of Little Chute in surveying, dividing and mapping the same.

Ryan Wilgreen, P.L.S. No. S-2647
ryan.w@excelengineer.com
Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935
Project Number: 2101120

CERTIFIED SURVEY MAP NO. _____

LOTS 1, 2 & 3 OF CSM NO. 7620, PART OF LOT 2 OF CSM NO. 7814, PART OF THE NE 1/4 OF THE SE 1/4, VACATED KAREN DRIVE, ALL BEING PART OF THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Agropur, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided and mapped as represented on this plat.

Agropur, Inc. does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1. Village of Little Chute

WITNESS the hand and seal of said owner this _____ day of _____, 20__.

Agropur, Inc.

_____, _____
(Print) (Title)

STATE OF _____)
_____ COUNTY)SS

Personally came before me this _____ day of _____, 20__, the above named _____ to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, _____
My Commission Expires: _____

CERTIFIED SURVEY MAP NO. _____

LOTS 1, 2 & 3 OF CSM NO. 7620, PART OF LOT 2 OF CSM NO. 7814, PART OF THE NE 1/4 OF THE SE 1/4, VACATED KAREN DRIVE, ALL BEING PART OF THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

TREASURER'S CERTIFICATE

I, being the duly elected, qualified and acting Treasurer, do hereby certify that the records in my office show no unredeemed taxes and no un-paid taxes or special assessments on any of the lands

included in this Certified Survey Map as of the _____ day of _____, 20____.

Lisa Remiker-Dewall
Village Finance Director

Trenten Woelfel	Date
County Treasurer	

VILLAGE BOARD APPROVAL

Approved by the Village of Little Chute, Outagamie County, Wisconsin, by the Village Board on the _____ day of _____, 20____.

Michael R. Vanden Berg Village President	Date
---	------

Laurie Decker Village Clerk	Date
--------------------------------	------

This Certified Survey Map is contained wholly within the property described in the following recorded instruments

Owner of Record	Recording Information:	Parcel Number:
Agropur, Inc.	Document No. 2236016	260017612
Agropur, Inc.	Document No. 2236016	260430500
Agropur, Inc.	Document No. 2236016	260430600
Agropur, Inc.	Document No. 2236016	260430601
Agropur, Inc.	Document No. 2236016	260017613
Agropur, Inc.	Document No. _____ (vacated Karen Dr)	
Agropur, Inc.	Document No. 2236016	260017611
Agropur, Inc.	Document No. _____ (warranty deed part of 260017606)	



Item For Consideration

For Plan Commission Review On: 3/13/2023
Agenda Item Topic: Updates to Sec 44-192 & 44-192

Prepared On: 3/9/2023
Prepared By: Dave Kittel CDD

Report:

Recently Staff have received some questions and general concern about Sec. 44-191 and Sec. 44-192. There are a few portions of these sections that seem to either go against other portions of the ordinance, intent or may need general updating to reflect changes in vehicle size.

Section 44-149 discusses storage and parking of recreational vehicles, automobiles, and utility trailers. The concern that has been risen is a portion that states “The vehicle shall be owned by the resident on whose property the unit is parked for storage” and this pertains to both residential and commercial properties. As written, this would prohibit storage of an RV or other vehicle on any commercial property unless you where the owner. With outdoor storage being allowed in certain circumstances this conflicts with this portion of the ordinance. Staff is investigating changing this to apply only to residential properties and not commercial.

Section 44-192 discusses storage of trucks, tractors, and road machinery. The concern that was risen was in regard to the weight and height restrictions for a motor vehicle. Currently:

“No motor vehicle with a tare or empty weight in excess of **8,000 pounds**, over 16 feet in length, or having a height of more than **eight feet** from the roadway, bearing a commercial license, including school buses, and no commercially licensed trailer, including semitrailers, shall be parked or stored in a residential district, except when loading, unloading or rendering a service.”.

There are many larger pickup trucks that are in excess of 8,000 pounds that residence own to tow RV's and such. Modern vans that are not camper vans can be slightly more than 8 feet tall. Vehicles have only gotten larger since this ordinance was written and it may be time to look at this portion.



Item For Consideration

The ordinances are attached with the areas of concern brought to staff highlighted. Currently this is brought to the Plan Commission for consideration of updates and possibly directing staff to pursue an update to these portions of the ordinance.

Fiscal Impact: None

Recommendation/Board Action: Discussion
Respectfully Submitted,

Dave Kittel, Community Development Director

Sec. 44-191. Storage and parking of recreational vehicles, automobiles, and utility trailers.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly, indicates a different meaning:

Boat means every description of watercraft used or capable of being used as a means of transportation on water.

Mobile home means a structure, transportable in one or more sections, which is eight body feet or more in width and is 32 body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. The length of a mobile home means the distance from the exterior of the front wall (nearest to the exterior of the drawbar and coupling mechanism) to the exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space and such distance includes expandable rooms but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions or other attachments. The width of a mobile home means the distance from the exterior of one side wall to the exterior of the opposite side wall where such walls enclose living or other interior space and such distance includes expandable rooms but not bay windows, porches, wall and roof extensions or other attachments.

Recreational vehicle means any of the following:

- (1) *Boat or snowmobile trailer* means a vehicle on which a boat or snowmobile may be transported and is towable by a motor vehicle. When removed from the trailer, a boat or snowmobile, for purposes of this article, is termed an unmounted boat or snowmobile.
- (2) *Camping trailer* means a canvas or folding structure mounted on wheels and designed for travel, recreation, vacation or other uses.
- (3) *Chassis mounts, motor homes and mini-motor homes* means recreational structures constructed integrally with a truck or motor-van chassis and incapable of being separated therefrom.
- (4) *Converted and chopped vans* means recreational structures which are created by altering or changing an existing auto van to make it a recreational vehicle.
- (5) *Motor home* means a portable, temporary dwelling to be used for travel, recreation, vacation or other uses, constructed as an integral part of a self-propelled vehicle.
- (6) *Pickup coach* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, vacation or other uses.
- (7) *Travel trailer* means a vehicular, portable structure built on a chassis and on wheels that is between ten and 36 feet long, including the hitch, and eight feet or less in width, designated to be used as a temporary dwelling for travel, recreation, vacation or other uses and towed by a car, station wagon, or truck. The term "travel trailer" includes so-called fifth-wheel units.

Yard, front means that part of a lot between the front lot line and front of the principal building on the lot and extended to both side lot lines.

Yard, rear means that part of a lot between the rear lot line and the back of the principal building on the lot and extended to both side lot lines.

Yard, side means that part of a lot not surrounded by a building and not in the front or rear yard.

- (b) *Permitted parking or storage of recreational vehicles, automobiles and utility trailers.* In all residential and commercial districts provided for in this zoning chapter, it is permissible to park or store a recreational vehicle or boat and boat trailer or automobile or utility trailer on private property in the following manner:

-
- (1) The body of the vehicle must be five feet from the face of any curb or, if no curb, ten feet from the edge of the pavement.
 - (2) No part of the unit may extend over the public sidewalk or public right-of-way.
 - (3) Parking is permitted only for storage purposes. Vehicles shall not be:
 - a. Used for dwelling purposes, except for overnight sleeping for a maximum of three consecutive days. The zoning administrator may extend the time period if no complaints are received. Cooking is not permitted at any time.
 - b. Permanently connected to sewer lines, water lines or electricity. The vehicle may be connected to electricity temporarily for charging batteries and other purposes.
 - c. Used for storage of goods, materials or equipment other than those items considered to be part of the unit or essential for its immediate use.
 - (4) Notwithstanding the restrictions in this section, a unit may be parked anywhere on the premises during active loading or unloading, and the use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use not to exceed 24 consecutive hours.
 - (5) The vehicle shall be owned by the resident on whose property the unit is parked for storage.
 - (6) No storage or parking shall be allowed on lawns in front or side yards.
 - (7) Parking or storage in rear yards is allowed on lawns subject to minimum setbacks of three feet from neighboring side or rear lot lines and 15 feet from street property lines.
 - (8) All paved parking or storage areas shall be surfaced with a dustless all-weather material capable of carrying a wheel load of 4,000 pounds (normally, a two-inch blacktop on a four-inch base or five inches of Portland cement will meet this requirement).

(Code 2006, § 13-1-124; Ord. No. 15(Ser. of 2008), § 1(13-1-124), 11-19-2008; Ord. No. 7(Ser. of 2009), § 1, 6-3-2009)

Sec. 44-192. Storage of trucks, tractors and road machinery.

- (a) *Truck parking in residential areas.* No motor vehicle with a tare or empty weight in excess of 8,000 pounds, over 16 feet in length, or having a height of more than eight feet from the roadway, bearing a commercial license, including school buses, and no commercially licensed trailer, including semitrailers, shall be parked or stored in a residential district, except when loading, unloading or rendering a service.
- (b) *Tractors and road machinery.* No person, firm, or corporation shall park, keep, or maintain on properties zoned as residential or multiple residential dwellings the following types of vehicles: tractors, tractor trailers, dump trucks, auto wreckers and road machinery. Said vehicles may not be kept or parked on said premises whether or not they are in enclosed buildings, except for the purposes of unloading or servicing the premises.
- (c) *Vehicle or storage container use in all districts prohibited.* No truck, truck tractor, truck trailer, bus, cargo or storage container, or portion thereof, shall be used for, or converted for use as, office, mercantile, residential or storage purposes in any district, except for temporary construction trailers in use at a construction site.

(Code 2006, § 13-1-125; Ord. No. 15(Ser. of 2008), § 1(13-1-125), 11-19-2008)