



Village of Hobart
Village Office 2990 S. Pine Tree Rd, Hobart, WI
www.hobart-wi.org - www.buildinhobart.com

Notice is hereby given according to State Statutes that the **PLANNING AND ZONING COMMISSION** of the Village of Hobart will meet on Wednesday May 15th 2024 at 5:30 PM in the Village Office. **NOTICE OF POSTING:** Posted this 9th day of May, 2024 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING NOTICE – PLANNING AND ZONING COMMISSION

Date/Time: Wednesday May 15th 2024 (5:30 P.M.)
Location: Village Office (2990 South Pine Tree Road)

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Approval of Minutes of the April 10th 2024 meeting (Page 2)
4. Public Comment on Non-Agenda Items

ACTION ITEMS

5. DISCUSSION AND ACTION – Election of Commission Chairperson and Vice-Chairperson

6. DISCUSSION AND ACTION - Consider Preliminary Plat for Sanctuary Estates Subdivision, Parcel HB-353, 1300 Block of S. Pine Tree Rd. (Page 4)

Lexington Homes, Inc. is proposing a 23-lot subdivision in the 1300 Block of S. Pine Tree Rd. (parcel HB-353).

7. DISCUSSION AND ACTION - Modifications/Amendments to the Zoning Ordinance, Chapter 295, Sections 295-30 (R-1: Residential District), 295-42 (R-2: Residential District), 295-55 (R-3: Residential District), 295-68 (R-4: Single and Two-Family Residential District), 295-174 (ER: Estate Residential District), and 295-187 (R-2-R: Rural Residential District) of Chapter 295 (Zoning) relating to conditional uses (Page 9)

Village Staff has recently received an inquiry to locate a Community Living Arrangement facility within the Village. Wisconsin State Statutes require that a municipality shall make a procedure available to enable such facilities to request permission to be located within residential zoning districts. When reviewing the state statutes and the Village's existing zoning code, it was noticed that the Village is not in compliance with state statutes relating to potential placements of "community living arrangement" facilities.

8. DISCUSSION AND ACTION - Consider a Conditional Use Permit for a residential based wellness facility for substance and alcohol addiction residents located at 4735 Fonda Fields Ct., HB-2485 & HB-2492 (Page 24)

Summit Behavioral Health, LLC (Green Bay Recovery Center) is proposing to purchase the property located at 4735 Fonda Fields Ct., (HB-2485, HB-2492, & HB-2493) and operate a residential based wellness facility for substance and alcohol addiction residents at this location. The parcels HB-2485 & HB-2492 are currently zoned R-1: Residential and parcel HB-2493 is currently zoned B-1: Community Business District. Such a facility is only allowed in the R-1: Residential zoning district as a Conditional Use Permit (CUP).

9. ADJOURN

Aaron Kramer, Village Administrator

COMMISSION MEMBERS: Rich Heidel (Chairperson), Dave Dillenburg (Vice-Chairperson), Jeff Ambrosius, Tom Dennee, David Johnson, Bob Ross, John Rather

NOTE: A quorum of the Village Board may be present at this meeting, but no official Board action or discussion will take place. Page numbers refer to the meeting packet. All agenda and minutes of Village meetings are online: www.hobart-wi.org. Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.



Village of Hobart Planning & Zoning Commission Minutes
 Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
 Wednesday, April 10, 2024 – 5:30 pm

1. Call to order/Roll Call.

The meeting was called to order by Rich Heidel at 5:30 pm. Roll call: Tom Dennee, aye; Dave Dillenburg, aye; David Johnson, aye; John Rather attending via Telephone, aye.; Bob Ross, aye; Rich Heidel, aye.
 Excused: Jeff Ambrosius.

2. Certification of the open meeting law agenda requirements and approval of the agenda: Motion by Tom Dennee to approve the agenda as presented, seconded by Dave Johnson. All in favor. Motion carried 6-0.

3. Approval of Minutes of the March 13th 2024 meeting: Motion by Bob Ross to approve the March 13, 2024 minutes as presented, seconded by Dave Johnson. All in favor. Motion carried 6-0.

4. Public Comment on Non-Agenda Items:

No one spoke.

5. DISCUSSION AND ACTION - Consider a Conditional Use Permit (HB-1491-K-9, 3969 Valley Stream Circle) – 1,280 square foot accessory building on property:

The current property owner, Alex Maybrodsky, is proposing to construct a detached accessory building of 1,280 square feet on his property located at 3969 Valley Stream Cir. The current lot size of 59,633.64 square feet would allow up to 993 square feet of accessory building (1/60th of the lot square footage) by ordinance. This request would consist of a Conditional Use Permit as the new accessory building would not conform to the requirements identified in the zoning code. The two conditions that would require the CUP would be the request for an increase in maximum total accessory building square footage to 1,280 (287 square feet greater than the maximum noted in the ordinance) and the placement of the proposed building being closer to the street right-of-way than the rear plane of the principal structure exceeding the 864 square foot limit.

Appearing before the commission:

Alex Maybrodsky, 3969 Valley Stream Circle.

Kirk Olsen, 3966 Valley Stream Circle.

Motion by Rich Heidel to recommend approval of this Conditional Use Permit requesting to increase the allowable square footage to a total of 1,280 be contingent upon the following:

1. Planting of a minimum of 8 new arborvitaes (or similar) a minimum of 3 feet in height along the side (east) and southeast corner of the new detached accessory building.
2. All four building elevations of the new structure are constructed of materials similar to those on the existing residential dwelling on the property.
3. Maximum of one detached accessory building be allowed on site.

The CUP is approved on the basis of the configuration of the current buildings and lot, the amenities that would be realized with the building in that it would prevent another detached accessory building, the aesthetics blending in with the immediate neighborhood, and approval of the immediate neighbors.

Seconded by Dave Dillenburg. Motion carried 4-2. Johnson and Dennee.

6. DISCUSSION AND ACTION - Modifications/ amendments to the Zoning Ordinance, Chapter 295, Article XXXI, Section 295-342 (Conditional Uses)

With prior changes to Wisconsin State Statutes relating to Conditional Uses, the Village of Hobart is proposing modifications / amendments to Chapter 295, Article XXXI, Section 295-342; Conditional Uses to have this section of the Village Zoning Code be in compliance with the statutes. These proposed modifications to the ordinance mainly provide more detailed information on the process and what is expected from the applicant during the submittal and review process. It also creates more standardized conditions utilized during the review process.

Motion by Rich Heidel to recommend approval of the modifications/amendments to the Zoning Ordinance, Chapter 295, Article XXXI, Section 295-342; Conditional Uses subject to any changes identified by Village Attorney during their review.

Second by Tom Dennee. All in favor. Motion carried 6-0.

7. Adjourn:

Motion by Dave Johnson to adjourn at 6:36pm, seconded by Bob Ross. All in favor. Motion carried 6-0.

Respectfully submitted by Lisa Vanden Heuvel, Village Clerk.



TO: Planning & Zoning Commission

RE: Consider Preliminary Plat for Sanctuary Estates Subdivision, Parcel HB-353, 1300 Block of S. Pine Tree Rd.

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: May 15, 2024

ISSUE: Review and discuss proposed 23 lot, Single Family Preliminary Plat, Parcel HB-353, 1300 Block of S. Pine Tree Rd.

RECOMMENDATION: Staff recommends approval

GENERAL INFORMATION

1. Owner: Lexington Homes, Inc.
2. Agent(s)/Petitioner(s): Troy Hewitt / Robert E. Lee & Associates, Inc.
3. Parcel(s): HB-353
4. Present Zoning: PDD #2: Orlando / Packerland Planned Development District

ZONING REQUIREMENTS

Lexington Homes, Inc. is proposing a 23-lot subdivision in the 1300 Block of S. Pine Tree Rd. (parcel HB-353). The plat that has been submitted is the preliminary plat that would have 23 single-family lots, and 1 Outlot (largely for storm water and environmental sensitive areas).

This plat follows the recent approval of the newly created single-family residential district in the PDD#2: Orlando / Packerland Planned Development District. By ordinance, all single-family lots shall have a minimum of 55' of lot width and 7,500 square feet of lot area. There are some lots located along the interior curve of the proposed roadway or along the bulb of the cul-de-sac that are shown to have less than the 55 feet at the front property line. However, they are compliant with the Village Code as the PDD#2 zoning district states: "*Exception. Lots located on a cul-de-sac may be reduced so long as the lot width complies with the minimum 55 feet at the front setback line, and such lots maintain the minimum 7,500 square feet in area.*". Based on this exception, these lots will all meet and exceed the 55 foot lot width as required in this zoning district.

Public access into this subdivision will be from a new public roadway leading from S. Pine Tree Rd.

This request is for the preliminary plat at this time with the review for the final plat will be brought back to the commission at a future meeting once completed.

RECOMMENDATION/CONDITIONS

Staff recommends approval of this Preliminary Plat as submitted.



- Rezoning Review
- Conditional Use Permit Review
- Planned Development Review
- CSM/Plat Review

Village of Hobart
 Dept of Planning & Code
 Compliance
 2990 S Pine Tree Rd
 Hobart WI 54155
 Phone: (920) 869-3809
 Fax: (920) 869-2048

APPLICANT INFORMATION

Petitioner: Troy Hewitt - Robert E. Lee & Associates, Inc. Date: 4/5/2024

Petitioner's Address: 1250 Centennial Centre Blvd City: Hobart State: WI Zip: 54155

Telephone #: 920-544-4436 Email: thewitt@releeinc.com

Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer

Petitioner's Signature (required): Troy E. Hewitt Digitally signed by Troy E. Hewitt
DN: cn=Troy E. Hewitt, ou=Users, ou=REL, DC=releeinc,
C=US Date: 4/5/2024

OWNER INFORMATION

Owner(s): Lexington Homes, Inc. Date: 4/5/2024

Owner(s) Address: 1256 Centennial Centre Blvd City: Hobart State: WI Zip: 54155

Telephone #: 920-662-1611 Email: jmarlow@lexingtonneighborhoods.com

Ownership Status (Please Check): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature: *Michelle R. Stuparu* Date: 4/6/2024

SITE INFORMATION

Address/Location of Proposed Project: South Pine Tree Road Parcel #: HB- 353

Proposed Project Type: Single Family Residential

Current Use of Property: Agriculture Zoning: PDD #2

Land Uses Surrounding Site: North: Multi-Family

South: Single Family

East: Single Family

West: Agriculture

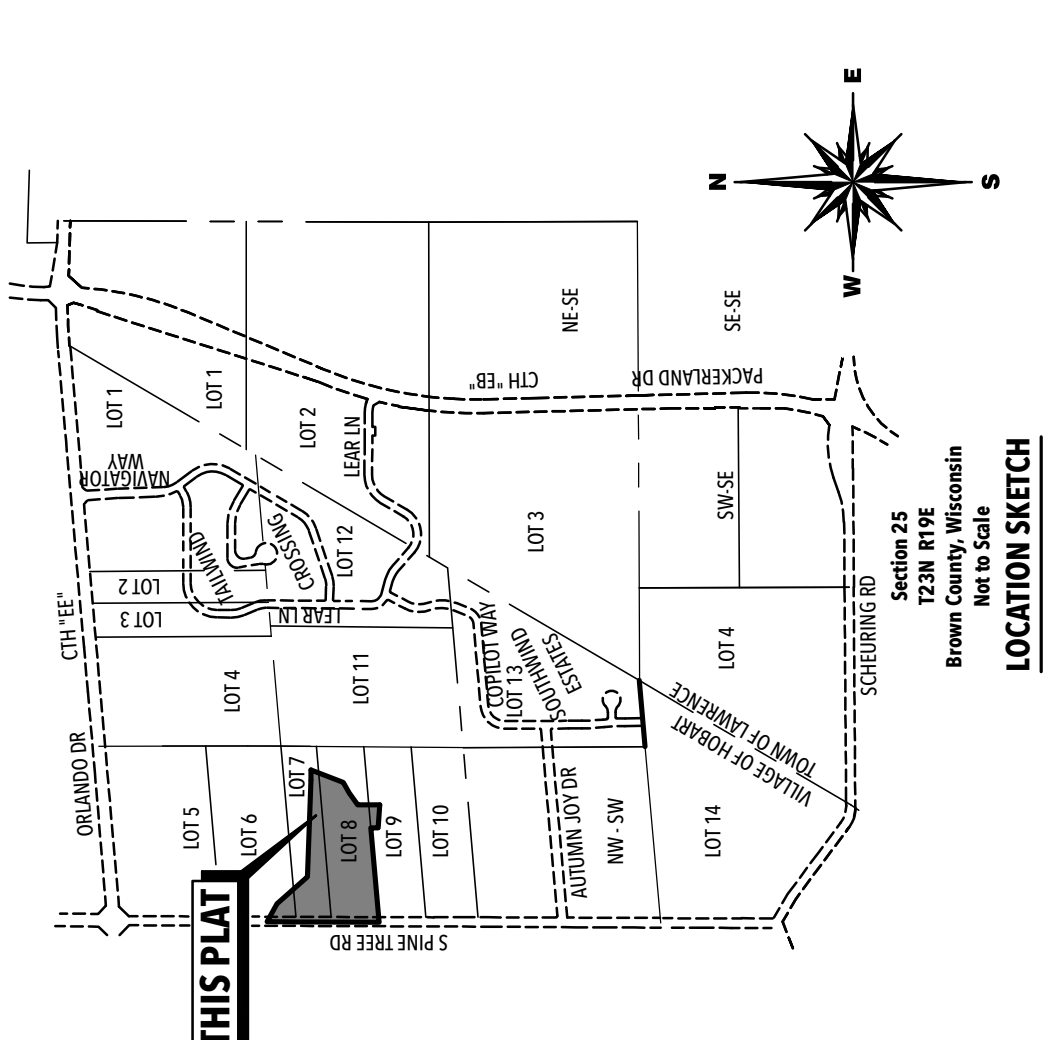
****Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

PRELIMINARY PLAT

SANCTUARY ESTATES

ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 9709, DOCUMENT NUMBER 3053653, LOCATED IN PART OF LOTS 6, 7, 8 AND 9, SECTION 25, TOWNSHIP 23 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN



Curve #	Delta	Radius	Length	Chord Direction	Chord Length	Tangent Bearing	Second Tangent Bearing
C1	90°00'00"	12.00'	12.00'	S44°46'30"E	16.97'	S00°13'30"W	S89°46'30"E
C2	1°05'44"	1972.00'	37.70'	N89°40'39"E	37.70'	N89°40'39"E	N89°07'47"E
C3	1°51'02"	1972.00'	63.70'	N88°12'16"E	63.69'	N88°12'16"E	N87°16'44"E
C4	0°51'30"	1972.00'	63.38'	N85°21'30"E	63.38'	N85°21'30"E	N85°26'15"E
C5	0°50'00"	1972.00'	29.25'	N85°00'45"E	29.25'	N85°00'45"E	N84°35'15"E
C6	5°38'16"	1972.00'	194.04'	N87°24'23"E	193.96'	N87°24'23"E	N84°35'15"E
C7	4°04'42"	70.00'	50.70'	N63°50'24"E	49.59'	N63°50'24"E	N63°05'34"E
C8	4°54'23"	70.00'	49.48'	M11°03'13"E	4.98'	M11°03'13"E	N39°00'52"E
C9	45°34'23"	70.00'	55.48'	M14°48'04"E	54.22'	M14°48'04"E	N39°00'52"E
C10	25°22'37"	70.00'	58.52'	N80°23'54"W	56.83'	N80°23'54"W	S39°00'52"W
C11	25°22'37"	70.00'	58.52'	N80°23'54"W	56.83'	N80°23'54"W	S39°00'52"W
C12	34°40'45"	70.00'	42.37'	N59°22'04"W	30.75'	N59°22'04"W	S86°54'57"W
C13	34°40'45"	70.00'	42.37'	N15°41'19"W	41.72'	N15°41'19"W	S86°54'57"W
C14	34°40'45"	70.00'	42.37'	N18°59'26"E	41.72'	N18°59'26"E	N33°01'42"W
C15	36°03'56"	70.00'	44.06'	N64°21'46"E	43.34'	N64°21'46"E	N36°19'48"E
C16	41°16'41"	70.00'	50.43'	N64°21'46"E	49.35'	N64°21'46"E	N72°23'44"E
C17	16°29'13"	70.00'	20.14'	N58°04'59"E	20.07'	N58°04'59"E	S46°19'35"E
C18	27°10'46"	70.00'	33.27'	N05°24'45"W	98.00'	N05°24'45"W	S46°19'35"E
C19	8°9'	70.00'	46.70'	N68°57'09"W	45.84'	N68°57'09"W	S39°00'52"W
C20	45°34'23"	70.00'	55.48'	N72°37'34"W	54.22'	N72°37'34"W	S84°35'15"W
C21	0°07'23"	2028.00'	4.36'	N84°38'57"E	4.36'	N84°38'57"E	N84°35'15"E
C22	1°35'27"	2028.00'	56.31'	N87°05'48"E	56.30'	N87°05'48"E	N84°42'38"E
C23	1°35'27"	2028.00'	56.31'	N87°05'48"E	56.30'	N87°05'48"E	N86°18'05"E
C24	1°35'27"	2028.00'	56.31'	N87°05'48"E	56.30'	N87°05'48"E	N87°53'32"E
C25	1°35'27"	2028.00'	56.31'	N87°05'48"E	56.30'	N87°05'48"E	N89°28'58"E
C26	0°44'32"	2028.00'	26.27'	N89°51'14"E	26.27'	N89°51'14"E	N89°46'30"E
C27	5°38'16"	2028.00'	199.55'	N87°24'23"E	199.47'	N87°24'23"E	N89°46'30"E
C28	90°00'00"	12.00'	12.00'	S45°13'30"W	16.97'	N89°46'30"W	S00°13'30"W

LEGEND

- 64.0, 275" outside diameter, 80" iron pipe with 3.65 lb/lin. ft.
- Existing 1" iron pipe
- Existing 2" iron pipe
- PLS monuments as noted
- Wetlands delineated by Bay Environmental Strategies, Inc. on 5/27/2023
- Environmentally sensitive area (ESA)

All other lot and outlet corners marked with a 1.125" outside dia. 1" iron pipe weighing 1.13 lb/lin. ft.

Bearings are based on the Brown County Coordinate System. The west line of Lot 6, Section 25, T23N-R19E, bears N00°13'28"E. All linear measurements have been made to the nearest hundredth of a foot, and computed to the nearest three seconds and computed to the nearest half second.

MINIMUM LOT AREA AS PLATTED
Lot 15: 0.225 Acres
Lot 23: 0.225 Acres

NUMBER OF LOTS
23 Lots
1 Outlet

OWNER
Sanctuary Estates, Inc.
1250 Centennial Centre Boulevard
Hobart, WI 54155

PLATTED AREA DEDICATED TO THE PUBLIC
71,658 Square Feet
1,643 Acres

PLATTED AREA
524,581 Square Feet
12,043 Acres

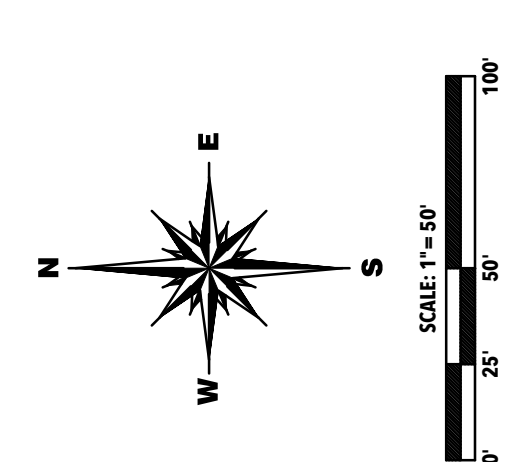
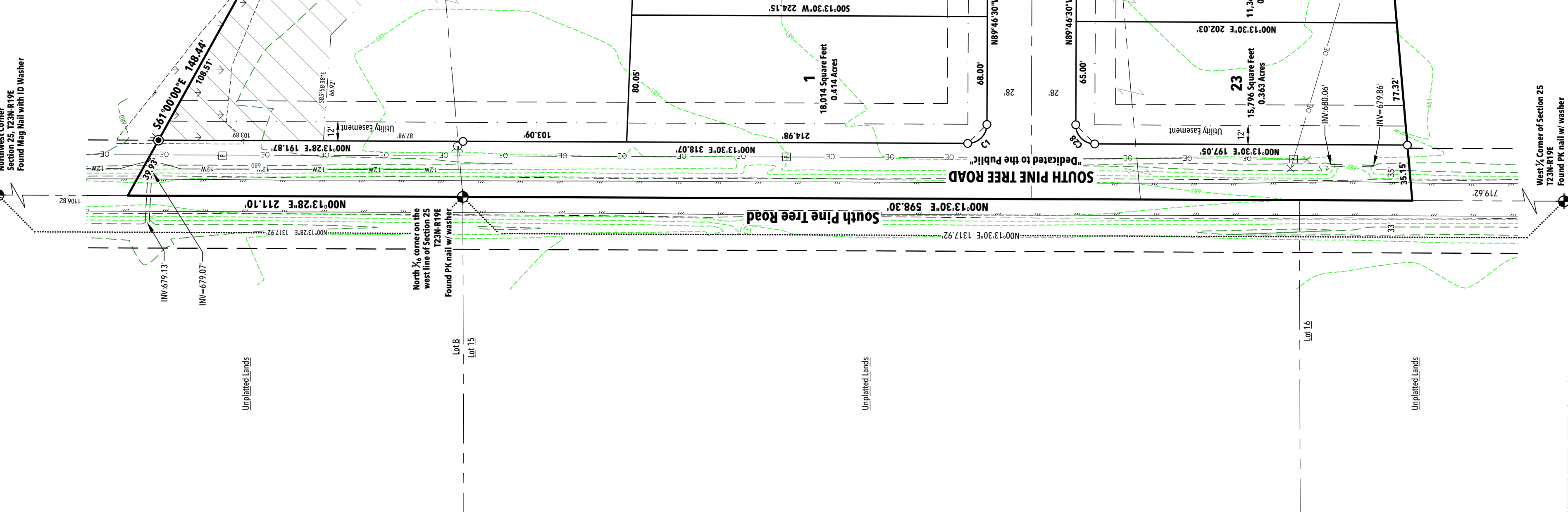
APPROVING & OBJECTING AUTHORITIES
Village of Hobart
Department of Administration
Brown County

PARCEL ID
HB-353

ZONING
PDD 12: Orlando/Parkland
Planned Development District

SURVEYOR
Troy E. Hewitt
Robert E. Lee & Associates, Inc.
1250 Centennial Centre Boulevard
Hobart, WI 54155

WISCONSIN SURVEYOR
TROY E. HEWITT
62033
4/5/2024



DATE
4/4/2024

DRAWN
Troy Hewitt

CHECKED
Bryan Pfeiffer

FILE
4329158_preliminary.dwg

JOB NO.
4329158

Robert E. Lee & Associates, Inc.
1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releinc.com

SHEET NO.
1 of 1

North 1/4 corner of Section 25 T23N-R19E Found PK nail w/ washer

West 1/4 corner of Section 25 T23N-R19E Found PK nail w/ washer

Unplatted Lands

Unplatted Lands

Unplatted Lands

(Newly Created) Single-family residential

Residential dwelling units comprised of single family, townhouse, row house or condominium where the owner occupies the dwelling unit. Single-family residences are limited to two stories.

A. Permitted uses. Single-Family dwellings are permitted in the District.

B. Lot requirements.

(1) Lot area. Single-family lots shall have a minimum density of 7,500 square feet, unless otherwise approved by the Village Board through the plat approval process.

(2) Lot frontage. No single-family lot is to be less than 55 feet in width.

(a) Exception. Lots located on a cul-de-sac may be reduced so long as the lot width complies with the minimum 55 feet at the front setback line, and such lots maintain the minimum 7,500 square feet in area.

C. Height regulations. All structures must be designed so as to ensure adequate air, light and privacy for all residents. Maximum height restrictions are 35 feet, unless otherwise approved by the Site Review Committee.

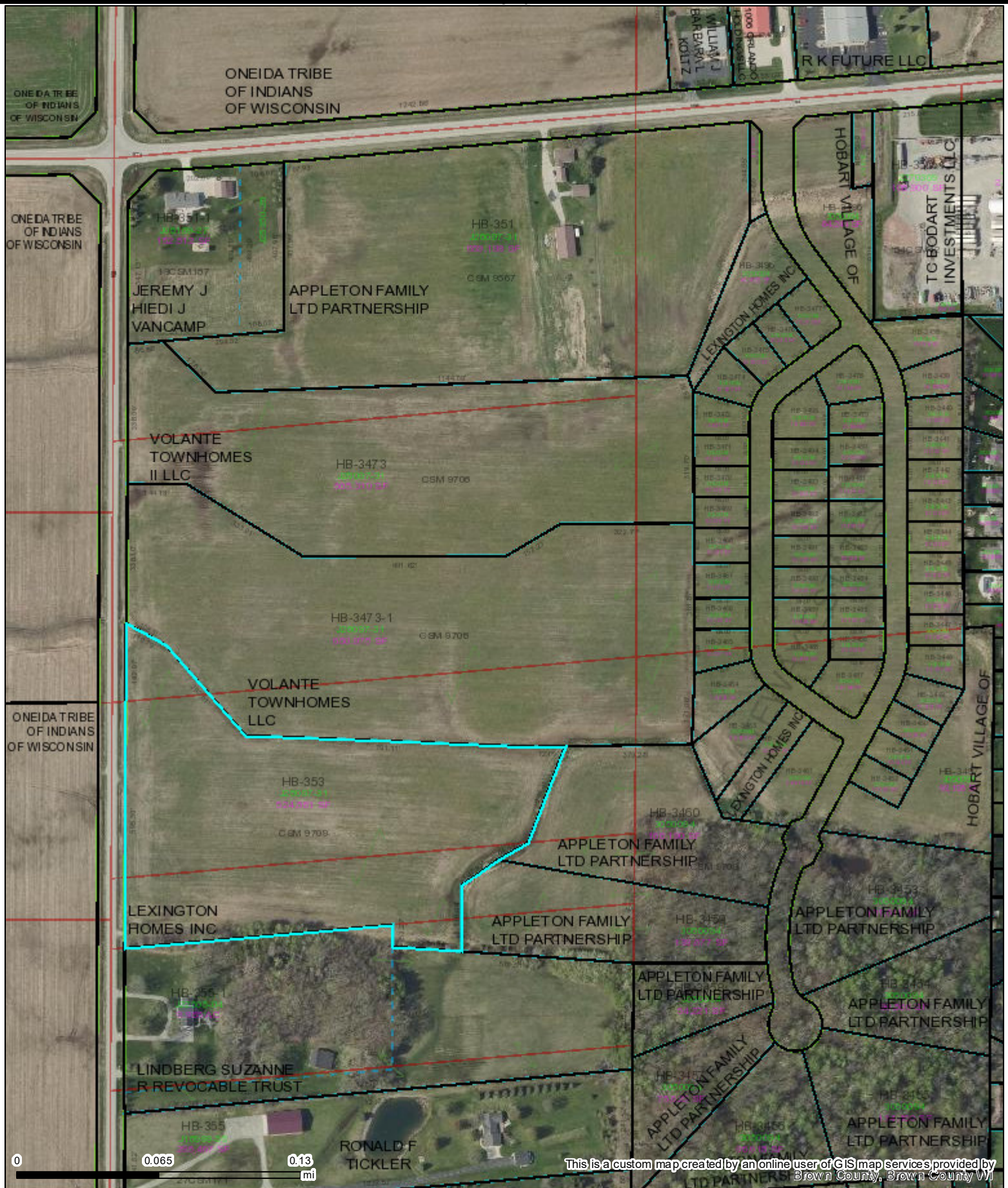
D. Building setbacks. All structures must meet the minimum setback requirements of 23 feet for front yards, five feet for each side yard, 25 feet for rear yards, driveways four feet off property lines, maximum curb cut of 26 feet with 20 feet at the right-of-way, and no detached accessory or utility buildings and no outside storage.

E. Building size.

(1) Minimum size of a one-story dwelling shall be 1,000 square feet for a building in the single-family designation.

(2) Minimum size of a two-story dwelling shall be 1,500 square feet with a minimum of 750 square feet on the first floor.

F. Parking. As outlined under "Parking" within section 295-149 F. (Single-family and two-family residential (SFR)) of this chapter.



This is a custom map created by an online user of GIS map services, provided by Brown County, Brown County WI

Part of Brown County WI

Map printed on 5/9/2024

1:3,600
1 inch = 300 feet*
1 inch = 0.0568 miles*
**original page size: 8.5"x11"*
Appropriate format depends on zoom level



- Parcel ownership key**
- Parcel Boundary
 - Condominium
 - Gap or Overlap
 - "hooks" indicate parcel ownership crosses a line

- Parcel line
- Right of Way line
- Meander line
- Lines between deeds or lots
- Historic Parcel Line
- Vacated Right of Way

A complete key (legend) is available at:
tinyurl.com/BrownDogLegend



(920) 448-6480
www.browncountywi.gov



TO: Planning & Zoning Commission

RE: Modifications/Amendments to the Zoning Ordinance, Chapter 295, Sections 295-30 (R-1: Residential District), 295-42 (R-2: Residential District), 295-55 (R-3: Residential District), 295-68 (R-4: Single and Two-Family Residential District), 295-174 (ER: Estate Residential District), and 295-187 (R-2-R: Rural Residential District) of Chapter 295 (Zoning) relating to conditional uses

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: May 15, 2024

ISSUE: Discussion and action on modifications/amendments to the Zoning Ordinance, Chapter 295, Sections 295-30 (R-1: Residential District), 295-42 (R-2: Residential District), 295-55 (R-3: Residential District), 295-68 (R-4: Single and Two-Family Residential District), 295-174 (ER: Estate Residential District), and 295-187 (R-2-R: Rural Residential District) of Chapter 295 (Zoning) relating to conditional uses

RECOMMENDATION: Staff recommends approval.

GENERAL INFORMATION

Village Staff has recently received an inquiry to locate a Community Living Arrangement facility within the Village of Hobart. Wisconsin State Statutes require that a municipality shall make a procedure available to enable such facilities to request permission to be located within residential zoning districts. After reviewing the Village Zoning Code, Village Staff is recommending some amendments / modifications to the Conditional Uses listed in Sections 295-30 (Conditional Uses) of Article VI (R-1: Residential District), 295-42 (Conditional Uses) of Article VII (R-2: Residential District), 295-55 (Conditional Uses) of Article VIII (R-3: Residential District), 295-68 (Conditional Uses) of Article IX (R-4: Single and Two-Family Residential District), 295-174 (Conditional Uses) of Article XVI (ER: Estate Residential District), and 295-187 (Conditional Uses) Of Article XVII (R-2-R: Rural Residential District) of Chapter 295 (Zoning).

When reviewing the state statutes and the Village's existing zoning code, it was noticed that the Village is not in compliance with state statutes relating to potential placements of "*community living arrangement*" facilities. Statute 60.63 requires that a municipality "*shall make a procedure available to enable such facilities to request such permission*". Village Staff has worked with the Village Attorney and it was determined that the inclusion of a conditional use permit would be the clearest path to comply with the "special zoning permission" requirement in the state statutes.

Therefore, Staff is proposing an amendment to add "*Community Living Arrangements*" to the Conditional Uses in the R-1, R-2, R-3, R-4, ER, and R-2-R zoning districts.

RECOMMENDATION/CONDITIONS

Staff recommends approval of modifications to Chapter 295, Zoning Code, Sections 295-30 (R-1: Residential District), 295-42 (R-2: Residential District), 295-55 (R-3: Residential District), 295-68 (R-4: Single and Two-Family Residential District), 295-174 (ER: Estate Residential District), and 295-187 (R-2-R: Rural Residential District) of Chapter 295 (Zoning) relating to conditional uses.

§ 295-30. Conditional uses.

The following are conditional uses in the R-1 District:

A. Cemeteries.

B. Colleges and universities.

C. Community Living Arrangements serving 9 or more persons

D. Fire stations, police stations, post offices, and other municipal facilities necessary for Village

operation.

E. Manufactured home parks.

F. Planned unit development.

G. Ponds.

H. Public, parochial and private, elementary, junior high and senior high schools.

I. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels,

temples, synagogues, rectories, parsonages, and parish houses.

J. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.

K. Accessory structures and fences which do not conform to the requirements identified elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

L. Public utility and service uses, and civic buildings as follows:

(1) Substations.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations, public works facilities.

(5) Railroad right-of-way but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

(7) Parcels that do not meet any one of the zoning requirements regarding building setbacks, lot frontage, lot size, accessory building size and number of buildings per parcel; provided that the remaining zoning requirements are all met.

§ 295-42. Conditional uses.

The following are conditional uses in the R-2 District:

A. Artificial lake, pond.

B. Cemeteries.

C. Colleges and universities.

D. Community Living Arrangements serving 9 or more persons

E. Floriculture, forestry, horticulture, hatcheries, nurseries, orchards, paddocks, riding academies and stables, game farms, wildlife sanctuaries and game preserves.

F. Planned unit development.

G. Public, parochial and private, elementary, junior high and senior high schools.

H. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels,

temples, synagogues, rectories, parsonages, and parish houses.

I. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.

J. Accessory structures and fences which do not conform to the requirements identified elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

K. Public utility and service uses, and civic buildings as follows:

(1) Substations.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations, public works facilities.

(5) Railroad right-of-way, but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

§ 295-55. Conditional uses.

The following are conditional uses in the R-3 District:

A. Artificial lake, pond.

B. Cemeteries.

C. Colleges and universities.

D. Community Living Arrangements serving 9 or more persons

E. Public, parochial and private, elementary, junior high and senior high schools.

F. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels,

temples, synagogues, rectories, parsonages, and parish houses.

G. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.

H. Accessory structures and fences which do not conform to the requirements identified elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

I. Public utility and service uses, and civic buildings as follows:

(1) Substations.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations, public works facilities.

(5) Railroad right-of-way but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

§ 295-68. Conditional uses

The following are conditional uses in the R-4 District:

A. Artificial lakes and ponds.

B. Cemeteries and mausoleums.

C. Colleges and universities.

D. Community Living Arrangements serving 9 or more persons

E. Day-care centers.

F. Planned unit development.

G. Public utility and service uses, and civic buildings as follows:

(1) Substations and transmission lines.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations.

(5) Railroad right-of-way, but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

H. Public, parochial and private, elementary, junior high and senior high schools.

I. Radio and television stations and similar electronic communicating systems, towers - transmitting and receiving.

J. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels,

temples, synagogues, rectories, parsonages, and parish houses.

K. Accessory structures and fences which do not conform to the requirements identified elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

- L. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.
- M. Telephone and public utility installations, and cable television installations.

§ 295-174. Conditional uses.

The following are conditional uses in the ER District:

A. Up to 10 animal units.

B. Artificial lakes, ponds per Article XXIX.

C. Community Living Arrangements serving 9 or more persons

D. Retail landscape and retail tree farms.

E. Schools.

F. Satellite dishes larger than 38 inches.

G. Religious institutions.

H. Riding academies and stables.

I. Bed-and-breakfasts.

J. Any animal not listed in this article.

K. Lot frontage less than 150 feet.

L. Public utility and service uses, and civic buildings as follows:

(1) Substations.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations, public works facilities.

(5) Railroad right-of-way, but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

M. Other business types may be approved by the Village Board, after receiving approval from

the Planning and Zoning Commission. This conditional use may be removed if declared a nuisance to surrounding area.

N. Accessory structures and fences which do not conform to the requirements identified

elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

[Amended 1-15-2013]

§ 295-187. Conditional uses.

The following are conditional uses in the R-2-R District:

A. Artificial lake, pond.

B. Community Living Arrangements serving 9 or more persons

C. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.

D. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels,

temples, synagogues, rectories, parsonages, and parish houses.

E. Public utility and service uses, and civic buildings, as follows:

(1) Substations.

(2) Fire stations.

(3) Gas regulator stations.

(4) Police stations, public works facilities.

(5) Railroad rights-of-way, but not including railroad yards and shops, other than for passenger purposes.

(6) Telephone exchanges, transmission equipment buildings and microwave relay towers.

F. Accessory structures and fences which do not conform to the requirements identified elsewhere in this chapter, but which are designed, constructed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or use and will not change the essential character of the same area.

G. Parcels that do not meet any one of the zoning requirements regarding building setbacks, lot

frontage, lot size, accessory building size and number of buildings per parcel, provided that the remaining zoning requirements are all met.

60.63 Community and other living arrangements. For purposes of s. 60.61, the location of a community living arrangement for adults, as defined in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in s. 50.01 (1), in any town shall be subject to the following criteria:

- (1) No community living arrangement may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by an ordinance of the town, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local town. Two community living arrangements may be adjacent if the town authorizes that arrangement and if both facilities comprise essential components of a single program.
- (2) Community living arrangements shall be permitted in each town without restriction as to the number of facilities, so long as the total capacity of the community living arrangements does not exceed 25 or one percent of the town's population, whichever is greater. If the capacity of the community living arrangements in the town reaches such total, the town may prohibit additional community living arrangements from locating in the township. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the town.
- (3) A foster home that is the primary domicile of a foster parent and that is licensed under s. 48.62 or an adult family home certified under s. 50.032 (1m) (b) shall be a permitted use in all residential areas and is not subject to subs. (1) and (2) except that foster homes operated by corporations, child welfare agencies, churches, associations, or public agencies shall be subject to subs. (1) and (2).
 - (3m)
 - (a) No adult family home described in s. 50.01 (1) (b) may be established within 2,500 feet, or any lesser distance established by an ordinance of the town, of any other adult family home described in s. 50.01 (1) (b) or any community living arrangement. An agent of an adult family home described in s. 50.01 (1) (b) may apply for an exception to this requirement, and the exception may be granted at the discretion of the town.
 - (b) An adult family home described in s. 50.01 (1) (b) that meets the criteria specified in par. (a) and that is licensed under s. 50.033 (1m) (b) is permitted in the town without restriction as to the number of adult family homes and may locate in any residential zone, without being required to obtain special zoning permission except as provided in sub. (10).
- (4) If the community living arrangement has capacity for 8 or fewer persons being served by the program, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health services or the department of children and families, the community living arrangement is entitled to locate in any residential zone, without being required to obtain special zoning permission except as provided under sub. (10).
- (5) In all cases where the community living arrangement has capacity for 9 to 15 persons being served by the program, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health services or the department of children and families, that facility is entitled to locate in any residential area except areas zoned exclusively for single-family or 2-family residences except as provided in sub. (10), but is entitled to apply for special zoning permission to locate in those areas. The town may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.
- (6) In all cases where the community living arrangement has capacity for serving 16 or more persons, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health services or the department of children and families, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The town may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.
- (7) The department of health services shall designate a single subunit within that department to maintain appropriate records indicating the location and the capacity of each community living arrangement for adults, and such information shall be available to the public. The department of children and families shall designate a single subunit within that department to maintain appropriate records indicating the location and the capacity of each community living arrangement for children, and such information shall be available to the public.
- (8) In this section, "special zoning permission" includes but is not limited to the following: special exception, special permit, conditional use, zoning variance, conditional permit and words of similar intent.
- (9) The attorney general shall take all necessary action, upon the request of the department of health services or the department of children and families, to enforce compliance with this section.

- (10)** Not less than 11 months nor more than 13 months after the first licensure of an adult family home under s. 50.033 or of a community living arrangement and every year thereafter, the town board of a town in which a licensed adult family home or a community living arrangement is located may make a determination as to the effect of the adult family home or community living arrangement on the health, safety or welfare of the residents of the town. The determination shall be made according to the procedures provided under sub. (11). If the town board determines that the existence in the town of a licensed adult family home or a community living arrangement poses a threat to the health, safety or welfare of the residents of the town, the town board may order the adult family home or community living arrangement to cease operation unless special zoning permission is obtained. The order is subject to judicial review under s. 68.13, except that a free copy of the transcript may not be provided to the licensed adult family home or community living arrangement. The licensed adult family home or community living arrangement must cease operation within 90 days after the date of the order, or the date of final judicial review of the order, or the date of the denial of special zoning permission, whichever is later.
- (10m)** The fact that an individual with acquired immunodeficiency syndrome or a positive HIV test, as defined in s. 252.01 (2m), resides in a community living arrangement with a capacity for 8 or fewer persons may not be used under sub. (10) to assert or prove that the existence of the community living arrangement in the town poses a threat to the health, safety or welfare of the residents of the town.
- (11)** A determination made under sub. (10) shall be made after a hearing before the town board. The town shall provide at least 30 days' notice to the licensed adult family home or the community living arrangement that such a hearing will be held. At the hearing, the licensed adult family home or the community living arrangement may be represented by counsel and may present evidence and call and examine witnesses and cross-examine other witnesses called. The town board may call witnesses and may issue subpoenas. All witnesses shall be sworn by the town board. The town board shall take notes of the testimony and shall mark and preserve all exhibits. The town board may, and upon request of the licensed adult family home or the community living arrangement shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the town. Within 20 days after the hearing, the town board shall deliver to the licensed adult family home or the community living arrangement its written determination stating the reasons therefor. The determination shall be a final determination.

History: 1983 a. 532; 1985 a. 281; 1987 a. 161; 1989 a. 56, 201; 1993 a. 27, 327, 446, 491; 1995 a. 27 s. 9126 (19); 1995 a. 225, 417; 2007 a. 20 ss. 1861 to 1866, 9121 (6) (a); 2009 a. 28, 209; 2011 a. 32.

50.01 Definitions. As used in this subchapter:

- (1)** "Adult family home" means one of the following and does not include a place that is specified in sub. (1g) (a) to (d), (f), or (g):
- (a)** A private residence to which all of the following apply:
1. Care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in s. 51.01 (5), or, if the residence is licensed as a foster home, care and maintenance are provided to children, the combined total of adults and children so served being no more than 4, or more adults or children if all of the adults or all of the children are siblings.
 2. The private residence was licensed under s. 48.62 as a home for the care of the adults specified in subd. 1. at least 12 months before any of the adults attained 18 years of age.
- (b)** A place where 3 or 4 adults who are not related to the operator reside and receive care, treatment or services that are above the level of room and board and that may include up to 7 hours per week of nursing care per resident.
- (1b)** "Advanced practice nurse prescriber" means an advanced practice nurse who is certified under s. 441.16 (2) to issue prescription orders.
- (1e)** "Basic care" includes periodic skilled nursing services or physical, emotional, social or restorative care.
- (1g)** "Community-based residential facility" means a place where 5 or more adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board but that include no more than 3 hours of nursing care per week per resident. "Community-based residential facility" does not include any of the following:
- (a)** A convent or facility owned or operated by members of a religious order exclusively for the reception and care or treatment of members of that order.
- (b)** A facility or private home that provides care, treatment, and services only for victims of domestic abuse, as defined in s. 49.165 (1) (a), and their children.
- (c)** A shelter facility as defined under s. 16.308 (1) (d).
- (d)** A place that provides lodging for individuals and in which all of the following conditions are met:
1. Each lodged individual is able to exit the place under emergency conditions without the assistance of another individual.
 2. No lodged individual receives from the owner, manager or operator of the place or the owner's, manager's or operator's agent or employee any of the following:
 - a. Personal care, supervision or treatment, or management, control or supervision of prescription medications.
 - b. Care or services other than board, information, referral, advocacy or job guidance; location and coordination of social services by an agency that is not affiliated with the owner, manager or operator, for which arrangements were made for an individual before he or she lodged in the place; or, in the case of an emergency, arrangement for the provision of health care or social services by an agency that is not affiliated with the owner, manager or operator.
- (e)** An adult family home.
- (f)** A residential care apartment complex.
- (g)** A residential facility in the village of Union Grove that was authorized to operate without a license under a final judgment entered by a court before January 1, 1982, and that continues to comply with the judgment notwithstanding the expiration of the judgment.
- (h)** A private residence that is the home to adults who independently arrange for and receive care, treatment, or services for themselves from a person or agency that has no authority to exercise direction or control over the residence.
- (i)** A group home licensed under s. 48.625 or a residential care center for children and youth licensed under s. 48.60 that provides care and maintenance for persons who are in extended out-of-home care under s. 48.366 or 938.366.
- (1m)** "Facility" means a nursing home or **(1m)** community-based residential facility. If notice is required to be served on a facility or a facility is required to perform any act, "facility" means the person licensed or required to be licensed

under s. 50.03 (1).

- (1ng)** "Immediate jeopardy" means a situation in which a nursing home's noncompliance with one or more requirements under 42 CFR 483 related to the operation of a nursing home has caused, or is likely to cause, serious injury, harm, impairment, or death to a resident.
- (1r)** "Home health agency" has the meaning given under s. 50.49 (1) (a).
- (1s)** "Intensive skilled nursing care" means care requiring specialized nursing assessment skills and the performance of specific services and procedures that are complex because of the resident's condition or the type or number of procedures that are necessary, including any of the following:
- (a)** Direct patient observation or monitoring or performance of complex nursing procedures by registered nurses or licensed practical nurses on a continuing basis.
 - (b)** Repeated application of complex nursing procedures or services every 24 hours.
 - (c)** Frequent monitoring and documentation of the resident's condition and response to therapeutic measures.
- (1t)** "Intermediate level nursing care" means basic care that is required by a person who has a long-term illness or disability that has reached a relatively stable plateau.
- (1w)** "Licensed practical nurse" means a licensed practical nurse who is licensed or has a temporary permit under s. 441.10 or who holds a multistate license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51 (2) (k).
- (2)** "Nurse aide" means a person who performs routine patient care duties delegated by a registered nurse or licensed practical nurse who supervises the person, for the direct health care of a patient or resident. "Nurse aide" does not mean a feeding assistant, as defined in s. 146.40 (1) (aw); a person who is licensed, permitted, certified, or registered under ch. 441, 448, 449, 450, 451, 455, 459, or 460; or a person whose duties primarily involve skills that are different than those taught in instructional programs for nurse aides.
- (2m)** "Nursing care" means nursing procedures, other than personal care, that are permitted to be performed by a registered nurse under s. 441.01 (3) or by a licensed practical nurse under s. 441.001 (3), directly on or to a resident.
- (3)** "Nursing home" means a place where 5 or more persons who are not related to the operator or administrator reside, receive care or treatment and, because of their mental or physical condition, require access to 24-hour nursing services, including limited nursing care, intermediate level nursing care and skilled nursing services. "Nursing home" does not include any of the following:
- (c)** A convent or facility owned or operated exclusively by and for members of a religious order that provides reception and care or treatment of an individual.
 - (d)** A hospice, as defined in s. 50.90 (1), that directly provides inpatient care.
 - (e)** A residential care apartment complex.
- (4)** "Nursing home administrator" has the meaning assigned in s. 456.01 (3).
- (4m)** "Operator" means any person licensed or required to be licensed under s. 50.03 (1) or a person who operates an adult family home that is licensed under s. 50.033 (1m) (b).
- (4o)** "Personal care" means assistance with the activities of daily living, such as eating, dressing, bathing and ambulation, but does not include nursing care.
- (4r)** "Plan of correction" means a nursing home's response to alleged deficiencies cited by the department on forms provided by the department.
- (5m)** "Recuperative care" means care anticipated to be provided in a nursing home for a period of 90 days or less for a resident whose physician has certified that he or she is convalescing or recuperating from an illness or medical treatment.
- (5r)** "Registered nurse" means a registered nurse who is licensed under s. 441.06 or permitted under s. 441.08 or who holds a multistate license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51 (2) (k).
- (6)** "Resident" means a person who is cared for or treated in and is not discharged from a nursing home, community-based residential facility or adult family home, irrespective of how admitted.
- (6d)** "Residential care apartment complex" means a place where 5 or more adults reside that consists of independent apartments, each of which has an individual lockable entrance and exit, a kitchen, including a stove, and individual bathroom, sleeping and living areas, and that provides, to a person who resides in the place, not more than 28 hours per week of services that are supportive, personal and nursing services. "Residential care apartment complex" does

not include a nursing home or a community-based residential facility, but may be physically part of a structure that is a nursing home or community-based residential facility. In this subsection, "stove" means a cooking appliance that is a microwave oven of at least 1,000 watts or that consists of burners and an oven.

- (6g)** "Respite care" means care anticipated to be provided in a nursing home for a period of 28 days or less for the purpose of temporarily relieving a family member or other caregiver from his or her daily caregiving duties.
- (6r)** "Short-term care" means recuperative care or respite care provided in a nursing home.
- (6v)** "Skilled nursing services" means those services, to which all of the following apply, that are provided to a resident under a physician's orders:
- (a)** The services require the skills of and are provided directly by or under the supervision of a person whose licensed, registered, certified or permitted scope of practice is at least equivalent to that of a licensed practical nurse.
 - (b)** Any of the following circumstances exist:
 1. The inherent complexity of a service prescribed for a resident is such that it can be safely and effectively performed only by or under the supervision of registered nurses or licensed practical nurses.
 2. The full recovery or medical improvement of the resident is not possible, but the services are needed to prevent, to the extent possible, deterioration of the resident's condition or to sustain current capacities of the resident.
 3. Because of special medical complications, performing or supervising a service that is generally unskilled or observing the resident necessitates the use of a person whose licensed, registered, certified or permitted scope of practice is at least equivalent to that of a licensed practical nurse.
- (7)** "Violation" means a failure to comply with any provision of this subchapter or administrative rule promulgated thereunder. An alleged deficiency in a nursing home reported in writing to the department by any of its authorized representatives shall not be deemed to be a violation until the department determines it is a violation by serving notice under s. 50.04 (4). If the facility contests the department determination, the facility shall be afforded the due process procedures in this subchapter.

History: 1975 c. 413; 1977 c. 170, 418; 1979 c. 111; 1983 a. 189 s. 329 (18); 1985 a. 29, 276; 1985 a. 332 s. 251 (1); 1987 a. 127, 161; 1989 a. 31, 136, 199; 1991 a. 39; 1993 a. 327, 446, 491; 1995 a. 27; 1997 a. 13, 27, 156, 237; 1999 a. 22, 32; 2001 a. 74, 107; 2003 a. 33; 2005 a. 187; 2007 a. 20, 153; 2009 a. 28; 2011 a. 32, 70, 161; 2013 a. 20; 2013 a. 165 s. 114; 2015 a. 55; 2017 a. 135; 2021 a. 23.

Cross-reference: See s. 46.011 for definitions applicable to chs. 46, 48, 50, 51, 54, 55 and 58.

Up to seven hours of nursing care may be provided by a community-based residential facility under sub. (1g). *Hacker v. DHSS*, 197 Wis. 2d 441, 541 N.W.2d 766 (1995), 93-1043.

The department can constitutionally license and regulate community-based residential facilities operated by religious organizations that are not exempt under sub. (1) [now sub. (1g)] or s. 50.03 (9). 71. Atty. Gen. 112.



TO: Planning & Zoning Commission

RE: Consider CUP for a residential based wellness facility for substance and alcohol addiction residents located at 4735 Fonda Fields Ct., HB-2485 & HB-2492

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: May 15, 2024

ISSUE: Review and consider CUP request to operate a residential based wellness facility for substance and alcohol addiction residents located at 4735 Fonda Fields Ct., HB-2485 & HB-2492

RECOMMENDATION:

GENERAL INFORMATION

1. Current Owner: Golden Pond Development, LLC / Gary DeCaster
2. Agent(s)/Petitioner(s): Summit Behavioral Health, LLC / John Flanagan
3. Parcel(s): HB-2485 & HB-2492
4. Present Zoning: R-1: Residential District

BACKGROUND

Summit Behavioral Health, LLC (Green Bay Recovery Center) is proposing to purchase the property located at 4735 Fonda Fields Ct., (HB-2485, HB-2492, & HB-2493) and operate a residential based wellness facility for substance and alcohol addiction residents at this location. The parcels HB-2485 & HB-2492 are currently zoned R-1: Residential and parcel HB-2493 is currently zoned B-1: Community Business District. Such a facility is only allowed in the R-1: Residential zoning district as a Conditional Use Permit (CUP). This request is for a CUP to operate such a facility at this location.

The applicant(s) is proposing to operate a wellness and recovery facility at this location that would be in excess of 16 persons being served by the program. Being that there will be more than 16 residents, in accordance with Wisconsin State Statutes 60.63(6), such a *“facility is entitled to apply for special zoning permission to locate in areas zoned for residential use.”* Therefore, the applicant(s) is requesting a CUP (aka “special zoning permission”) to operate such a facility at this location.

Village Staff has met with the petitioners to discuss items including but not limited to, buffering from neighboring properties, traffic flow, and policing. As for the operation and structure of the facility/program itself, the team from Summit Behavioral, LLC will be at the meeting to present their plans and address any question/concerns that are brought forward.

RECOMMENDATION/CONDITIONS

Village Staff recommends that any recommendation to the Village Board include a detailed list of conditions of which a preliminary draft is included in this packet and additional conditions may be brought to the meeting for discussion and consideration.



- Rezoning Review
- Conditional Use Permit Review
- Planned Development Review
- CSM/Plat Review

Village of Hobart
 Dept of Planning & Code Compliance
 2990 S Pine Tree Rd
 Hobart WI 54155
 Phone: (920) 869-3809
 Fax: (920) 869-2048

APPLICANT INFORMATION

Petitioner: Summit Behavioral Health LLC Date: 05-02-2024
 Petitioner's Address: 501 Coprorate Centre Drvie St 600 City: Franklin State: TN Zip: 37067
 Telephone #: 214-240-9476 Email: john.flanagan@summitbhc.com

Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer

Petitioner's Signature (required): *John Flanagan* Date: 05-02-2024

OWNER INFORMATION

Owner(s): Golden Pond Development Gary DeCaster Date: 05-02-2024
 Owner(s) Address: 5696 School Drive City: Green Bay State: WI Zip: 54313
 Telephone #: 920-371-2923 Email: Gary De Caster <gdecastersr@yahoo.com>

Ownership Status (Please Check): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature: *X Gary DeCaster* Date: 05-02-2024

SITE INFORMATION

Address/Location of Proposed Project: 4735 Fonda Fields Ct Parcel #: HB-2495
2485, Lot 4 & 2492

Proposed Project Type: Residential

Current Use of Property: vacant Zoning: Commercial, Residential, Forest Lands

Land Uses Surrounding Site:

North: Tribal/Forest Land

South: Residential Homes

East: Residential Homes

West: Medical Offices and Residential Homes

****Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- > Application fees are due at time of submittal. Make check payable to Village of Hobart.
- > Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

CONDITIONAL USE PERMIT / PLANNED DEVELOPMENT APPLICATIONS

Briefly explain how the proposed **conditional use/development plan** will not have a negative effect on the issues below.

1. Health, safety, and general welfare of occupants of surrounding lands.

The facility will be staffed twenty four hours a day seven days a week. The facility will only accept adult vountary patients, who want to engage in treatment. The facility implements a state of the art patient alert system "Observe Smart." This is implemented with the use of IPAD's for staff and wrist bands, patients are required to wear. Support staff perform patient safety rounds every thirty minutes at a mininum.

The facility will be licensed by the state of Wisconson as a CBRF AA and willl accredited nationally by CARF and or The Joint Commission.

These licensing and accrediting bodies have strict guidlines and policies, which the foundation is patient and staff safety.

2. Pedestrian and vehicular circulation and safety.

Based on Golden Pond Developments previous interactions with the Village of Hobart we realize that an additional driveway into the property will need to be created from Centennial Drive. This will allow for traffic flow to be less disruptive to current and future home owners of adjacent properties.

3. Noise, air, water, or other forms of environmental pollution.

Summit is considering this location due to its peaceful atmosphere. We feel this is conducive to creating a theraputic environment for the clients we will serve. We will have adequate water and sewage systems. Additionally,we will be adding a fire supression system.

Will assure all HVAC systems are maintained and inspected following local and state guidlines. We will have a contract with a local landscape and snow removal company.

4. The demand for and availability of public services and facilities.

The facilities water, sewage, gas, and electric will be provided by the city of Hobarts public utilites.

5. Character and future development of the area.

The addition of the aforementioned drive way coming in from Centennial Drive , along with creating walking paths around the property will add to the astetics. We willl create flower beds, add shurberries to improve the landscape.

We do not anticipate any major reconstruction to the exterior of the building. Renovations will occur to the interior of the property structure.

Green Bay Recovery Center	SECTION: Services Overview and Staffing
	TITLE: LD-01 SCOPE OF SERVICES
Original Date of Issue: 5/1/2024	Date of Last Revision: 05/01/2024

Overview

Green Bay Recovery Center is privately owned and operates for profit. The facility will license 48 beds which consist of 24-hour medically supported detox, residential, and partial hospitalization programming. The facility will have budgeted expectations to grow census annually starting at 20 beds in year one, progressing to 30 beds in year two. The Residential programming is offered 24 hours a day, 7 days a week. Detox clients are encouraged to participate in as much programming as they can, dependent on severity of detox symptoms. In addition, Green Bay Recovery Center provides residential treatment for co-occurring mental health disorders and an Intensive Outpatient program is available for individuals not in need of detoxification or residential services.

Staffing

UR Director – 9-5 Mon-Fri
 Tech Supervisor – 9-5 Mon-Fri, on call Sat-Sun
 Director of Plant Ops – 9-5 Mon-Fri, on call Sat-Sun
 Dietary Manager – meal coverage daily
 Cook x2 – meal coverage daily
 Therapist/Counselor – 9-5 Mon-Fri
 Intake Coordinator (Admissions) – 10-6 Mon-Fri
 Medical Director – contracted, provides on call coverage
 APRN – 9-5 Mon-Fri, provides on call coverage
 Nurse RN/LPN x2 – 7a-7p Sun-Sat
 Nurse RN/LPN x2 – 7p-7a Sun-Sat
 Tech x2 – 7a-3p Sun-Sat
 Tech x2 – 3p-11p Sun-Sat
 Tech x2 – 11p-7a Sun-Sat
 Director of Clinical Services - Mon-Fri 9a-5p; provides on call coverage
 CEO - Mon-Fri 9a-5p; provides on call coverage
 Director of Nursing - Mon-Fri 9a-5p; provides on call coverage
 Director of Admissions – Mon-Fri 9a-5p; provides on call coverage
 Director of Business Development Mon-Fri 9a-5p; provides on call coverage
 Human Resources Director – Mon-Fri 9a-5p; provides on call coverage

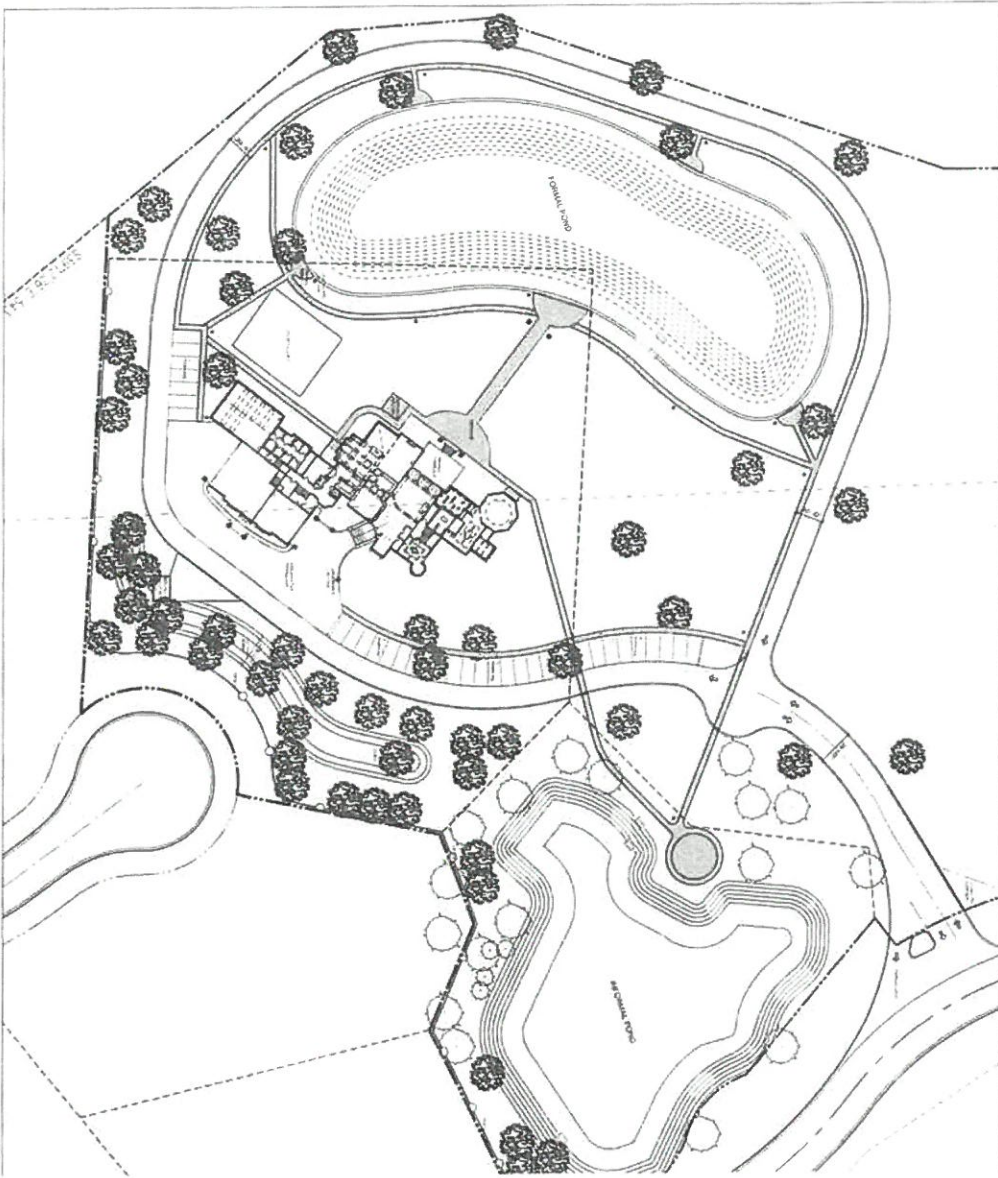
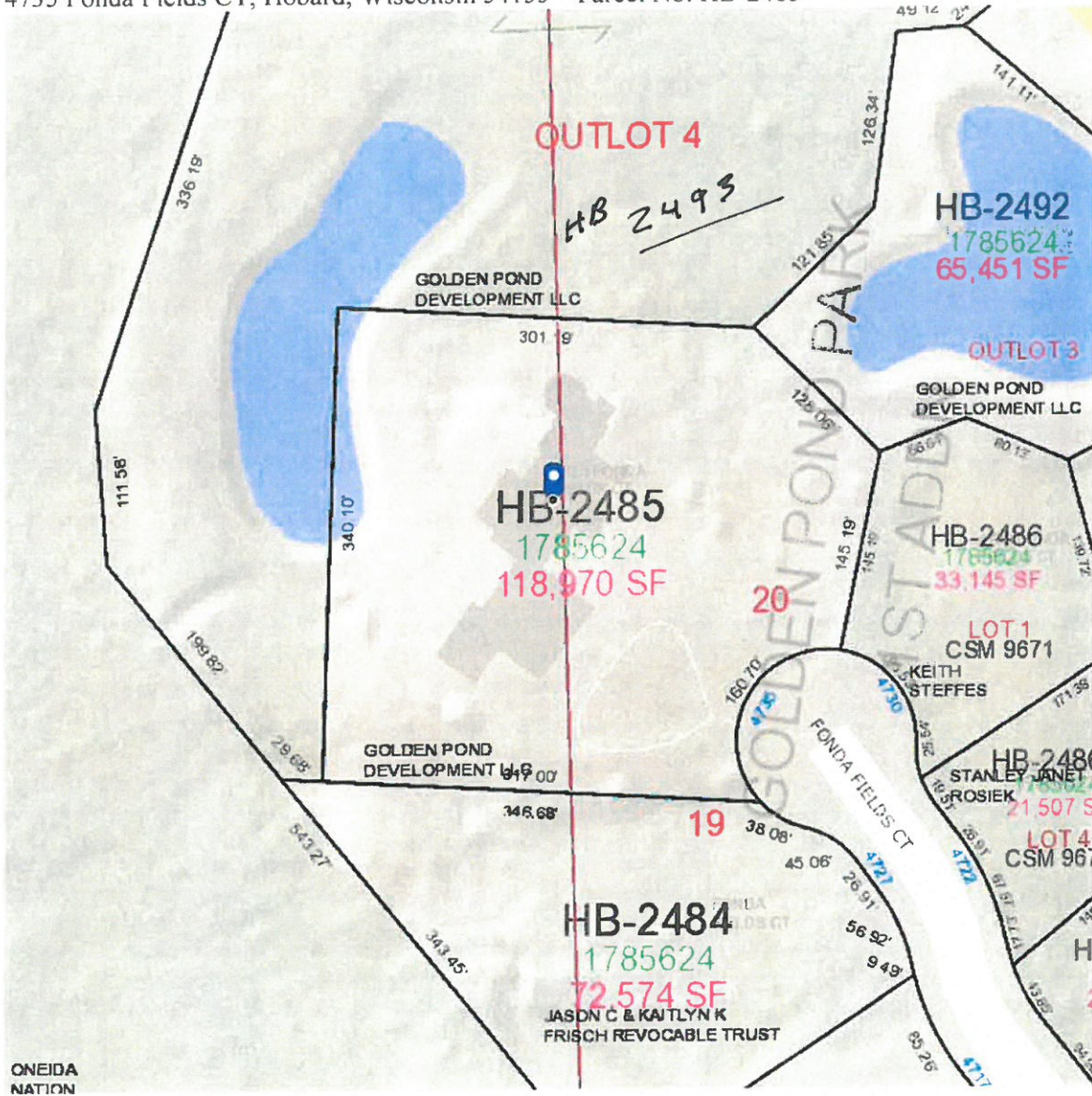


EXHIBIT A

Legal Description of Real Property

4735 Fonda Fields CT, Hobard, Wisconsin 54155 – Parcel No. HB-2485





2990 S. Pine Tree Rd.
 Hobart, WI 54155
 tele: 920-869-3809
 fax: 920-869-2048

Conditional Use Permit

A Conditional Use Permit is hereby granted for a community living arrangement for residential wellness with substance abuse issues to be located at 4735 Fonda Fields Ct., Hobart, Wisconsin 54155 (HB-2485& HB-2492) as approved by the Village Board on June 4, 2024. This Permit is subject to the following Limitations and Conditions:

Limitations:

- Properties are limited to only residents with substance abuse to drugs and alcohol.

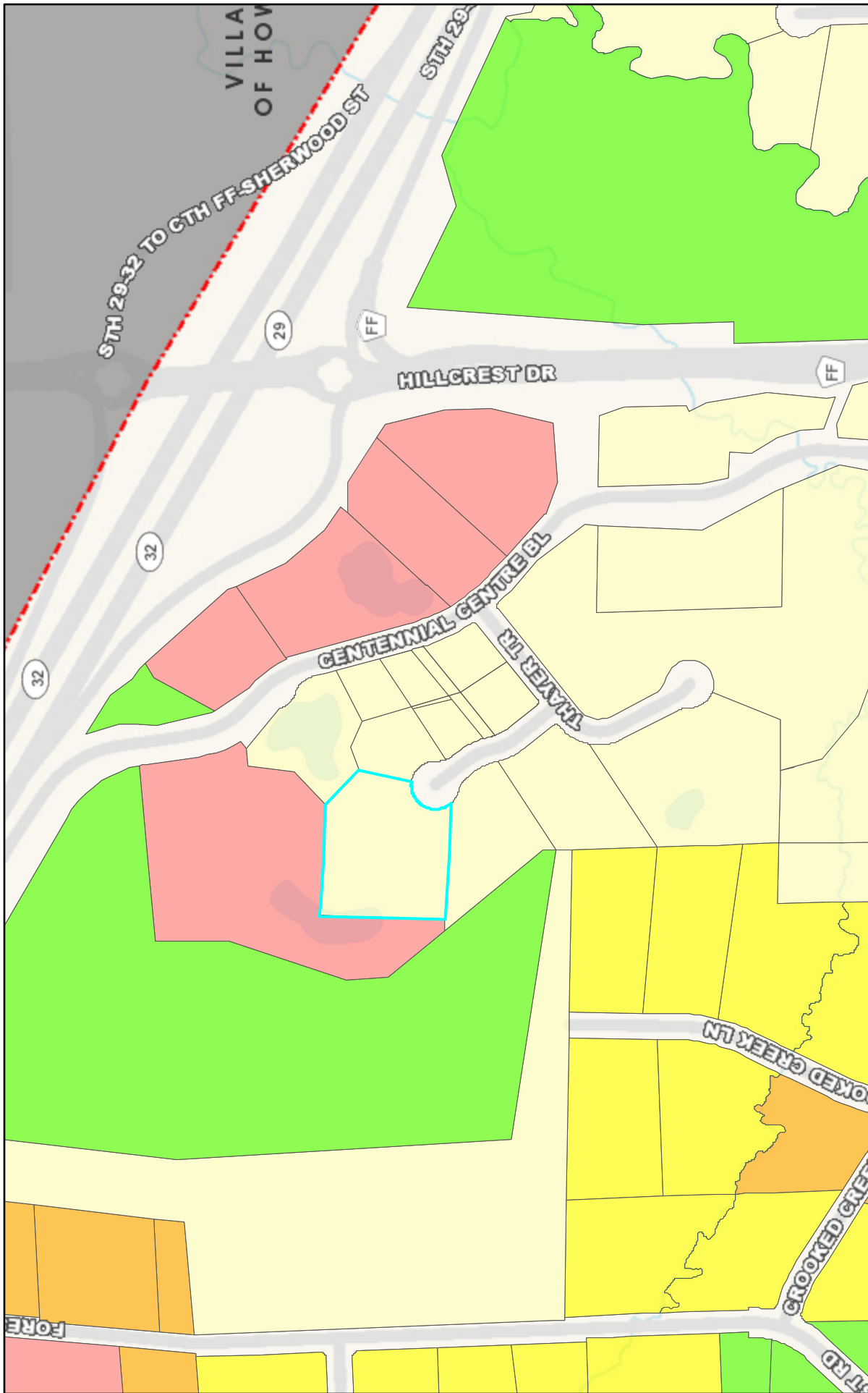
Conditions:

1. Maximum capacity of residents in treatment shall not exceed 48 residents at any one time;
2. All egress doorways accessible to residents shall be controlled by audio alarms that activate to alert staff members and same egress doors shall be covered by security cameras;
3. There shall be no exterior group activities on the premises between the hours of 10:00 P.M. and 7:00 A.M. that create noise or light that project past the property lines of these properties;
4. Vehicular and pedestrian traffic to this site shall only be accessed through the ingress/egress from Centennial Centre Blvd.;
5. Any such collection of refuse and/or recycling materials shall take place between the weekday hours of 8:00 A.M. and 6:00 P.M.;
6. All vehicle and trailer parking shall be on private property and on hard surface material such as concrete, asphalt, or paver / block system;
7. There shall be no exterior storage of materials visible from adjoining properties;
8. Completion and compliance will all building, electrical, HVAC, plumbing, fire suppression, and any other applicable codes prior the staffing and arrival of the first resident to the facility;
9. Review and approval from the Village Site Review Committee of site and exterior building elevations improvements;
10. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and possible revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws;
11. This Conditional Use Permit shall be brought back to the Village Board for a review on neighborhood impacts no later than one year from date of first resident arrival to the facility at which time these above detailed conditions may be modified, expanded, or reduced.

Director of Planning and Code Compliance

Date

Village of Hobart Zoning

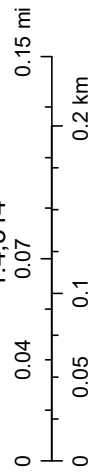


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Zoning

- R-1: Residential District
- R-2: Residential District
- R-2-R: Rural Residential District
- A-1: Agricultural District
- B-1: Community Business District
- Zoning Not Designated

1:4,514



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

Village of Hobart
Village of Hobart



This is a custom map created by an online user of GIS map services provided by Brown County Municipalities, Brown County, Brown County WI

Part of Brown County WI

Map printed on 5/8/2024

1:2,400
1 inch = 200 feet*
1 inch = 0.0379 miles*
**original page size: 8.5"x11"*
Appropriate format depends on zoom level

Parcel ownership key

- Parcel Boundary
- Condominium
- Gap or Overlap
- "hooks" indicate parcel ownership crosses a line

- Parcel line
- Right of Way line
- Meander line
- Lines between deeds or lots
- Historic Parcel Line
- Vacated Right of Way

A complete key (legend) is available at:
tinyurl.com/BrownDogLegend



(920) 448-6480
www.browncountywi.gov