



Village of Hobart

Village Office 2990 S. Pine Tree Rd, Hobart, WI

[www.hobart-wi.org](http://www.hobart-wi.org) - [www.buildinhobart.com](http://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 January 11<sup>th</sup> 2023 at 5:30 PM in the Village Office. **NOTICE OF POSTING:** Posted this 6<sup>th</sup> day of January, 2023 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 January 11<sup>th</sup> 2023 (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
4. Approval of Minutes of the October 12<sup>th</sup> (Page 3) and November 9<sup>th</sup> 2022 (Page 5) meetings
4. Public Comment on Non-Agenda Items

### ACTION ITEMS

#### **5. DISCUSSION AND ACTION – Rezoning of Parcel HB-1491-F-45 (4567 Wedgestone Court) from ER: Estate Residential District to R-2: Residential District (Page 6)**

The property owner of parcel HB-1491-F-45 located at 4657 Wedgestone Ct. is requesting to rezone this parcel from ER: Estate Residential District to R-2: Residential District. The existing parcel is approximately 4.360 acres and complies with all zoning requirements for lot area, lot width, and setbacks for the proposed zoning district. A public hearing on this request will be held at the February 7<sup>th</sup> Village Board meeting.

#### **6. DISCUSSION AND ACTION - Rezoning of Parcels HB-314-3, HB-314-6, & HB-314-7 (1550 South Overland Road and Orlando Drive) from R-2: Residential District and ER: Estate Residential District to A-1: Agricultural District (Page 10)**

The property owner has recently purchased parcels HB-314-6 and HB-314-7 located along Orlando Dr. and has submitted a Combination CSM to Brown County to combine both of these parcels with another adjoining parcel that they also own located at 1550 S. Overland Rd. (HB-314-3). With the combining of all three parcels in to one new larger parcel, the property owner is requesting to rezone the newly assembled parcel to A-1: Agricultural District. The three existing parcels are currently zoned either R-2: Residential District or ER: Estate Residential District. Since the A-1 zoning district requires a minimum lot size of 5 acres, the parcels will need to be combined through the Combination CSM process and recorded through Brown County. A public hearing on this request will be held by the Village Board once Brown County approves the Combination CSM.

#### **7. DISCUSSION AND ACTION - Rezoning of Parcel HB-293 and Portions of Parcels HB-293-1 & HB-293-2 (1805 South Pine Tree Road) from ER: Estate Residential District to A-1: Agricultural District (Page 18)**

The property owner has recently purchased parcels HB-293, HB-293-1, Hb-293-2, and HB-307 located at 1805 S. Pine Tree Rd. and has submitted a Combination CSM to Brown County to combine these four parcels into two parcels. With the combining of these parcels in to one new larger parcel and one smaller parcel, the property owner is requesting to rezone the newly assembled larger parcel to A-1: Agricultural District and have the smaller parcel (developed with a dwelling) remain zoned ER: Estate Residential District. Three of the existing parcels are currently zoned ER: Estate Residential District and smaller than 5 acres in area. Since the A-1 zoning district requires a minimum lot size of 5 acres, the parcels will need to be combined through the Combination CSM process and recorded through Brown County as part of the rezoning process. A public hearing on this request will be held by the Village Board once Brown County approves the Combination CSM.

#### **8. DISCUSSION AND ACTION - Modifications/Amendments to the Zoning Ordinance, Chapter 295, 295-187, Conditional Uses, R-2-R (Page 26)**

Village Staff has recently received an inquiry from property owner relating to the construction of a wildlife pond on properties currently zoned R-2-R: Residential District. Chapter 295, section 295-187, Conditional Uses, R-2-R, of the Village Zoning Code does not list artificial lakes or ponds as permitted or conditional uses. To stay consistent with the other residential zoning districts (R-1, R-2, ER), Village Staff is proposing a modification to the Village Zoning Code to allow artificial lakes and ponds as conditional uses in the R-2-R: Residential zoning district. A public hearing on this proposed ordinance change will be held at the February 7<sup>th</sup> Village Board meeting.

**9. DISCUSSION AND ACTION - Consider Conditional Use Permit, Wildlife Pond, HB-3331 & HB-3332 (640 & 650 Trout Creek Road) (Page 31)**

The current property owner, Chad Roffers, is proposing to construct wildlife pond of approximately 0.48 acre (20,760 square feet) in the common side yards of these parcels located at 640 and 650 Trout Creek Rd. (HB-3331, & HB-3332). In the R-2-R zoning district, a pond is listed as a Conditional Use. The owners have submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. Staff has reviewed the information submitted and has identified the information demonstrates compliance with the ordinance requirements. A public hearing on this request will be held at the February 7<sup>th</sup> Village Board meeting.

**10. DISCUSSION AND ACTION - Conditional Use Permit, HB-1395-1 (3849 West Mason Street), Mini Storage Warehousing (Page 49)**

Jesse Hall and Al Dorn are proposing a plan for additional development on the 6.959 acre parcel located at 3849 W. Mason St. (HB-1395-1). The proposed development calls for the existing commercial building to remain with the construction of six new mini storage warehouse buildings containing a total of approximately 135 individual units. Access to the new development will utilize the existing ingress/egress to the site from W. Mason St. Village Zoning Code requires that mini storage warehouse facilities are a conditional use in the I-1: Limited Industrial District. Therefore, the applicants are requesting the review of a Conditional Use Permit for the proposed use at this location. A public hearing on this request will be held at the February 7<sup>th</sup> Village Board meeting.

**11. DISCUSSION AND ACTION – Certified Survey Map (Triangle Drive, Centerline Drive, & Founders Terrace, HB-525) (Page 59)**

The property owner is proposing a two lot CSM splitting one 22.266 acre parcel into two parcels of 18.229 and 4.020 acres in the area bound by Triangle Dr., Centerline Dr., and Founders Terrace. The existing parcel is currently zoned PDD#1: Centennial Centre at Hobart District and the proposed CSM would create two new lots that maintain compliance with Village Code requirements by maintaining “sufficient area for green space requirements, parking and stormwater management requirements”. These requirements will be reviewed and verified during the Site Review Committee process once a development is submitted for review.

**12. ADJOURN**

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Aaron Kramer, Village Administrator

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

**NOTE:** Page numbers refer to the meeting packet. All agenda and minutes of Village meetings are online: [www.hobart-wi.org](http://www.hobart-wi.org). Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk-Treasurer 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 Committee Minutes**  
**Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI**  
**Wednesday, October 12, 2022 – 5:30 pm**

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**1. Call to Order, Roll Call:**

The meeting was called to order by Rich Heidel at 5:31pm. Roll call: Rich Heidel, aye; Dave Dillenburg, aye; Tom Dennee, excused; Bob Ross, excused; David Johnson, aye; Jeff Ambrosius, aye; John Rather, excused.

**2. Verify/Modify/Approve Agenda:**

Motion by Dave Dillenburg, seconded by Rich Heidel, to move agenda number 6 item to the end of the agenda and move agenda numbers 7 and 8 up. All in favor. Motion carried.

**3. Approval of Planning & Zoning Minutes:**

Motion by Dave Johnson, seconded by Jeff Ambrosius, to approve the September 14, 2022 minutes as presented. Rich Heidel abstained from the vote. All in favor. Motion carried.

**4. Public Comment on Non-Agenda Items:**

None.

**5. Consider Conditional Use Permit for Additional Accessory Building (HB-1338, 122 Riverdale Drive):**

Director of Planning & Code Compliance, Todd Gerbers, presented the Conditional Use Permit application.

The commission members discussed the application.

Motion by Rich Heidel, seconded by Jeff Ambrosius to approve the permit with the following conditions:

- A. Maximum overall height of new accessory building shall not exceed 25 feet or height of primary structure on site, whichever is less.
- B. The exterior finish shall be of residential materials which are substantially similar to those used in the principal structure with respect to texture, color and general appearance.
- C. The existing barn and chicken coop shall be razed/removed from the property no later than July 31, 2023 or the 6 month anniversary of the certificate of occupancy, whichever takes place later.

Public comments were made by:

- Ron Van Schyndel: 122 Riverdale Drive, Oneida, WI
- Paul Rose: Green Bay Builder

All in favor. Motion carried.

**6. Modifications/Amendments to the Zoning Ordinance, Chapter 295, 295-8 Definitions:**

Discussion by the committee.

Motion by Dave Dillenburg, seconded by Rich Heidel to approve the change in the definition of a utility building to be "a maximum of 160 sq. ft".  
All in favor. Motion carried.

**7. Consider a single lot CSM dividing one parcel into two separate parcels of 2.53 acres and 35,886 acres (630 Orlando Dr., HB-315):**

Motion by Rich Heidel, seconded by Dave Dillenburg to approve the division of lot HB-315 with the following conditions:

A. New proposed lot to be rezoned to an appropriate residential district to comply with the minimum lot size.

B. Payment of the required Park Fee of \$300.00

All in favor. Motion carried.

**8. Consider a request to rezone a portion of parcel HB-315 (630 Orlando Drive) from A-1: Agricultural District to ER: Estate Residential District:**

Motion by Dave Dillenburg, seconded by Dave Johnson to approve the rezoning as presented.

All in favor. Motion carried.

**9. Discussion of starting time of Committee Meetings:**

No action taken.

**10. Adjournment:**

Motion by Jeff Ambrosius, seconded by Dave Johnson, to adjourn at 6:29pm. All in favor. Motion carried.



Village of Hobart Planning & Zoning Committee Minutes  
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI  
Wednesday, November 9, 2022 – 5:30 pm

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**1. Call to Order, Roll Call:**

The meeting was called to order by Rich Heidel at 5:32 pm. Roll call: Rich Heidel, aye; Dave Dillenburg, aye; Tom Dennee, aye; Bob Ross, aye; David Johnson, aye; Jeff Ambrosius, excused; John Rather, aye.

**2. Verify/Modify/Approve Agenda:**

Motion by Rich Heidel, seconded by Bob Ross, to approve the agenda as presented. All in favor. Motion carried.

**3. Public Comment on Non-Agenda Items:**

None.

**4. Quarry operations renewal at existing quarry located at 361 Orlando Drive:**

Director of Planning & Code Compliance, Todd Gerbers, gave the committee updates along with Scott Janssen and Jay Effa from Daanen & Janssen, Inc.

Motion by Rich Heidel, seconded by Tom Dennee to renew the permit for 2023. All in favor. Motion carried.

**5. Adjourn:**

Motion by Tom Dennee, seconded by Dave Johnson, to adjourn at 6:06 pm. All in favor. Motion carried.



**TO: Planning & Zoning Commission**

**RE: Rezoning of Parcel HB-1491-F-45, 4567  
Wedgestone Ct. from ER: Estate Residential District  
to R-2: Residential District**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider a request to rezone parcel HB-1491-F-45 from ER: Estate Residential District to R-2: Residential District

**RECOMMENDATION:** Staff recommends approval

### **GENERAL INFORMATION**

1. Applicants/Agent: Jenna Scimemi / Gerbers
2. Owner: Jenna Scimemi / Gerbers
3. Parcel(s): HB-1491-F-45
4. Zoning: ER: Estate Residential District

### **ZONING REQUIREMENTS**

The property owner of parcel HB-1491-F-45 located at 4657 Wedgestone Ct. is requesting to rezone this parcel from ER: Estate Residential District to R-2: Residential District. The existing parcel is approximately 4.360 acres and complies with all zoning requirements for lot area, lot width, and setbacks for the proposed zoning district.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval as submitted to rezone parcel HB-1491-F-45 from ER: Estate Residential District to R-2: Residential District.



<input checked="" type="checkbox"/>	Rezoning Review
<input type="checkbox"/>	Conditional Use Permit Review
<input type="checkbox"/>	Planned Development Review
<input type="checkbox"/>	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: Jenna Scimemi / Gerbers Date: 12/09/22

Petitioner's Address: 4657 Wedgestone Court City: Hobart State: WI Zip: 54155

Telephone #: 920-370-8614 Email: jediederich@hotmail.com

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

Petitioner's Signature (required): Jenna Scimemi Date: 12/09/22

**OWNER INFORMATION**

Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

Owner(s) Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

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: Jenna Scimemi Date: 12/09/22

**SITE INFORMATION**

Address/Location of Proposed Project: 4657 Wedgestone Court Parcel #: HB-1491-F-45

Proposed Project Type: Change lot to R-2 lot

Current Use of Property: Residential Zoning: ER

Land Uses Surrounding Site: North: R-2

South: R-2

East: ER

West: R-2

**\*\*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

# Village of Hobart Zoning - Parcel HB-1491-F-45



1/5/2023, 6:18:12 PM

Zoning

 R-2: Residential District

 R-4: Single and Two-Family Residential District

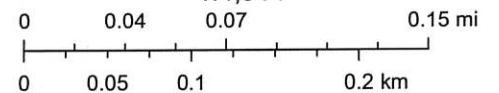
 ER: Estate Residential District

 R-2-R: Rural Residential District

 A-1: Agricultural District

 - ER to R-2











1:4,514



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



**LEGEND / 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 map legend (map key) is available at: [tinyurl.com/BrownDogLegend](http://tinyurl.com/BrownDogLegend)

Map printed  
1/5/2023



1:1,800

1 inch = 150 feet\*

1 inch = 0.0284 miles\*

\*original page size is 8.5" x 11"  
Appropriate format depends on zoom level

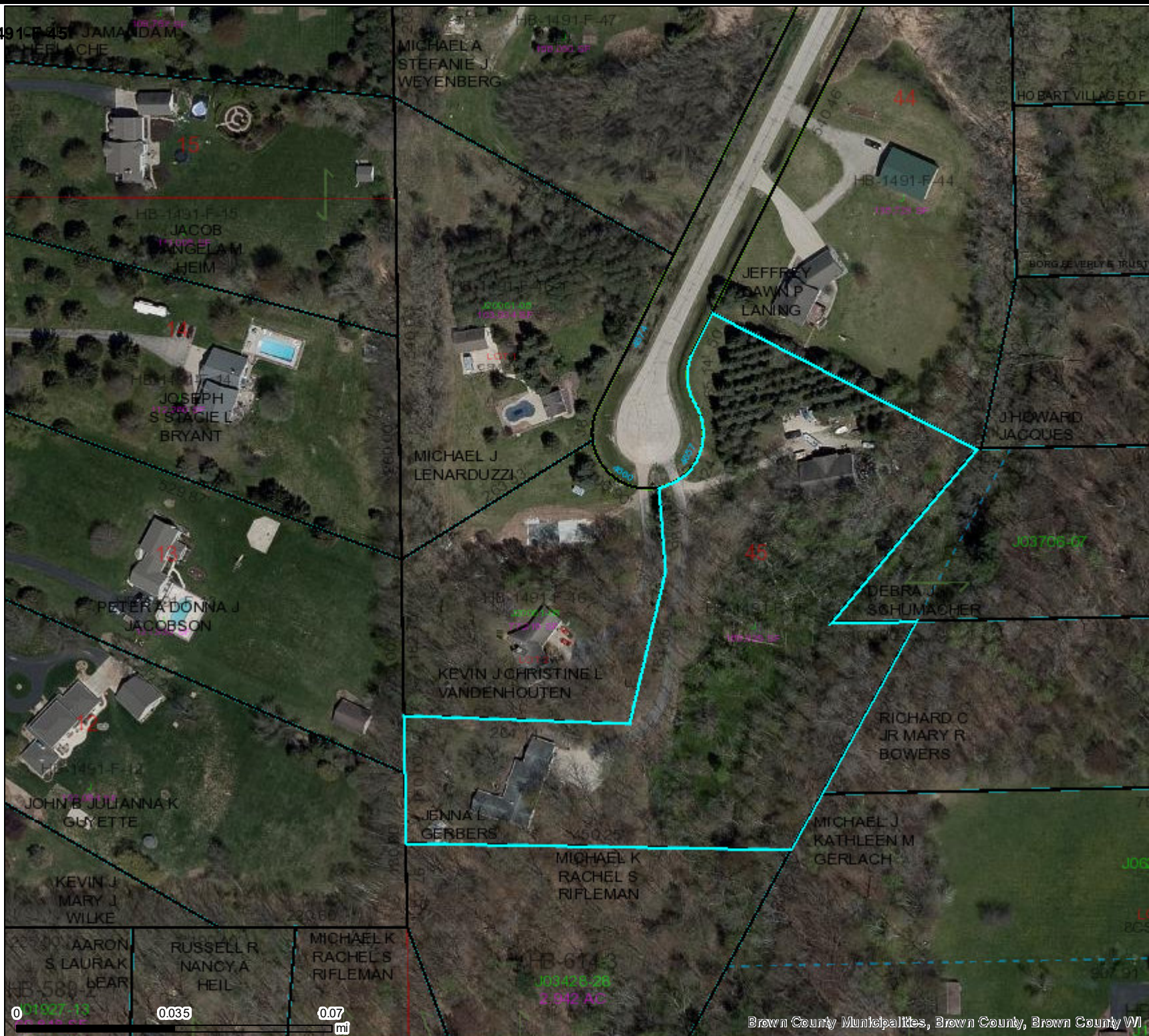
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**Brown County Wisconsin  
Planning & Land Services  
Department**



(920) 448-6480

[www.browncountywi.gov](http://www.browncountywi.gov)





**TO: Planning & Zoning Commission**

**RE: Rezoning of Parcels HB-314-3, HB-314-6, & HB-314-7, 1550 S. Overland Rd, and Orlando Dr. from R-2: Residential District and ER: Estate Residential District to A-1: Agricultural District**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider a request to rezone parcels HB-314-3, HB-314-6 & HB-314-7 from R-2: Residential District and ER: Estate Residential District **to** A-1: Agricultural District

**RECOMMENDATION:** Staff recommends approval

### **GENERAL INFORMATION**

1. Applicants/Agent: Mau & Associates, LLP
2. Owner: Derek & Amie Beaulieu
3. Parcel(s): HB-314-3, HB-314-6, & HB-314-7
4. Zoning: A-1: Agricultural District

### **ZONING REQUIREMENTS**

The property owner has recently purchased parcels HB-314-6 and HB-314-7 located along Orlando Dr. and has submitted a Combination CSM to Brown County to combine both of these parcels with another adjoining parcel that they also own located at 1550 S. Overland Rd. (HB-314-3). With the combining of all three parcels in to one new larger parcel, the property owner is requesting to rezone the newly assembled parcel to A-1: Agricultural District. The three existing parcels are currently zoned either R-2: Residential District or ER: Estate Residential District. Since the A-1 zoning district requires a minimum lot size of 5 acres, the parcels will need to be combined through the Combination CSM process and recorded through Brown County.

The property owner currently has a valid chicken license through the Village and is requesting the A-1 zoning district to expand their possibility of having additional animals in a little farming operation. Attached is a very basic layout they are proposing with the blue being the location of the existing chicken coop, the green being a potential “meat bird” coop, and the orange being a potential pig pen (planning to have 2-3 pigs per year). Although the rough plan gives a perspective of what they hope to do, it must be noted that with the A-1 zoning, they could legally change their layout and numbers and types of animals at anytime. These parcels do adjoin other A-1 zoned property to the east that is actively being used as farmland, with single-family dwellings to the north and south. This area is being largely utilized as agricultural area and no some much as a “residential neighborhood” with three other residential dwellings (two existing and one proposed) and a church.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval as submitted to rezone parcels HB-314-3, HB-314-6, & HB-314-7 from R-2: Residential District and ER: Estate Residential District to A-1: Agricultural District as illustrated on the submitted Combination CSM.



**Rezoning Review**  
 **Conditional Use Permit Review**  
 **Planned Development Review**  
 **C/S/M/Plat Review**

Village of Hobart  
 Dept of Neighborhood Services  
 2990 S Pine Tree Rd  
 Hobart WI 54155  
 Phone: (920) 869-3809  
 Fax (920) 869-2048

**APPLICANT INFORMATION**

Petitioner: Mike R Andraschko Date: 11/16/2022

Petitioner's Address: 400 Security Blvd. City: Green Bay State: WI Zip: 54313

Telephone #: (920) 434-9670 Fax: ( ) \_\_\_\_\_ Other Contact # or Email: mandraschko@mau-associates.com

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

Petitioner's Signature (required): *Mike Andraschko* Date: 11/16/2022

**OWNER INFORMATION**

Owner(s): Derek & Amie Beauleau Date: 11/16/2022

Owner(s) Address: 1550 S Overland Road City: Hobart State: WI Zip: 54155

Telephone #: (920) 869-1011 Fax: ( ) \_\_\_\_\_ Other Contact # or Email: derek@pullentax.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: *Derek & Amie Beauleau* Date: 11-16-22

**SITE INFORMATION**

Address/Location of Proposed Project: 1550 S Overland Road and Orlando Drive Parcel No. HB-314-3, HB-314-6, HB-314-7

Proposed Project Type: Rezoned to A-1

Current Use of Property: Residential and vacant land Zoning: R-2 & ER

Land Uses Surrounding Site:

North: Exclusive Agriculture

South: Agriculture

East: Agriculture

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**

# Village of Hobart Zoning

HB-314-3, 314-6, & 314-7



1/5/2023, 2:17:01 PM

Zoning

Yellow R-2: Residential District

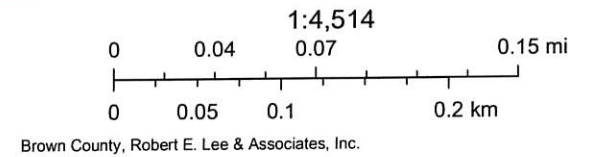
Brown R-4: Single and Two-Family Residential District

Purple ER: Estate Residential District

Orange R-2-R: Rural Residential District











Green A-1: Agricultural District

Red hatched box - R-2 + ER to A-1



Part of Brown County WI

LEGEND / 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 map legend (map key) is available at: [tinyurl.com/BrownDogLegend](http://tinyurl.com/BrownDogLegend)

Map printed  
1/5/2023



1:2,400

1 inch = 200 feet\*

1 inch = 0.0379 miles\*

\*original page size is 8.5" x 11"  
*Appropriate format depends on zoom level*

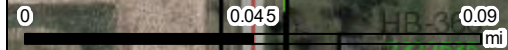
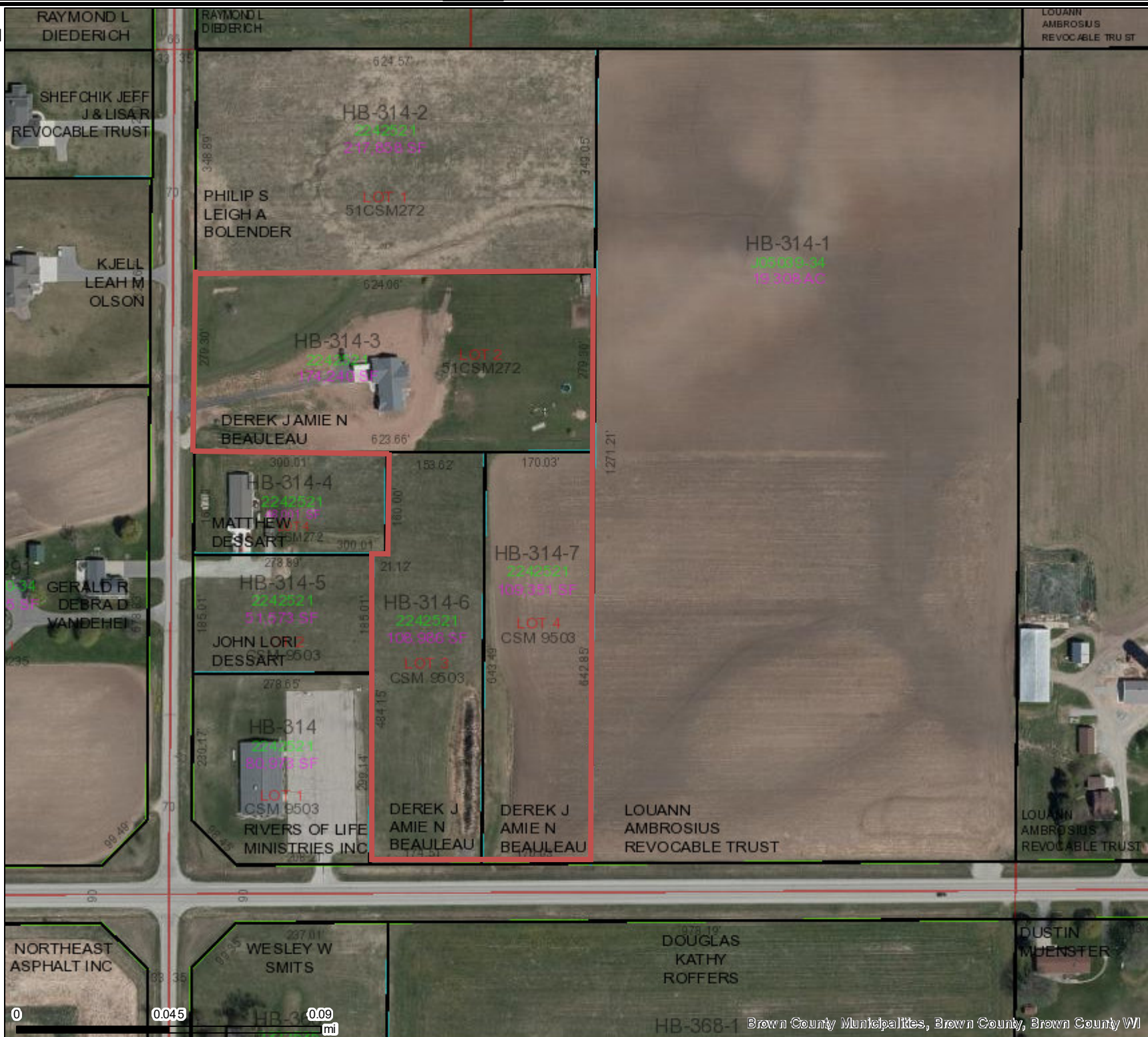
This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin  
Planning & Land Services  
Department**



(920) 448-6480

[www.browncountywi.gov](http://www.browncountywi.gov)



PHILIP S  
LEIGHA  
BOLENDER

624.06'

HB-314-3

2242521  
174,240 SF

LOT 2  
51CSM272

279.30'

279.30'

DEREK JAMIE N  
BEAULEAU

623.66'

1271.21'

300.01'

HB-314-4

2242521  
48,001 SF

LOT 4

MATTHEW  
DESSART

153.62'

170.03'

160.00'

160.00'

300.01'

HB-314-7

2242521  
109,351 SF

LOT 4  
CSM 9503

278.89'

HB-314-5

2242521  
51,573 SF

LOT 2

JOHN LOB  
DESSART

21.12'

HB-314-6

2242521  
108,986 SF

LOT 3  
CSM 9503

185.01'

185.01'

643.49'

642.85'

278.65'

HB-314

2242521  
80,973 SF

LOT 1  
CSM 9503

230.17'

299.14'

484.15'

DEREK JAMIE N  
BEAULEAU

LOUANN  
AMBROSIL  
REVOCAB

RIVERS OF LIFE  
MINISTRIES INC

DEREK JAMIE N  
BEAULEAU

170.03'

522

S OVERLAND RD

70

1531

1550

1550

1531

55

ORLANDO DR


# Certified Survey Map

A combination and depiction of the parcel boundaries recorded in Document No. 2992201 and 3021841 as corrected in Document 3022513, Brown County Records, being all of Lots 3 & 4, Certified Survey Map, Map No. 9503, Document No. 3013032, Brown County Records, and all of Lot 2, Volume 51, Certified Survey Map, Page 272, Map No. 7530, Document No. 2266976, Brown County Records, being located in part of the Southwest 1/4 of the Southwest 1/4 of Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

## Legend

● 1" iron pipe found

⊕ Brown County monument - type noted

 existing building

Graphic Scale: 1" = 150'



Michael R. Andraschko  
PLS-2895  
November 16th, 2022

North



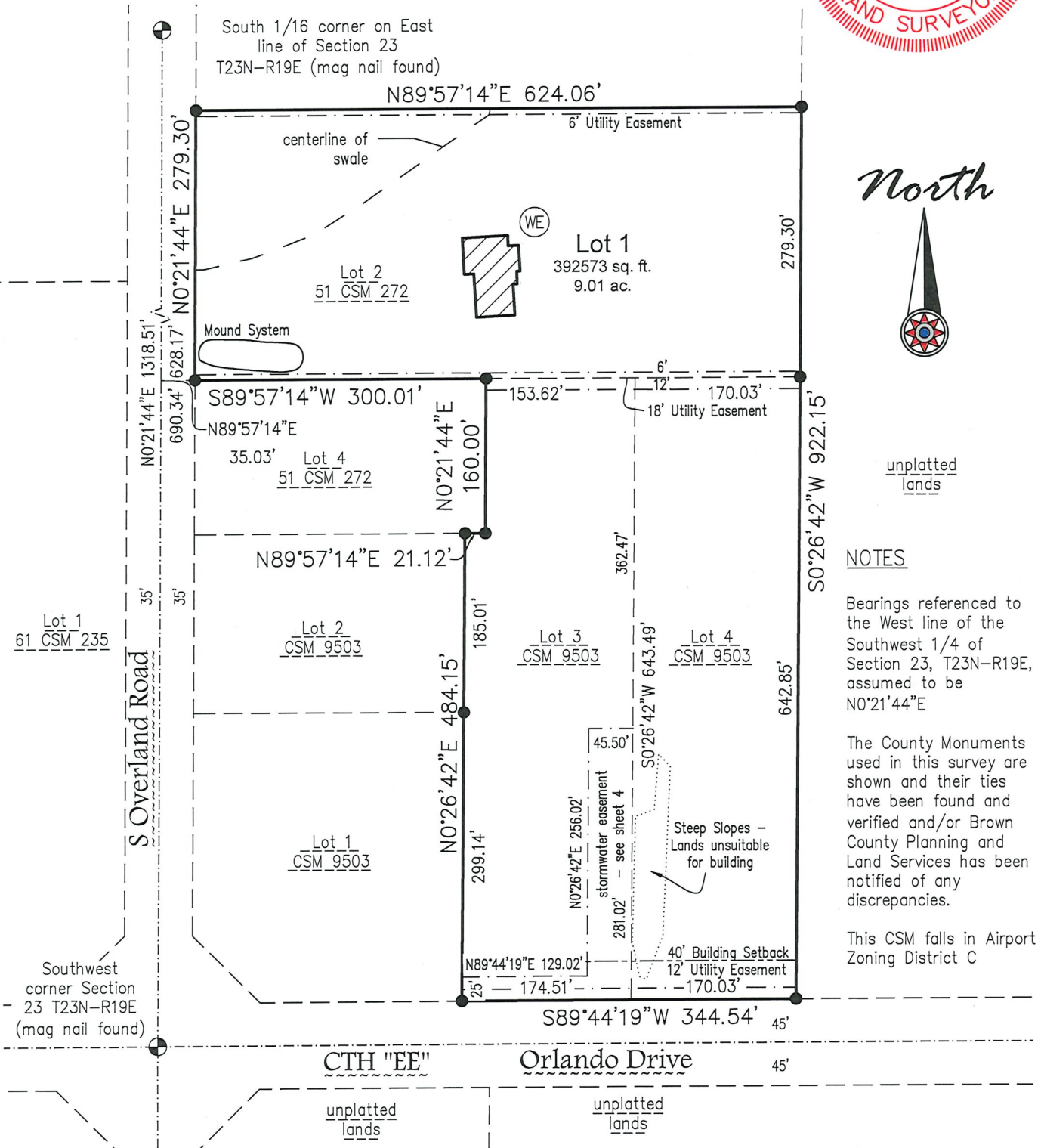
unplatted lands

### NOTES

Bearings referenced to the West line of the Southwest 1/4 of Section 23, T23N-R19E, assumed to be N0°21'44"E

The County Monuments used in this survey are shown and their ties have been found and verified and/or Brown County Planning and Land Services has been notified of any discrepancies.

This CSM falls in Airport Zoning District C



Client: Derek Bealeau  
Tax Parcel: HB-314-3, HB-314-6, HB-314-7  
Drafted By: NDK  
File: R-9005CSM 110822.dwg  
Data File: R-9005.txt

**Mau & Associates, LLP**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Website: www.mau-associates.com  
400 Security Blvd Ste 1, Green Bay, WI 54313-9712

Sheet One of Three  
Project No.: R-9005  
Drawing No.: L-11945  
Fieldwork Completed: 04/20/2022



# Certified Survey Map


A combination and depiction of the parcel boundaries recorded in Document No. 2992201 and 3021841 as corrected in Document 3022513, Brown County Records, being all of Lots 3 & 4, Certified Survey Map, Map No. 9503, Document No. 3013032, Brown County Records, and all of Lot 2, Volume 51, Certified Survey Map, Page 272, Map No. 7530, Document No. 2266976, Brown County Records, being located in part of the Southwest 1/4 of the Southwest 1/4 of Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

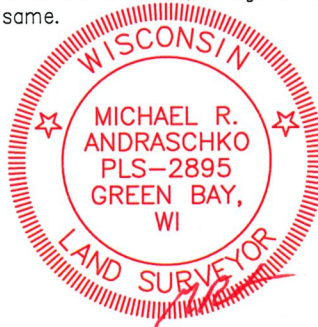
SURVEYOR'S CERTIFICATE

I, Michael R. Andraschko, Professional Land Surveyor, PLS-2895, do hereby certify that this Certified Survey Map is not a division of property but solely a combination and depiction of the land boundaries recorded in Document No. 2992201 and 3021841 as corrected in Document 3022513, Brown County Records, being all of Lots 3 & 4, Certified Survey Map, Map No. 9503, Document No. 3013032, Brown County Records, and all of Lot 2, Volume 51, Certified Survey Map, Page 272, Map No. 7530, Document No. 2266976, Brown County Records, being located in part of the Southwest 1/4 of the Southwest 1/4 of Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin into one parcel and description.

Parcel contains 392,573 square feet / 9.01 acres more or less.  
Parcel subject to easements and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey and the combination thereof. That I have made such a survey, combination, and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes, Village of Hobart and the Brown County Planning Commission in surveying, combining, and mapping the same.

  
Michael R. Andraschko PLS-2895  
November 16th, 2022



CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION

Approved for the Brown County Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Karl Mueller  
Senior Planner

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

\_\_\_\_\_  
Paul D. Zeller Date  
Brown County Treasurer







# Certified Survey Map

A combination and depiction of the parcel boundaries recorded in Document No. 2992201 and 3021841 as corrected in Document 3022513, Brown County Records, being all of Lots 3 & 4, Certified Survey Map, Map No. 9503, Document No. 3013032, Brown County Records, and all of Lot 2, Volume 51, Certified Survey Map, Page 272, Map No. 7530, Document No. 2266976, Brown County Records, being located in part of the Southwest 1/4 of the Southwest 1/4 of Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

NOTES

Lot 1 contain steep slopes that are unsuitable for building. No development shall occur in areas labeled 'Steep Slope--Lands Unsuitable for Building' unless a geotechnical study is submitted to and approved by Brown County Planning Commission.

A Brown County Highway Department access permit must be obtained prior to any construction of a new street / road connection or driveway to a County Trunk Highway.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village of Hobart has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

The Austin Straubel International Airport Director shall be contacted for review and approval prior to any development and land disturbing activities within Airport Zoning Districts.

Development on Lot 1 requires public sewer and water be available OR acquisition of all state, county, and/or municipal permits concerning onsite sewage disposal systems for sanitary waste disposal.

RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

OWNER'S CERTIFICATE

As Owners, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, combined and mapped as represented hereon. We also certify that this Certified Survey Map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

BROWN COUNTY PLANNING COMMISSION

\_\_\_\_\_  
Derek J. Bealeau

\_\_\_\_\_  
Amie N. Bealeau

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public  
Brown County, Wisconsin  
My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN ]  
                                  ] SS  
COUNTY OF BROWN ]

*Michael R. Andraschko*  
Michael R. Andraschko  
PLS-2895  
November 16th, 2022





**TO: Planning & Zoning Commission**

**RE: Rezoning of Parcel HB-293 and Portions of  
Parcels HB-293-1 & HB-293-2, 1805 S. Pine Tree Rd.  
from ER: Estate Residential District to A-1:  
Agricultural District**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider a request to rezone parcel HB-293 and portions of parcels HB-293-1 & HB-293-2 from ER: Estate Residential District to A-1: Agricultural District

**RECOMMENDATION:** Staff recommends approval

### **GENERAL INFORMATION**

1. Applicants/Agent: Mau & Associates, LLP
2. Owner: Matthew & Elizabeth Van Den Heuvel
3. Parcel(s): HB-293 & Portions of HB-293-1 & HB-293-2
4. Zoning: A-1: Agricultural District

### **ZONING REQUIREMENTS**

The property owner has recently purchased parcels HB-293, HB-293-1, Hb-293-2, and HB-307 located at 1805 S. Pine Tree Rd. and has submitted a Combination CSM to Brown County to combine these four parcels into two parcels. With the combining of these parcels in to one new larger parcel and one smaller parcel, the property owner is requesting to rezone the newly assembled larger parcel to A-1: Agricultural District and have the smaller parcel (developed with a dwelling) remain zoned ER: Estate Residential District. Three of the existing parcels are currently zoned ER: Estate Residential District and smaller than 5 acres in area. Since the A-1 zoning district requires a minimum lot size of 5 acres, the parcels will need to be combined through the Combination CSM process and recorded through Brown County as part of the rezoning process.

A large portion of the parcel area requested to be zoned to A-1 is currently wooded and areas adjoining the creek that runs through the property. Aside from the proposed 2.5 acre parcel where the dwelling and accessory building are located, the neighboring properties are zoned either A-1 or A-2: Exclusive Agricultural District.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval as submitted to rezone parcel HB-293 and portions of parcels HB-293-1 and HB-293-2 from ER: Estate Residential District to A-1: Agricultural District as illustrated on the submitted Combination CSM.



<input checked="" type="checkbox"/>	<b>Rezoning Review</b>
<input type="checkbox"/>	<b>Conditional Use Permit Review</b>
<input type="checkbox"/>	<b>Planned Development Review</b>
<input type="checkbox"/>	<b>CSM/Plat Review</b>

Village of Hobart  
 Dept of Neighborhood Services  
 2990 S Pine Tree Rd  
 Hobart WI 54155  
 Phone: (920) 869-3809  
 Fax (920) 869-2048

**APPLICANT INFORMATION**

Petitioner: Michael R. Andraschko Date: 12/28/2022

Petitioner's Address: 400 Security Blvd. City: Green Bay State: WI Zip: 54313

Telephone #: ( 920 ) 434-9670 Fax: ( ) \_\_\_\_\_ Other Contact # or Email: mandraschko@mau-associates.com

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

Petitioner's Signature (required): *Michael Andraschko* Date: 12/28/2022

**OWNER INFORMATION**

Owner(s): Matthew and Elizabeth Vandeneuvel Date: 12/28/2022

Owner(s) Address: 1805 S Pine Tree Road City: Hobart State: WI Zip: 54155

Telephone #: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_ Other Contact # or Email: mattvdh@voselectric.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: *Matt VanDenHeuvel* Date: 12-29-22

**SITE INFORMATION**

Address/Location of Proposed Project: 1805 S Pine Tree Road Parcel No. HB-293, 1, 2, HB-307

Proposed Project Type: Rezone Lot 2 to A-1

Current Use of Property: HB-293, 1, 2 are all Estate Residential and HB-307 is Agricultural Zoning: ER and A-1

Land Uses Surrounding Site:

North: Exclusive Agricultural

South: Zoning Not Designated

East: Zoning Not Designated

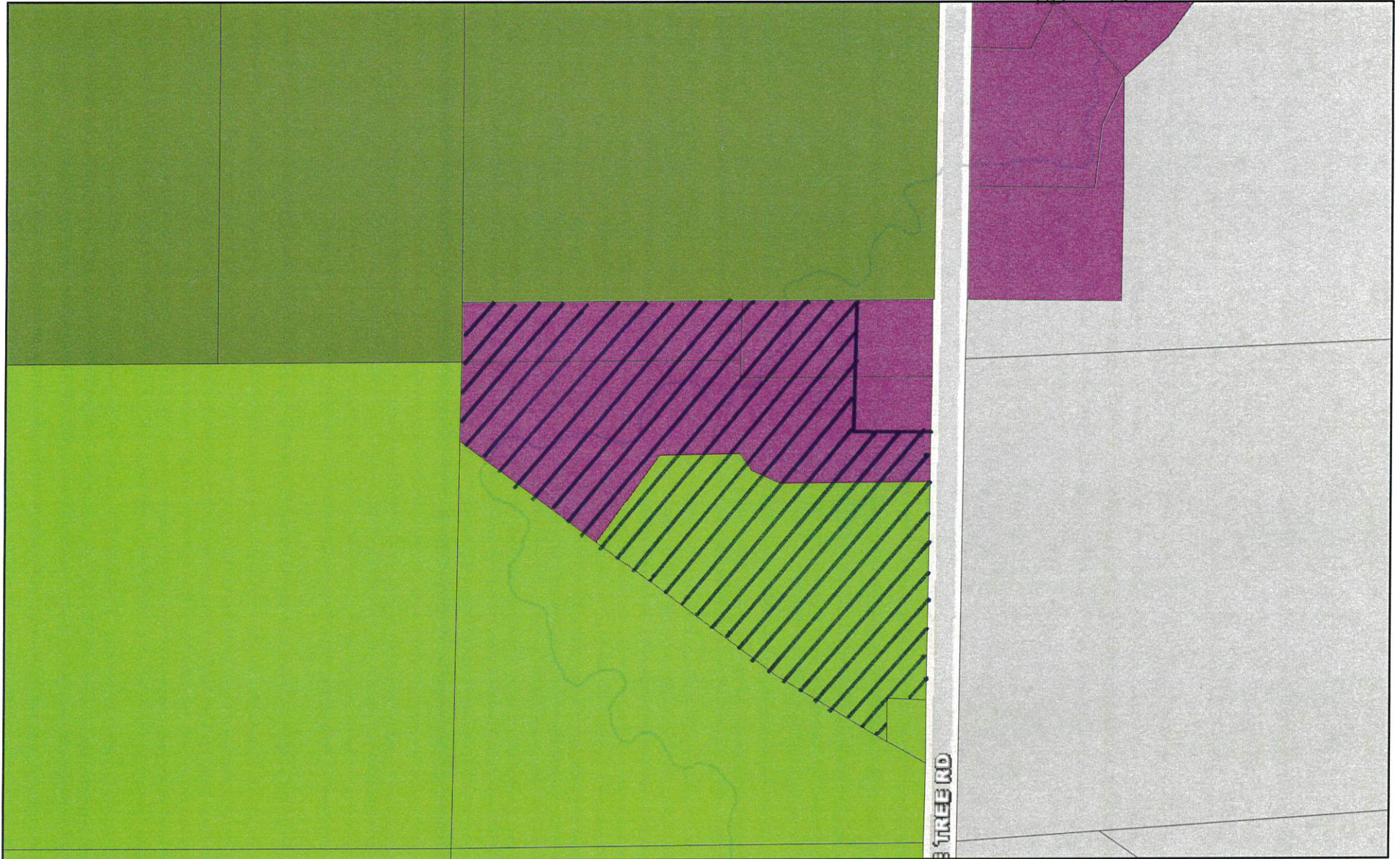
West: Agricultural

**\*\*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

# Village of Hobart Zoning

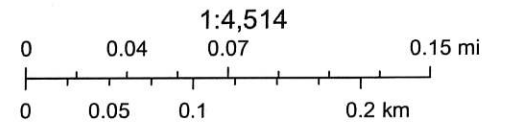
HB-293 and Portions of HB-293-1d  
HB-293-2



1/5/2023, 2:54:26 PM

Zoning











- A-2: Exclusive Agricultural District
- ER: Estate Residential District
- A-1: Agricultural District
- ER to A-1 Zoning
- I-1: Limited Industrial District



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

Part of Brown County WI

LEGEND / 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 map legend (map key) is available at: [tinyurl.com/BrownDogLegend](http://tinyurl.com/BrownDogLegend)

Map printed 1/5/2023



1:3,600

1 inch = 300 feet\*

1 inch = 0.0568 miles\*

\*original page size is 8.5" x 11"  
*Appropriée le format de pages au zoom level*

This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin Planning & Land Services Department**



(920) 448-6480

[www.browncountywi.gov](http://www.browncountywi.gov)



**PRELIMINARY**  
NOT FOR CONSTRUCTION PURPOSES



Michael R. Andraschko  
PLS-2895  
December 23, 2022



# Certified Survey Map

A combination and depiction of the parcel boundaries recorded in Document No. 3019739, being all of Lots 1 and 2, Volume 39, Certified Survey Maps, Page 191, Map No. 5964, Document No. 1709145, Brown County Records, all of Government Lot 2, and part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  all in Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin

Graphic Scale: 1" = 200'



## NOTES

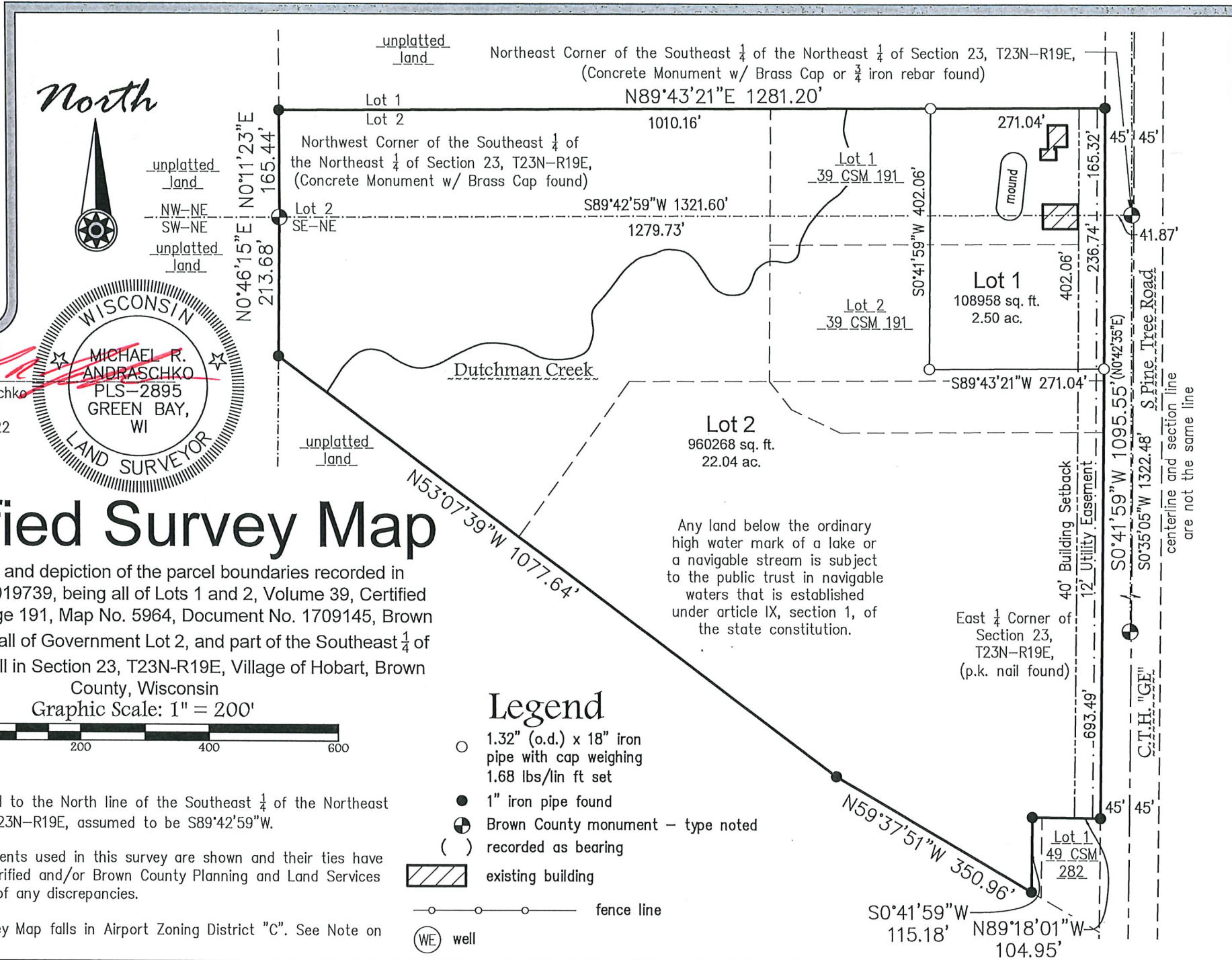
Bearings referenced to the North line of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 23, T23N-R19E, assumed to be S89°42'59"W.

The County Monuments used in this survey are shown and their ties have been found and verified and/or Brown County Planning and Land Services has been notified of any discrepancies.

This Certified Survey Map falls in Airport Zoning District "C". See Note on Sheet 4

## Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊕ Brown County monument - type noted
- ( ) recorded as bearing
- ▨ existing building
- fence line
- (WE) well



Sheet One of Four  
Project No.: V-17522  
Drawing No.: L-11956  
Fieldwork Completed: 12/22/2022

**Mau & Associates, LLP**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9870 Website: www.mau-associates.com  
400 Security Blvd Ste 1, Green Bay, WI 54313-9712

Client: Matthew Vandenhuevel  
Tax Parcel: HB-293, HB-293-1, HB-293-2, HB-307  
Drafted By: NDK  
File: V-17522CSM 110322.dwg  
Data File: V-17522.txt

**PRELIMINARY**  
**NOT FOR CONSTRUCTION PURPOSES**



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SURVEYOR'S CERTIFICATE


I, Michael R. Andraschko, Professional Land Surveyor, PLS-2895, do hereby certify that this Certified Survey Map is not a division of property but solely a combination and depiction of the parcel boundaries recorded in Document No. 3019739, being all of Lots 1 and 2, Volume 39, Certified Survey Maps, Page 191, Map No. 5964, Document No. 1709145, Brown County Records, all of Government Lot 2, and part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  all in Section 23, T23N-R19E, Village of Hobart, Brown County, Wisconsin, more fully described as follows:

Commencing at the Northeast Corner of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 23, T23N-R19E; thence S89°42'59"W, 41.87 feet along the North line of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 23 to the Point of Beginning; thence S0°41'59"W, 930.23 feet along the West right of way of C.T.H. "GE", also known as S Pine Tree Road; thence N89°18'01"W, 104.95 feet along the North line of Lot 1, Volume 49, Certified Survey Maps, Page 282, Map No. 7294, Document No. 2184626, Brown County Records, and its extension; thence S0°41'59"W, 115.18 feet; thence N59°37'51"W, 350.96 feet; thence N53°07'39"W, 1077.64 feet; thence N0°46'15"E, 213.68 feet along the West line of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 23; thence N0°11'23"E, 165.44 feet along the West line of Government Lot 2 of said Section 23; thence N89°43'21"E, 1281.20 feet along the North line of said Government Lot 2 of said Section 23 and Lot 1, Volume 39, Certified Survey Maps, Page 191, Map No. 5964, Document No. 1709145, Brown County Records; thence S0°41'59"W, 165.32 feet along said West right of way to the Point of Beginning.

Parcel contains 1,069,227 square feet / 24.54 acres more or less  
Parcel subject to easements and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey and the combination thereof. That I have made such a survey, combination, and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes and the Brown County Planning Commission in surveying, combining, and mapping the same.

*Michael R. Andraschko*  
Michael R. Andraschko  
PLS-2895  
December 23, 2022



CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION

Approved for the Brown County Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Karl Mueller  
Senior Planner

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

\_\_\_\_\_  
Paul D. Zeller                      Date  
Brown County Treasurer



**PRELIMINARY**  
**NOT FOR CONSTRUCTION PURPOSES**



# Certified Survey Map

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## NOTES

A Brown County Highway Department access permit must be obtained prior to any construction of a new street / road connection or driveway to a County Trunk Highway.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village of Hobart has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

A Shoreland Permit from the Brown County Zoning Administrator's office is required prior to any construction, fill, or grading activity within 300 feet of a stream.

Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution.

Subject parcel lies within Airport Zoning District "C". The Austin Straubel International Airport Director shall be contacted for review and approval prior to any development and land disturbing activities within Airport Zoning Districts.

## RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

## UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by

Matthew and Elizabeth Vandenheuvel, Grantor, to WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

*Michael R. Andraschko*  
 Michael R. Andraschko  
 PLS-2895  
 December 23, 2022





**PRELIMINARY**  
**NOT FOR CONSTRUCTION PURPOSES**



# Certified Survey Map

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OWNER'S CERTIFICATE

As Owner, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, combined, mapped and dedicated as represented hereon. We also certify that this Certified Survey Map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

BROWN COUNTY PLANNING COMMISSION

\_\_\_\_\_  
Matthew M. Vandeneuvel

\_\_\_\_\_  
Elizabeth M. Vandeneuvel

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public  
Brown County, Wisconsin

My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN ]  
                                  ] SS  
COUNTY OF BROWN ]

*Michael R. Andraschko*  
Michael R. Andraschko  
PLS-2895  
December 23, 2022





**TO: Planning & Zoning Commission**

**RE: Modifications/Amendments to the Zoning Ordinance, Chapter 295, 295-187, Conditional Uses, R-2-R**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Discussion and action on modifications/ amendments to the Zoning Ordinance, Chapter 295, 295-187, Conditional Uses, R-2-R zoning district

**RECOMMENDATION:** Staff recommends approval of this zoning code modification

### **GENERAL INFORMATION**

Village Staff has recently received an inquiry from property owner relating to the construction of a wildlife pond on properties currently zoned R-2-R: Residential District. Chapter 295, section 295-187, Conditional Uses, R-2-R, of the Village Zoning Code does not list artificial lakes or ponds as permitted or conditional uses. To stay consistent with the other residential zoning districts (R-1, R-2, ER), Village Staff is proposing a modification to the Village Zoning Code to allow artificial lakes and ponds as conditional uses in the R-2-R: Residential zoning district.

Also attached is a copy of the permitted, prohibited, permitted accessory, and conditional uses in the R-2-R for your reference.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval of the zoning modifications to “conditional uses” listed in section 295-187, of the R-2R zoning district as submitted.

**§ 295-184. Permitted uses.**

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

- A. Parks, playgrounds, and athletic fields.
- B. Public recreational and community center buildings and grounds.
- C. Single-family dwellings.

**§ 295-185. Prohibited uses.**

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

- A. Corporate retreats.

**§ 295-186. Permitted accessory uses.**

The following are permitted accessory uses in the R-2-R District:

- A. Home occupations.
- B. Private garages, carports, and driveways.
- C. Private swimming pools.
- D. Tool houses, sheds and other similar buildings used for the storage of common supplies.
- E. Satellite dish antennas less than 38 inches in diameter.
- F. Telephone and public utility installations, and cable television installations.
- G. The keeping or maintaining of no more than six chickens (hens or pullets) when licensed in compliance with Chapter 102. **[Added 6-7-2016 by Ord. No. 06-2016]**

**§ 295-187. Conditional uses. [Amended 1-15-2013; 6-21-2022 by Ord. No. 2022-10]**

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

- A. Artificial lake, pond.**
- B. Satellite dish antennas larger than 38 inches and less than 12 feet in diameter.**
- C. Religious institutions in the form of convents, seminaries, monasteries, churches, chapels, temples, synagogues, rectories, parsonages, and parish houses.**
- D. 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.

§ 295-187

§ 295-190

- (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.
- E. 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.
- F. 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.

### § 295-188. Lot requirements.

- A. Area: one acre minimum.
  - (1) The lot shall be no less than one acre in size where said area is measured from the right-of-way line.
  - (2) All lots shall have one acre buildable including setbacks, where land use permits are required.
- B. Lot frontage: 150 feet minimum:
  - (1) Exception. On corner lots and culs-de-sac upon the approval of the Zoning Administrator/Building Inspector, lot frontage requirements for a platted area may be reduced so long as the following requirements are maintained: lots remain one acre minimum including setbacks.
- C. Lot layout.
  - (1) Show in detail the measurements on a plot plan of the following items: house, septic system, accessory building and well.<sup>1</sup>

### § 295-189. Height regulations.

Residential dwellings: 35 feet maximum, except as provided by § 295-13, Height regulations.

---

1. Editor's Note: Original Subsection 3.b, Only approved community systems shall be allowed, which immediately followed this subsection, was repealed 1-6-2015 by Ord. No. 01-2015.

§ 295-190

§ 295-190

**§ 295-190. Building setbacks.**

	<b>Principal Structure</b>	<b>Accessory Building</b>	<b>Driveways</b>
Front yard	40 feet minimum from right-of-way	40 feet minimum from right-of-way	6 feet from property line
Side yard	25 feet minimum	10 feet minimum	6 feet from property line
Rear yard	25 feet minimum	10 feet minimum	6 feet from property line
Corner lot	40 feet minimum from right-of-way	40 feet minimum from right-of-way	125 feet from center line of intersection



**TO: Planning & Zoning Commission**

**RE: Consider Conditional Use Permit, Wildlife Pond,  
HB-3331 & HB-3332, 640 & 650 Trout Creek Rd**

**FROM: Todd Gerbers, Director of Planning and Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider Conditional Use Permit allowing excavation of a wildlife pond in the common side yards of HB-3331 & HB-3332, 640 & 650 Trout Creek Rd.

**RECOMMENDATION:** Staff recommends conditional approval

### **GENERAL INFORMATION**

1. Owner(s)/Petitioner(s): C Roffers Properties, LLC (Owner)
2. Agent(s)/Petitioner(s): Chad Roffers (Owner)
3. Address: 640 & 650 Trout Creek Rd.
4. Parcel: HB-3331 & HB-3332
5. Present Zoning: R-2-R: Residential District.

### **BACKGROUND**

The current property owner, Chad Roffers, is proposing to construct wildlife pond of approximately 0.48 acre (20,760 square feet) in the common side yards of these parcels located at 640 and 650 Trout Creek Rd. (HB-3331, & HB-3332). In the R-2-R zoning district, a pond is listed as a Conditional Use. The owners have submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. Staff has reviewed the information submitted and has identified the information demonstrates compliance with the ordinance requirements.

Attached is their conceptual site plan and draft Conditional Use Permit.

After reviewing the CUP request, Staff has noticed that artificial lakes and/or ponds were not included in the Village Zoning Code in the R-2-R zoning district. As part of the review of this CUP, the zoning code would require a modification to include an artificial lake or pond as a conditional use. This modification would make the R-2-R district similar to R-2, ER, and even the R-1 districts which all permit such bodies of water as a conditional use.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval of the attached Conditional Use Permit for the proposed wildlife pond on parcels HB-3331 and HB-3332 as submitted in addition to any conditions the Commission might identify.



- 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: Chad Roffers Date: 1/6/23  
 Petitioner's Address: 4115 Trenty Tr. City: Hobart State: WI Zip: 54155  
 Telephone #: (920) 621-4899 Email: croffers@yahoo.com

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

Petitioner's Signature (required):  Date: 1-6-23

**OWNER INFORMATION**

Owner(s): C Roffers Properties, LLC Date: 1/6/23  
 Owner(s) Address: 4115 Trenty Tr. City: Hobart State: WI Zip: 54155  
 Telephone #: (920) 621-4899 Email: croffes@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:  Date: 1-6-23

**SITE INFORMATION**

Address/Location of Proposed Project: 640 & 650 Trout Creek Dr. Parcel #: HB-3331 & HB-3332

Proposed Project Type: Wildlife Pond

Current Use of Property: Vacant (Future Residential) Zoning: R-2-R

Land Uses Surrounding Site: North: Residential (existing conservency area with artificial lake)

South: Agricultural (vacant farmland)

East: Residential

West: Residential

**\*\*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

*Pd. \$ 225.<sup>00</sup>*  
*ch. # 5863*  
*1/6/23*



**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.**

There will be no adverse effects on the health, safety or general welfare of surrounding occupants due to our pond. If anything, the pond will enhance the wildlife and nature of the surrounding area and provide a positive benefit to the surrounding occupants.

**2. Pedestrian and vehicular circulation and safety.**

The pond will be constructed in the common side yards of both properties in a natural conservancy area and will have no effect on pedestrian or vehicular traffic.

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

The pond will have no effect on noise or air pollution. Proper installation and maintenance will insure that the pond does not result in issues with water pollution.

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

There will be no demand for public services or facilities.

**5. Character and future development of the area.**

The pond will enhance the the character of the area by providing a habitat for wildlife. We do not feel that the pond will have any negative effect of the future development of the area.



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 the construction of a wildlife pond in the common side yards of properties located at 640 Trout Creek Rd. and 650 Trout Creek Rd., Hobart, Wisconsin (HB-3331 & HB-3332) as approved by the Village Board on February 7, 2023. This Permit is subject to the following Limitations and Conditions:

### Limitations:

- Wildlife pond shall be constructed and maintained as described in the CUP application, staff report and supporting materials submitted to Village Staff, Village Planning & Zoning Commission, and Village Board.

### Conditions:

1. No change in ground elevations in the area adjoining the wildlife pond that would adversely impact area surface water drainage conditions to adjoining properties or village right-of-way shall be taken;
2. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws.

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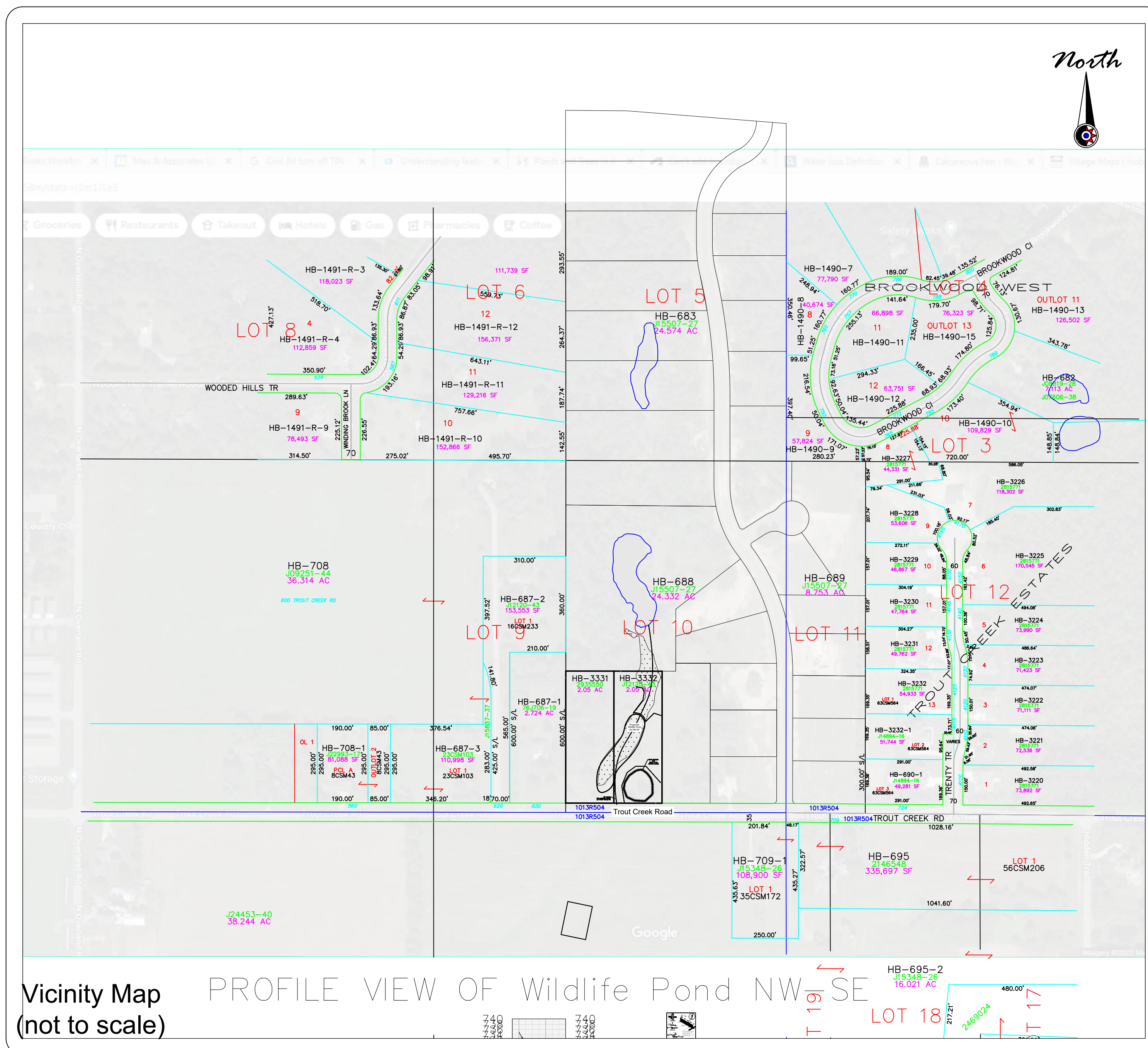
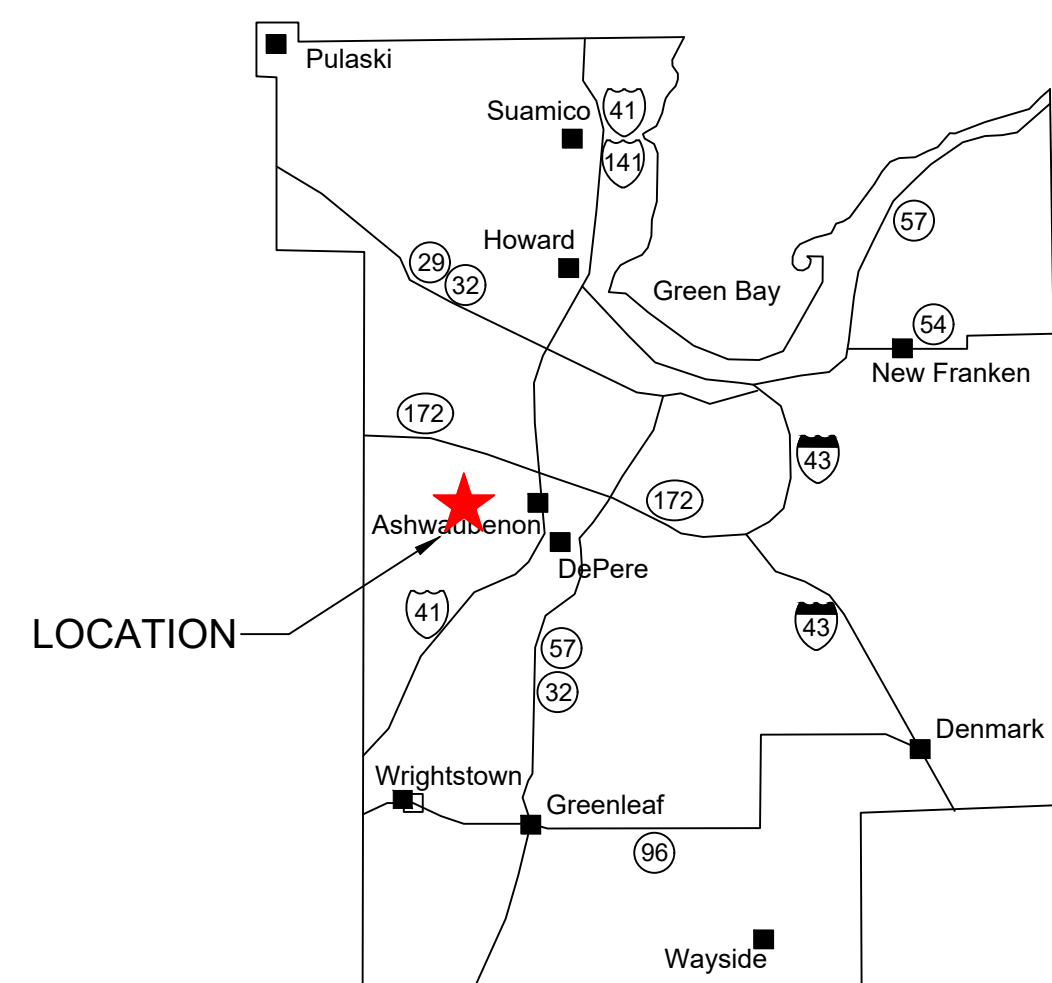
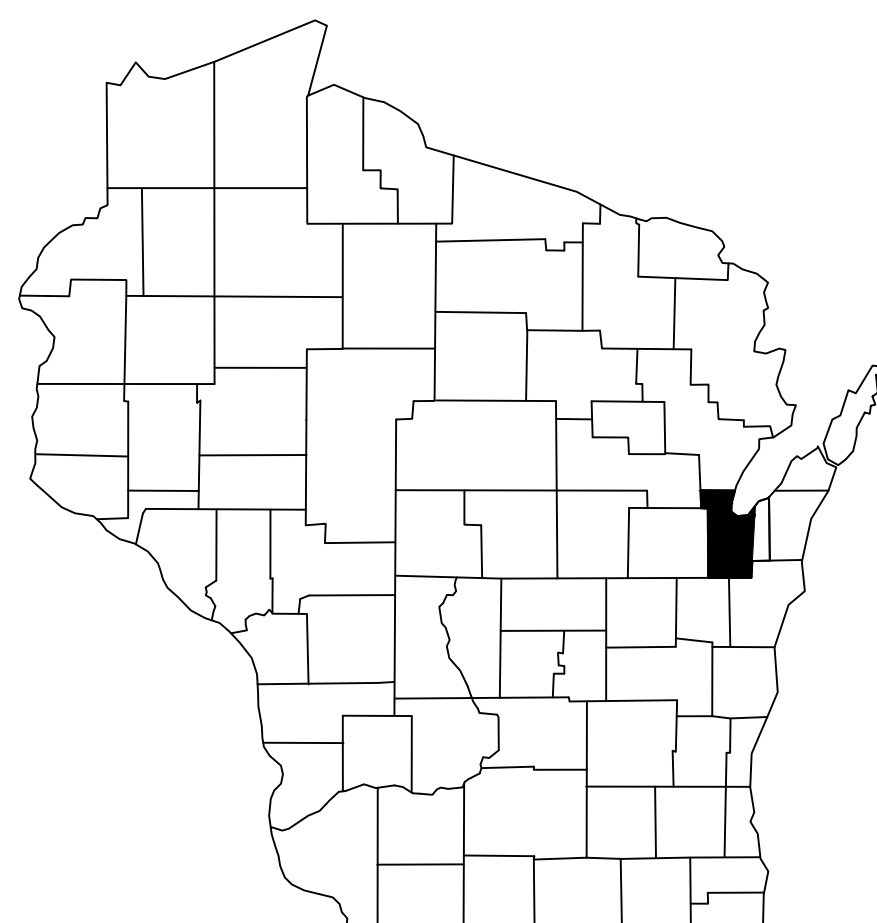
Director of Planning and Code Compliance

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Date

# Roffers Wildlife Pond

## VILLAGE OF HOBART



Vicinity Map  
(not to scale)

PROFILE VIEW OF Wildlife Pond NW-SE

**Mau & Associates**  
 LAND SURVEYING & PLANNING  
 CIVIL & WATER RESOURCE ENGINEERING  
 Phone: 920-434-9670 Fax: 920-434-9672

### PROJECT INFORMATION

<b>OWNER(S):</b>	C ROFFERS PROPERTIES, LLC. (CHAD ROFFERS)
<b>PROJECT NAME:</b>	BLACKBERRY RIDGE SUBDIVISION WILDLIFE POND
<b>PROJECT DESCRIPTION:</b>	PROPOSED WILDLIFE POND ON PARCELS HB-3331 & HB-3332
<b>PROJECT LOCATION:</b>	TROUT CREEK RD.
<b>PARCEL NUMBER(S):</b>	HB-3331, HB-3332

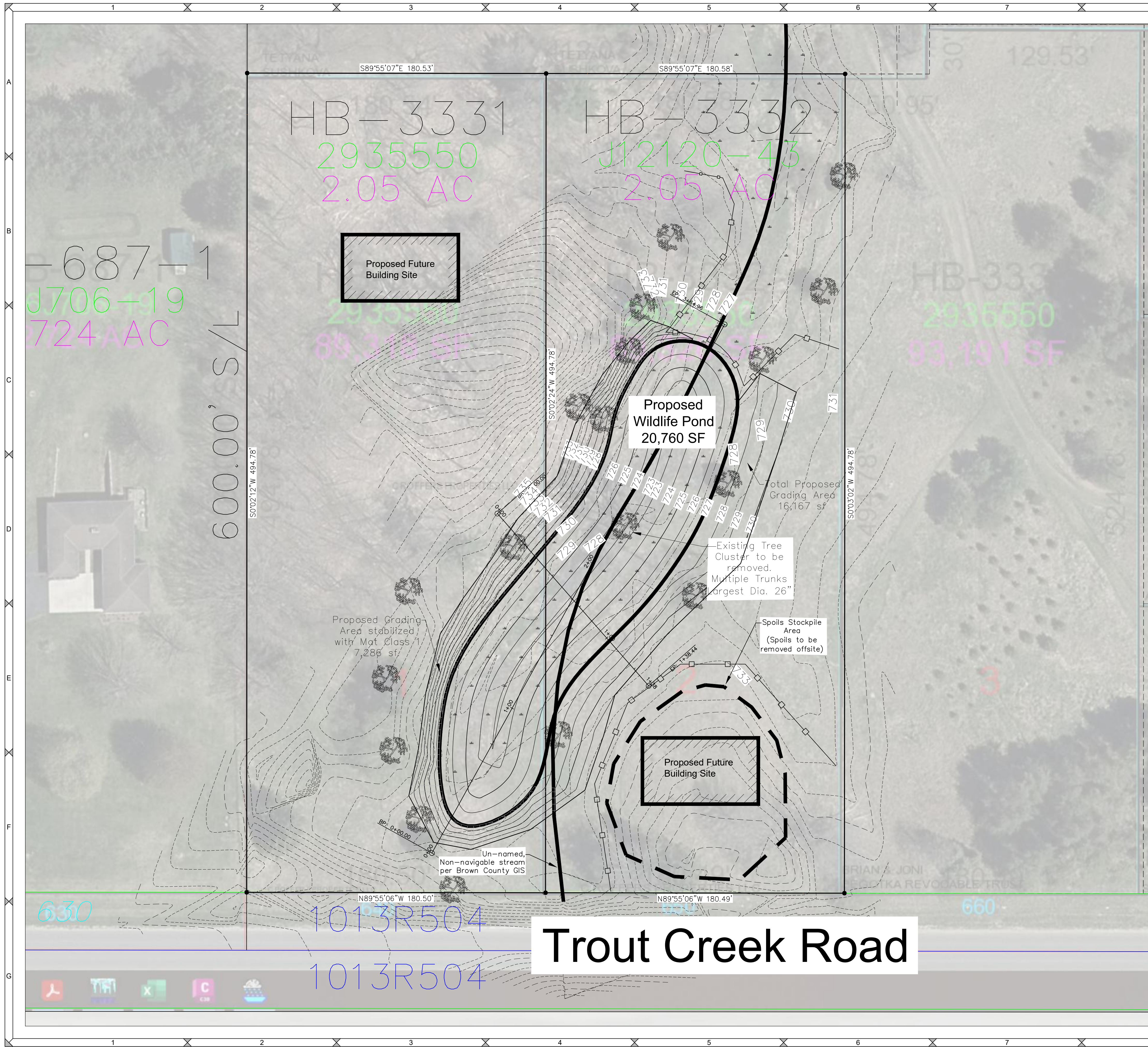
### CONTACT INFORMATION

<b>OWNER(S):</b>	CHAD ROFFERS 4155 TRENDY TRL HOBART, WI 54155 PH.: 920-621-4899
<b>ENGINEER:</b>	MAU & ASSOCIATES, LLP CONTACT: DAVID J. MEISTER, P.E. 400 SECURITY BLVD. GREEN BAY, WI 54313 PH.: 920-434-9670

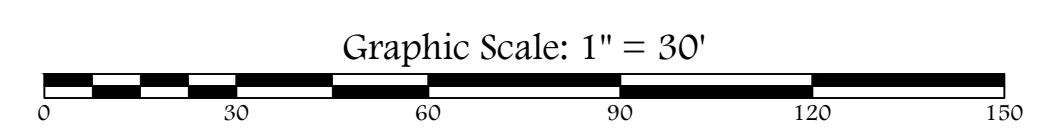
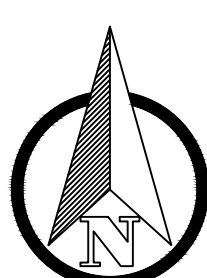
**SHEET INDEX:**

C1.0	TITLE & VICINITY SHEET
C2.0	SITE LAYOUT PLAN
C3.0	EROSION CONTROLS AND PROFILES

DATE:	11-2-22
PROJECT NO.	B-119
SHEET NO.	C1.0
DRAWING NO.	S-



- ### Legend
- SANITARY MANHOLE
  - ROUND CATCH BASIN
  - STORM SEWER MANHOLE
  - CURB INLET
  - HYDRANT
  - WATERMAIN
  - SANITARY SEWER
  - STORM SEWER
  - LIGHT POLE
  - CONCRETE CURB & GUTTER LINE
  - EXISTING ASPHALT
  - CONCRETE
  - GRAVEL
  - EXISTING BUILDING
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  - ROCK WALL
  - FLOODPLAIN LIMITS
  - FLOODWAY
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  - SLOPE EROSION MAT WISDOT CLASS 1 TYPE A
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  - RIP RAP SIZE AND QUANTITY PER PLAN
  - TRACKING PAD
  - EXISTING CONTOUR LINE
  - PROPOSED CONTOUR LINE
  - 176.41 EXISTING GROUND GRADE
  - X 174.88 PROPOSED GROUND GRADE
  - 2.33% DRAINAGE ARROW



DESIGNED BY  
JCL

DATA FILE  
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DATE  
11-2-22

Number	Date	Comments

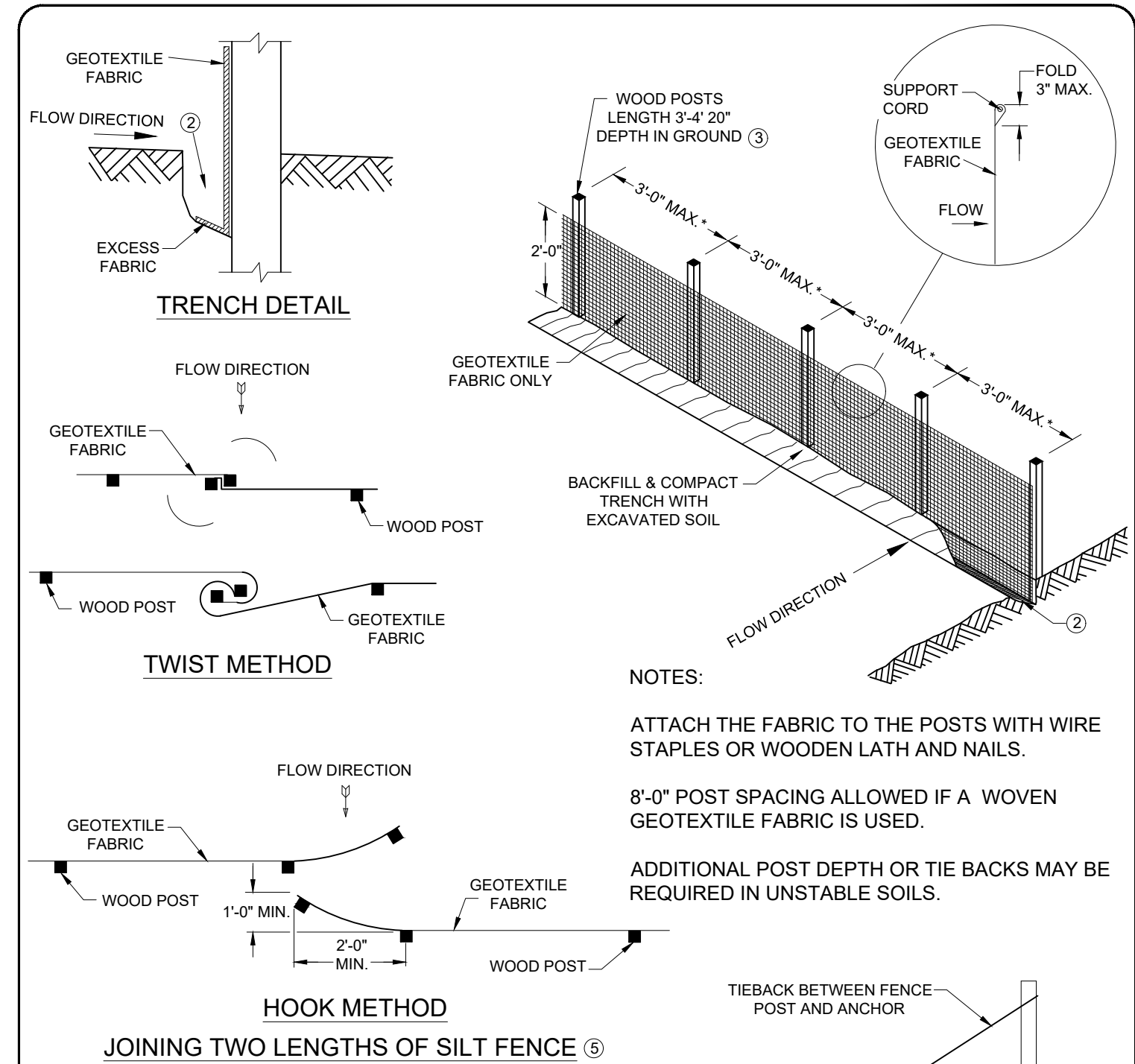
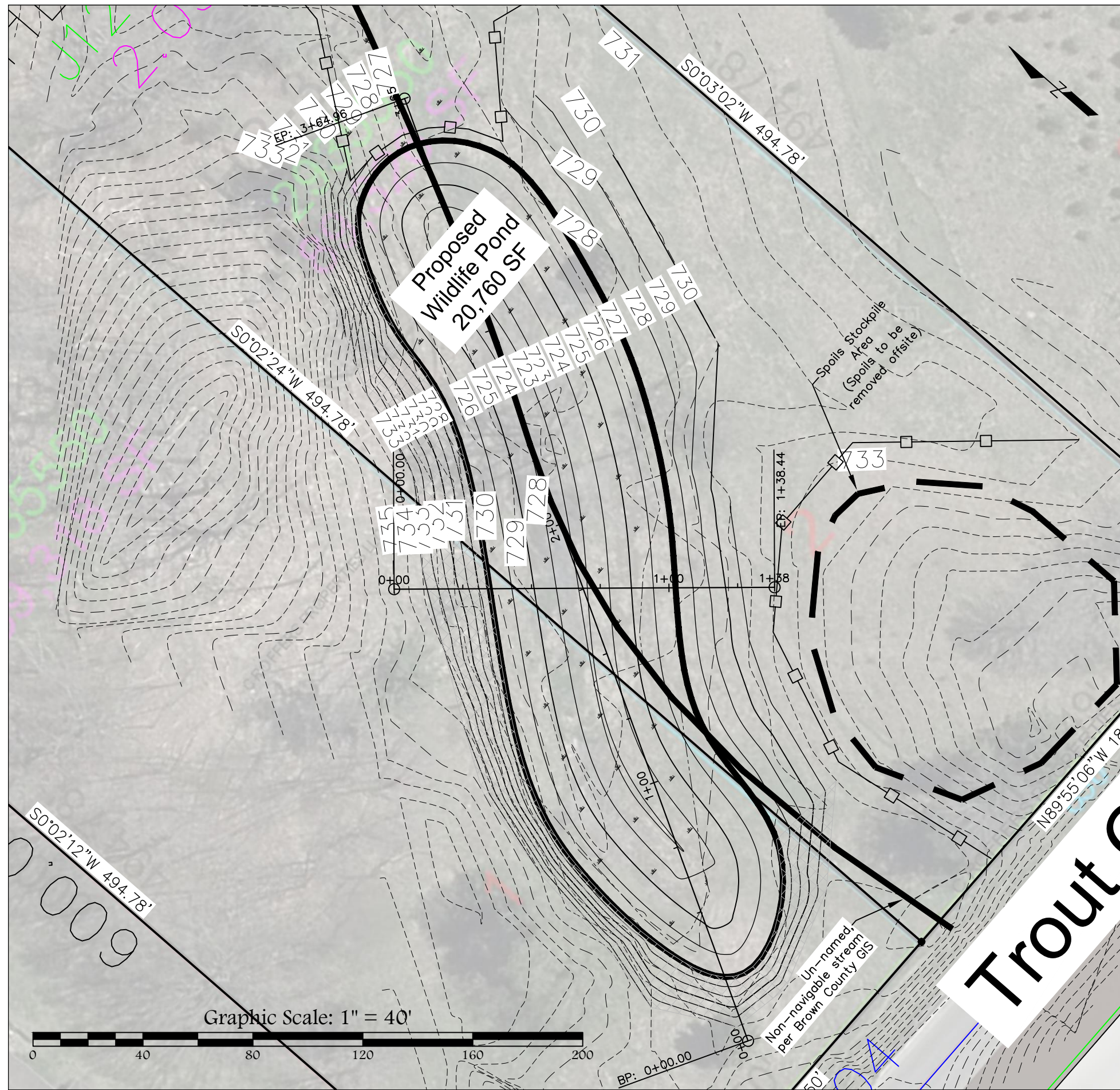
**Mau & Associates**  
 LAND SURVEYING & PLANNING  
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 Phone: 920-434-9670 Fax: 920-434-9672

**SITE PLAN**  
 Roffers Wildlife Pond

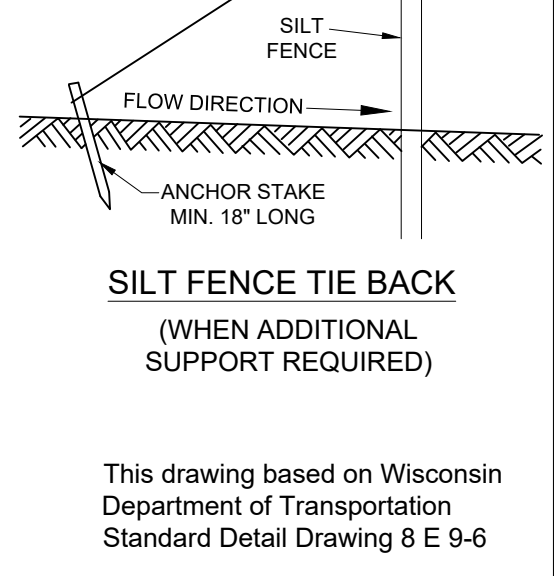
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B-119

SHEET NO.  
**C3.0**

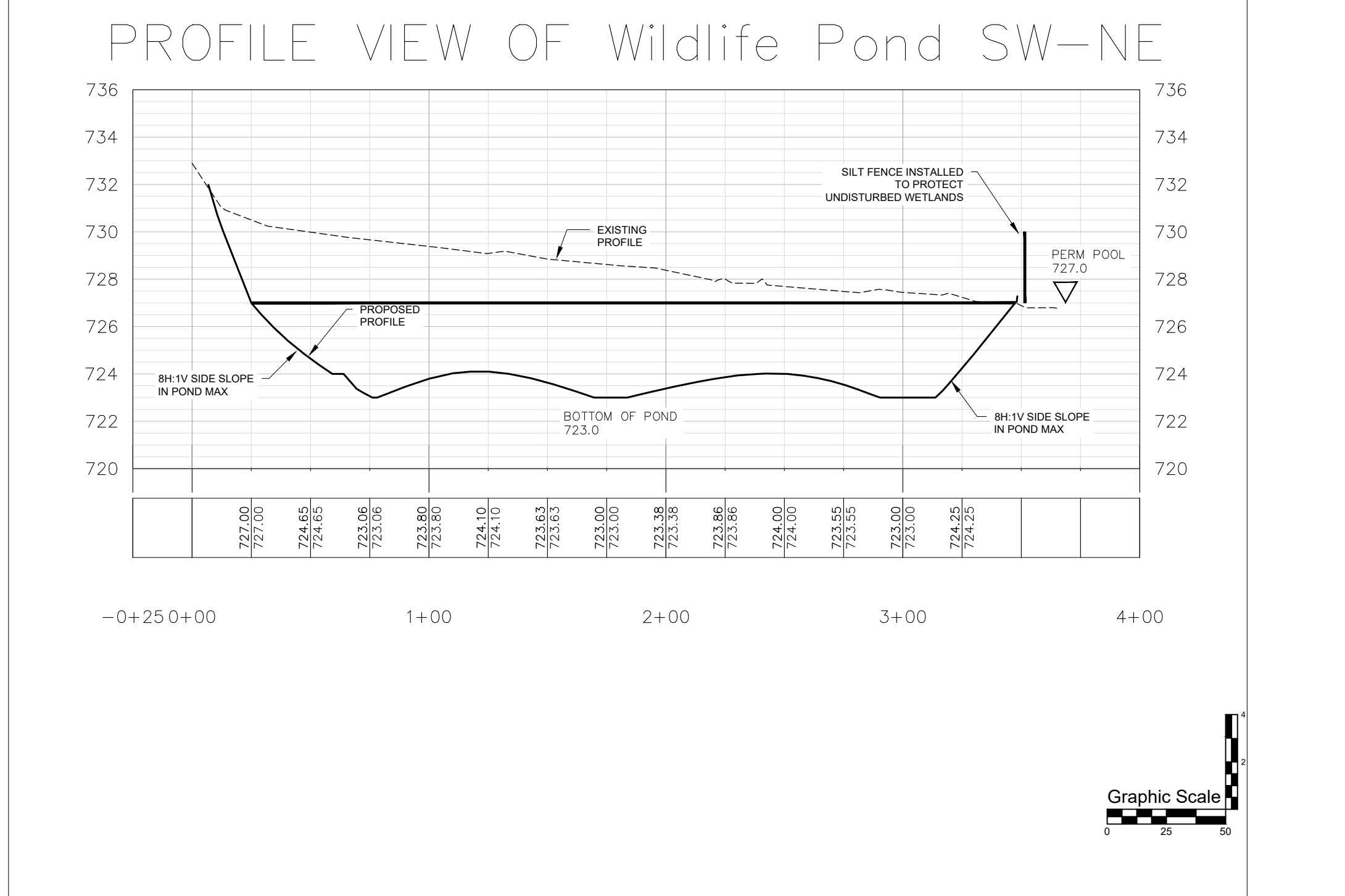
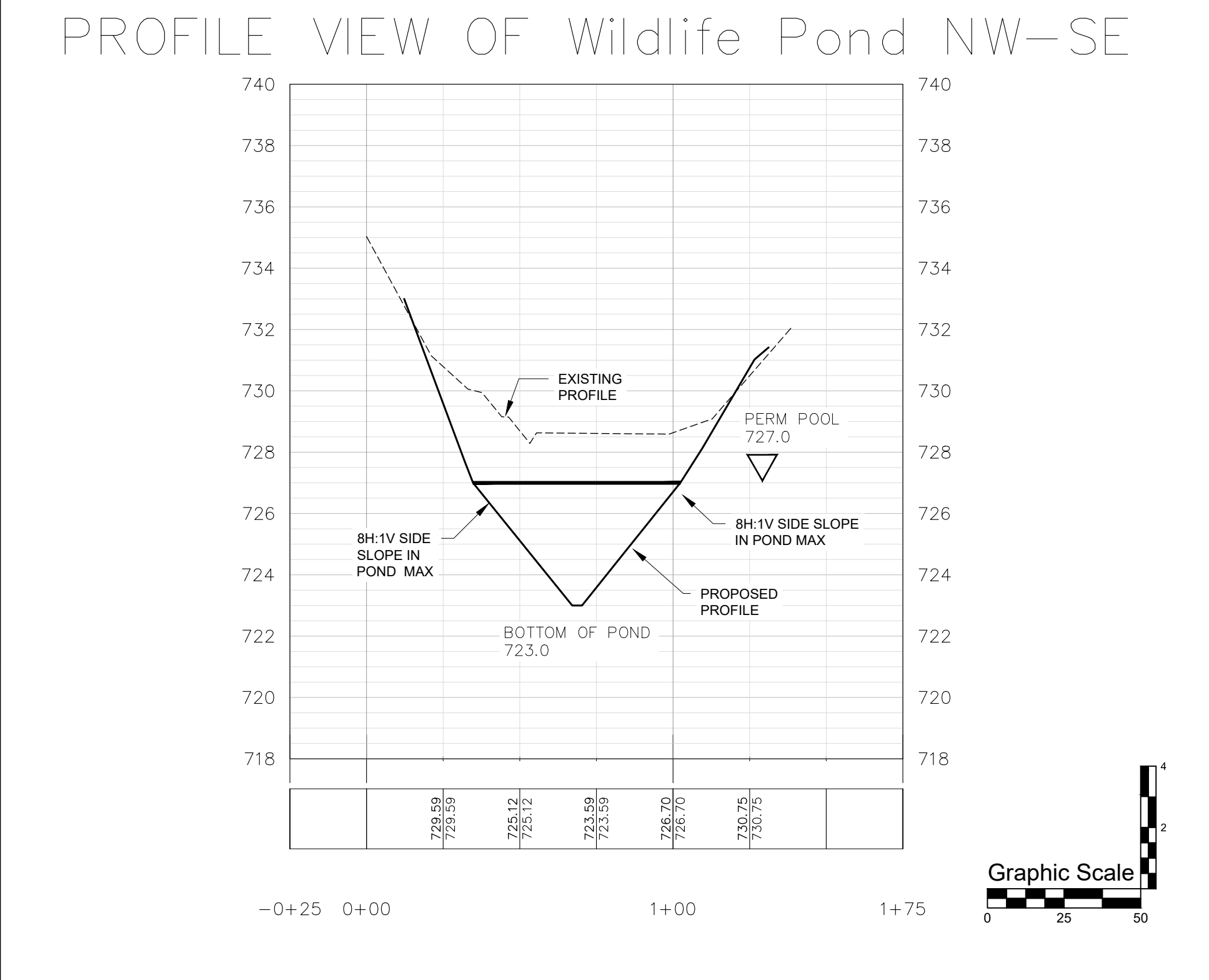
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- GENERAL NOTES:**
- HORIZONTAL BRACE REQUIRED WITH 2" X 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS.
  - TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
  - WOOD POSTS SHALL BE A MINIMUM SIZE OF 1" X 1" OF OAK OR HICKORY.
  - SILT FENCE TO EXTEND ACROSS THE TOP OF THE PIPE.
  - CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS: A) OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180 DEGREES, B) HOOK THE END OF EACH SILT FENCE LENGTH.



This drawing based on Wisconsin Department of Transportation Standard Detail Drawing 8 E 9-6



DESIGNED BY  
JCL

DATA FILE  
B-119.txt

DATE  
11-2-22

Number	Date	Comments

**Mau & Associates**  
 LAND SURVEYING & PLANNING  
 CIVIL & WATER RESOURCE ENGINEERING  
 Phone: 920-434-9670 Fax: 920-434-9672

**Wildlife Pond**  
**Profile Views**

PROJECT NO.  
B-119

SHEET NO.  
**3-0**

DRAWING NO.  
**####**

File: Refers 101222 Wildlife Pond.dwg



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT  
332 MINNESOTA STREET, SUITE E1500  
ST. PAUL, MN 55101-1323

January 4, 2023

Regulatory File No. MVP-2022-01887-CJB

C. Roffers Properties, LLC  
c/o Chad Roffers  
4115 Trendy Trl  
Oneida, WI 54155

Dear Mr. Roffers:

We are responding to your request for authorization to construct a wildlife pond at 640/650 Trout Creek Rd in the Village of Hobart. The proposed work is located in Section 23, Township 24 North, Range 19 East, Brown County, Wisconsin.

**Project authorization:**

The regulated activities associated with this project include the permanent discharge of dredged material into 17,203 square feet (0.39 acre) of wetland for the purpose of constructing a wildlife pond. We have determined that these activities are authorized by a Regional General Permit (RGP), specifically, the Wildlife Ponds RGP. This work is shown on the enclosed figures, labeled 2022-01887-CJB Figure 1-2 of 2.

**Conditions of your permit:**

You must ensure the authorized work is performed in accordance with the enclosed General Permit terms and conditions.

You are also required to complete and return the enclosed Compliance Certification form within 30 days of completing your project. Please email the completed form to the contact identified in the last paragraph.

A change in location or project plans may require re-evaluation of your project. Proposed changes should be coordinated with this office prior to construction. Failure to comply with all terms and conditions of this permit invalidates this authorization and could result in a violation of Section 301 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. You must also obtain all local, State, and other Federal permits that apply to this project.

**Water Quality Certification:**

You must also comply with the enclosed Water Quality Certification conditions associated with this General Permit.

**Permit expiration:**

The RGP is valid until February 20, 2023 unless modified, suspended, or revoked. If the work has not been completed by that time, you should contact this office to verify that the permit is still valid. Furthermore, if you commence or are under contract to commence this activity before the date of General Permit expiration, modification, or revocation, you have 12 months to complete the activity under the present terms and conditions of the General Permit.

Regulatory Division (File No. MVP-2022-01887-CJB)

**Jurisdictional determination:**

No jurisdictional determination was requested or prepared for this project. While not required, you may request a jurisdictional determination from the contact identified in the last paragraph.

**Contact Information:**

If you have any questions, please contact Cam Brock in our Green Bay office at (920) 572-6709 or by email at [Cameron.J.Brock@usace.army.mil](mailto:Cameron.J.Brock@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read 'JS', with a stylized flourish extending from the bottom left.

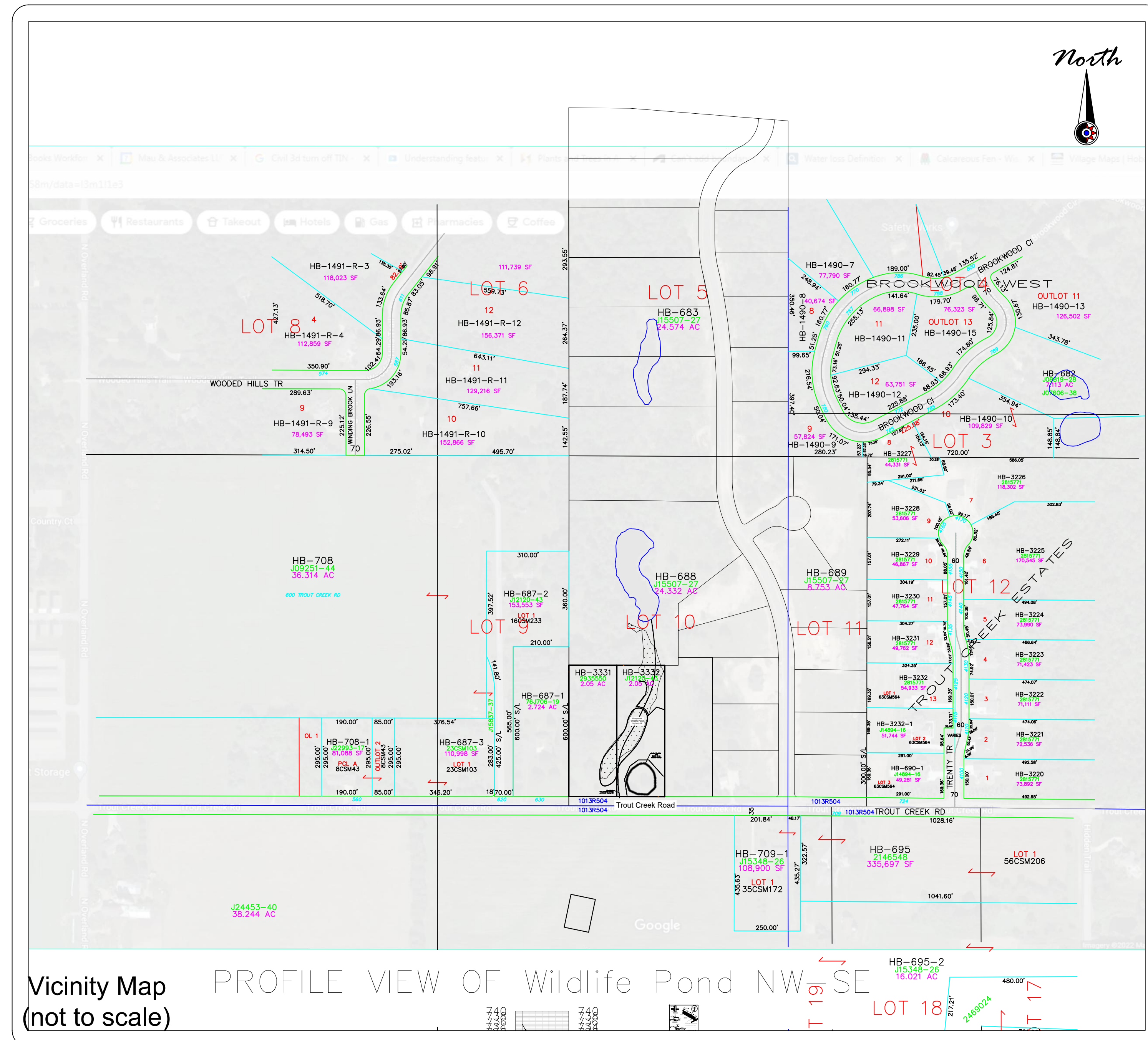
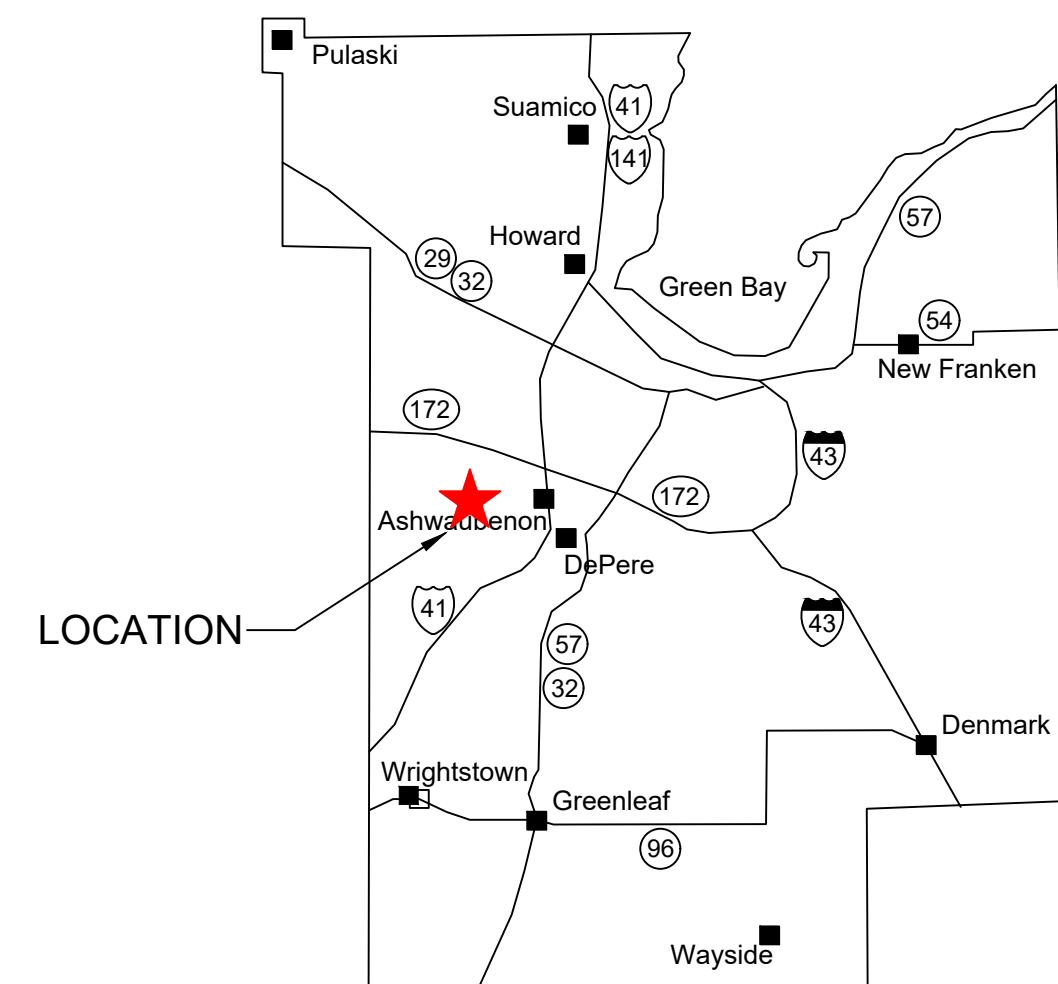
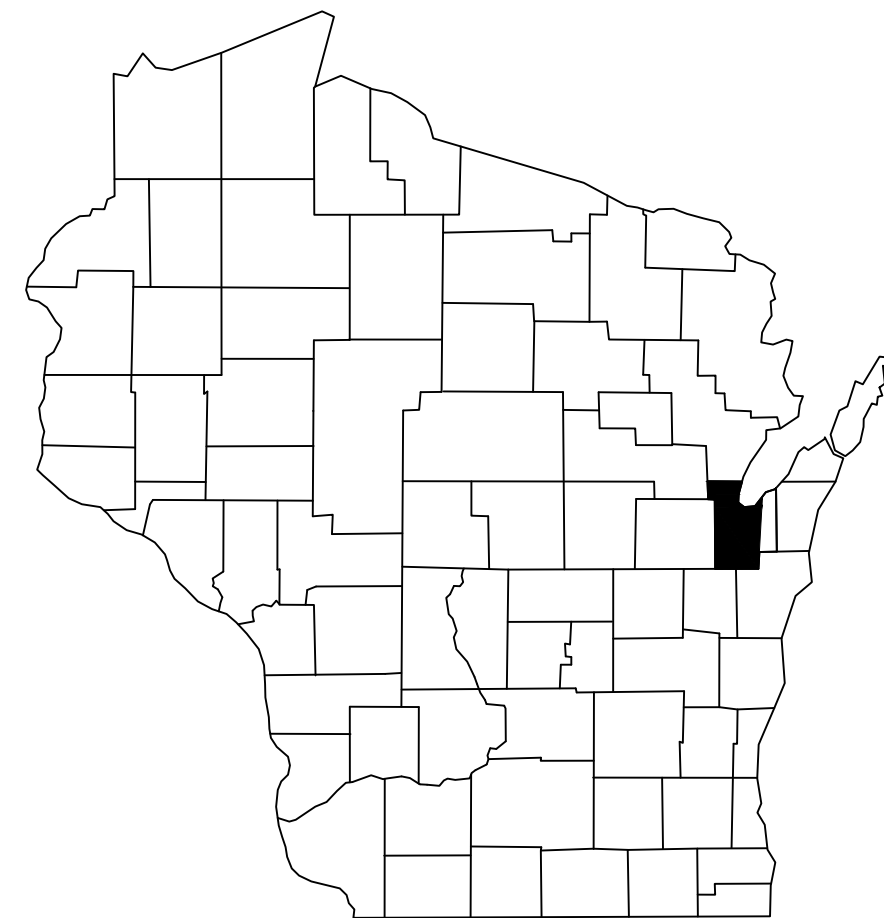
Joey Shoemaker  
WI East Branch Chief

Enclosures  
CC:

Jared Seidl, WI DNR Water Management Specialist (GP-NE-2022-5-04636)  
Joshua Lane, Mau & Associates, LLP

2022-01887-CJB Figure 1

# Roffers Wildlife Pond VILLAGE OF HOBART



Vicinity Map  
(not to scale)

PROFILE VIEW OF Wildlife Pond NW-SE

**Mau & Associates**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Fax: 920-434-9672

## PROJECT INFORMATION

<b>OWNER(S):</b> C ROFFERS PROPERTIES, LLC. (CHAD ROFFERS)
<b>PROJECT NAME:</b> BLACKBERRY RIDGE SUBDIVISION WILDLIFE POND
<b>PROJECT DESCRIPTION:</b> PROPOSED WILDLIFE POND ON PARCELS HB-3331 & HB-3332
<b>PROJECT LOCATION:</b> TROUT CREEK RD.
<b>PARCEL NUMBER(S):</b> HB-3331, HB-3332

## CONTACT INFORMATION

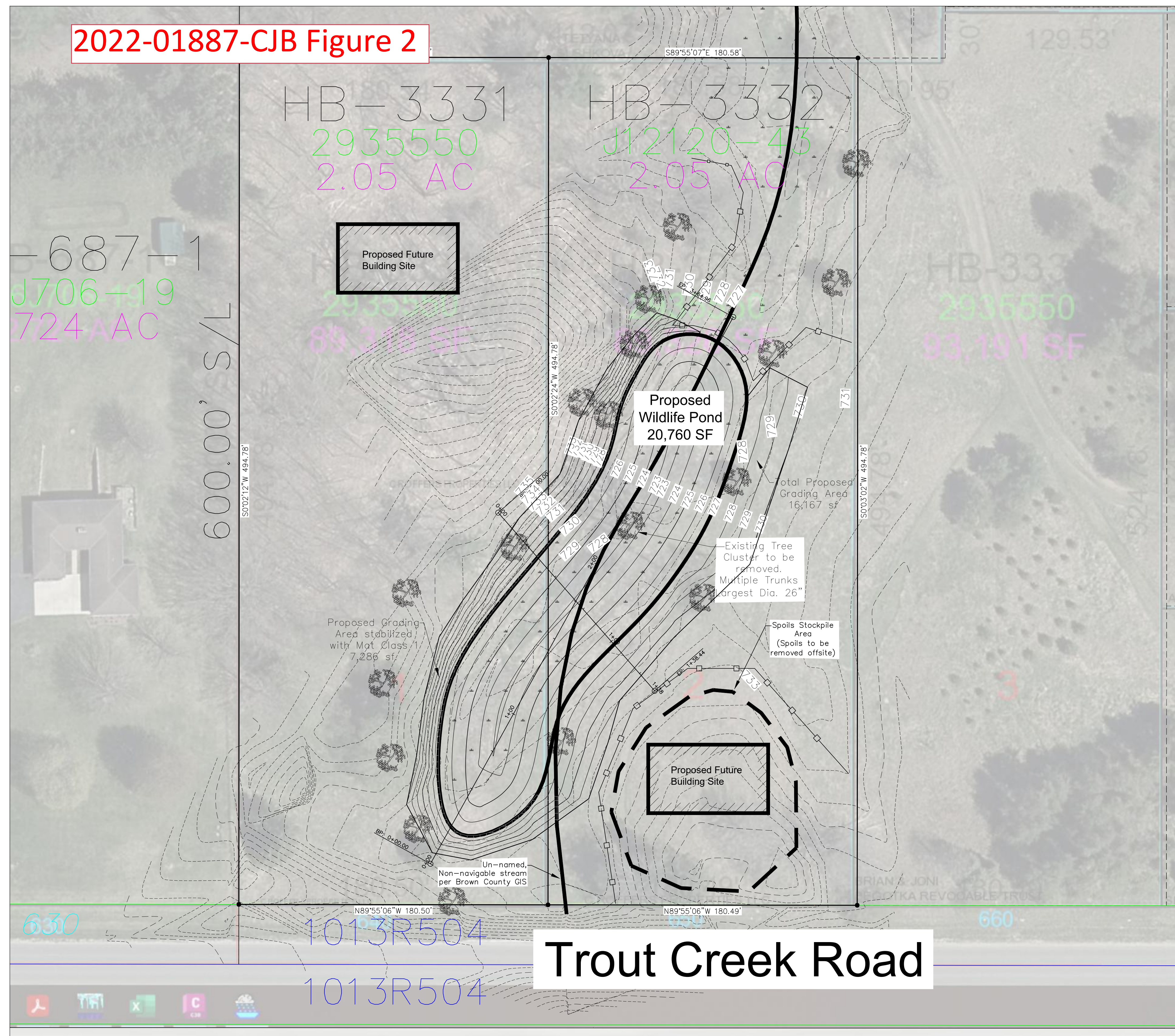
<b>OWNER(S):</b> CHAD ROFFERS 4155 TRENDY TRL HOBART, WI 54155 PH.: 920-621-4899
<b>ENGINEER:</b> MAU & ASSOCIATES, LLP CONTACT: DAVID J. MEISTER, P.E. 400 SECURITY BLVD. GREEN BAY, WI 54313 PH.: 920-434-9670

<b>SHEET INDEX:</b>
C1.0 TITLE & VICINITY SHEET
C2.0 SITE LAYOUT PLAN
C3.0 EROSION CONTROLS AND PROFILES

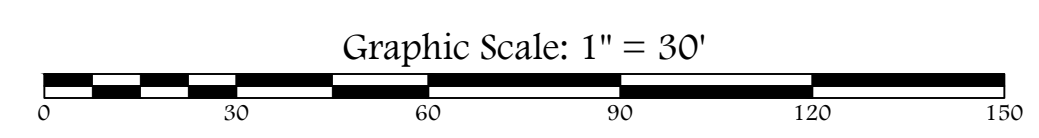
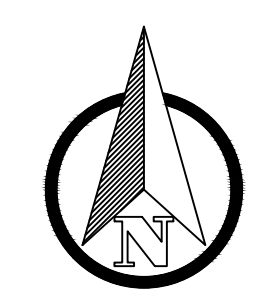
DATE: 11-2-22
PROJECT NO. B-119
SHEET NO. <b>C1.0</b>
DRAWING NO. <b>S-</b>



# 2022-01887-CJB Figure 2



- ### Legend
- SANITARY MANHOLE
  - ROUND CATCH BASIN
  - STORM SEWER MANHOLE
  - CURB INLET
  - HYDRANT
  - WATERMAIN
  - SANITARY SEWER
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  - 2.33% DRAINAGE ARROW



DESIGNED BY	JCL
DATA FILE	B-119.txt
DATE	11-2-22
Number	
Date	
Comments	

**Mau & Associates**  
 LAND SURVEYING & PLANNING  
 CIVIL & WATER RESOURCE ENGINEERING  
 Phone: 920-434-9670 Fax: 920-434-9672

**SITE PLAN**  
 Roffers Wildlife Pond

PROJECT NO. B-119  
 SHEET NO. C3.0  
 DRAWING NO. S-



St. Paul District Corps of Engineers, Regulatory Branch  
Wildlife Ponds Regional General Permit Conditions

To qualify for Wildlife Ponds RGP authorization, the prospective permittee must comply with the following conditions, as applicable, in addition to all applicable Wildlife Ponds RGP terms and requirements and all project-specific conditions imposed by the Corps.

1. **Compliance:** The permittee is responsible for ensuring that whomever performs, supervises or oversees any portion of the physical work associated with the construction of the project has a copy of and is familiar with all the terms and conditions of the RGP and any special (permit-specific) conditions included in any written verification letter from the Corps. The activity must also comply with any special conditions added by the state, tribe, or U.S. EPA in its Section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination. The permittee is ultimately responsible for ensuring compliance with all the terms and conditions of the RGP. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable RGP general conditions, as well as any activity-specific conditions added by the Corps to an RGP authorization.
2. **Compliance Certification:** Each permittee who receives an RGP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The Corps will provide the permittee the certification document with the RGP verification letter. The completed certification document must be submitted to the Corps within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.
3. **Site Inspection:** The permittee shall allow representatives from the Corps to inspect the proposed project site and the authorized activity to ensure that it is being, or has been, constructed and maintained in accordance with the RGP authorization.
4. **Migratory Birds and Bald and Golden Eagles:** The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service (FWS) to determine applicable measures to reduce impacts to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.
5. **Endangered Species:**
  - a. No activity is authorized under this RGP which is likely to directly or indirectly jeopardize the continued existence of a federally threatened or endangered species or a species proposed for such designation, as identified under the Endangered Species Act (ESA), 50 CFR 402, or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under the Wildlife Ponds RGP which “may affect” a listed species or critical habitat, unless ESA Section 7 consultation addressing the effects of the proposed activity has been completed, and a Corps RGP verification letter is issued. Direct effects are the immediate effects on listed species and critical habitat caused by the RGP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the RGP activity and are later in time, but still are reasonably certain to occur.
  - b. As a result of formal or informal consultation with the FWS, the Corps may add species-specific permit conditions to the RGP verification.
  - c. Information on the location of federally threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS on their web page at [www.fws.gov/ipac](http://www.fws.gov/ipac).
6. **Calcareous Fens:** The permittee may not complete regulated activities in a calcareous fen unless the Wisconsin Department of Natural Resources has authorized the proposed regulated activity, or the Minnesota Department of Natural Resources has approved a calcareous fen management plan specific to the project. A list of known Minnesota calcareous fens can be found at: [http://files.dnr.state.mn.us/eco/wetlands/calcareous\\_fen\\_list.pdf](http://files.dnr.state.mn.us/eco/wetlands/calcareous_fen_list.pdf).

St. Paul District Corps of Engineers, Regulatory Branch  
Wildlife Ponds Regional General Permit Conditions

7. **Historic Properties, Cultural Resources:**
  - a. No activity which may affect historic properties listed or potentially eligible for listing on the National Register of Historic Places is authorized until the requirements of Section 106 of the National Historic Preservation Act (Section 106) have been fulfilled. Federal project proponents should follow their own procedures for complying with the requirements of Section 106 and provide documentation of compliance with those requirements.
  - b. Information on the location and existence of historic and cultural resources can be obtained from the State Historic Preservation Office, Tribal Historic Preservation Offices, and the National Register of Historic Places.
  - c. Rock or fill material used for activities authorized by this permit must either be obtained from existing quarries or if a new borrow site is excavated to obtain fill material, the Corps must be notified prior to the use of the new site to determine whether a cultural resources survey of the site is necessary.
8. **Discovery of Previously Unknown Remains and Artifacts:** If any previously unknown historic, cultural or archeological remains and artifacts are discovered while accomplishing the activity authorized by this permit, you must immediately notify the Corps of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The Corps will initiate the federal, tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
9. **Burial Sites:** Burial sites, marked or unmarked, are subject to state law (Wisconsin Statute 157.70 and Minnesota Statutes 306 and 307.08). Native American burial sites on federal or tribal land are subject to the provisions of Native American Graves Protection and Repatriation Act (NAGPRA). Regulated activities may not result in disturbance or removal of human remains until disposition of the remains has been determined by the appropriate authority under these laws, and the work is authorized by the Corps. Regulated activities which result in an inadvertent discovery of human remains must stop immediately, and the Corps, as well as the appropriate state and tribal authority, must be notified. Regulated work at inadvertent discovery sites requires compliance with state law and NAGPRA, as appropriate, prior to re-starting work.
10. **Federally Authorized Corps Civil Works projects:** A permittee is not authorized to begin any regulated activities described in this RGP if activities will alter or temporarily or permanently occupy or use a Corps federally authorized civil works project, unless the appropriate Corps office issues Section 408 permission to alter, occupy, or use the Corps civil works project (pursuant to 33 U.S.C. 408), and the Corps issues written a Wildlife Ponds RGP verification. Examples of federal projects include, but are not limited to, works that were built by the Corps and are locally maintained (such as local flood control projects) or operated and maintained by the Corps (such as locks and dams).
11. **Dam Safety:** Permittees are not authorized to begin regulated activities unless they are able to demonstrate that the structures, when appropriate, comply with applicable state dam safety criteria or have been designed by qualified persons. The Corps may require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications are made to ensure safety.
12. **Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
13. **Restoration of Temporary Impacts:** All temporary impacts in waters of the US, including discharges resulting from side casting material excavated from trenching, that occur as a result of the regulated activity must be fully contained with appropriate erosion control or containment methods, be restored to preconstruction contours and elevations, and revegetated with native, non-invasive vegetation. A project proponent may request, in writing, a waiver from this condition from the Corps. An acceptable reason for a waiver to this condition may include, but is not limited to, the Corps allowing natural restoration of the site when the

St. Paul District Corps of Engineers, Regulatory Branch  
Wildlife Ponds Regional General Permit Conditions

resulting grade and existing seed bank are sufficient for the site to restore to pre-construction conditions. In temporarily excavated wetlands, the top 6 to 12 inches of the excavation should normally be backfilled with topsoil originating from the wetland. No temporary excavation area, including but not limited to trenches, may be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a French drain effect).

14. **Duration of Temporary Impacts:** Temporary impacts in waters of the U.S., including wetlands, must be avoided and limited to the smallest area and the shortest duration required to accomplish the project purpose.
  - a. Unless otherwise conditioned in a Corps RGP verification, temporary impacts may not remain in place longer than 90 days between May 15 and November 15. Before those 90 days have elapsed, all temporary discharges must be removed in their entirety.
  - b. If the temporary impacts would remain in place for longer than 90 days between May 15 and November 15, the PCN must include a request for a waiver from this condition, specify how long temporary impacts will remain, and include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions. The permittee must remove the temporary impacts in their entirety in accordance with the activity authorized their permit verification.
15. **Best Management Practices (BMPs):** To minimize adverse effects from soil loss and sediment transport that may occur as a result of the authorized work, appropriate BMPs must be implemented and maintained. For authorized work above an OHWM the BMPs must remain in place until the affected area is stabilized with vegetation or ground cover. For all authorized work below an OHWM, BMPs are required and must prevent or minimize adverse effects (e.g., total suspended solids or sedimentation) to the water column outside of the authorized work area. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance. All BMPs must be inspected and properly maintained following storm events to ensure they are operational. All exposed slopes and stream banks must be stabilized within 24 hours after completion of all tributary crossings.
16. **Aquatic Life Movements:** No regulated activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water.
17. **Spawning Areas:** Activities in spawning areas, during spawning seasons, must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial sedimentation) of a designated or known spawning area are not authorized.
18. **Pollutant or Hazardous Waste Spills:** The permittee is responsible for removing pollutants and hazardous materials and for minimizing any contamination resulting from a spill in accordance with all applicable state, tribal, and federal laws. In accordance with applicable state, tribal, and federal laws and regulations, if a spill of any potential pollutant or hazardous waste occurs, it is the responsibility of the permittee to immediately notify the National Response Center at 1-800-424-8802 or [www.nrc.uscg.mil](http://www.nrc.uscg.mil) AND  
 IN WISCONSIN: the WI DNR Spills Team at 1-800-943-0003; or  
 IN MINNESOTA: the Minnesota State Duty Officer at 1-800-422-0798.
19. **Clean Construction Equipment:** All construction equipment must be clean prior to entering and before leaving the work site in order to prevent the spread of invasive species.
20. **Fills Within 100-Year Floodplains:** The regulated activity must comply with applicable FEMA-approved state or local floodplain management requirements.
21. **Access Roads:** Access roads must be sized appropriately and must be constructed in such a way to minimize adverse effects on waters of the US and elevations must be as near as practicable to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). All access roads constructed in waters of the US must be properly bridged or culverted to maintain surface flows.

St. Paul District Corps of Engineers, Regulatory Branch  
Wildlife Ponds Regional General Permit Conditions

22. **Section 401 Clean Water Act Water Quality Certification:** All regulated activities authorized by the Wildlife Ponds RGP pursuant to Section 404 of the Clean Water Act require Section 401 Clean Water Act certification or waiver to be considered valid.
23. **Transfer of Regional General Permit Verifications:** If the permittee sells the property associated with a regional general permit verification, the permittee may transfer the regional general permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the regional general permit verification must be attached to the letter, and the letter must contain the following statement and signature “When the structures or work authorized by this regional general permit are still in existence at the time the property is transferred, the terms and conditions of this regional general permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this regional general permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

---

(Transferee)

---

(Date)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**JUN 21 2018**

REPLY TO THE ATTENTION OF:

W-15J

Colonel Samuel Calkins  
District Engineer  
St. Paul District Corps of Engineers  
180 5<sup>th</sup> Street East, Suite 700  
St. Paul, Minnesota 55101

Re: Clean Water Act Section 401 Certification for the Corps of Engineers 2018 Regional General Permits as Applied on Indian Reservations in Minnesota and Wisconsin

Dear Colonel Calkins:

The U.S. Environmental Protection Agency, Region 5 (EPA) has made its 401 certification decisions for the 2018 Clean Water Act Section 404 Regional General Permits (RGPs). The RGPs were issued by the U.S. Army Corps of Engineers, St. Paul District, on December 20, 2017. The RGPs replace most of the currently available RGPs authorized for use in the St. Paul District. The RGPs provide streamlined authorization for regulated minor activities in waters of the United States including: beach creation and nourishment, beach raking, minor discharge of less than 400 square feet, construction of piers and docks, activities on previously filled navigable waters, transportation projects, utility projects, and construction of wildlife ponds.

EPA has completed its review of the RGPs and its consultation with the appropriate tribes. EPA concludes that the RGPs comply with applicable water quality standards. EPA hereby issues Clean Water Act Section 401 Certification with no conditions. This certification is applicable to all Native American reservations in Minnesota and Wisconsin with the exception of: the Mole Lake Band of Sokaogon Chippewa, the Fond du Lac Band of Lake Superior Chippewa, the Grand Portage Band of Lake Superior Chippewa, the Bad River Band of Lake Superior Chippewa, the Lac du Flambeau Band of Lake Superior Chippewa and the Leech Lake Band of Ojibwe. Leech Lake has requested formal consultation with EPA. Once EPA has completed the consultation process with Leech Lake, EPA will make its final Section 401 decision for that reservation.

If you have any questions, or if we can be of further assistance, please contact Janice Cheng of my staff at (630) 483-1184 or cheng.janice@epa.gov.

Sincerely,



Linda Holst  
Acting Division Director  
Water Division

cc: Jill Bathke, St. Paul District, Corps of Engineers (via email)  
Shane Bowe, Red Lake Band of Chippewa (via email)  
Gabrielle Holman, Bois Forte Band of Chippewa (via email)  
Greg Bunker, Stockbridge -Munsee Community (via email)  
Debra Dirlum, Lower Sioux Indian Community (via email)  
Jeremy Bloomquist, St. Croix Chippewa Indians of Wisconsin (via email)  
Scott Walz, Shakopee Mdewakanton Sioux Community (via email)  
Monica Hedstrom, White Earth Band of Chippewa (via email)  
Dan Tyrolt, Lac Courte Oreilles Band of Lake Superior Chippewa (via email)  
Michael Northbird, Minnesota Chippewa Tribe (via email)  
Perry Bunting, Mille Lacs Band of Ojibwe (via email)  
Heather Pyatskowitz, Menominee Indian Tribe of Wisconsin (via email)  
Jim Snitgen, Oneida Nation (via email)  
Nate Guldan, Forest County Potawatomi Community (via email)  
Randy Poelma, Ho-Chunk Nation (via email)  
Gabrielle VanBergen, Red Cliff Band of Lake Superior Chippewa, (via email)  
Barbara Long, Upper Sioux Indian Community (via email)  
Gabriel Miller, Prairie Island Indian Community (via email)  
Ben Benoit, Leech Lake Band of Ojibwe (via email)



**US Army Corps  
of Engineers** ®

St. Paul District

**COMPLIANCE CERTIFICATION**

Regulatory File Number: MVP-2022-01887-CJB  
Name of Permittee: C. Roffers Properties, LLC, c/o Chad Roffers  
County/State: Brown County/Wisconsin  
Date of Issuance: 04 Jan 2023

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the Corps contact identified in your verification letter within 30 days.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

By signing below, the permittee is certifying that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the permit, and any required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date





**TO: Planning & Zoning Commission**

**RE: Conditional Use Permit, HB-1395-1, 3849 W. Mason St.,  
Mini Storage Warehousing**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider Conditional Use Permit for mini storage/warehousing, HB-1395-1, 3849 W. Mason St.

**RECOMMENDATION:** Staff recommends conditional approval

### **GENERAL INFORMATION**

1. Applicants/Agent: Robert E. Lee & Assoc.
2. Owner: Jesse Hall & Al Dorn
3. Parcel(s): HB-1395-1
4. Zoning: I-1: Limited Industrial District

### **BACKGROUND**

Jesse Hall and Al Dorn are proposing a plan for additional development on the 6.959 acre parcel located at 3849 W. Mason St. (HB-1395-1). The proposed development calls for the existing commercial building to remain with the construction of six new mini storage warehouse buildings containing a total of approximately 135 individual units. Access to the new development will utilize the existing ingress/egress to the site from W. Mason St. Village Zoning Code requires that mini storage warehouse facilities are a conditional use in the I-1: Limited Industrial District. Therefore, the applicants are requesting the review of a Conditional Use Permit for the proposed use at this location.

A Conditional Use Permit is needed for the storage warehousing use. Attached is their conceptual site plan and draft Conditional Use Permit. Any approval of this CUP request would also require approval of the building and site plans by the Village Site Review Committee at a later date.

### **RECOMMENDATION/CONDITIONS**

Village Staff recommends conditional approval of the requested Mini Storage Warehousing Conditional Use Permit for parcel HB-1395-1 conditioned upon the attached "Conditional Use Permit" draft and any additional conditions the Planning and Zoning Commission may identify.



- 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: ROBERT E. LEE & ASSOC. Date: 12-22-2022  
 Petitioner's Address: 1250 CENTENNIAL CENTRE BLVD. City: HOBART State: WI Zip: 54155  
 Telephone #: 920-662-9641 Email: \_\_\_\_\_  
 Status of Petitioner (Please Check):  Owner  Representative  Tenant  Prospective Buyer  
 Petitioner's Signature (required): *[Signature]* Date: 12-22-2022

**OWNER INFORMATION**

Owner(s): JESSE HALL / AL DORN Date: 12-22-2022  
 Owner(s) Address: 3849 W MASON ST. City: HOBART State: WI Zip: 54155  
 Telephone #: 920-438-9316 Email: jhall@kellerbuilds.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: *Richard Poquett* Date: 1/5/2023

**SITE INFORMATION**

Address/Location of Proposed Project: 3849 W MASON ST. Parcel #: HB- 1395-1  
 Proposed Project Type: STORAGE BUILDINGS  
 Current Use of Property: AUTO SHOP Zoning: I-1  
 Land Uses Surrounding Site:  
 North: AUTO REPAIR SHOP  
 South: RIVER AND RESIDENTIAL  
 East: TOOL SHOP  
 West: VACANT LOT

**\*\*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 SITE WILL MEET ALL MUNICIPAL, COUNTY, AND STATE CODES TO PROVIDE A SAFE ENVIRONMENT. THE EXISTING CONDITIONS WILL BE MODIFIED FOR SUITABLE WALKING AND DRIVING CONDITION AS WELL.

**2. Pedestrian and vehicular circulation and safety.**

THE SITE WILL MEET MUNICIPAL SETBACKS, DRIVE LANE WIDTHS, AND BUILDING SPACING TO ENSURE ORDERLY OPERATION BY STORAGE USERS. ACCESS TO THE SITE WILL UTILIZE THE EXISTING DRIVEWAY TO THE PROPERTY.

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

THE SITE WILL PROVIDE ONSITE STORMWATER TO MANAGE POST-CONSTRUCTION FLOWS AND IMPROVE WATER QUALITY DISCHARGE. OWNERS PLAN TO PROVIDE PROPER LANDSCAPING AND GRASS TO MAINTAIN AESTHETIC LOOK AND SCREENING FROM NEIGHBORS. DURING CONSTRUCTION ONSITE BMP'S WILL BE IN PLACE TO PREVENT SOIL LOSS.

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

ACCESS FROM THE EXISTING ROADWAY WILL BE REQUIRED. NO WATER OR SEWER SERVICE IS REQUIRED FOR THE USE.

**5. Character and future development of the area.**

THE OWNER IS LOOKING TO CONSTRUCT 6 NEW STORAGE BUILDINGS, WITH ASPHALT DRIVE LANES, AND A WET POND TO REDUCE FLOWS AND IMPROVE POST-CONSTRUCTION WATER QUALITY.

Village of Hobart CUP Narrative  
3489 W. Mason Street  
HB-1395-1

### Farmland Storage

The property owners at 3849 W. Mason Street are looking to construct 6 new storage buildings on parcel HB-1395-1 south of the existing Auto Body Shop. The owners plan to keep the auto shop running while also have mini storage units on site. There is an existing driveway to the current business that will be utilized for both on-site uses. The existing site has asphalt parking, a fenced in storage area, a metal building on the north end, as well as 2 signs. The proposed development would take place on the southern side of the current development and add 6 new storage buildings, associated asphalt drive lanes, retaining walls, and a stormwater pond on the southern portion of the site. There wouldn't be any new residents or employees added for this proposed development. There will be approximately 135 units available for rent all ranging in sizes and types. The proposed development will not effect the neighboring properties from a noise, pollution, glare, vibration, or fumes standpoint as only storage is allowed and not business use. During construction these may vary but will be within business hours and will meet all DNR and local codes. The proposed development will fit in well with the surrounding businesses and will be similar to the storage units off of S. Pine Tree which are just up the road to the east. There are a lot of commercial shops in the area as well as residential just to the south so this will allow for a safe and enclosed area for people to store their goods. Traffic generated from this site, based on the Institute of Transportation Engineers, will be around 8-9 trips in the AM and 14-15 trips in the PM peak time and approximately 155 trips per day (in and out).



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 the construction of a Mini Storage Warehouse complex located at 3849 W. Mason St., Hobart, Wisconsin (HB-1395-1) as approved by the Village Board on February 21, 2023.

This Permit is subject to the following Limitations and Conditions:

### Limitations:

- Limit hours of operation to 6 am to 10 pm daily

### Conditions:

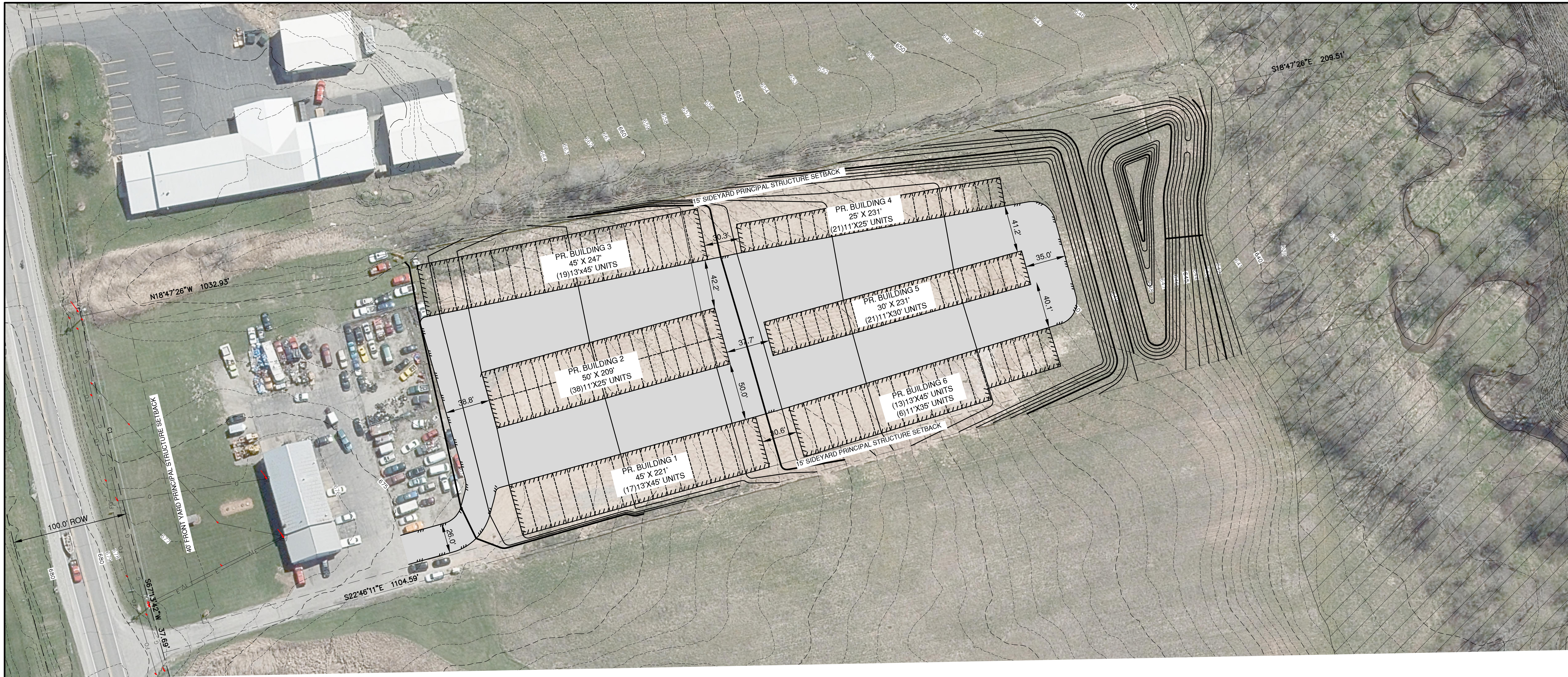
1. This development shall be used exclusively for mini storage warehousing (except for the existing commercial building fronting W. Mason St.);
2. There shall be no exterior storage associated with the mini storage warehouse buildings;
3. The individual units of the mini storage warehouse buildings shall not be allowed to contain water supply or sanitary sewer service;
4. The individual units of the mini storage warehouse buildings shall be limited to convenience electrical facilities only (lights and convenience receptacles);
5. Vehicular access point(s) to mini storage warehouse buildings shall be controlled to restrict access during non-operation hours upon readiness of the first unit's occupancy/tenancy;
6. There shall be no parking allowed in the drive lanes around mini storage warehouse buildings that restricts emergency vehicle access;
7. All partially dismantled, non-operating, wrecked, junked, or discarded vehicles or machinery, or vehicle which is not licensed, has an invalid license or does not possess a current license, that is associated with the operation of the commercial building fronting W. Mason St., shall be store indoors, removed from the property, or screened from view from the public roadway and adjoining easterly property by a barrier compliant with Village Codes when not actively being serviced as part of the normal operations of such business enterprise;
8. Compliance with Village Site Review Committee conditions of approval;
9. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws.

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Director of Planning and Code Compliance

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Date

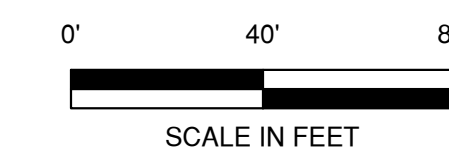
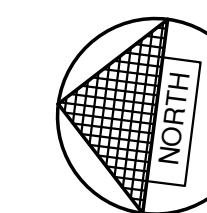


File: R:\A\300\A37\A372001.dwg, Clip Size: Plot Area  
 Plot Date: Dec 28, 2022 11:34:00am  
 24x36  
 LAYOUT:

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	261.80	3769.72	3.98	S69° 13' 01"W	261.75

**NOTE**  
 ALL DISTURBED AREAS SHALL BE TOPSOILED TO A DEPTH OF 6 INCHES, SEEDED AND MULCHED. AREA TO BE RAKED FREE OF STONES AND CLUMPS.

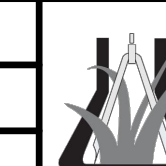
**PARCEL NO.**  
 HB-1395-1  
**ZONING**  
 I-1 LIMITED INDUSTRIAL DISTRICT



NO.	DATE	APPROV.	REVISION	NO.	DATE	APPROV.	REVISION	DRAWN	DATE	FILE	JOB NO.	SHEET NO.
								----	11/2022	FILE		1
								----		CUP SITE PLAN		
								----				
								----				

SITE PLAN

DATE  
11/2022  
FILE  
CUP SITE PLAN  
JOB NO.













**Robert E. Lee & Associates, Inc.**  
 ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
 1250 CENTENNIAL CENTRE BOULEVARD HOBART, WI 54155  
 920-662-9641 www.releinc.com

SHEET NO.  
1

Part of Brown County WI

LEGEND / 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 map legend (map key) is available at: [tinyurl.com/BrownDogLegend](http://tinyurl.com/BrownDogLegend)

Map printed 1/6/2023



1:3,600

1 inch = 300 feet\*

1 inch = 0.0568 miles\*

\*original page size is 8.5" x 11"

Appropriate format depends on zoom level

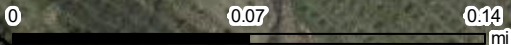
This is a custom web map created by an online user of the GIS map services provided by the

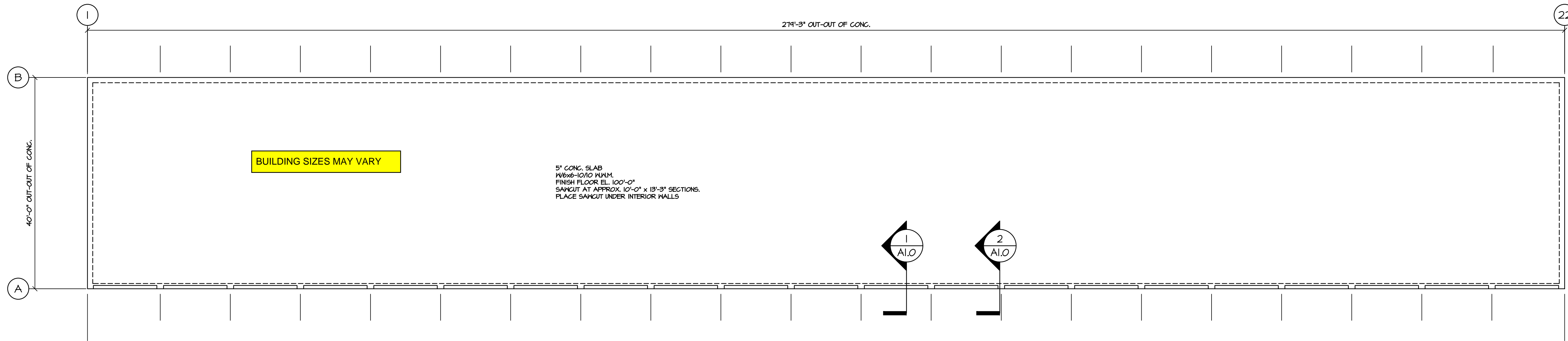
**Brown County Wisconsin Planning & Land Services Department**



(920) 448-6480

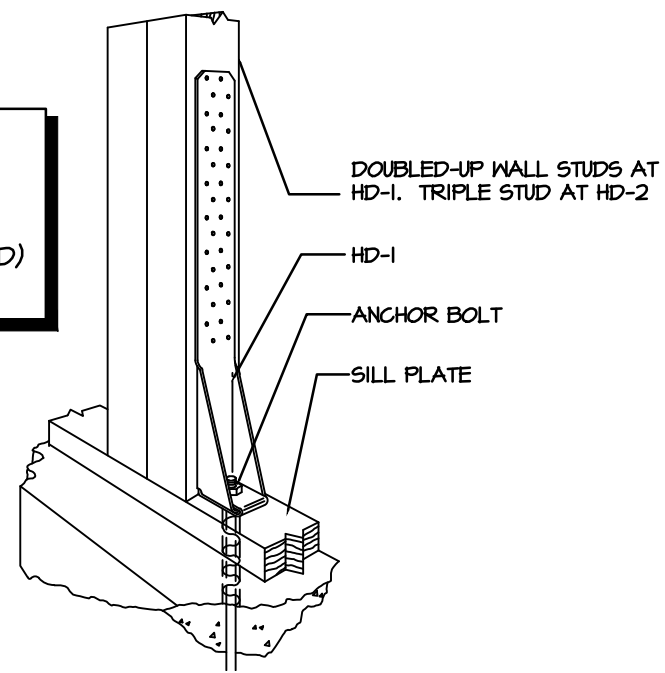
[www.browncountywi.gov](http://www.browncountywi.gov)



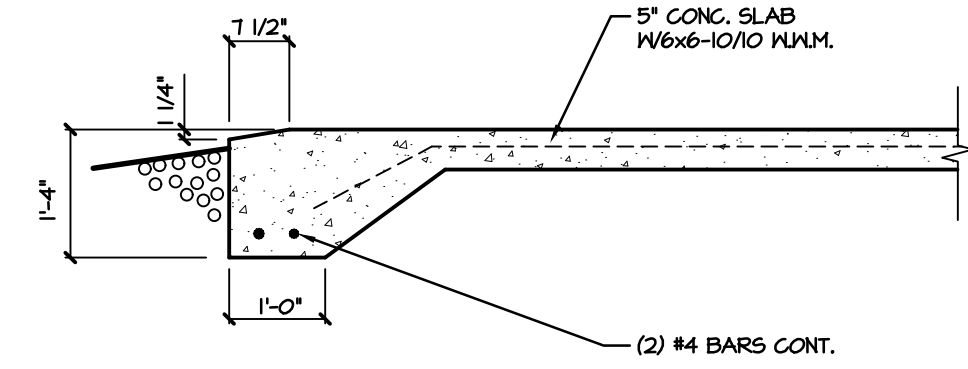


5" CONG. SLAB  
W6x8-10/10 P.W.M.  
FINISH FLOOR EL. 100'-0"  
SAWKUT AT APPROX. 10'-0" x 13'-3" SECTIONS.  
PLACE SAWKUT UNDER INTERIOR WALLS

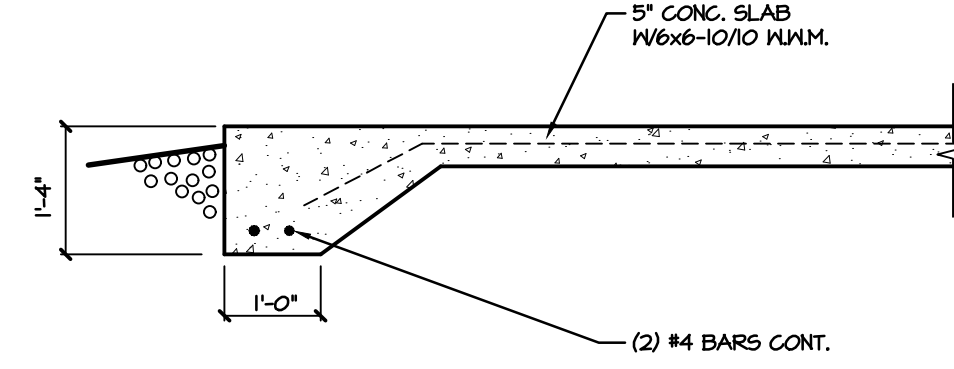
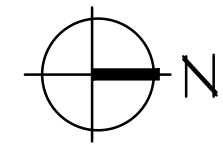
**SHEAR WALL HOLD DOWN SCHEDULE:**  
HD-1: SIMPSON HDU4-SD5 2.5 HOLD DOWN, W/ 5/8" x 8" LONG EXPANSION ANCHOR  
& (10) SD5 1/4" x 2 1/2" FASTENERS ANCHORED TO DOUBLE-UP WALL STUD, (10 REG'D)



**FOUNDATION PLAN**  
SCALE: 3/32" = 1'-0"

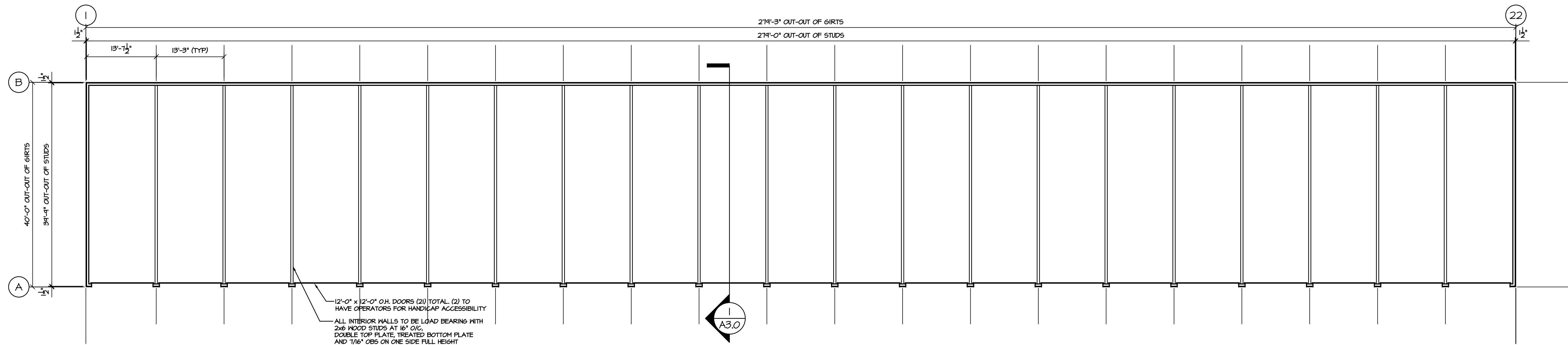


**1 SECTION AT O.H. DOORS**  
SCALE: 1/2" = 1'-0"



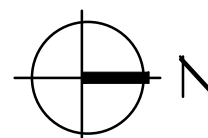
**2 GRADE BEAM SECTION**  
SCALE: 1/2" = 1'-0"

**SHEAR WALL SCHEDULE:**  
SW1: 7/16" OSB SHEATHING ON ONE SIDE OF WALL W/ 8d NAILS SPACED  
6" O/C AT PANEL EDGES.  
SEE FOUNDATION PLAN FOR HOLD DOWN INFO.



12'-0" x 12'-0" O.H. DOORS (2) TOTAL, (2) TO HAVE OPERATORS FOR HANDICAP ACCESSIBILITY  
ALL INTERIOR WALLS TO BE LOAD BEARING WITH 2x6 WOOD STUDS AT 16" O.C., DOUBLE TOP PLATE, TREATED BOTTOM PLATE AND 7/16" OSB ON ONE SIDE FULL HEIGHT

**FLOOR PLAN**  
SCALE: 3/32" = 1'-0"

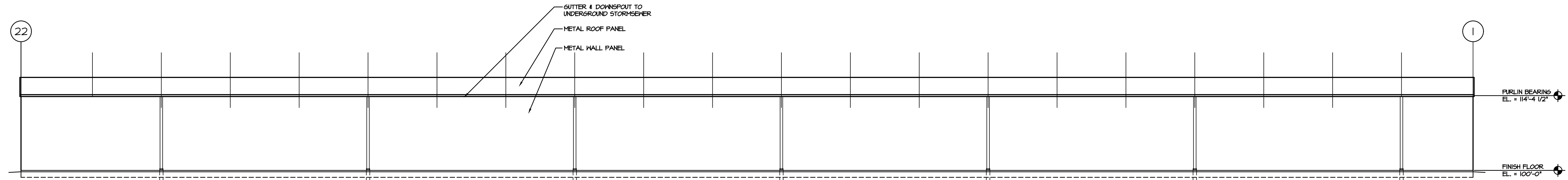


<b>PROJECT:</b> EESSE HALL FARMLAND STORAGE - BUILDING #4		BY:	DATE:
<b>LOCATION:</b> LAKE STREET KAUKAUNA, WISCONSIN		REV. NO.:	DESCRIPTION:
<b>DESCRIPTION:</b> FLOOR PLAN/FDN. PLAN/FDN. SECTIONS		BY:	DATE:
DRAWN BY: RDT		REV. NO.:	DESCRIPTION:
CHECKED BY:		DATE:	DATE:
DATE: 03-10-21		DATE:	DATE:
SHEET		DATE:	DATE:
<b>A1.0</b>		DATE:	DATE:
PROJECT-NUMBER		DATE:	DATE:
7748		DATE:	DATE:

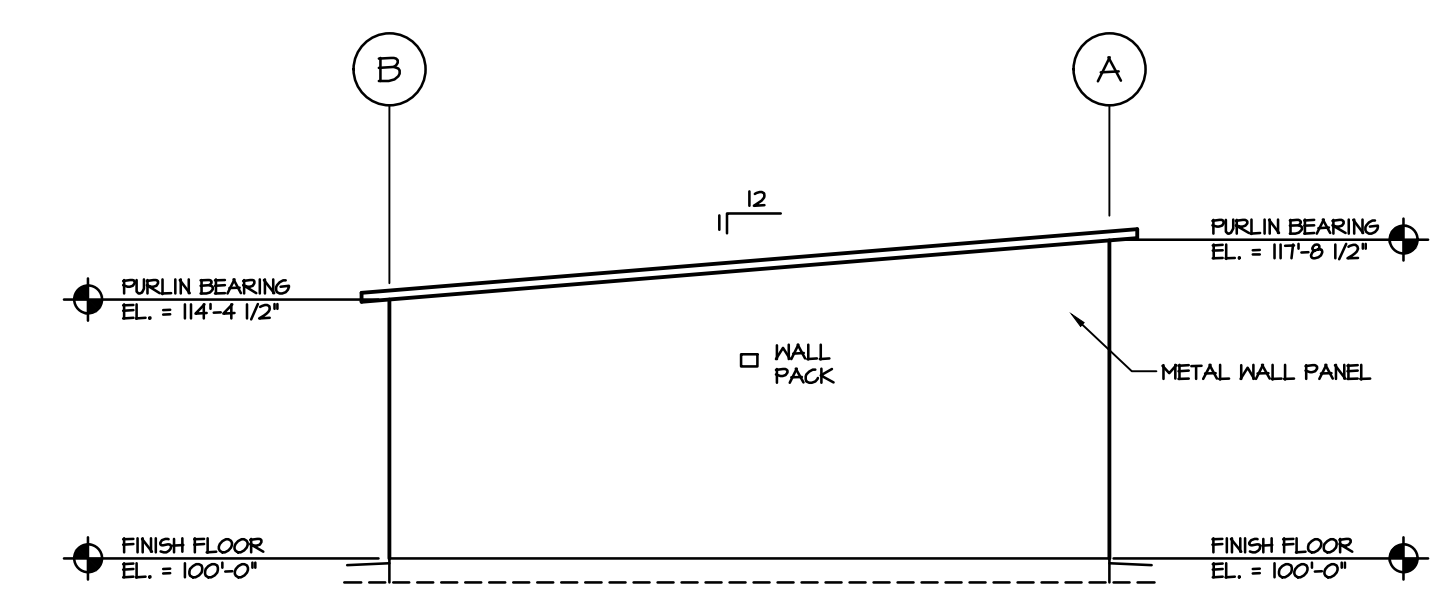
2718 NORTH MEADE ST.  
APPLETON, WI 54911  
TEL: (920) 733-8377  
FAX: (920) 733-4731

**HARRIS & ASSOCIATES, INC.**  
CONSULTING ENGINEERS  
AND LAND SURVEYORS

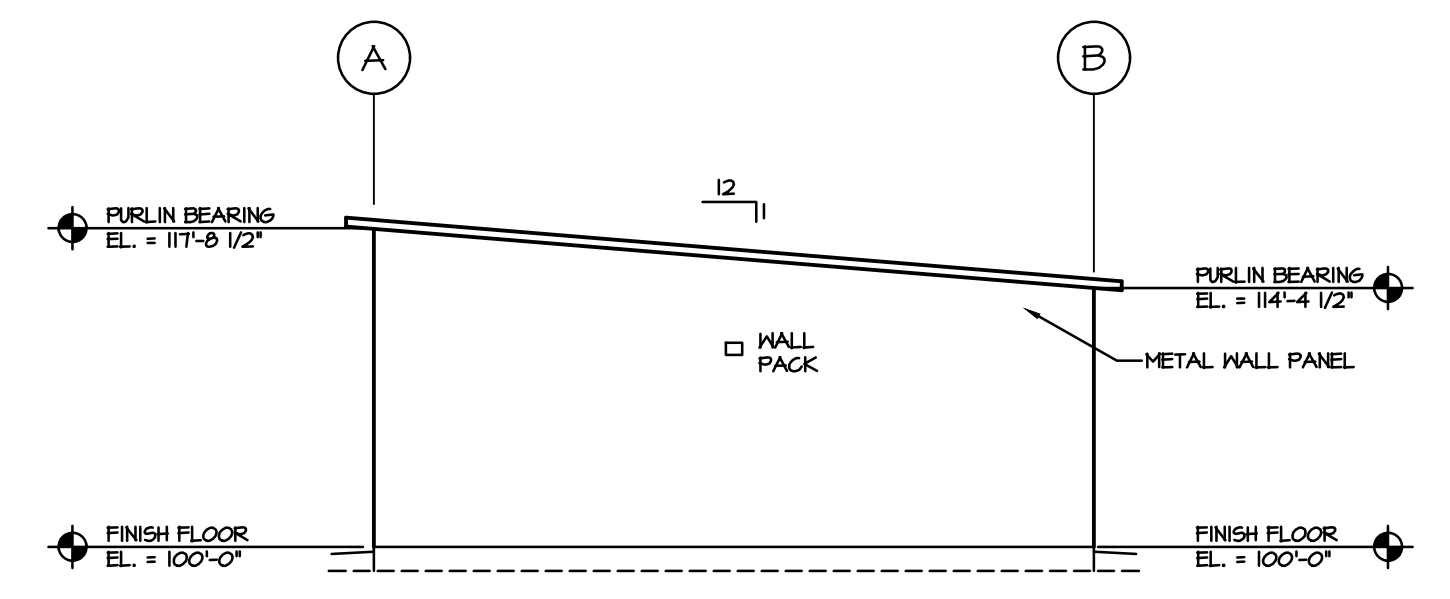




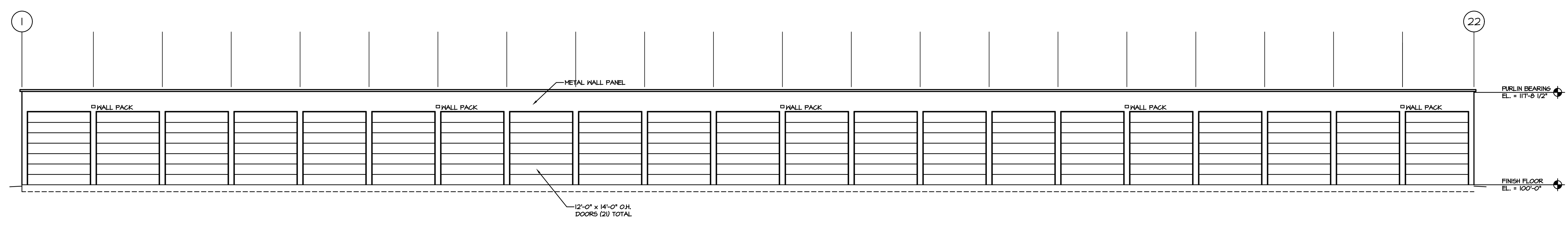
**EAST ELEVATION**  
SCALE: 3/32" = 1'-0"



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"

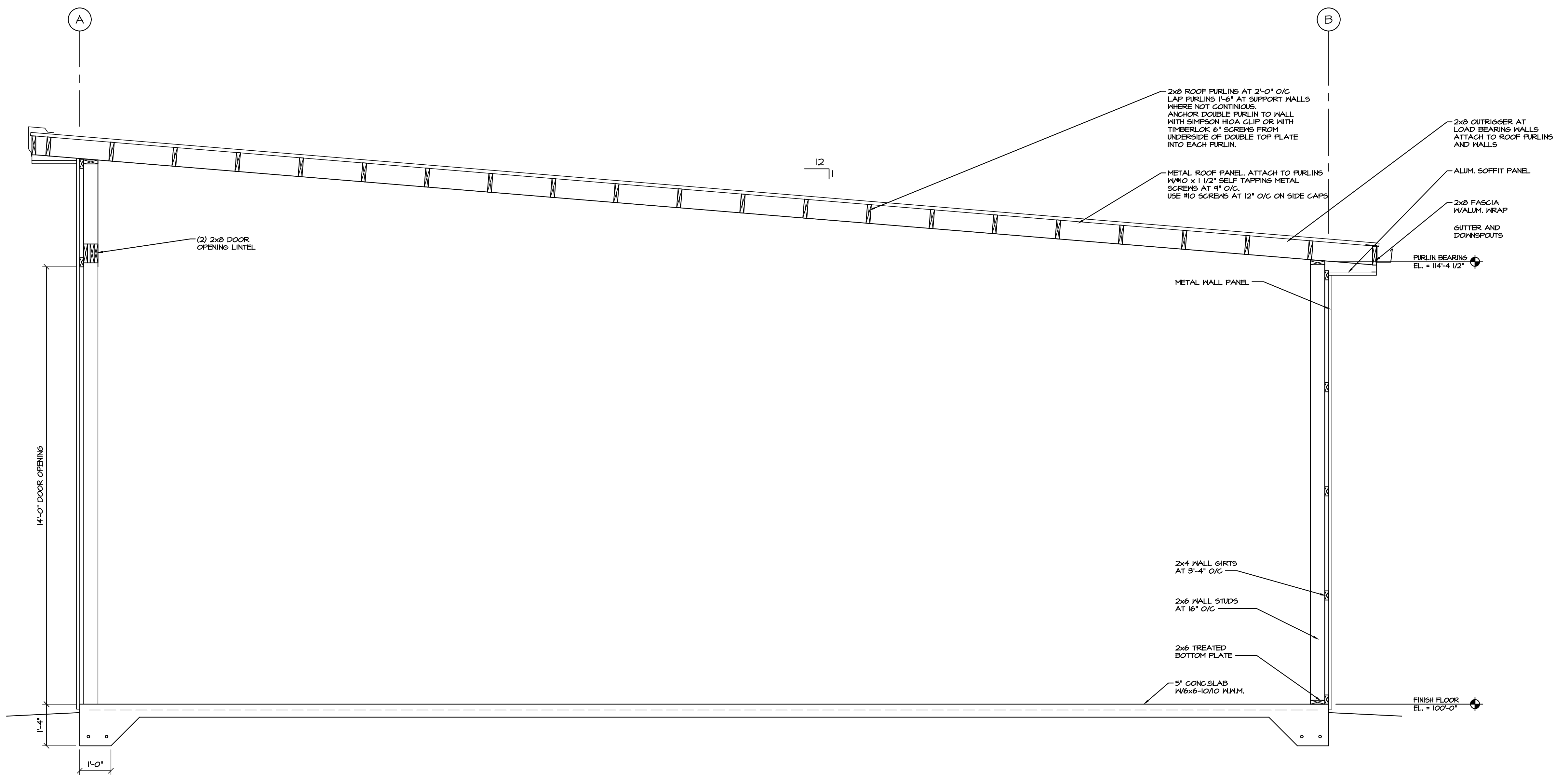


**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"



**WEST ELEVATION**  
SCALE: 3/32" = 1'-0"

<p>2718 NORTH MEADE ST. APPLETON, WI 54911 TEL: (920) 733-8377 FAX: (920) 733-4731</p>	
<p><b>HARRIS &amp; ASSOCIATES, INC.</b> CONSULTING ENGINEERS AND LAND SURVEYORS</p>	
BY:	
DATE:	
DESCRIPTION:	
REV. NO.:	
BY:	
DATE:	
DESCRIPTION:	
REV. NO.:	
<p><b>PROJECT:</b> ESSE HALL STORAGE BUILDING #4 <b>LOCATION:</b> LAKE STREET KAUKAUNA, WISCONSIN <b>DESCRIPTION:</b> EXTERIOR ELEVATIONS</p>	
<p>DRAWN BY: RDT CHECKED BY:</p>	
<p>DATE: 03-10-21 SHEET</p>	
<p><b>A2.0</b></p>	
<p>PROJECT-NUMBER 7748</p>	



**BUILDING SECTION**  
SCALE: 1/2" = 1'-0"



REV. NO.	DESCRIPTION	DATE	BY

<b>PROJECT:</b> EESSE HALL FARMLAND STORAGE - BUILDING #4	<b>BY:</b> RDT
<b>LOCATION:</b> LAKE STREET TOWN OF KAUKAUNA, WISCONSIN	<b>CHECKED BY:</b>
<b>DESCRIPTION:</b> BUILDING SECTION/DETAILS	<b>DATE:</b> 03-10-21
	<b>SHEET</b>
	<b>A3.0</b>
	<b>PROJECT-NUMBER</b>
	<b>7148</b>

2718 NORTH MEADE ST.  
APPLETON, WI 54911  
TEL: (920) 733-8377  
FAX: (920) 733-4731



**TO: Planning & Zoning Commission**

**RE: CSM, Triangle Dr., Centerline Dr., & Founders Ter., HB-525**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: January 11, 2023**

**ISSUE:** Consider a 2 Lot CSM creating two new parcels of 18.229 and 4.020 acres

**RECOMMENDATION:** Staff recommends conditional approval.

### **GENERAL INFORMATION**

1. Applicants/Agent: Troy Hewitt – Robert E. Lee & Associates, Inc.
2. Owner: North Hobart Business Park, LLC
3. Parcel: HB-525
4. Zoning: PDD#1: Centennial Centre at Hobart District

### **ZONING REQUIREMENTS**

The property owner is proposing a two lot CSM splitting one 22.266 acre parcel in to two parcels of 18.229 and 4.020 acres in the area bound by Triangle Dr., Centerline Dr., and Founders Terrace. The existing parcel is currently zoned PDD#1: Centennial Centre at Hobart District and the proposed CSM would create two new lots that maintain compliance with Village Code requirements by maintaining “sufficient area for green space requirements, parking and stormwater management requirements”. These requirements will be reviewed and verified during the Site Review Committee process once a development is submitted for review.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval as submitted noting that this would be approval for both the preliminary and final CSM should there be no adjustments to the final CSM.



- 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

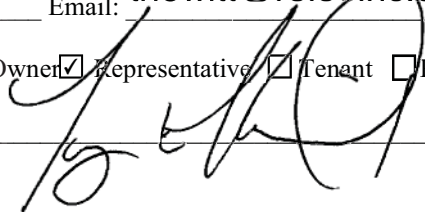
**APPLICANT INFORMATION**

Petitioner: ROBERT E LEE & ASSOCIATES Date: 1/5/2023

Petitioner's Address: 1250 CENTENNIAL CENTRE BLVD City: HOBART State: WI Zip: 54115

Telephone #: 920-662-9641 Email: thewitt@releeinc.com

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

Petitioner's Signature (required):  Date: 1/5/2023

**OWNER INFORMATION**

Owner(s): NORTH HOBART BUSINESS PARK LLC Date: 1/5/2023

Owner(s) Address: 3323 BAY RIDGE CT City: HOBART State: WI Zip: 54155

Telephone #: (920) 498-9300 Email: DObrien@baylandbuildings.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: \_\_\_\_\_ Date: \_\_\_\_\_

**SITE INFORMATION**

Address/Location of Proposed Project: TRIANGLE DR Parcel #: HB- 525

Proposed Project Type: COMMERCIAL LOT

Current Use of Property: AG Zoning: PDD #1

Land Uses Surrounding Site: North: HWY

South: AG

East: AG

West: RESIDENTIAL

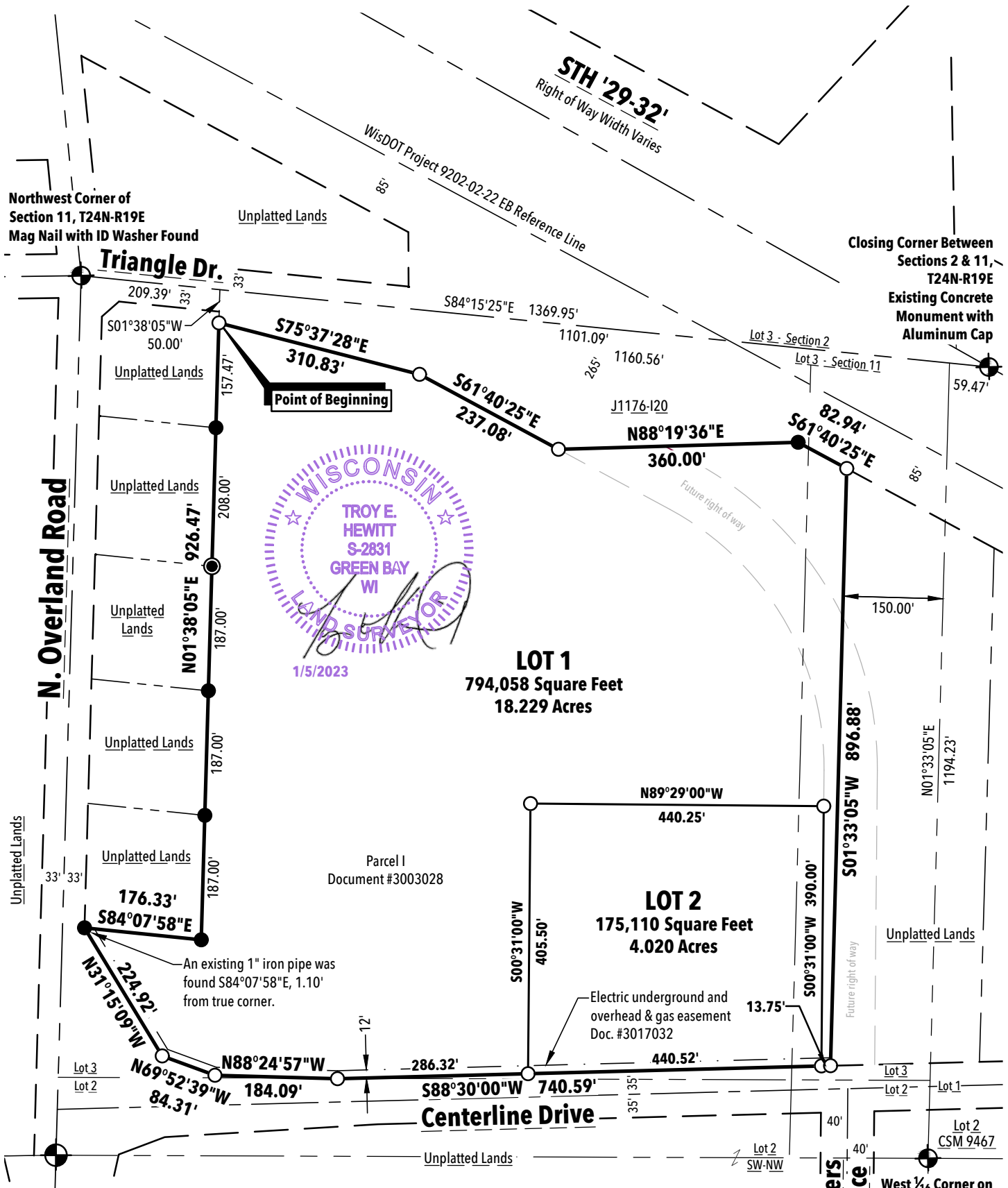
**\*\*Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

➤ **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**

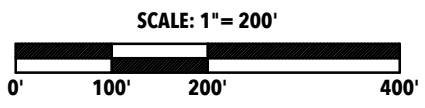
# PRELIMINARY CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH,  
RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN



**LEGEND:**

- Set 1" x 18" Iron Pipe w/ ID Cap Weighing 1.38 lbs./lin. ft.
- Existing 2" Iron Pipe
- Existing 1" Iron Pipe
- ⊕ Recorded County Monument



Bearings are referenced to the Brown County Coordinate System. The north line of Lot 3 of Section 11, T24N-R19E bears S84°25'15"E.

**AFFECTED TAX PARCELS:**  
HB-525



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# CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

## SURVEYOR'S CERTIFICATE:

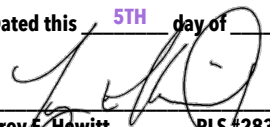
I, Troy E. Hewitt, Professional Land Surveyor, do hereby certify that by the order and under the direction of the owners listed hereon, I have surveyed, divided and mapped a parcel of land being part of Lot 2 and part of Lot 3, located in Section 11, Township 24 North, Range 19 East, Village of Hobart, Brown County, Wisconsin more fully described as follows:

Commencing at the Northwest corner of said Section 11; thence S84°15'25"E, 209.39 feet on the north line of said Lot 3 to the northerly extension of a west line of lands described in Document Number 3003028 as Parcel I; thence S01°38'05"W, 50.00 feet on said northerly extension to the south right of way of STH '29-32', the POINT OF BEGINNING; thence S75°37'28"E, 310.83 feet on said south right of way; thence S61°40'25"E, 237.08 feet on said south right of way; thence N88°19'36"E, 360.00 feet on said south right of way; thence S61°40'25"E, 82.94 feet on said south right of way to the west line of the east 150.00 feet of said Lot 3; thence S01°33'05"W, 896.88 feet on said west line to the north right of way of Centerline Drive; thence S88°30'00"W, 740.59 feet on said north right of way; thence N88°24'57"W, 184.09 feet on said north right of way; thence N69°52'39"W, 84.31 feet on said north right of way; thence N31°15'09"W, 224.92 feet on said north right of way to a north line of lands described in Document Number 3003028 as Parcel I; thence S84°07'58"E, 176.33 feet on said north line to the west line of said lands described in Document Number 3003028 as Parcel I; thence N01°38'05"E, 926.47 feet on said west line to the Point of Beginning.

Said parcel contains 969,168 square feet or 22.249 acres of land more or less subject to any and all easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in the surveying, dividing and mapping of the same.

Dated this 5TH day of JANUARY, 2023.

  
Troy E. Hewitt PLS #2831  
ROBERT E. LEE & ASSOCIATES, INC.



## SURVEYOR'S NOTES:

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction or installation-related activities.

## RESTRICTIVE COVENANT:

The land on all side and rear lot lines of all lots shall be graded by the owner and maintained by the abutting property owners to provide for adequate drainage of surface water.



# CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART,  
BROWN COUNTY, WISCONSIN

## RESTRICTIVE COVENANTS:

The undersigned, being the owner of the real estate legally described on Sheet 2 of 6 and mapped on Sheet 1 of 6 of this Certified Survey Map (the "Subject Real Estate") hereby subject said real estate to the covenants contained herein. Each part of the Subject Real Estate shall be held, sold and conveyed only subject to the following covenants, conditions and restrictions, which shall constitute covenants running with land, and shall be binding upon all parties acquiring or holding any right, title or interest in the Subject Real Estate (or any part thereof), their heirs, personal representatives, successors or assigns, and the covenants contained herein shall inure to the benefit of each owner thereof.

1. **Restriction on Transfer.** Without the express written consent of the Village of Hobart, no owner of any interest in the Subject Real Estate (or any part thereof) shall transfer any interest in the Subject Real Estate, to any individual, entity (whether corporation, limited liability company, limited partnership, limited liability partnership, general partnership or otherwise), organization, or sovereign nation, or during the period of ownership take any other action, the result of which would: (1) remove or eliminate the Subject Real Estate (or any part thereof) from the tax rolls of the Village of Hobart; (2) diminish or eliminate the payment of real estate taxes levied or assessed against the Subject Real Estate (or any part thereof), and/or (3) remove the Subject Real Estate (or any part thereof) from the jurisdiction of the Village of Hobart, including but not limited to, zoning authority and controls. This restriction shall apply to the transfer of an interest in an entity that is an owner of the Subject Real Estate if, as a result of the transfer, any of items (1) - (3) above would occur. Notwithstanding the foregoing, nothing contained in this Restrictive Covenant, including without limitation this paragraph, shall be deemed or construed to: (i) prevent, limit or restrict any owner or holder of any interest in the Subject Real Estate (or any part thereof) from contesting, protesting, appealing or otherwise challenging (through whatever lawful means are necessary or advisable) the amount of any real property tax levied or assessed by any "taxation district" or "taxing jurisdiction" (as the foregoing terms are defined in and by Wis. Stats. Section 74.01(6) - (7) and/or successor statutes thereto and/or regulations promulgated thereunder) including without limitation the State of Wisconsin, Brown County, the Village of Hobart, municipal or school district, township or other jurisdiction assessing "general property taxes" (as defined by Wis. Stats. Section 74.01(1) or successor statutes and/or regulations promulgated thereunder) levied or assessed against the Subject Real Estate (or any part thereof) and/or "special assessments", "special charges", "special tax" (as the foregoing terms are defined in and by Wis. Stats. Section 74.01(1) - (5) and/or successor statutes thereto and/or regulations promulgated thereunder) and/or other municipal or governmental charges levied or assessed against the Subject Real Estate; (ii) effect a waiver, abrogation, release or relinquishment of any constitutional rights granted to or held by real property owners under the constitution or laws of the United States and/or the State of Wisconsin, including without limitation pursuant to Chapters 74 and 75, Wis. Stats.; or (iii) except as expressly covenanted and agreed herein, to cause the Subject Real Estate to be taxed or otherwise treated by the Village of Hobart in any manner differently from any other parcel of real estate located within the Village of Hobart's lawful taxing jurisdiction, zoning authority and/or jurisdiction of the Village of Hobart.
2. **Notice of Transfer.**
  - (a) **Notice and Consent to Transfer.** Prior to any transfer of any interest in the Subject Real Estate (or any part thereof) the party proposing to transfer an interest shall comply with the following. The transferor shall provide advance written notice of the intended transfer, executed by both the transferor and the intended transferee of such interest, to the Village of Hobart. The notice shall contain: (1) a complete and accurate description of the interest to be transferred and the relevant part(s) of the Subject Real Estate affected; (2) the correct legal name and current business address of the transferee; and (3) a legally enforceable consent agreement from the transferor and transferee acknowledging knowledge of these Restrictive Covenants and, further agreeing that the Subject Real Estate shall be subject to the terms and conditions hereof following the transfer and that transferee will take no action in violation of these Restrictive Covenants. The notice of transfer shall be delivered to the Village of Hobart not later than fifteen (15) calendar days prior to any transfer of any interest in the Subject Real Estate or any portion thereof. The Village of Hobart shall have fifteen (15) days from the date of the notice of transfer to object to the transfer as being in violation of the terms of these Restrictive Covenants by forwarding written notice thereof to the transferor. In the event of such an objection, the transferor shall be prohibited from transferring the interest alleged to be transferred until such time as a court of competent jurisdiction determines that the proposed transfer does not violate the terms of these Restrictive Covenants.
  - (b) **Failure to Act.** If the Village of Hobart fails to timely object to the transfer within fifteen (15) calendar days, the transfer may occur; provided, however, that the Village of Hobart's failure to object shall not operate, in any manner, as a waiver of any of the restrictions set forth herein or the consent to violate any of the terms hereof.
  - (c) **Basis for Objection.** Village of Hobart shall not unreasonably withhold or delay its consent to any transfer of any interest subject to these Restrictive Covenants, and the sole and exclusive basis for any objection made pursuant to the foregoing process shall be that the transfer would cause a violation of these Restrictive Covenants.
  - (d) **Inapplicability.** Notwithstanding anything in these Restrictive Covenants to the contrary, the foregoing provisions are not intended to affect, and shall not apply to: (i) any transferor's grant of utility, ingress/egress, access, maintenance, signage, drainage, conservation or other easements or similar interests of any type or nature in the Subject Real Estate (or parts thereof) for the benefit of third parties which are immaterial to the fee ownership of the Subject Real Estate; (ii) any transferor's grant to a third party or parties of any real estate security agreement, mortgage(s), deed in trust, Uniform Commercial Code (UCC) fixture or other filing or other similar security devices or instrument evidencing a collateral interest in the Subject Real Estate (or any part thereof) to be held by any bank, credit union, savings and loan or saving bank, and/or other lenders in consideration of past, present and/or future indebtedness by any transferor, unless, and not until, there is a foreclosure or execution on such real estate security instrument which results in the transfer of title to the Subject Real Estate (or any part thereof); or (iii) any other grant of a material interest in the Subject Real Estate (or part thereof) which does not substantially alter the fee simple or other equitable ownership in the Subject Real Estate and does not result in the violating the restrictions contained in paragraph 1 above.



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# CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

## RESTRICTIVE COVENANTS:

- 3. **Waiver of Certain Restrictions.** Notwithstanding anything in these Restrictive Covenants to the contrary, the restrictions set forth in paragraph 1, hereof, as restrictions (1) and (2) which pertain to tax assessments against the Subject Real Estate (or any part thereof), shall be deemed to have been waived by the Village as to any owner and proposed transferee of the Subject Real Estate (or any part thereof), provided that the proposed transferee enters into a written and legally enforceable agreement, that the proposed transferee will make payments to the Village of Hobart in lieu of real estate taxes, which payments shall equal the tax assessments which would otherwise be due the Village of Hobart, Brown County, Pulaski School District and Vocational/Technical School (or any other beneficiary of real estate taxes) for the Subject Real Estate (or portion) owned or proposed to be transferred, and which shall be due at the time real estate tax payments are due from the real estate tax assessed parcels of the Village of Hobart and that the obligation to make said payment shall be in full force and effect for so long as the proposed transferee holds title to the Subject Real Estate (or any portion thereof). The proposed transferee must further confirm and agree, in writing to the Village of Hobart, that in the event that any such payment in lieu of real estate taxes is not made when due, the proposed transferee consents to the imposition of a lien on the Subject Real Estate (or portion) in favor of the Village, in the amount of the unpaid amount. With respect to restriction (3) contained in paragraph 1, the Village will agree to waive this restriction upon receipt of a legally enforceable consent agreement whereby the owner or proposed transferee agrees to be bound by the jurisdiction of the Village of Hobart, including, but not limited to, zoning authority and controls.
- 4. **Duration of Restrictions.** The covenants, conditions, and restrictions contained in this instrument are to run with the land and shall be binding on all parties and all persons claiming under them, unless and until an instrument terminating the covenants set forth herein, or any portion thereof, is executed by the owners of record title and Village of Hobart and filed with the Register of Deeds for Brown County, Wisconsin.
- 5. **Reformation of Covenants.** If any provision or clause of these Restrictive Covenants is held to be invalid or inoperative by a court of competent jurisdiction, then such clause or provision shall be severed herefrom without affecting any other provision or clause of this Agreement, the balance of which shall remain in full force and effect; provided, however, that if such provision or clause may be modified for it to be valid as a matter of law, then the provision or clause shall be deemed to be modified so as to be enforceable to the maximum extent permitted by law.
- 6. **Amendment of Covenants.** These Restrictive Covenants may be amended by the Village without the consent of any owner, lien holder or other party having an interest in the Subject Real Estate if an issue arises with respect to the invalidity or enforceability of any clause or provision and said amendment is required to render said provision or clause valid and enforceable to the maximum extent permitted by law. Any other amendment shall require the consent of the Village and the record owner(s) holding title to at least 75% of the total assessed value of the Subject Real Estate.
- 7. **Miscellaneous.**
  - (a) **Expenses.** In the event that any legal action is filed arising out of, or relating to these Restrictive Covenants and the Village of Hobart is a party to said action, in the event that the Village of Hobart is a prevailing party, all non-prevailing parties, jointly and severally, shall be liable to the Village of Hobart for all costs and expenses incurred by the Village of Hobart in defending or prosecuting such action, including reasonable attorney fees.
  - (b) **Notices.** All notices or other communications required or permitted to be given hereunder shall be in writing and shall be considered to be given and received in all respects when personally delivered or sent by prepaid telex, cable or telecopy or sent to reputable overnight courier service or three (3) days after deposit in the United States Mail, certified mail, postage prepaid, return receipt requested.
  - (c) **Binding Effect.** These restrictive covenants shall be binding upon the Subject Real Estate as a covenant running with land and shall bind all present and future owners of any interest in the Subject Real Estate or any portion thereof.
  - (d) **Paragraph Headings.** The headings in this document are for purposes of convenience and ease of reference only and shall not be construed to limit or otherwise affect the meaning of any part of this agreement.
  - (e) **Applicable Law.** Any and all actions or proceedings seeking to enforce any provision of, or based upon any right arising out of, these Restrictive Covenants shall be brought against a party in the circuit court of Brown County, State of Wisconsin (sitting in Green Bay, Wisconsin) and each of the parties to any such action consents to exclusive jurisdiction of such court(s) (and the appropriate appellate courts therefrom) in any such account or proceeding and waives any objection to venue laid therein. By acceptance of a deed transferring title ownership of any portion of the Subject Real Estate, the title owner hereby waives any defense to an action filed with respect to these Restrictive Covenants by the Village based on sovereign immunity.

OWNER: NORTH HOBART BUSINESS PARK, LLC

By: \_\_\_\_\_

Print name and title: \_\_\_\_\_

STATE OF WISCONSIN) SS  
COUNTY OF BROWN)



Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, the above signed owner of the Subject Real Estate, namely North Hobart Business Park, LLC to me known to be the person who executed the foregoing instrument.

\_\_\_\_\_  
Notary Public, Brown County, WI

My Commission Expires \_\_\_\_\_



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# CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

## OWNER'S CERTIFICATE:

As owners, we do hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this map. We also do further certify that this Certified Survey Map is required by s-236.34 to be submitted to the following for approval or objection:

VILLAGE OF HOBART  
BROWN COUNTY

\_\_\_\_\_  
North Hobart Business Park, LLC      Date

\_\_\_\_\_  
Print name and title

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, the above named to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin

(print name) \_\_\_\_\_

My commission expires: \_\_\_\_\_

## MORTGAGE CERTIFICATE

Village of Hobart, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, dedicating and mapping of the land described on this plat, and does hereby consent to the above certificate of North Hobart Business Park, LLC, owner.

IN WITNESS WHEREOF, the said Village of Hobart has caused these presents to be signed by, Rich Heidel, its President, and countersigned by Erica Berger, its Clerk, at Hobart, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

In the presence of:

Village of Hobart

\_\_\_\_\_  
Rich Heidel, Village President      Date

\_\_\_\_\_  
Erica Berger, Village Clerk      Date

(Corporate Mortgagee Notary Certificate)

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, \_\_\_\_\_, President, and \_\_\_\_\_, Clerk of the above named municipal corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said municipal corporation, by its authority.

(Notary Seal) \_\_\_\_\_ Notary Public,

\_\_\_\_\_, Wisconsin

My commission expires \_\_\_\_\_.



1/5/2023



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# CERTIFIED SURVEY MAP

PART OF LOT 2 AND PART OF LOT 3, LOCATED IN SECTION 11, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART,  
BROWN COUNTY, WISCONSIN

## BROWN COUNTY PLANNING COMMISSION:

Approved for the Brown County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Karl Mueller, Senior Planner

## VILLAGE OF HOBART BOARD APPROVAL:

Approved by the Village of Hobart this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Erica Berger, Village Clerk

## TREASURER'S CERTIFICATE:

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

\_\_\_\_\_  
Paul D. Zeller  
Brown County Treasurer











\_\_\_\_\_  
Date



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Part of Brown County WI

LEGEND / 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 map legend (map key) is available at: [tinyurl.com/BrownDogLegend](http://tinyurl.com/BrownDogLegend)

Map printed  
1/6/2023



1:4,800

1 inch = 400 feet\*

1 inch = 0.0758 miles\*

\*original page size is 8.5" x 11"  
Appropriate format depends on zoom level

This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin  
Planning & Land Services  
Department**



(920) 448-6480

[www.browncountywi.gov](http://www.browncountywi.gov)

