 <p>VILLAGE OF HOBART GREATNESS IS GROWING Village of Hobart Village Office 2990 S. Pine Tree Rd, Hobart, WI www.hobart-wi.org - www.buildinhobart.com</p>	<p>Notice is hereby given according to State Statutes that the PLANNING AND ZONING COMMISSION of the Village of Hobart will meet on Wednesday September 14th 2022 at 5:30 PM in the Village Office. NOTICE OF POSTING: Posted this 9th day of September, 2022 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.</p>
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MEETING NOTICE – PLANNING AND ZONING COMMISSION

Date/Time: Wednesday September 14th 2022 (5:30 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Approval of Minutes – August 10th 2022 (Page 3)
4. Public Comment on Non-Agenda Items

ACTION ITEMS

5. DISCUSSION AND ACTION – Consider a three lot CSM dividing one parcel into three separate parcels of 2.50 acres, 4.33 acres, and 8.84 acres (500 Block Airport Dr., HB-1345-1) (Page 5)

The property owner currently has one parcel of 15.669 acres and is proposing a three lot Certified Survey Map (CSM) that would create two additional new lots. This proposed CSM will establish three separate parcels of 2.50 acres, 4.33 acres, and 8.84 acres respectively. The property is currently undeveloped and has a property zoning of R-4: Single and Two-Family Residential District. This existing 15.669 acre parcel is currently zoned R-4 which requires a minimum lot size of 2.5 acres per parcel and minimum lot frontage of 120 feet. All three proposed lots meet or exceed these minimum requirements as proposed.

6. DISCUSSION AND ACTION – Rezoning of Parcel HB-645-3, 4547 Country Aire Ct. from R-2: Residential District to ER: Estate Residential District (Page 14)

The property owner is proposing to rezone parcel HB-645-3 located at 4547 Country Aire Ct. from R-2: Residential District to ER: Estate Residential District. The lot is currently developed with a residential structure and the property owner has raised horses there since the late 1970's. This property was originally zoned A-1 and back in approximately 1982, all the lots along Country Aire Ct. were rezoned to R-2. A rezoning request was before the commission at the August 10, 2022, meeting, but the commission denied the request for A-1: Agricultural District, but took action to approve the parcel be rezoned to ER. Unfortunately, for procedural reasons, the request is required to formally come back with the change in zoning classification to ER being noted. The property owner agreed to the ER zoning during the August meeting, and they remain in agreement with that change. A change to the ER: Estate Residential District would bring the property back into conformance with the past and current uses. The parcel is 5.005 acres and would be in compliance with the Village Zoning Code based on the minimum lot size, which is a minimum of 2.5 acres. The property owner has a letter (copy attached) from past Town Chairman Alvin Gerrits and Town legal counsel dated September 9, 1982, stating that the current use could remain as a legal non-conforming use. A rezoning from R-2 to ER would bring the property in to conformance with Village Codes relating to uses on the property.

7. DISCUSSION AND ACTION – Conditional Use Permit for Additional Accessory Building, HB-606-4, 743 Melanie Dr. (Page 21)

The current property owner, Michael Dufek, recently purchased this property and is proposing to construct a second accessory building of an additional 704 square feet on his property. Being that the property currently has a 528 square foot (22'x24') accessory building (detached garage), this request would consist of a Conditional Use Permit as the additional accessory building would not conform to the requirements identified in the zoning code. The only condition that would require the CUP would be the request for a second such accessory building on the same lot. The additional square footage combined with the existing accessory building would total 1,232 square feet which is well below the maximum 1,698 that is allowed for this size property (ordinance allows the building to have a maximum square footage of 1/60th the square footage of the total lot area).

8. ADJOURN

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. 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 Commission Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Wednesday, August 10, 2022 – 5:30 pm

1. Call to Order, Roll Call:

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

2. Verify/Modify/Approve Agenda:

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

3. Approval of Planning & Zoning Minutes:

Motion by David Johnson, seconded by Jeff Ambrosius, to approve the July 13, 2022 minutes as presented. All in favor. Motion carried.

4. Public Comment on Non-Agenda Items:

None.

5. Rezoning of Parcel HB-1449, 1590 Park Drive, from R-1: Residential District R-2-R: Rural Residential District:

Director of Planning & Code Compliance, Todd Gerbers, presented the rezoning application.

Motion by Bob Ross, seconded by David Johnson, to approve the rezoning of 1590 Park Drive (HB-1449) from R-1 to R-2-R. All in favor. Motion carried

6. Rezoning of Parcel HB-645-3, 4547 Country Aire Ct., from R-2: Residential District to A-1: Agricultural District:

Director of Planning & Code Compliance, Todd Gerbers, presented the rezoning application. The commission members discussed the application.

Motion by Bob Ross, seconded by Jeff Ambrosius to deny rezoning of 4547 Country Aire Ct. (HB-645-3) from R-2 to A-1. All in favor. Motion carried.

Committee conferred with the property owner to change from R-1 to ER. Property owner agreed.

Motion by Jeff Ambrosius, seconded by Bob Ross, to approve the rezoning of 4547 Country Aire Ct. (HB-645-3) from R-1 to ER. All in favor. Motion carried.

7. Consider Conditional Use Permit for a second accessory structure of an additional 416 square feet at HB-1694-25, 3792 Rolling Meadows Rd:

Director of Planning & Code Compliance, Todd Gerbers, presented the CUP application. The commission members discussed the application

Motion by Dave Dillenburg, seconded by David Johnson to approve the second accessory structure of an additional 416 sq. ft. at 3792 Rolling Meadows Rd. (HB1694-25) under the conditions that the proposed structure shall be of similar materials as the existing accessory building and the existing

dwelling, and that the proposed structure shall be one story and not to exceed 25' in height from grade. All in favor. Motion carried.

8. Rezoning of Parcel HB-550-3, 4758 Forest Rd. from A-1: Agricultural District to R-1: Residential District with a R-7: Planned Unit Development Overlay District:.

Director of Planning & Code Compliance, Todd Gerbers, presented the rezoning application.

Motion by Dave Dillenburg, seconded by Bob Ross, to suspend the rules and open the meeting to the public. All in favor. Motion carried.

The following residents asked questions and made comments:

- Jennifer Korr-Conger – 4690 Forest Road
- Barb Schwiesow – 4689 Forest Road
- Rhonda De Ruyter – 1079 Butternut Lane
- Tom Wilbur – 1026 Butternut Lane

The developer, Steve Bieda with Mau Associates at 400 Security Blvd., Suite 1 in Green Bay answered questions and made comments.

Motion by Dave Dillenburg, seconded by Bob Ross to return to normal order. All in favor. Motion carried.

Motion by Dave Dillenburg, seconded by Jeff Ambrosius to approve rezoning 4758 Forest Rd. (HB-550-3) from A-1 to R-1 with a R-7. All in favor. Motion carried.

9. Adjourn:

Motion by Jeff Ambrosius, seconded by David Johnson, to adjourn at 6:28pm. All in favor. Motion carried.



TO: Planning & Zoning Commission

RE: CSM, 500 Block Airport Dr., HB-1345-1

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: September 14, 2022

ISSUE: Consider a three lot CSM dividing one parcel into three separate parcels of 2.50 acres, 4.33 acres, and 8.84 acres

RECOMMENDATION: Staff recommends conditional approval

GENERAL INFORMATION

1. Applicants/Agent: Mau & Associates, LLP
2. Owner: Richard Elm-Hill Jr.
3. Parcel: HB-1345-1
4. Zoning: R-4: Single and Two-Family Residential District

ZONING REQUIREMENTS

The property owner currently has one parcel of 15.669 acres and is proposing a three lot Certified Survey Map (CSM) that would create two additional new lots. This proposed CSM will establish three separate parcels of 2.50 acres, 4.33 acres, and 8.84 acres respectively. The property is currently undeveloped and has a property zoning of R-4: Single and Two-Family Residential District.

This existing 15.669 acre parcel is currently zoned R-4 which requires a minimum lot size of 2.5 acres per parcel and minimum lot frontage of 120 feet. All three proposed lots meet or exceed these minimum requirements as proposed.

RECOMMENDATION/CONDITIONS

Staff recommends conditional 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 subject to the following condition(s):

1. Payment of the required Park Fee of \$600.00 (two additionally created lots)



X Certified Survey Map
 Subdivision

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: 8/30/2022

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

Telephone #: (920) 434-9670 Fax: (920) 434-9672 Other Contact # or Email: mandraschko@mau-associates.com

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

Petitioner's Signature (required):  Date: 08/30/2022

OWNER INFORMATION

Owner(s): Richard G. Elm-Hill Jr. Date: 08/31/2021

Owner(s) Address: 1632 W Main Ave #6 City: De Pere State: WI Zip: 54115

Telephone #: (360) 303-3937 Fax: () _____ Other Contact # or Email: relmhill@gmail.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: 08/30/2022

SUBDIVISION INFORMATION

(Please Check): Residential Commercial/Industrial Other

Approvals Requested (Please Check): Preliminary Subdivision Plat* Final Subdivision Plat Certified Survey Map

*If preliminary plat, is the entire area owned or controlled by sub-divider included? Yes ___ No ___

Location of Proposed Project: Airport Drive, Hobart

Zoning Classification: R4

Reason for Division: Divide existing lot into three lots

Proposed Number of Lots: 3 Proposed Lot Sizes: Min. 2.50 acres Max. 8.84 acres

Acres in Parcel(s): 15.67 Acres

Proposed Project Type (include use of buildings and property): Certified Survey Map, agriculture

 _ Current Use of Property (include existing structures): no change

Significant Natural Amenities (slope, vegetation, large tree stands, etc.): _____

Floodplains, navigable streams, wetlands, and Other Development Restrictions: _____

Variances- List and explain any requested variances from the Subdivision Regulations: _____

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

SUBMITTAL REQUIREMENTS - Must accompany the application to be complete.

➤ **Basic Materials**

- Completed Application
- Legal Description of Site
- Full size paper print of the preliminary or final plat prepared in accordance with Village Subdivision Regulations
- One copy of the subdivision plat reduced to 8 ½" x 11"
- One copy of the Certified Survey Map
- Digital Copy of Preliminary Plat, Final Plat, or CSM (plans may be e-mailed.)

➤ **Plat Data**

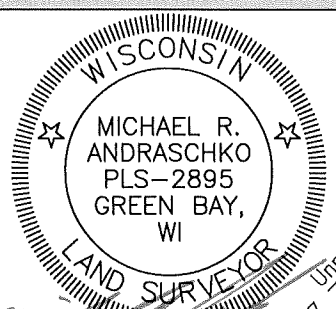
- Title
- Legal description and general location of property
- Date, scale and north arrow
- Names and addresses of the owner, sub-divider, and land surveyor preparing the plat
- Entire area contiguous to the proposed plat owned or controlled by the sub-divider shall be included on the preliminary plat
- Exterior boundaries
- Contours
- Water elevations
- Location, rights-of-way widths and names
- Location and names of any adjacent subdivisions
- Type, width and elevation of existing street pavements within the plat or adjacent thereto
- Location, size, and invert elevation of existing infrastructure items such as sewers, manholes, power poles, etc.
- Locations of all existing property boundary lines
- Dimensions of all lots with proposed lot and block numbers
- Location and dimensions of any sites to be reserved or dedicated for parks, trails, playgrounds, drainage ways, or other public use, or which are to be used for group housing, shopping centers, church sites, or other non-public uses not requiring lotting
- Approximate radii of all curves
- Corporate limit lines
- Any proposed lake and/or stream access
- Any proposed lake and stream including the notice of application for Dept. of Natural Resources' approval, when applicable
- Location of environmentally sensitive areas (wetlands, floodplains, navigable streams, etc.)

For further information contact the Department of Neighborhood Services for Submittal Requirements.

- **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**

Certified Survey Map

All of Lot 2, Volume 63, Certified Survey Maps, Page 406, Map No. 8902, document No. 2820177, Brown County Records, being part of Indian Claims 158 and 159, Section 2, T23N-R19E, Village of Hobart, Brown County, Wisconsin.



Michael R. Andraschko
PLS-2895
August 30, 2022



NOTES

Bearings referenced to the South line of Claim 158, Section 2, T23N-R19E, assumed to be S89°40'34"E

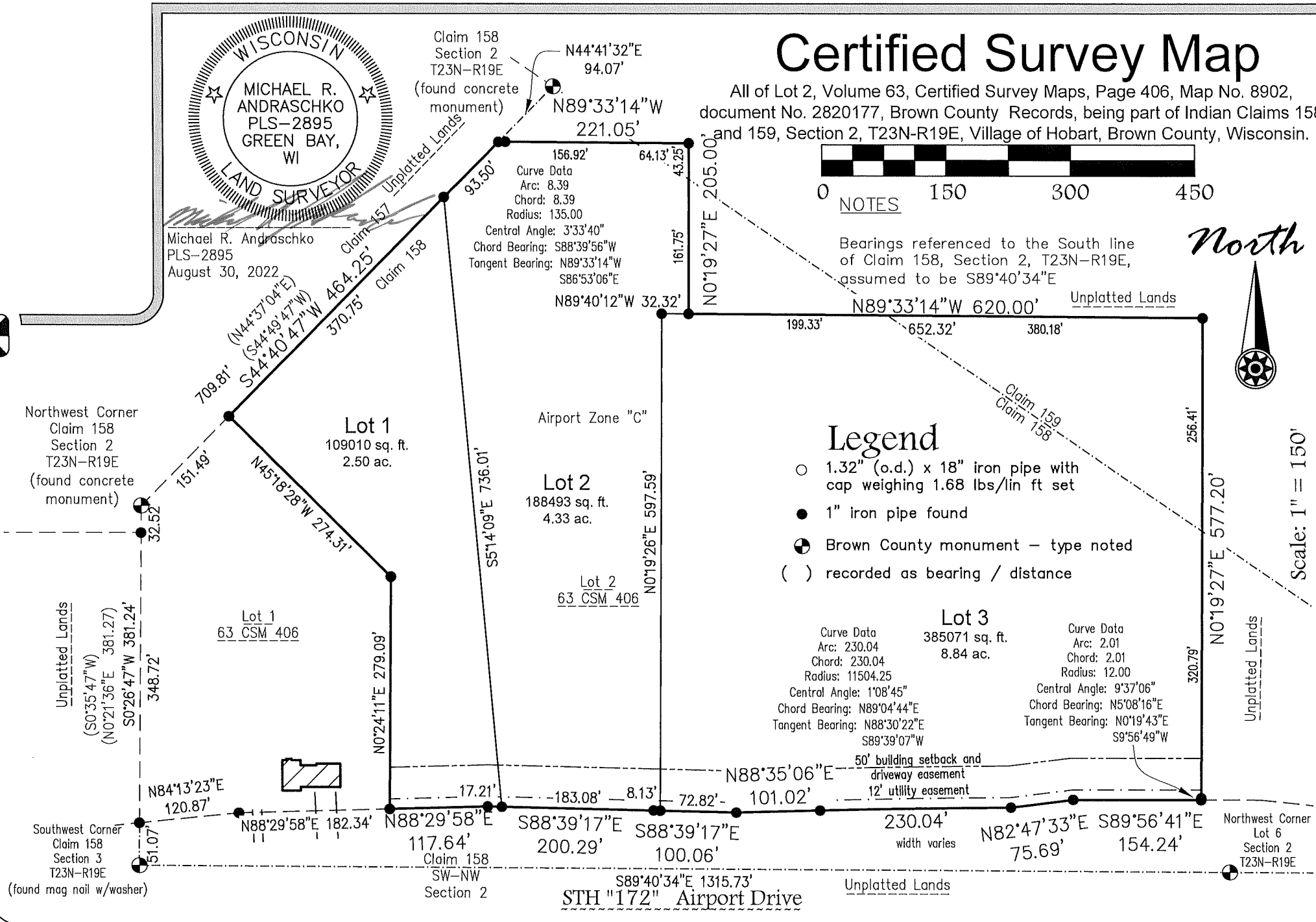
North



Scale: 1" = 150'

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 / distance



Sheet One of Four

Project No.: O-8795

Drawing No.: L-11510

Fieldwork Completed: 06/28/2021

Mau & Associates, LLP
LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Website: www.mau-associates.com
400 Security Blvd, Green Bay, WI 54313

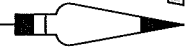
Client: Richard Elm-Hill

Tax Parcel: HB-1345-1

Drafted By: MRA

File: O-8795CSM 062921.dwg

Data File: P-14781.txt





Certified Survey Map


All of Lot 2, Volume 63, Certified Survey Maps, Page 406, Map No. 8902, document No. 2820177, Brown County Records, being part of Claims 158 and 159, Section 2, T23N-R19E, Village of Hobart, Brown County, Wisconsin.


SURVEYOR'S CERTIFICATE

I, Michael R. Andraschko, Professional Land Surveyor, PLS-2895, do hereby certify that I have surveyed, divided and mapped all of Lot 2, Volume 63, Certified Survey Maps, Page 406, Map No. 8902, document No. 2820177, Brown County Records, being part of Claims 158 and 159, Section 2, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

Parcel contains 682,574 square feet / 15.67 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 division thereof. That I have made such a survey, land division 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, the Village of Hobart, and the Brown County Planning Commission in surveying, dividing and mapping the same.


 Michael R. Andraschko
 PLS-2895
 August 30, 2022



CERTIFICATE OF THE BROWN COUNTY PLAN COMMISSION

Approved for the Brown County Plan 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

CERTIFICATE OF THE VILLAGE OF HOBART

Approved for the Village of Hobart this ____ day of _____, 20__.

Erica Berger
Village Clerk





Certified Survey Map

All of Lot 2, Volume 63, Certified Survey Maps, Page 406, Map No. 8902, document No. 2820177, Brown County Records, being part of Claims 158 and 159, Section 2, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

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 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.

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.

Access restricted via WisDOT Project 1211-0321.

Lots 1-3 presently have one permitted accesses to STH 172. This access must be used jointly by these lots until such time a permit can be obtained from the Wisconsin Department of Transportation (WDOT) The access may be relocated to a different location with the written approval of the WDOT.

UTILITY EASEMENT PROVISIONS

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

Richard Elm-Hill, 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
August 30, 2022



Sheet Three of Four
Project No.: O-8795
Drawing No.: L-11510



Certified Survey Map

All of Lot 2, Volume 63, Certified Survey Maps, Page 406, Map No. 8902,
document No. 2820177, Brown County Records, being part of Claims 158 and
159, Section 2, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

OWNER'S CERTIFICATE

As Owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented hereon. I 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:

VILLAGE OF HOBART
BROWN COUNTY PLANNING COMMISSION


Richard G. Elm-Hill Jr.
Personal Representative of the Estate of Richard G Hill Sr.

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

Notary Public _____ My Commission Expires _____
_____ County, _____

STATE OF _____]
] SS
COUNTY OF _____]

[Handwritten Signature]
Michael R. Andraschko
PLS-2895
August 30, 2022













Sheet Four of Four
Project No.: O-8795
Drawing No.: L-11510



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

Map printed 9/7/2022



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



Village of Hobart Zoning



9/7/2022, 5:24:27 PM

Zoning

R-1: Residential District

R-4: Single and Two-Family Residential District

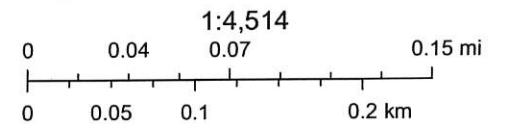
ER: Estate Residential District

R-2-R: Rural Residential District

A-1: Agricultural District

A-2: Exclusive Agricultural District

B-1: Community Business District



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



TO: Planning & Zoning Commission

RE: Rezoning of Parcel HB-645-3, 4547 Country Aire Ct. from R-2: Residential District to ER: Estate Residential District

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: September 14, 2022

ISSUE: Consider a request to rezone parcel HB-645-3 from R-2: Residential District to ER: Estate Residential District

RECOMMENDATION: Staff recommends approval

GENERAL INFORMATION

1. Applicants/Agent: Debrael Behm
2. Owner: Debrael Behm
3. Parcel: HB-645-3
4. Zoning: R-2: Residential District

ZONING REQUIREMENTS

The property owner is proposing to rezone parcel HB-645-3 located at 4547 Country Aire Ct. from R-2: Residential District to ER: Estate Residential District. The lot is currently developed with a residential structure and the property owner has raised horses there since the late 1970's. This property was originally zoned A-1 and back in approximately 1982, all the lots along Country Aire Ct. were rezoned to R-2. A rezoning request was before the commission at the August 10, 2022, meeting, but the commission denied the request for A-1: Agricultural District, but took action to approve the parcel be rezoned to ER. Unfortunately, for procedural reasons, the request is required to formally come back with the change in zoning classification to ER being noted. The property owner agreed to the ER zoning during the August meeting, and they remain in agreement with that change. A change to the ER: Estate Residential District would bring the property back into conformance with the past and current uses. The parcel is 5.005 acres and would be in compliance with the Village Zoning Code based on the minimum lot size, which is a minimum of 2.5 acres. The property owner has a letter (copy attached) from past Town Chairman Alvin Gerrits and Town legal counsel dated September 9, 1982, stating that the current use could remain as a legal non-conforming use. A rezoning from R-2 to ER would bring the property in to conformance with Village Codes relating to uses on the property.

RECOMMENDATION/CONDITIONS

Staff recommends approval as submitted to rezone parcel HB-645-3 from R-2: Residential District to ER: Estate Residential District



- 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: Debrael Behm Date: _____
 Petitioner's Address: 4547 Country Aire Ct. City: Oneida State: WI Zip: 54155
 Telephone #: 920 865 7223 Email: Debrael777@new.rr.com
 Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer
 Petitioner's Signature (required): Debrael Behm Date: 8-5-22

OWNER INFORMATION

Owner(s): Debrael Behm Date: 8-5-22
 Owner(s) Address: 4547 Country Aire Ct. City: Oneida State: WI Zip: 54155
 Telephone #: 920 865 7223 Email: Debrael777@new.rr.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: Debrael Behm Date: 8-5-22

SITE INFORMATION

Address/Location of Proposed Project: 4547 Country Aire Ct. Parcel #: HB- 645-3
 Proposed Project Type: _____
 Current Use of Property: Home and Farmette Zoning: R-2
 Land Uses Surrounding Site:
 North: Kleppok 5 acres
 South: Peterson 5 acres
 East: Klopotik 5 acres
 West: Oneida Tribal Acres Wetland Mitigation

****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. Cash
\$ 225
8/5/22

KAFTAN, KAFTAN, KAFTAN, VAN EGEREN, OSTROW, GILSON & GEIMER, s. c.

ATTORNEYS AND COUNSELORS AT LAW

200 SOUTH MONROE AVENUE

GREEN BAY, WIS. 54301-4093

ROBERT A. KAFTAN

1878-1944

J. ROBERT KAFTAN

ARTHUR KAFTAN

FRED F. KAFTAN

JAMES L. VAN EGEREN

WINSTON A. OSTROW

JEFFREY J. GILSON

ROBERT H. GEIMER

LISE LOTTE GAMMELTOFT

TELEPHONE

437-7134

AREA CODE 414

September 9, 1982

Mr. Alvin Gerrits
 Chairman, Town of Hobart
 540 Acorn Drive
 Oneida, WI 54155

Dear Mr. Gerrits:

Recently you telephoned with a couple of questions requiring my comments. The first deals with a proposal that a certain area of the Town be rezoned from agricultural to R-2. Apparently such a change would cause certain uses within the present agricultural district to become nonconforming. For example, apparently one or more persons in that area keep horses or cattle on their property which would not be permitted under an R-2 district. Of course, such a use would become nonconforming once the ordinance was changed. As you understand, such a change in the ordinance would not prohibit the continuation of the nonconforming use. However, as stated in your ordinance at Article XVIII, if such nonconforming use is discontinued or terminated for a period of 12 months any future use shall conform to the provisions of the ordinance. You had a question concerning to what degree the present use could be changed. Most of the statutory provisions and court cases deal with to what extent buildings and structures can be modified that are nonconforming. This, of course, does not apply in this situation. Although I can find no specific case dealing with the question the general rule does seem to be that an increase in volume, intensity or frequency of a use is not a prohibited expansion of a nonconforming use. Accordingly, as long as the character of the use remains the same, that is, a use of animals for personal use, the number may change up or down without causing a violation of the ordinance. This, as I stated, is not a clear cut proposition but unless the number of animals or the manner of their use changes significantly I would not think that the Town would be in a good position to attempt to require the property owners to maintain the level at the same point it was when the ordinance was passed.

The other question you had deals with a property owner who has apparently constructed a barbed wire fence along his

Mr. Alvin Gerriss
Town of Hobart, Chairman
September 9, 1982
Page Two

property line and all the way to a Town road. Apparently this fence encroaches on the Town right-of-way. In this regard I would call your attention to Section 86.04 of the Wisconsin Statutes, a copy of which is enclosed with this letter. That Section provides for a 30 day notice to the property owner if he has constructed a fence or other encroachment which encroaches upon a highway right-of-way. It also lays out the procedure for giving this notice and for penalties if it is not complied with. I believe that it is important for the Town to remove this fence from the right-of-way in order to avoid any potential liability on the part of the Town. If you need any guidance on the specific contents of the notice after reading this Statute or the method of serving it on the property owner, please contact me.

Very truly yours,

KAFTAN, KAFTAN, KAFTAN, VAN EGEREN,
OSTROW, GILSON & GEIMER, S.C.

Jeffrey J. Gilson

JJG/cje
Enclosure

4547 Country Aire Ct. - Zoning - ER



9/8/2022, 3:29:49 PM

Zoning

R-2: Residential District

ER: Estate Residential District

R-2-R: Rural Residential District

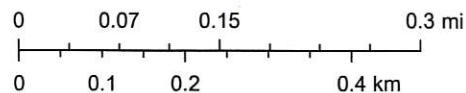
A-1: Agricultural District

A-2: Exclusive Agricultural District

I-1: Limited Industrial District

R-2 to ER
Zoning Change











1:9,028



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

Map printed 8/5/2022



1:1,200

1 inch = 100 feet*

1 inch = 0.0189 miles*

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

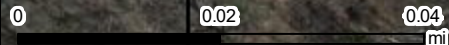
This is a custom web map created by an online user of the GIS map services provided by the

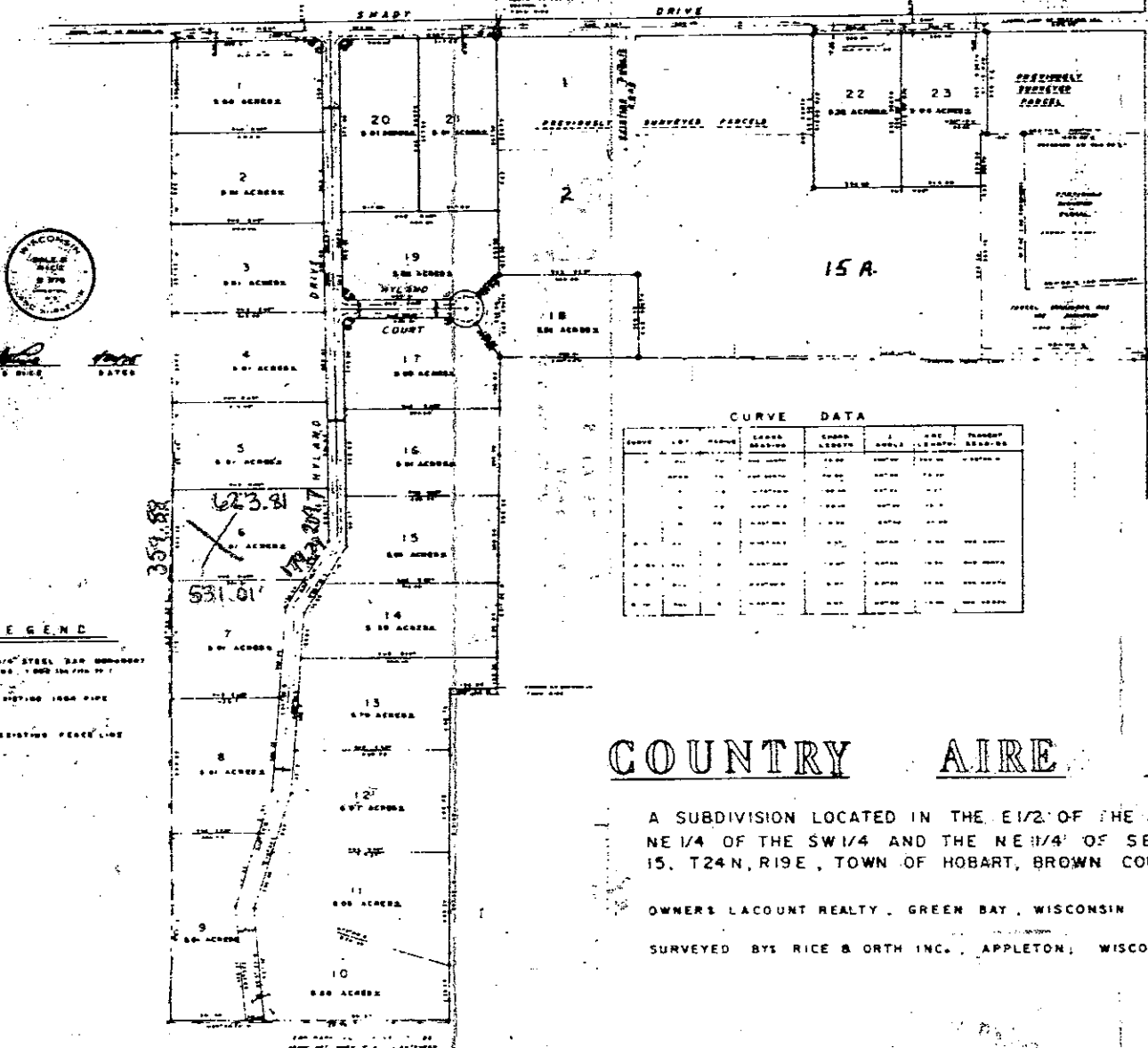
**Brown County Wisconsin
Planning & Land Services
Department**



(920) 448-6480

www.browncountywi.gov





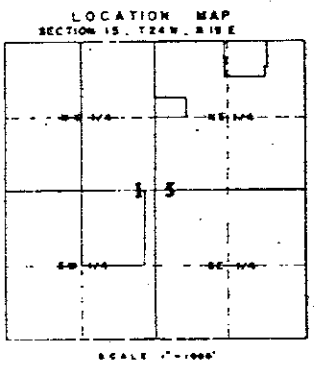
SALE'S PRICE DATE

351.88
623.81
531.01

LEGEND
 REINFORCED 4" STEEL BAR CONCRETE
 4" X 4" CONC. 1" DIA. IRON PIPE
 4" DIA. IRON PIPE
 4" DIA. IRON PIPE
 4" DIA. IRON PIPE

CURVE DATA

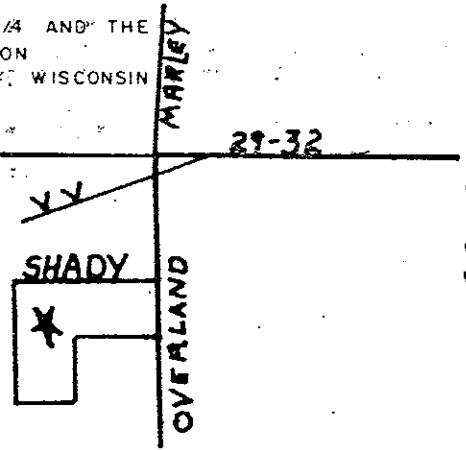
NO.	PT.	BEARING	CHORD	CHORD	ARC	ANGLE	CHORD	PERCENT
1	1							
2	1							
3	1							
4	1							
5	1							
6	1							
7	1							
8	1							
9	1							
10	1							
11	1							
12	1							
13	1							
14	1							
15	1							
16	1							
17	1							
18	1							
19	1							
20	1							
21	1							
22	1							
23	1							



COUNTRY AIRE ESTATES

A SUBDIVISION LOCATED IN THE E 1/2 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 AND THE NE 1/4 OF SECTION 15, T24N, R19E, TOWN OF HOBART, BROWN COUNTY, WISCONSIN

OWNER'S LACOUNT REALTY, GREEN BAY, WISCONSIN
 SURVEYED BY RICE & ORTH INC., APPLETON, WISCONSIN



GREEN BAY
 COUNTRY AIRE ESTATES
 SURVEYED FOR LACOUNT REALTY
 117 S. CHESTNUT ST., GREEN BAY, WISC.
 DATE 02/24/74
 FILE NO. 1
 P. 20



TO: Planning & Zoning Commission

RE: Conditional Use Permit for Additional Accessory Building, HB-606-4, 743 Melanie Dr.

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: September 14, 2022

ISSUE: Consider Conditional Use Permit, HB-606-4, 743 Melanie Dr. – second accessory building of an additional 704 square feet on property

RECOMMENDATION: Staff recommends conditional approval.

GENERAL INFORMATION

1. Applicant(s)/Petitioner(s): Michael Dufek (Owner)
2. Owner(s): Michael Dufek
3. Address: 743 Melanie Dr.
4. Parcel: HB-606-4
5. Present Zoning: R-2: Residential District.

ANALYSIS:

The Conditional Use Permit verbiage for such accessory buildings reads as follows:

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.

The applicable detached accessory building regulations read as follows:

- *Not More than one such building shall be located on a lot*

BACKGROUND

The current property owner, Michael Dufek, recently purchased this property and is proposing to construct a second accessory building of an additional 704 square feet on his property. Being that the property currently has a 528 square foot (22'x24') accessory building (detached garage), this request would consist of a Conditional Use Permit as the additional accessory building would not conform to the requirements identified in the zoning code. The only condition that would require the CUP would be the request for a second such accessory building on the same lot. The additional square footage combined with the existing accessory building would total 1,232 square feet which is well below the maximum 1,698 that is allowed for this size property (ordinance allows the building to have a maximum square footage of 1/60th the square footage of the total lot area).

The existing dwelling on site does not have an attached garage and the existing accessory building is the only “garage” currently on the property. Village Staff discussed with the owner the possibility of expanding the existing accessory building, however, due to the location of the existing building, any such expansion would be very challenging due to the topography of the land. The existing building is built with the back into a hill (approximately 6-7 feet in height at the back), steep slope to right side, existing dwelling to the left side, and coming off the front would not be practical due to the driveway descending a steeper slope towards the public roadway. With the hilly topography of the property, the proposed location of this new building is one of the few (if not the only) practical location that still meets the required setbacks and still allows for access from a driveway.

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

RECOMMENDATION/CONDITIONS

With the lack of an attached garage area on the existing dwelling, the topography of the property, and the total cumulative square footage of both buildings being well under the allowable limit, Staff would support this request for the Conditional Use Permit for this additional 704 square foot accessory building as proposed subject to the following conditions:

1. Maximum overall height of new accessory building shall not exceed 25 feet or height of primary structure on site, whichever is less.
2. 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.



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

Conditional Use Permit

A Conditional Use Permit is hereby granted for a 704 square foot detached accessory building located at 743 Melanie Dr., Hobart, Wisconsin (HB-606-4) as approved by the Village Board on October 18, 2022. This Permit is subject to the following Limitations and Conditions:

Limitations:

- Maximum of two (2) detached accessory buildings on parcel

Conditions:

- Maximum overall height of new accessory building shall not exceed 25 feet or height of primary structure on site, whichever is less.
- 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.

Director of Planning and Code Compliance

Date



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: Michael Dufek Date: 9-1-22
 Petitioner's Address: 743 melanie Drive City: Hobart State: WI Zip: 54155
 Telephone #: 262-620-2220 Email: mtdufek@gmail.com
 Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer
 Petitioner's Signature (required): [Signature] Date: 9-1-22

OWNER INFORMATION

Owner(s): Same as above 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: [Signature] Date: 9-1-22

SITE INFORMATION

Address/Location of Proposed Project: 28 743 melanie Drive Parcel #: HB- HB-606-4
 Proposed Project Type: Second accessory building
 Current Use of Property: Res. Zoning: R-2
 Land Uses Surrounding Site: North: Res.
 South: _____
 East: _____
 West: _____

****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.

I have only one home that can see the building.
The building does not cause any Health or safety issues.

2. Pedestrian and vehicular circulation and safety.

not in any direct view of pedestrian or vehicle's
surrounded by woods

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

Building to be used as ~~storage~~ ^{storage} only,
lawn mowers, snowblower, yard equipment.

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

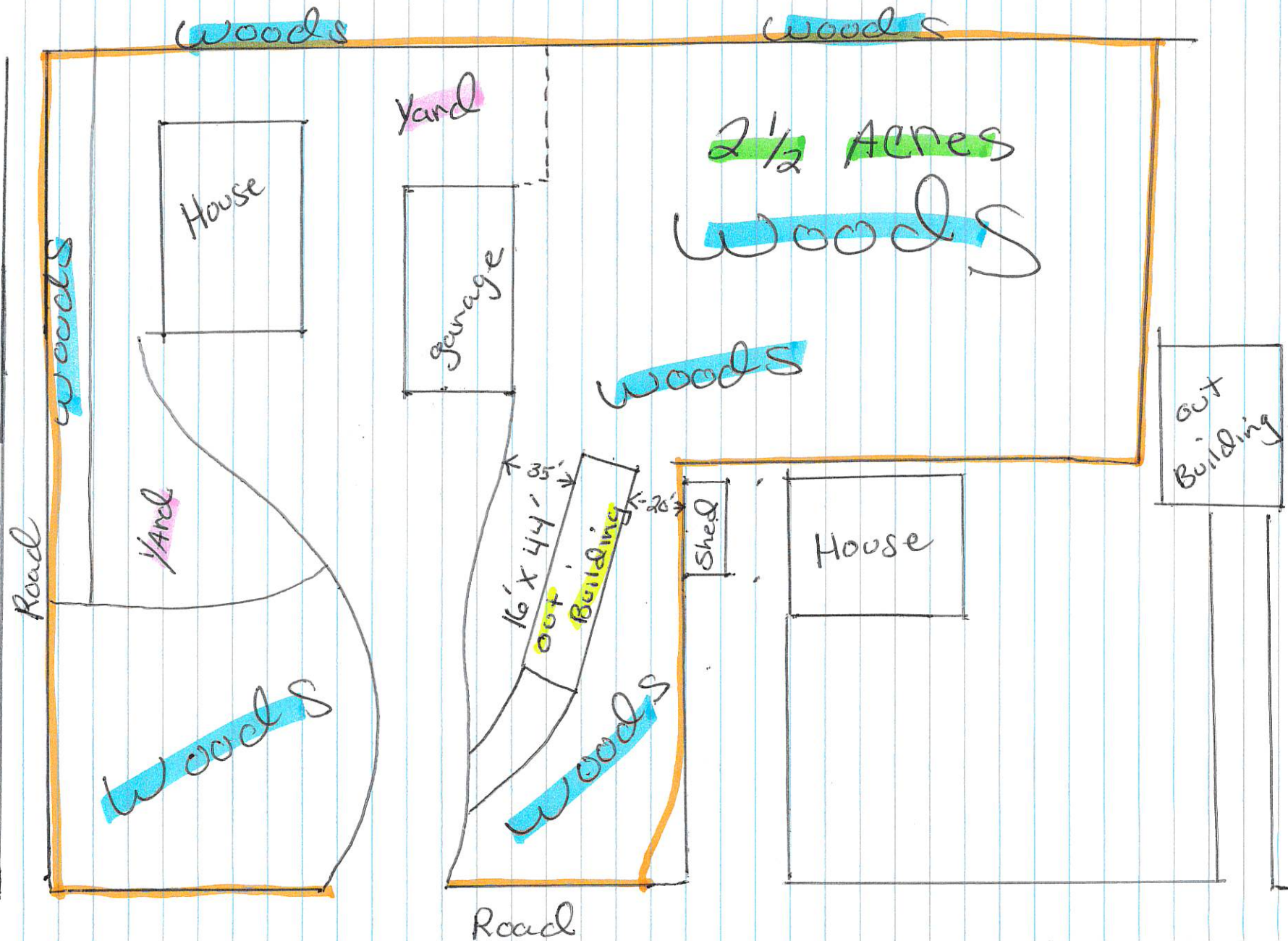
I may run power to the building, power pole
is close to the building

5. Character and future development of the area.

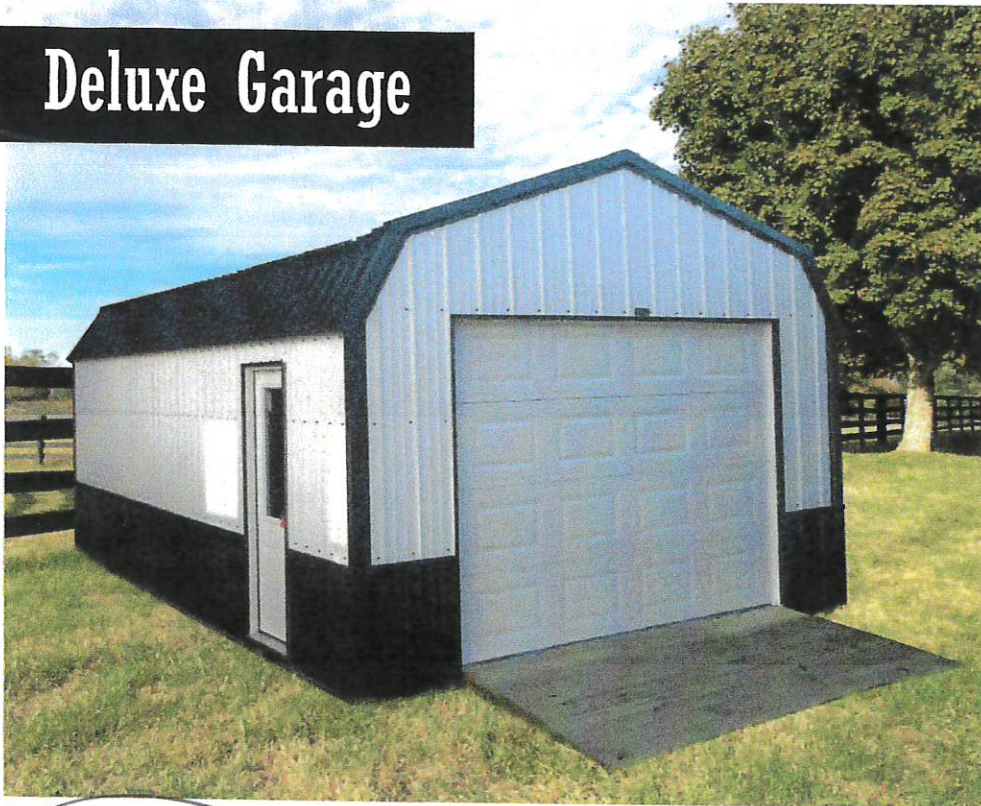
keeping a ^{Country} ~~country~~ feel. no future development.

my house and garage are Red with a green roof. (Green garage Doors)
The building will be Red with a green roof and a green garage Door.

Orange is lot line



Deluxe Garage



Standard Features

- 9x7 garage door (white) uninsulated
- wall studs 24" on center on metal buildings
- wall studs 16" centers on LP buildings
- 8' loft
- OSB roof sheeting
- trusses 16" centers
- 3/4" treated flooring
- 2x4 treated floor joists 12" centers
- 4x6 notched treated skids
- 36" insulated house door without winder
- ladder
- sky lite ridge cap
- 24" work bench - one 8" shelf
- ramp (optional)
- 14-16 wides measured across eaves in compliance with DOT regulations

SMARTSIDE

12 FOOT	14 FOOT
12x16 \$6298	14x16..... \$7228
12x20 \$7007	14x20 \$7839
12x24 \$7972	14x24 \$8820
12x28 \$9282	14x26 \$9293
12x30 \$9947	14x28 ... \$10007
12x32 ... \$10351	14x30 ... \$10723
12x34 ... \$10755	14x32 ... \$11307
12x36 ... \$11173	14x34 ... \$12014
12x40 ... \$11795	14x36 ... \$12406
	14x40 ... \$13088
	14x44 ... \$14396
	16 FOOT
	16x20 \$9467
	16x24 ... \$11028
	16x28 ... \$12783
	16x30 ... \$13661
	16x32 ... \$14219
	16x36 ... \$15216
	16x40 ... \$16447
	16x44 ... \$18092

METAL











12 FOOT	14 FOOT
12x16 \$6927	14x16..... \$7950
12x20 \$7707	14x20 \$8622
12x24 \$8769	14x24 ... \$9702
12x28 ... \$10210	14x26 ... \$10222
12x30 ... \$10941	14x28 ... \$11007
12x32 ... \$11386	14x30 ... \$11795
12x34 ... \$11830	14x32 ... \$12437
12x36 ... \$12290	14x34 ... \$13215
12x40 ... \$12974	14x36 ... \$13647
	14x40 ... \$14396
	14x44 ... \$15835
	16 FOOT
	16x20 ... \$10413
	16x24 ... \$12131
	16x28 ... \$14061
	16x30 ... \$15027
	16x32 ... \$15641
	16x36 ... \$16737
	16x40 ... \$18091
	16x44 ... \$19901



Window not included in base price.

Part of Brown County WI

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-  Parcel Boundary
-  Condominium
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-  Parcel line
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1 inch = 0.0114 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

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