



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

Notice is hereby given according to State Statutes that the **PLANNING AND ZONING COMMISSION** of the Village of Hobart will meet on Wednesday July 17th 2024 at 5:30 PM in the Village Office. **NOTICE OF POSTING:** Posted this 12th day of June, 2024 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING NOTICE – PLANNING AND ZONING COMMISSION

Date/Time: Wednesday July 17th 2024 (5:30 P.M.)

Location: Village Office (2990 South Pine Tree Road)

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Approval of Minutes of the May 15th 2024 meeting (Page 2)
4. Public Comment on Non-Agenda Items

ACTION ITEMS

5. DISCUSSION AND ACTION – Consider Revisions to Existing Conditional Use Permit For Alterations to Pond, HB-291-2, 422 Orlando Drive (Page 4)

The current property owner Jeremy Horst received Village approval back October 2020 to construct a pond towards the rear portion of their property. The pond was originally installed and built according to the previously approved plans. An alteration to the overflow discharge point was made after the original construction was complete. Section 295-342 L. Conditional Use Permits, requires that the Village Board shall review any complaint or modification to previously approved Conditional Use Permits

6. ADJOURN

Aaron Kramer, Village Administrator

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

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



ROUTINE ITEMS TO BE ACTED UPON:

1. **Call to order/Roll Call** - The meeting was called to order by Rich Heidel at 5:30 pm. Dave Dillenburg, David Johnson, John Rather, Bob Ross, Rich Heidel were present. Tom Dennee was excused.

2. **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify the open meeting law agenda requirements and approve the agenda as presented MOTION: Ross SECOND: Johnson VOTE: 6-0

3. **Approval of Minutes of the April 10th 2024 meeting** – MOTION: Johnson SECOND: Ross VOTE: 6-0

4. **Public Comment on Non-Agenda Items** - None

ACTION ITEMS

5. **DISCUSSION AND ACTION – Election of Commission Chairperson and Vice-Chairperson** – Village Ordinance requires that the Village President (Heidel) serve as chairperson of the Planning and Zoning Committee. ACTION: To nominate Dave Dillenburg as Vice-Chairperson MOTION: Heidel SECOND: Ambrosius VOTE: 5-0-1 (Dillenburg abstained)

6. **DISCUSSION AND ACTION - Consider Preliminary Plat for Sanctuary Estates Subdivision, Parcel HB-353, 1300 Block of S. Pine Tree Road** - Lexington Homes, Inc. is proposing a 23-lot subdivision in the 1300 Block of S. Pine Tree Rd. (parcel HB-353). Todd Gerbers (Director of Planning and Code Compliance) presented an overview of the proposal. An email from Ben Manders (1439 Lear Lane), questioning the connectivity and sidewalks in the subdivision, was presented to the Commission and entered into the record. ACTION: To approve the preliminary plat MOTION: Johnson SECOND: Ambrosius VOTE: 6-0

7. **DISCUSSION AND ACTION - Modifications/Amendments to the Zoning Ordinance, Chapter 295, Sections 295-30 (R-1: Residential District), 295-42 (R-2: Residential District), 295-55 (R-3: Residential District), 295-68 (R-4: Single and Two-Family Residential District), 295-174 (ER: Estate Residential District), and 295-187 (R-2-R: Rural Residential District) of Chapter 295 (Zoning) relating to conditional uses** - Village Staff has recently received an inquiry to locate a Community Living Arrangement facility within the Village. Wisconsin State Statutes require that a municipality shall make a procedure available to enable such facilities to request permission to be located within residential zoning districts. When reviewing the state statutes and the Village's existing zoning code, it was noticed that the Village is not in compliance with state statutes relating to potential placements of "community living arrangement" facilities. Gerbers reviewed the proposed changes, which will go to the Village Board for a Public Hearing on June 4th. ACTION: To recommend the modifications and amendments be approved by the Board MOTION: Ross SECOND: Johnson VOTE: 6-0

8. **DISCUSSION AND ACTION - Consider a Conditional Use Permit for a residential based wellness facility for substance and alcohol addiction residents located at 4735 Fonda Fields Ct., HB-2485 & HB-2492** - Summit Behavioral Health, LLC (Green Bay Recovery Center) is proposing to purchase the property located at 4735 Fonda Fields Ct., (HB-2485, HB-2492, & HB-2493) and operate a residential based wellness facility for substance and alcohol addiction residents at this location. The parcels HB-2485 & HB-2492 are currently zoned R-1: Residential and parcel HB-2493 is currently zoned B-1: Community Business District. Such a facility is only allowed in the R-1: Residential zoning district as a Conditional Use Permit (CUP). The Village Board will hold a Public Hearing on the proposal at its June 4th meeting. ACTION: To suspend the rules

and allow public comment MOTION: Heidel SECOND: Dillenburg VOTE: 6-0. John Flangan (Summit VP of Development) addressed the Commission on the proposal. Members of the audience had several questions and comments directed to Flanagan and the Commission. ACTION: To return to regular order MOTION: Heidel SECOND: Dillenburg VOTE: 6-0. ACTION: To recommend the Village Board deny the CUP application MOTION: Rather. Motion died for lack of a second. ACTION: To recommend the Board approve the CUP with a number of modifications to the Permit relating to the sale of the property and the vehicular and pedestrian traffic MOTION: Heidel SECOND: Dillenburg VOTE: 2 in favor (Heidel, Dillenburg), 1 opposed (Rather), 3 abstained (Ross, Ambrosius, Johnson). Motion failed ACTION: To make no recommendation on the proposal to the Board with a number of modifications to the Permit relating to the sale of the property and the vehicular and pedestrian traffic MOTION: Heidel SECOND: Ross VOTE: 5-1 (Rather opposed).

9. ADJOURN (7:43 PM) – MOTION: Heidel SECOND: Ambrosius VOTE: 6-0

Respectfully submitted by Aaron Kramer, Village Administrator

TO: Planning & Zoning Commission

RE: Consider Revisions to Existing Conditional Use Permit For Alterations to Pond, HB-291-2, 422 Orlando Dr.

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: July 17, 2024

ISSUE: Consider revisions to existing Conditional Use Permit allowing alterations to previously approved pond, HB-291-2, 422 Orlando Dr.

RECOMMENDATION: Staff recommends approval.

GENERAL INFORMATION

1. Applicant(s)/Petitioner(s): Jeremy Horst (Owner)
2. Parcel: HB-291-2
3. Present Zoning: R-4: Single and Two-Family Residential District.

BACKGROUND

The current property owner Jeremy Horst received Village approval back October 2020 to construct a pond towards the rear portion of their property. The pond was originally installed and built according to the previously approved plans. An alteration to the overflow discharge point was made after the original construction was complete. Section 295-342 L. Conditional Use Permits, requires that the Village Board shall review any complaint or modification to previously approved Conditional Use Permits

The property owner constructed the pond of approximately 1/4 acre in surface towards the rear of his property. In the R-4 zoning district, a pond is listed as a Conditional Use. Mr. Horst has submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. The overflow discharge point on the previously approved plans and CUP had an 8” pipe beginning at the front right corner (southeast) of the pond and extending to the existing drainage area towards the front of the property (see attached plan where the discharge pipe is noted in yellow). It was believed by Village Staff at the time of approval back in 2020 that this drainage area led back to the ditch located adjacent to the public roadway. Not until after the pond construction and the discharge pipe was installed per the plan and construction was commenced on the new dwelling for both this lot (422 Orlando Dr.) and the grading on the adjoining property to the east (432 Orlando Dr.) was it noted by Village Staff that the unique situation existed in this area where the public road ditch actually drains back across these two parcels (and an additional residential property to the east) before it traverses through the neighboring farm field to the east. To eliminate the overflow water from the pond to be forced to the south just to have it circle back to the north between the two properties to get to the existing drainage area, the property owner created an overflow discharge point on the east side of the pond in line with the existing drainage swale. It just so happens that this new drainage area goes across the property to the east and those property owners were not informed of the new overflow location nor are they supportive of this new location.

Village Staff has done research on these properties and the road ditch to verify how the storm water drainage navigated from this area pre-development. Based on aerial photos from 2020 and 2014, it is evident that there were two drainage swales that traversed both of these parcels to allow for the water to flow to the north and ultimately to the east. To allow for the driveway to access the new dwelling at 422 Orlando Dr., the property owner installed storm piping to allow for the water to flow from the road ditch towards the northeast to get along the side property line. With the grading of the property at 432 Orlando Dr., the front swale (closer to the street) was allowed to be filled as long as the drainage swale further back (more to the center of the property) remained to allow for the water to flow from the multiple properties.

Both property owners worked together and had a drainage swale constructed along the shared property line to allow for the water from the road ditch to flow to the existing waterway located more to the center of the property.

Since the overflow discharge point has been altered from the original approval, the previously approved CUP must be reviewed, and action must be taken to either approve a modification to allow for the revised overflow or directive given to the applicant to comply with the previously approved CUP. Either way, the water must be allowed to flow across adjoining properties as that is where the drainage traversed prior to any land disturbing activities on either property. Section 295-316 B. states “*Outflow discharge may cross adjacent parcels through a natural existing waterway only, but in no case shall this discharge create a waterway or a nuisance.*”. Based on the photos provided by the adjoining property owner, there is water standing in the area of the existing waterway which could be considered a nuisance, however, it is Village Staff’s belief that some proper grading work in this area would help allow for the water to properly drain through this area without ponding for extended periods.

Attached are the documents from the previously approved CUP, plan detailing elevations pre-development of 432 Orlando Dr., aerial photos from 2023, 2020, and 2014, along with correspondences and photos relating to the drainage concerns.

RECOMMENDATION/CONDITIONS

Staff recommends approval of modifying the existing CUP to allow for the outflow discharge point to be constructed at the east side of the pond as it currently exists on site provided the discharge elevation height is high enough to retain as much water in the pond as possible without causing water to back up on to the properties located at 412, 422, or 432 Orlando Dr.



TO: Planning & Zoning Commission

RE: Consider Conditional Use Permit, Pond, HB-291-2, 422 Orlando Dr.

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: October 14, 2020

ISSUE: Consider Conditional Use Permit allowing excavation of a rear yard pond, HB-291-2, 422 Orlando Dr.

RECOMMENDATION: Staff recommends approval.

GENERAL INFORMATION

1. Applicant(s)/Petitioner(s): Jeremy Horst (Owner)
2. Parcel: HB-291-2
3. Present Zoning: R-4: Single and Two-Family Residential District.

BACKGROUND

The current property owner Jeremy Horst is proposing to construct a pond of approximately 1/4 acre in surface towards the rear of his property. In the R-4 zoning district, a pond is listed as a Conditional Use. Mr. Horst has 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. Mr. Horst plans to build a new single-family dwelling on the property in the near future and is planning to use the fill removed for the excavation of the pond for fill around the foundation of the proposed dwelling.

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

RECOMMENDATION/CONDITIONS

Staff recommends approval of the attached draft CUP 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 Neighborhood Services
2990 S Pine Tree Rd
Hobart WI 54155
Phone: (920) 869-3809
Fax (920) 869-2048

APPLICANT INFORMATION

Petitioner: Jeremy Horst Date: 9/25/20
Petitioner's Address: 1306 Navigator Way City: De Pere State: WI Zip: 54115
Telephone #: (920) 857-6090 Fax: () _____ Other Contact # or Email: _____
Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer

Petitioner's Signature (required): [Signature] Date: 9/25/20

OWNER INFORMATION

Owner(s): Jeremy Horst Date: 9/25/20
Owner(s) Address: 1306 Navigator Way City: De Pere State: WI Zip: 54115
Telephone #: (920) 857-6090 Fax: () _____ Other Contact # or 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: 9/25/20

SITE INFORMATION

Address/Location of Proposed Project: 472 Orlando Drive Parcel No. 43CSM178
Proposed Project Type: Driveway and Pond
Current Use of Property: None Zoning: Residential
Land Uses Surrounding Site:
North: Wooded
South: Quarry
East: Residential - Vacant
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

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.

<p>1. Health, safety, and general welfare of occupants of surrounding lands.</p> <p>The Pond will be well contained within the lot lines.</p>
<p>2. Pedestrian and vehicular circulation and safety.</p> <p>Vehicle access will be restricted on private property.</p>
<p>3. Noise, air, water, or other forms of environmental pollution.</p> <p>The planned length of construction time will be very minimal. Erosion control will be in place to protect against runoff.</p>
<p>4. The demand for and availability of public services and facilities.</p> <p>Electric utilities are at lot line. Water and Sewer will be privately owned</p>
<p>5. Character and future development of the area.</p> <p>In the future, we will be building a single family home, further shielding the pond</p>

SUBMITTAL REQUIREMENTS – Must accompany the application to be complete.

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 pond in the rear portion of the property located at 422 Orlando Dr., Hobart, Wisconsin (HB-291-2) as approved by the Village Board on November 4, 2020. This Permit is subject to the following Limitations and Conditions:

Limitations:

- 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 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.

Director of Planning and Code Compliance

Date

LOT 1
43CSM178

LOT 3
43CSM178

43CSM178

LANDSCAPE
POND

8" Standpipe overflow.
Top Elev. 699.0'

PATIO
SHOP
GARAGE
HOME

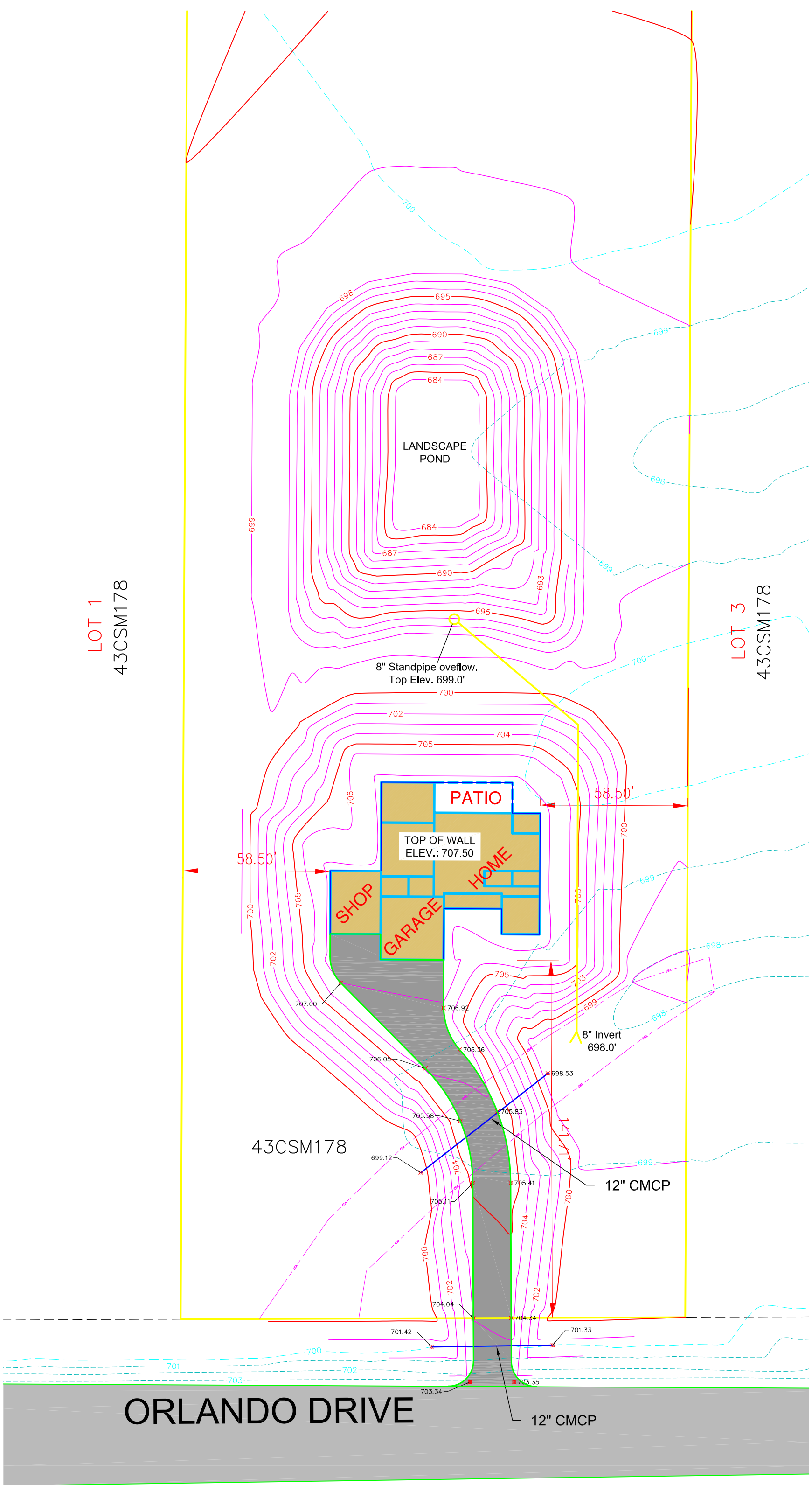
TOP OF WALL
ELEV.: 707.50

8" Invert
698.0'

12" CMCP











12" CMCP

ORLANDO DRIVE



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

SC-190-2 Parcel ID Number
 2880257 Document Number
 0.814 AC Area of parcel
 279.8' Line Distance
 3547 Address

A complete map legend (map key) is available at:
<https://tinyurl.com/BrownDogKey>

Map printed
 10/7/2020



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

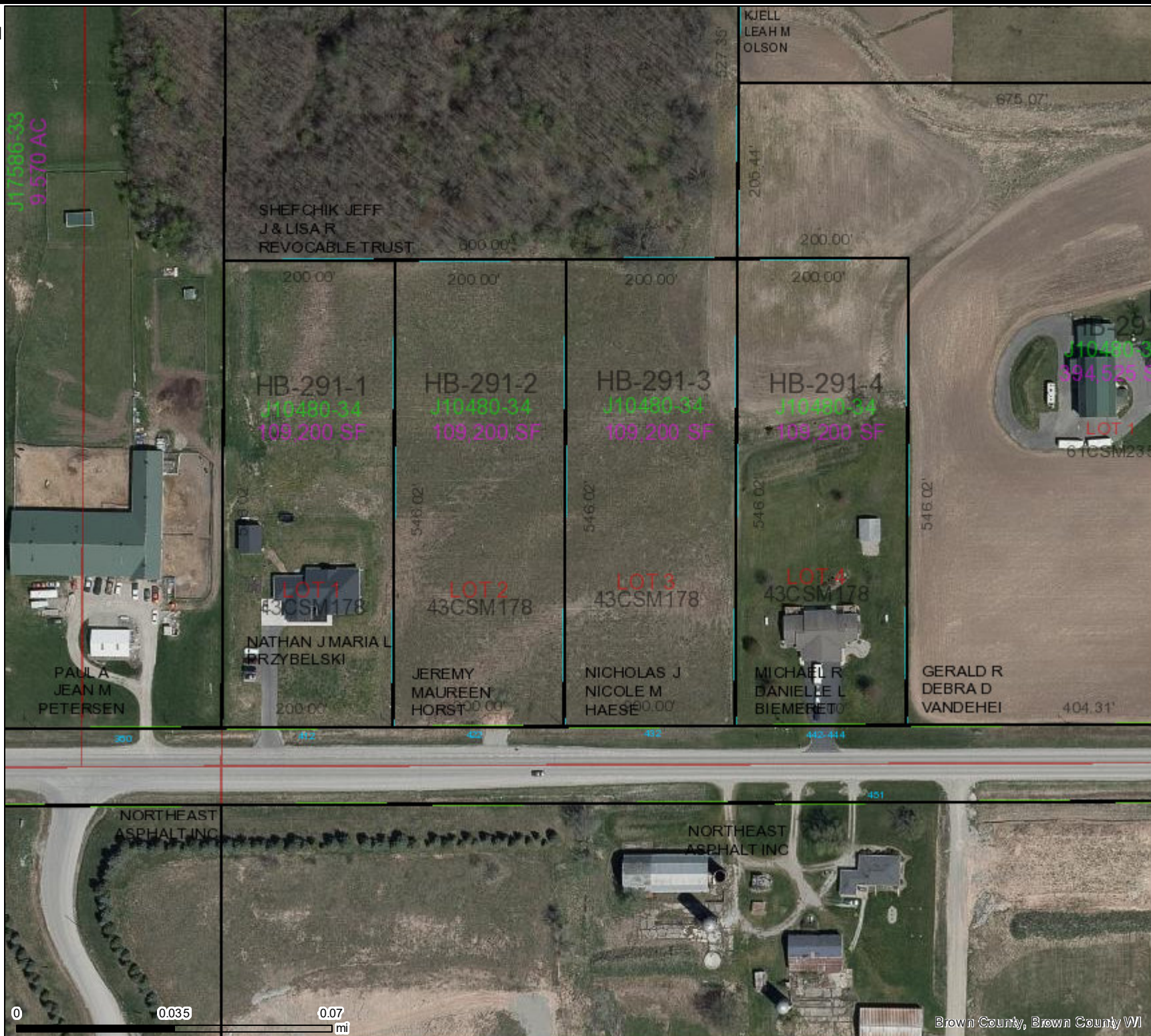
This is a custom web map created by an online user of the GIS map services provided by the

Brown County Wisconsin Planning & Land Services Department



(920) 448-6480

maps.gis.co.brown.wi.us



422 Orlando Dr.

Site Plan

All of Lot 2 of Volume 43, Certified Survey Maps, Page 178, Map number 6497, Document number 1865076, Brown County Records; located in the Southeast 1/4 of the Southeast 1/4, Section 22, T23N-R19E, Village of Hobart, Brown County, Wisconsin.

-422 Orlando Drive-

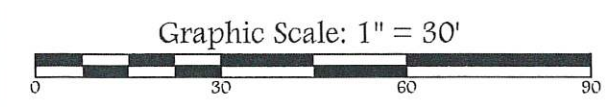
Legend

- 1" IRON PIPE FOUND
- X 174.88 PROPOSED GROUND GRADE
- 2.33% DRAINAGE ARROW
- 234 --- EXISTING CONTOUR LINE
- 235 — PROPOSED CONTOUR LINE
- [Pattern] PROPOSED HARD SURFACE
- [Hatched] PROPOSED BUILDING
- SILT FENCE
- [Grey] PROPOSED DRIVE WAY
- [Pattern] TRACKING PAD WHICH MEETS THE DNR 1057 TECHNICAL STANDARD

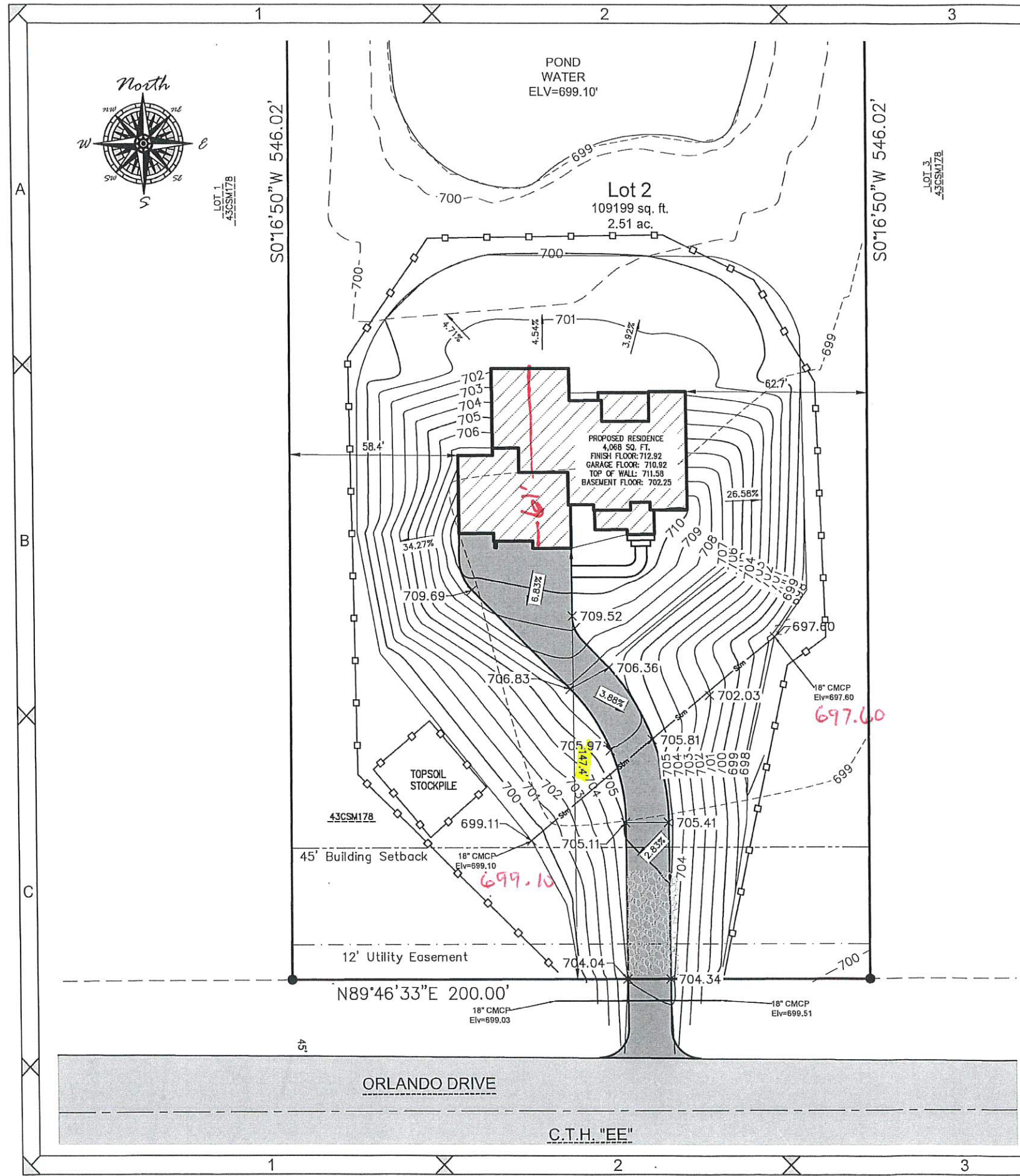
Owner
 Jeremy Horst
 1306 Navigator Way
 DePere, WI 54115
 (920)857-6090

NOTES

- Bearings referenced to the East line of Lot 2 of CSM #6497, assumed to be S0°16'50"W.
- Elevations are referenced to the NAVD 88 Benchmark Datum
- Recommendation:
Down spouts should not be placed in the exposed area of the foundation.
- Any slopes greater than a 5:1 slope will need the proper erosion matting.
- Impervious area consists of 4,068 Sq. Ft. for the Building and 3,428 Sq. Ft. for the hard surfaces for a total of 7,496 Sq. Ft.
- Total disturbance area is 34,351 Sq. Ft.



Steven M. Bieda
 PLS-2275
 November 28, 2022



Sheet One of One
 Project No.: H-8420
 Drawing No.: X-1386
 Fieldwork Completed: 11/23/22

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

Client: Jeremy Horst
 Tax Parcel: HB-291-2
 Drafted By: JRW
 File: H-8420Site Plan 111722.dwg
 Data File: H-8420.TXT

432 Orlando Dr

SITE PLAN

LOT 3, 43 CSM 179.
VILLAGE OF HOBART, BROWN CO., WI.
BUILDER: CRI DEVELOPMENT, LLC

Soletski Surveying
CAD Drawings, Contract Services & Land Planning
1631 Brookfield Ave., Suite A1
Green Bay, WI 54313
(920) 965-0040 www.soletski-surveying.com

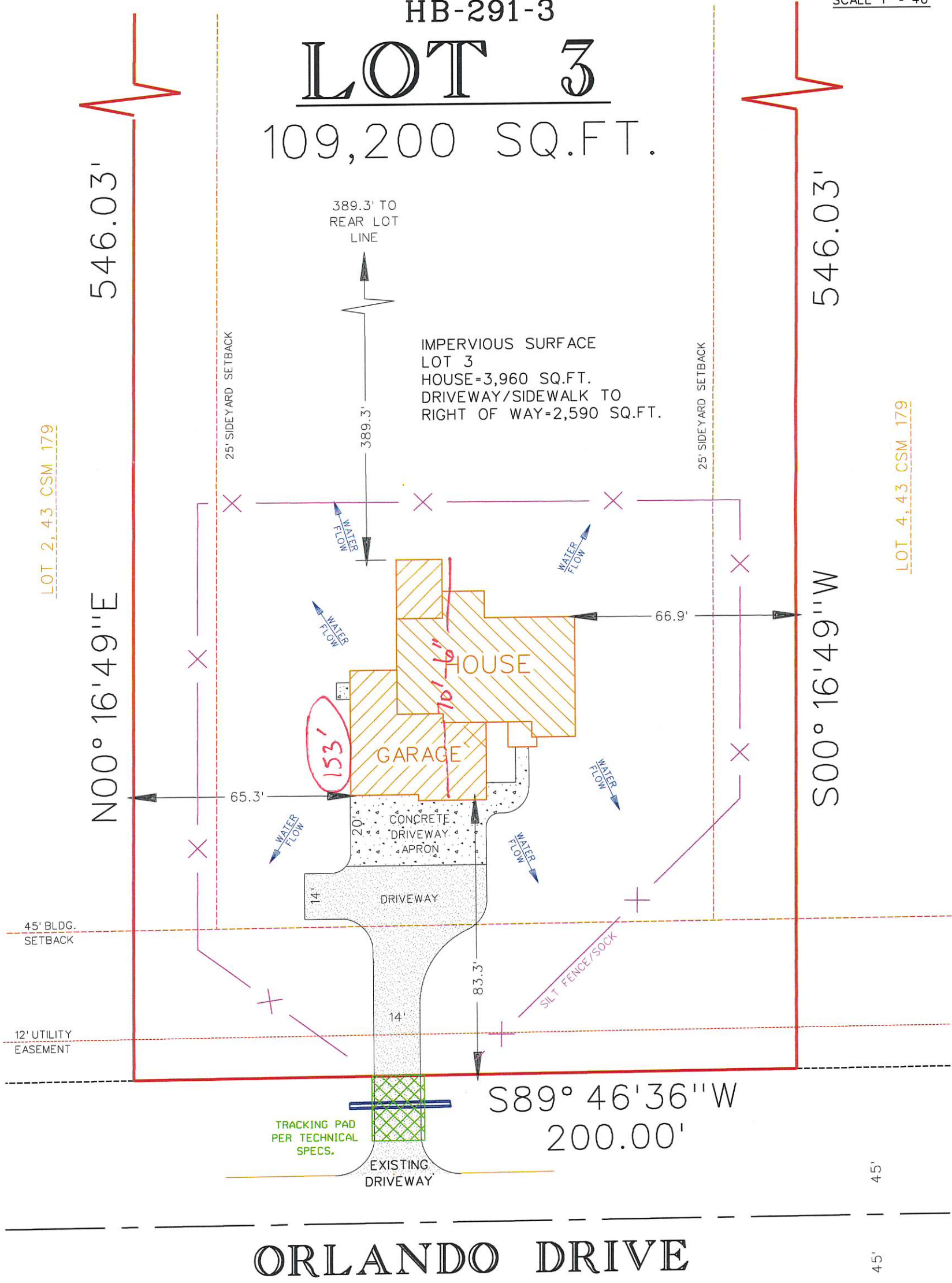


SCALE 1" = 40'

HB-291-3

LOT 3

109,200 SQ.FT.



412 Orlando Dr.

Building Location Plan

BUILDER: Radue Homes
ADDRESS Orlando Dr
TAX PARCEL NUMBER HB-291-1
109,200 Sq. Ft.

Lot 1, 43 CSM 178, Map #
Section 22, Township 23 North, Range 19 East,
Village of Hobart, Brown County, Wisconsin

North is referenced to
the Recorded CSM



VAN HORN & VAN HORN LLC
aka Benchmark Surveying
832 Kellogg St.
Green Bay, WI, 54303
920-437-1044
Lesvh@att.net

SURVEYOR'S CERTIFICATE
I, Leslie D. Van Horn, do hereby certify that I have surveyed the elevations shown herein and that the within maps a true representation thereof.

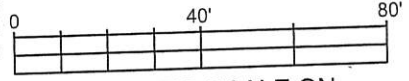
Les Van Horn
Leslie D. Van Horn, RLS 1237 April 3, 2018

Finished Drainage Flows
XXX.X Finished Grade

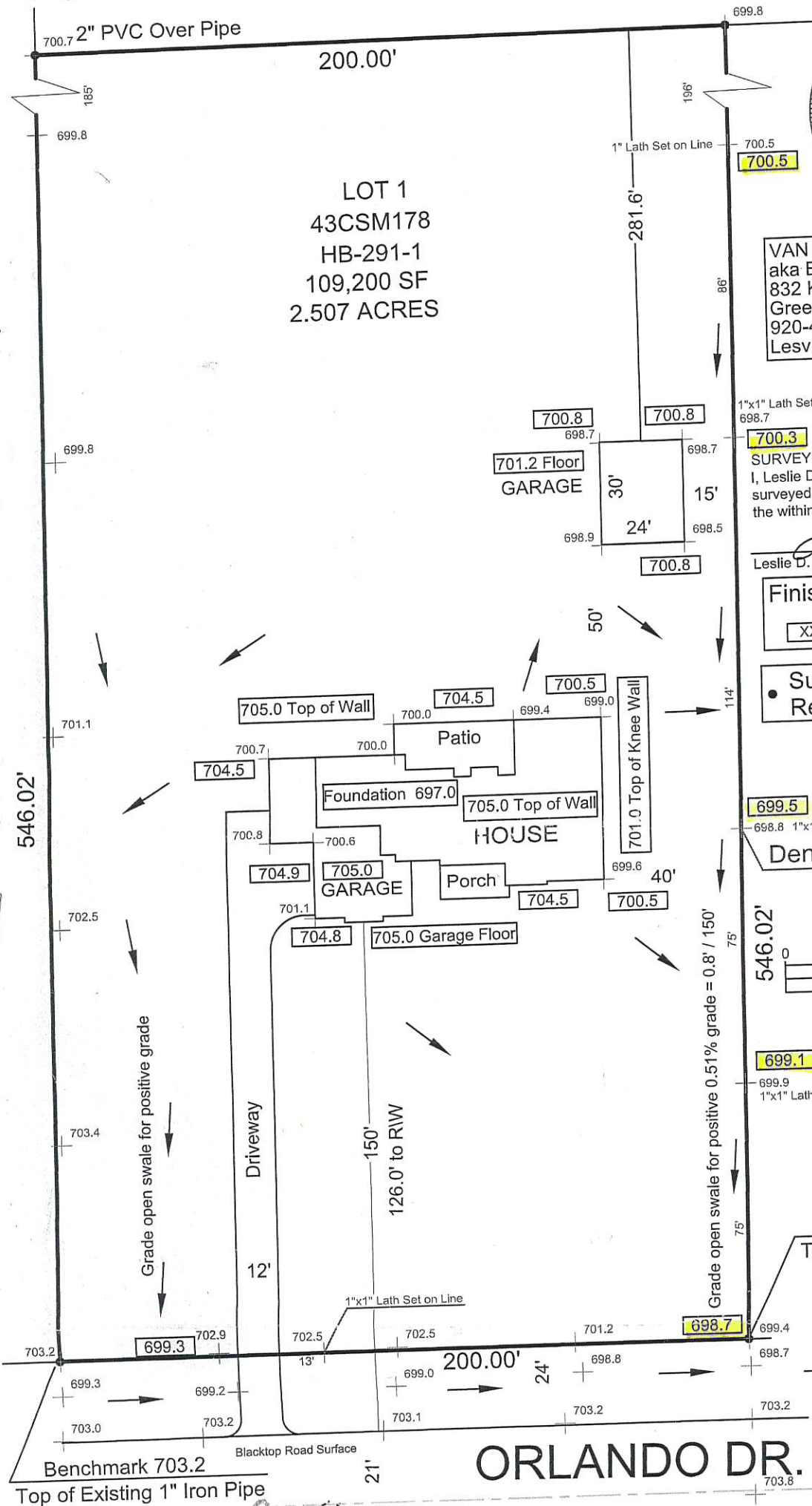
Survey Monuments
Recovered 1" Iron Pipe

Denotes Existing Elevations

SCALE 1"=40'



PLOTS TO SCALE ON LEGAL SIZE PAPER

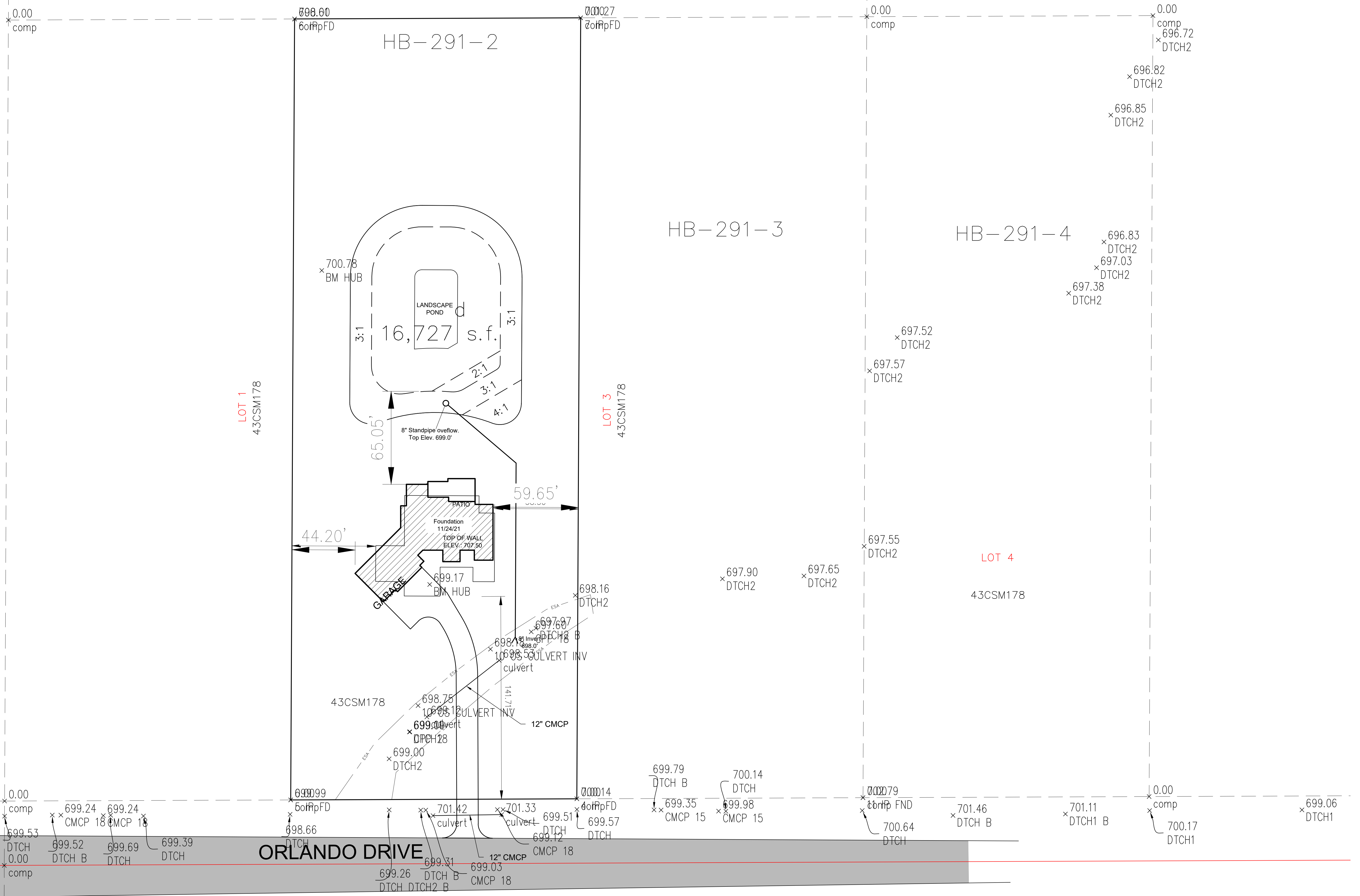


ORLANDO DR.

412 Orlando Dr.
Condition

LOT

696.29
DTCH2



LOT 1
43CSM178

LOT 3
43CSM178

LOT 4
43CSM178

ORLANDO DRIVE

699.83 DTCH
 699.53 DTCH
 699.24 CMCP 18
 699.24 CMCP 18
 699.52 DTCH B
 699.69 DTCH
 699.39 DTCH
 699.09
 698.66 DTCH
 699.00 DTCH2
 699.31 DTCH B
 699.26 DTCH DTCH2 B

701.42 culvert
 701.33 culvert
 699.51 DTCH
 699.12 CMCP 18
 699.31 DTCH B
 699.03 CMCP 18

698.60 6" RPF
 700.27 4" RPF
 699.17 BM HUB
 698.16 DTCH2
 697.67 DTCH2 B
 698.16 10" CS-CULVERT INV
 698.75 10" CS-CULVERT INV
 699.00 12" CMCP
 699.12 DTCH
 699.57 DTCH
 699.14 4" RPF
 699.79 DTCH B
 699.35 CMCP 15
 700.14 DTCH
 699.98 CMCP 15

697.90 DTCH2
 697.65 DTCH2
 697.55 DTCH2
 697.57 DTCH2
 697.52 DTCH2
 696.82 DTCH2
 696.85 DTCH2
 696.83 DTCH2
 697.03 DTCH2
 697.38 DTCH2
 699.06 DTCH1

701.46 DTCH B
 701.11 DTCH1 B
 700.17 DTCH1
 700.64 DTCH

0.00 comp
 0.00 comp
 0.00 comp

699.83 DTCH
 699.53 DTCH
 699.24 CMCP 18
 699.24 CMCP 18
 699.52 DTCH B
 699.69 DTCH
 699.39 DTCH
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 697.67 DTCH2 B
 698.16 10" CS-CULVERT INV
 698.75 10" CS-CULVERT INV
 699.00 12" CMCP
 699.12 DTCH
 699.57 DTCH
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 699.79 DTCH B
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 696.83 DTCH2
 697.03 DTCH2
 697.38 DTCH2
 699.06 DTCH1











701.46 DTCH B
 701.11 DTCH1 B
 700.17 DTCH1
 700.64 DTCH

0.00 comp
 0.00 comp
 0.00 comp

699.83 DTCH
 699.53 DTCH
 699.24 CMCP 18
 699.24 CMCP 18
 699.52 DTCH B
 699.69 DTCH
 699.39 DTCH
 699.09
 698.66 DTCH
 699.00 DTCH2
 699.31 DTCH B
 699.26 DTCH DTCH2 B

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
7/9/2024



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

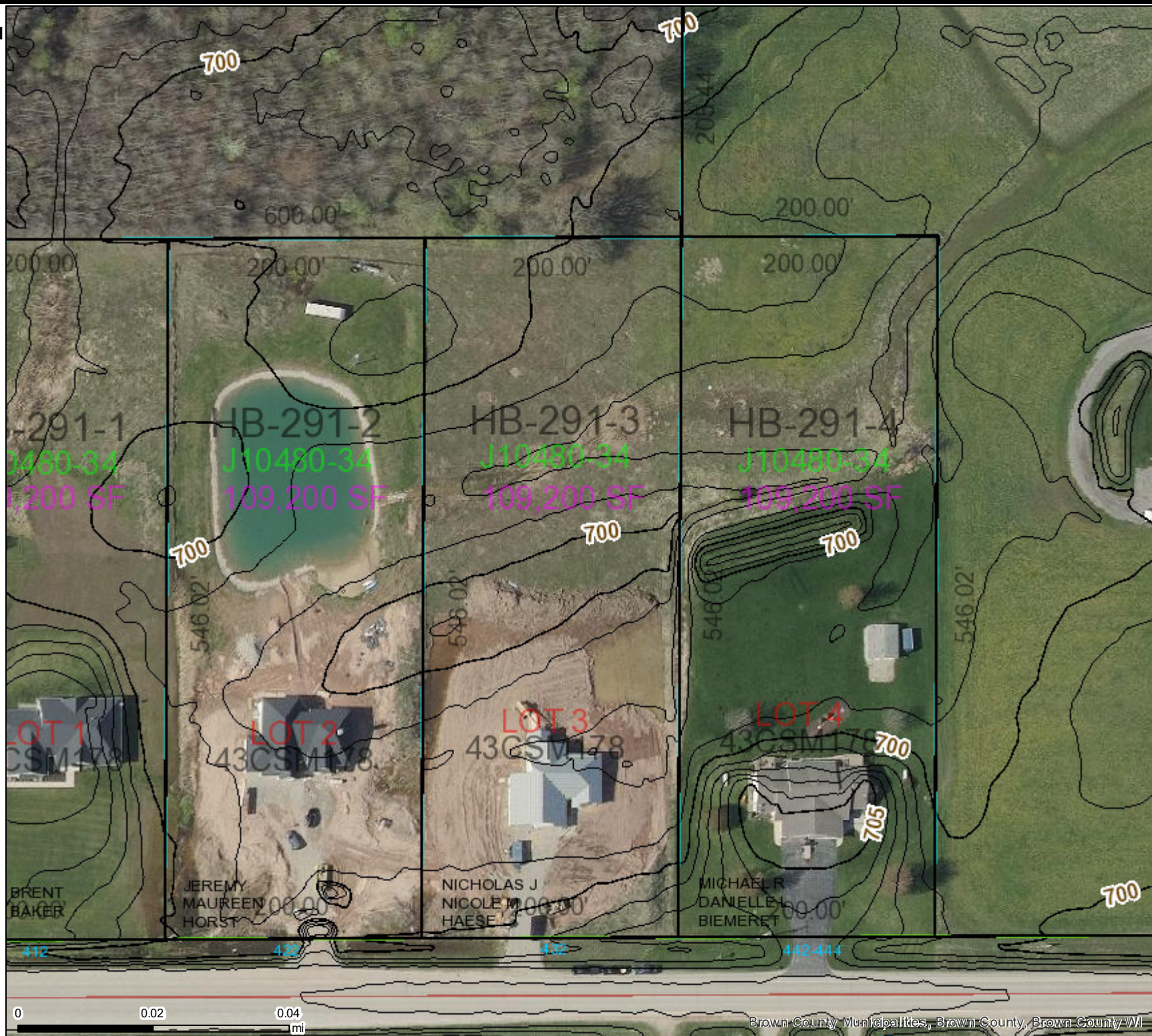
This is a custom web map created by an online user of the GIS map services provided by the

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













(920) 448-6480

www.browncountywi.gov



Part of Brown County WI

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7/9/2024



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1 inch = 0.0189 miles*

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

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 Planning & Land Services
 Department**













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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

Map printed
7/9/2024



1:1,200

1 inch = 100 feet*

1 inch = 0.0189 miles*

*original page size is 8.5" x 11"
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Photo from email dated 5/27/23 regarding “trench dug across property line without approval”.



Photos from email dated 6/19/23 regarding “additional grading on Jeremy’s property”.













Photos from email dated 4/15/24 regarding “standing water following dry spring”.





Village of Hobart, WI
Thursday, July 11, 2024

Chapter 295. Zoning

Article XXIX. Man-Made Bodies of Water

§ 295-311. Purpose.

This is an article defining the term "man-made body of water," regulating the design, maintenance, and use thereof, and providing a penalty for violations.

§ 295-312. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ARTIFICIAL LAKE

A man-made body of water 1/2 acre or larger.

POND

A man-made body of water less than 1/2 acre.

WATER GARDEN

A man-made body of water 800 square feet or less of surface area.

§ 295-313. Zoning.

Artificial lakes shall be a conditional use in all zoning districts.

§ 295-314. Exemptions.

- A. Swimming pools as defined in this chapter.
- B. Manure storage pits, as defined and designed in Brown County Ordinance Chapter **26**, Animal Waste Management, and with the following conditions. Such exempt manure storage pits shall be:
 - (1) Located wholly in Agriculture or Exclusive Agriculture zoning.
 - (2) A minimum of 300 feet from any existing residential area.
 - (3) Outside the sewer service area.
 - (4) Fenced according to the regulations contained herein.
- C. Water gardens, 800 square feet or less in surface area.
- D. Detention ponds being constructed as part of a Village-approved stormwater management system as long as they are designed and constructed in accordance with the set standards of Brown County, EPA, and DNR.

§ 295-315. Approval and submittals.

A permit is required from the Village of Hobart for all excavations or mounding which will result in a pond or lake as defined herein. Any alterations to existing man-made bodies of water other than routine maintenance are subject to the provisions of this article. To obtain such a permit, an application shall be made to the Village of Hobart Zoning Administrator/Building Inspector on the proper forms provided by the Village. Applications shall include a site plan scaled to at least one inch equaling 200 feet with the following:

- A. A map showing the location of the premises and the adjoining properties within 500 feet.
- B. Any existing or future buildings, easements, property lines, and setbacks.
- C. Any existing waterways, floodways and navigable streams.
- D. A scaled section view of the pond or lake with slopes, depths, high and low water levels.
- E. Outflow design.
- F. Methods of maintaining water level.
- G. Proposed access to the site.
- H. Proposed regrading and revegetation of the site after completion.
- I. Contour intervals of the proposed site at intervals of 20 feet.
- J. If the excavation site shall fall within a county floodplain, shoreland, or conservancy zone district, the regulations as set forth in the Shoreland-Floodplain Protection Ordinances for Brown County shall apply. Brown County, Department of Natural Resources, and EPA permits must accompany application if required.
- K. Applications shall be approved or denied within 60 days from the date all information is received in order. No application shall be processed or approved without adequate information.

§ 295-316. Design standards.

- A. All ponds and artificial lakes shall be designed within the scope of this article. In all cases where a portion of the pond or lake will have a slope of greater than 3:1, a slope of no greater than 3:1 shall be maintained around the entire perimeter of said pond to a minimum water depth of 48 inches before the greater slope may occur.
- B. All ponds and lakes shall have an outflow to maintain the maximum normal water level; the size of this outflow shall be determined by design and shall be capable of removing one inch of water from the surface of the entire pond or lake every 12 hours. The size of the outflow pipe shall not be less than six inches in diameter. Calculations shall be provided with the permit application. Outflows shall not flow directly onto adjacent parcels of property. Outflow discharge may cross adjacent parcels through a natural existing waterway only, but in no case shall this discharge create a waterway or a nuisance. A safety buffer area with a slope of 3:1 or less shall be established and maintained from normal high water level; this area shall be no less than six feet measured from the water's edge.
- C. All ponds and lakes shall protect the shoreline banks from erosion and excess seepage. This protection shall be provided in one of the following ways:
 - (1) Existing clay soils.
 - (2) Clay blanket.

- (3) Compaction.
 - (4) Waterproof liners.
 - (5) Stones, rocks, or landscaping bricks.
- D. The minimum side and rear setbacks shall be 30 feet; front setbacks and corner side setbacks shall be 50 feet.
- E. The Village of Hobart may at its discretion require fencing and dry hydrants. Where such fencing is required, the following criteria shall be used:
- (1) A structural fence four feet in height and no less than six feet from the water's edge at the high water line shall be provided. It shall be constructed so that no holes, gaps, or openings larger than four inches in any dimension. All gates or doors shall be kept securely latched at all times when unsupervised.
- F. The groundwater table in the surrounding area and adjacent to the pond or lake shall be protected.
- G. Village and state permits shall be required if high-capacity wells are drilled on the site. Location of all wells shall be provided on the site plans; well logs shall be provided to the Village after completion of the well.^[1]
- [1] *Editor's Note: Original Subsection 8, The Division of Environmental Health requirements shall be met to insure proper safety of swimmers, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*
- H. At all stages of operations, proper drainage shall be provided to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.
- I. The premises shall be excavated and graded in conformity with the plan as approved. Any deviation from the plan shall be cause for the Village to revoke the permit.
- J. The perimeter of the pond/lake/body of water shall be landscaped and seeded with a perennial ground cover within three months after completion of the excavation.
- K. The Village of Hobart retains the right to require any other and or future restrictions as deemed necessary to protect the health, safety, and welfare of the community.
- L. Introduction of fish, game, or plant life shall meet DNR regulations.

§ 295-317. Inspections.

- A. Owner/agent shall call for the following required inspections 24 hours in advance; other periodic inspections shall be granted to the Village of Hobart Zoning Administrator/Building Inspector, Village Board and Planning and Zoning Commission during normal working hours.
- B. A site inspection shall be made prior to any excavation. Property lines adjacent to the excavation, proposed excavation boundaries, and outflow termination point shall be marked clearly for site approval.
- C. An excavation inspection shall be made after all slopes are established.
- D. Final inspection shall be made when all fencing is in place (when required) and the pond/lake has reached its minimum water level.

§ 295-318. Owner responsibilities.

The owner of any land on which a man-made body of water shall exist is required to maintain that land and body of water within the limits of this chapter.

§ 295-319. Permit fees.

Permit fees shall be established and charged as per the Village fee schedule.

§ 295-320. Construction deposit.

A construction deposit shall be required.

§ 295-321. Performance bond.

- A. Performance bond may be required at the discretion on the Village Board.
- B. Exception. Manure storage pits governed by this article shall be exempt from any performance bond.

§ 295-322. Violations and penalties.

Any person, firm, company, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any provisions of this article shall, upon conviction thereof, be subject to the penalties provided in § 1-3. Each day that a violation is permitted to exist shall constitute a separate offense and may be punishable as such.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*