



**Village of Hobart Planning & Zoning Commission Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Wednesday, November 14, 2018 – 5:30 pm**

1. Call to Order, Roll Call:

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

2. Verify/Modify/Approve Agenda:

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

3. Approval of Planning & Zoning Minutes:

Motion by Bob Ross, second by Jeff Ambrosius to approve the October 10, 2018 minutes as presented. All in favor. Motion carried.

4. Public Comment on Non-Agenda Items:

None.

5. Conditional Use Permit (HB-301; 800 Orlando Drive; Badger State Storage GB, LLC):

The property owner changed so the previously issued conditional use permit is null and void. The commission agreed that the new CUP should be issued to the owner, not the property, so that they have someone to hold accountable for the actions on the land. Staff advised that the current property owners are selling the land contingent on CUP approval, and the new owners are eager to break ground as soon as possible to carry out the original site plan. Motion by Rich Heidel, second by Bob Ross, to grant a conditional use permit to operate self-storage units at 800 Orlando Drive (HB-301) to the purchasing owner with the same limitations and conditions as the original conditional use permit issued to JHC Investments LLC with the following modifications: Change the house removal deadline in condition 1 to July 31, 2019; add condition 7. Permit will be issued to purchasing owner; add condition 8. Plans must be brought before site review before construction begins. All in favor. Motion carried.

6. Certified Survey Map (HB-239-1; 1915 S. Pine Tree Road):

The applicant is looking to split off two parcels of land for future use by family members. Proposed lot sizes require one lot to be rezoned to ER (Estate Residential), which matches the zoning of other residential parcels in the immediate vicinity to avoid spot zoning. Motion by Jeff Ambrosius, second by Bob Ross, to grant a two-lot certified survey map at HB-239-1 (1915 S. Pine Tree Rd) as presented with the condition that lot 1 be approved to be rezoned to ER (Estate Residential) and the condition that ordinance 2018-19 be approved to allow minimum acreage requirements for A-2 (Exclusive Agricultural) zoning be lowered to 5 acres. All in favor. Motion carried.

7. Certified Survey Map (HB-338-1; 1858 S. Pine Tree Rd):

Applicant is seeking to split the parcel into three to allow for future residential use. The proposed lots will need to be rezoned to ER (Estate Residential), which matches the zoning of other residential parcels in the immediate vicinity to avoid spot zoning. Motion by Tom Dennee, second by Bob Ross, to grant a three-lot certified survey map at HB-338-1 (1858 S. Pine Tree Road) as

presented with the condition that the rezoning of the lot to ER (Estate Residential) is approved by the village board. All in favor. Motion carried.

8. Certified Survey Map (HB-526 & HB-537-1; Centerline Drive):

The Village is seeking to split the lots to straighten lot lines to allow for future development as well as to separate and retain the wetlands on proposed 'Outlot 1'. Motion by Rich Heidel, second by Tom Dennee, to grant a three-lot certified survey map at HB-526 and HB-537-1 as presented. All in favor. Motion carried.

9. Certified Survey Map (HB-658-1; 4086 N. Overland Rd):

The purpose of the proposed certified survey map is to allow the parcel to conform with county requirements and is a book-keeping step for the county. There are no proposed developmental changes to the lot. Motion by Tom Dennee, second by Jeff Ambrosius, to grant a two-lot certified survey map at HB-658-1 (4086 N. Overland Road) as presented. All in favor. Motion carried.

10. Rezoning (Part of HB-239-1; 1915 S. Pine Tree Road):

The applicant is seeking to rezone Lot 1 of the certified survey map proposed in Item 6 from A-2 (Exclusive Agricultural) to ER (Estate Residential), to comply with minimum acreage requirements. There are ER (Estate Residential) zoned parcels in the immediate vicinity and this would not be a spot-zoned parcel. Motion by Jeff Ambrosius, second by Bob Ross, to grant the rezoning of HB-239-1 (1915 S. Pine Tree Road) from A-2 (Exclusive Agricultural) to ER (Estate Residential). All in favor. Motion carried.

11. Ordinance 2018-17; An ordinance to amend the code of the Village of Hobart by amending Chapter 295-342 (Conditional Uses), a section of article XXXI (Administration & Enforcement) of Chapter 295 (Zoning):

The purpose of this ordinance to bring our current ordinance into conformance with the newly applied state statute regarding 'Substantial Evidence' at a conditional use permit hearing. Motion by Rich Heidel, second by Tom Dennee, to grant Ordinance 2018-17 as presented. All in favor. Motion carried.

12. Ordinance 2018-18; An ordinance to amend the code of the Village of Hobart by amending Chapter 295-362 (Off Street Parking Requirements in B-1, B-2, I-1, and R-4, R-5, and R-6 Districts), a section of Article XXXIII (Site Review/Development and Design Standards) of Chapter 295 (Zoning):

The purpose for the proposed change is to allow for the Site Review Committee to approve curb cuts larger than 40 feet in width for commercial and industrial developments taking into consideration the traffic flow, safety concerns, and needs of the business. Generally, 40 feet would be sufficient, however, wider curb cuts allow for larger trucks to enter the site while limiting the possibility of driving over the curb and damaging the landscaping. Motion by Dave Dillenburg, second by Tom Dennee, to grant the amendment to Ordinance 295-362 sub. H (Driveway Requirements) as presented. All in favor. Motion carried.

13. Ordinance 2018-19; An ordinance to amend the code of the Village of Hobart by amending Chapter 295-215 (Parcel Requirements) a section of Article XIX (A-2 Exclusive Agricultural District) of Chapter 295 (Zoning):

The purpose for the proposed change is to allow parcels in the A-2 (Exclusive Agricultural) zoning district that are less than 35 acres to remain eligible for Farmland Preservation credits. Additionally, the 5-acre minimum would be consistent with that of parcels located within the A-1 zoning district. Staff confirmed with the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) that they do not get involved with ordinance changes provided that

the requirements noted in state laws are maintained. The proposed change would be compliant with state laws. Motion by Rich Heidel, second by Dave Johnson, to grant Ordinance 2018-19 as presented with the condition that the “35” be removed from Section 1 Sub. A. All in favor. Motion carried.

- 14. Ordinance 2018-20; An ordinance to amend the code of the Village of Hobart by amending Chapter 295-8 (Definitions) a section of Article III (Terminology of Chapter 295 (Zoning) by deleting the definition of “Bed-And-Breakfast Establishment”; By amending Chapter 295-30 (Conditional Uses) a section of Article VI (R-1 Residential District) of Chapter 295 (Zoning); By amending Chapter 295-42 (Conditional Uses) a section of Article VII (R-2 Residential District) of Chapter 295 (Zoning); By amending Chapter 295-55 (Conditional Uses) a section of Article VIII (R-3 Residential District) of Chapter 295 (Zoning); By amending Chapter 295-68 (Conditional Uses) a section of Article IX (R-4 Single & Two Family Residential District) of Chapter 295 (Zoning); By amending Chapter 295-83 (Conditional Uses) a section of Article X (R-5 Two Family through Eight Family Residential District) of Chapter 295 (Zoning); And by amending Chapter 295-98 (Conditional Uses) a section of Article XI (R-6 Multi-Family Residential District) of Chapter 295 (Zoning):**

This ordinance will provide for the regulation of short-term rentals in the Village with respect to the new state law which took effect in late 2017. It removes bed-and-breakfasts as a conditional use and makes short-term rentals a licensed operation within the village. The actual creation of the Short-Term Rental License will be enacted by a separate ordinance by the Village Board. Motion by Bob Ross, second by Rich Heidel, to grant Ordinance 2018-20 as presented. All in favor. Motion carried.

15. Meeting Adjournment:

Motion made by Jeff Ambrosius, second by Dave Dillenburg to adjourn. All in favor. The motion passed unanimously. Meeting adjourned at 6:30 pm.