



Village of Hobart Planning & Zoning Commission Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Wednesday, April 12, 2017– 5:30 pm

1. **Call to Order, Roll Call:** The meeting was called to order at 5:30pm by Rich Heidel. Roll Call: Rich Heidel, aye; Bob Ross, aye; Dave Dillenburg, aye; Jeff Ambrosius, aye; Tom Dennee, aye; David Johnson, aye. Chase Raboin arrived at 6:00pm.
2. **Verify/Modify/Approve Agenda:** Motion made by Rich Heidel, second by Bob Ross to approve the agenda as presented. All in favor. Motion carried.
3. **Approval of Planning & Zoning Minutes: December 14, 2016:** Motion made by Bob Ross, second by Jeff Ambrosius to approve the minutes. All in favor. Motion carried.
4. **Public Comment on Non-Agenda Items:** None.
5. **Consider Certified Survey Map, 3890 County Line Rd., Parcel HB-791;**
Discussion and Action: Consider CSM, creating a 5-acre parcel for the owner's house and accessory buildings, and a separate 24.157-acre parcel for remaining farmlands. Mr. Dave Chrouser, from Mau and Associates, LLP, was present to answer any questions the Commission members might have. Mr. Thies is requesting to separate the home from the farm lands. It is necessary to have 35 contiguous acres in the A2 areas. The remaining 24.157 acres will be attached to his adjacent parcel to the east. It will be necessary to rezone this 5-acre parcel.

Motion made by Tom Dennee second by Bob Ross to approve the 1-lot CSM for Charles this at 3890 County Line Rd. HB-791 conditioned upon the approval of the rezoning of the 5-acre parcel. All in favor. Motion carried.
6. **Rezoning Request; 3890 County Line Rd., HB-791;**
Discussion and Action: Consider rezoning request of the 5-acre parcel proposed in the CSM discussed in item 5. The Commission discussed the required findings and determinations for changing the 5-acre lot to A1.
§ 295-214 Rezoning land out of Farmland Preservation Zoning Districts.
A. Except as provided in Subsection **B.**, the Village Board may not rezone land out of a Farmland Preservation Zoning District unless the Village Board finds all of the following in writing, after public hearing, as part of the official record of the rezoning, before granting the rezone:
(1) The rezoned land is better suited for a use not allowed in the Farmland Preservation Zoning District.

Finding: The 5-acre parcel is associated with the residence and accessory structures. The rest of the acreage, which is the agriculturally used land is remaining zoned as Exclusive Agriculture. Since the Exclusive Agriculture district requires a minimum parcel size of 35 acres, this 5-acre parcel must be rezoned to accommodate the owner's desire to separate the home lot from the farmland parcels.

(2) The rezoning is consistent with any comprehensive plan adopted by the Village of Hobart which is in effect at the time of the rezoning.

Finding: The 5-acre parcel, which houses the residence, is consistent with the Comprehensive Plan Current Land Use Map.

(3) The rezoning is substantially consistent with the Brown County Farmland Preservation Plan, certified under Ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

Finding: This 5-acre rezoning maintains substantial consistency with the Brown County Farmland Preservation Plan.

- (4) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

Finding: Rezoning the requested 5-acre parcel will not impair or limit current or future agricultural use of other protected farmland.

B. Subsection A does not apply to any of the following:

- (1) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under Ch. 91, Wis. Stats.
- (2) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the Brown County Farmland Preservation Plan Map, certified under Ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

Motion made by Rich Heidel, second by Tom Dennee to approve the change of zoning request from Charles this at 3890 County Line Rd parcels HB-791 & HB-811. Zoning Change from A2 Exclusive Ag to A1 Agriculture, conditioned upon the approval of the 5-acre CSM. All in favor. Motion Carried.

7. **Consider CUP; 565 Sunlite Dr, HB-532-1:**

Discussion and Action: Consider Conditional Use Permit (CUP) requesting animal units exceeding the 5 permitted animal units in the Estate Residential District. Heather Leonard, 565 Sunlite Drive was present with her request to add 3-aged horses to her property. With the addition of the horses, she would have 10 animal units. Allyn Dannhoff, Director of Neighborhood Services, presented the plan for the pasturing of the animals and Ms. Leonard spoke about the plan for composting of the manure. Members asked her to cover the piles so extreme rain would not cause runoff issues. The CUP runs with the owner, not the land.

Motion made by Rich Heidel, second by Tom Dennee to approve the CUP to increase the animal units to 10 units for Heather Leonard at 565 Sunlite Dr. HB-532-1, with the 3-conditions as follow.

- A. Animal units in excess of 5, shall be used for horses as presented in the application unless otherwise approved by the Village in a modification of the Conditional Use Permit;
- B. The Operation shall comply with the more restrictive of the Conditions of Approval and the materials submitted by the applicant as well as any applicable Village, County, State or Federal ordinances, rules or laws.
- C. The Conditional Use Permit may be brought back to the Village Board for reconsideration and revocation if the activities of the operation results in repeated nuisance complaints, and/or violations of Village, County, State or Federal regulations, rules or laws.
- D. The CUP runs with the owner, not the property.

All in favor. Motion carried.

8. **Daanen & Janssen Quarry Operations:**

Discussion & Action Item: Operations Review; 4th Quarter 2016, 1st Quarter 2017. Provide guidance to staff for 2017 Non-Metallic Mining Permit. Allyn presented the reports supplied by Scott Jansen for the Ebben Quarry. Staff will monitor the blasting. The DNR has no concerns with the materials being brought into the quarry as fill. It is to be clean fill only per the DNR. No action was taken.

9. **Zoning Administrator's Report:**

The activity report agenda item allows Village Staff to apprise the Board and Public of any new or time-sensitive information. Activity Reports may be given verbally and/or in writing. No report was given.

10. **Meeting Adjournment:** Motion made by Rich Heidel, second by David Dillenburg to adjourn. All in favor. Motion carried. Meeting adjourned at 6:25pm.