



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 BOARD OF ZONING APPEALS of the Village of Hobart will meet on Tuesday November 29th 2022 at 5:30 PM in the Village Office. NOTICE OF POSTING: Posted this 17th day of November, 2022 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING NOTICE – BOARD OF ZONING APPEALS

Date/Time: Tuesday November 29th 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 of the February 3rd 2020 meeting
4. Public Comment on Non-Agenda Items

ACTION ITEMS

5. DISCUSSION AND ACTION – Election of Board Chairperson and Vice-Chairperson

6. PUBLIC HEARING - Variance from the Setback Requirements (HB-3220, 4100 Trenty Trail)

The applicant seeks a variance to allow the existing single-family dwelling to remain with a side yard setback of 19 feet, whereas section 295-190 of the Village Zoning Code requires a minimum of 25 feet for a side yard setback.

7. ADJOURN

Aaron Kramer, Village Administrator

COMMISSION MEMBERS: Richard Happel, Chris Iglar, Jeff Johnson, Erik Perry, Henry Rueden, two (2) vacancies

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 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 BOARD OF APPEALS of the Village of Hobart will meet on Monday February 3, 2020 at 5:30 P.M. in the Village Office. NOTICE OF POSTING: Posted this 17th day of January 2020 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the Village's website.

MEETING MINUTES – BOARD OF APPEALS

Date/Time: Monday February 3, 2020(5:30 P.M.)

Location: Village Office

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. The meeting was called to order by Richard Happel at 5:30pm. Roll Call: Richard Happel, John Rehn, Jeff Johnson present. Excused David Bertler, Chris Igler.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by J. Johnson, second by J. Rehn to approve the agenda. The motion passed unanimously.
3. Approve Minutes of the August 28, 2018 meeting. Motion made by J. Rehn, second by J. Johnson to approve the minutes from August 28, 2018. The motion passed unanimously.
4. Public Comment on Non-Agenda Items. None.

ACTION ITEMS

5. PUBLIC HEARING – Variance from the Setback Requirements – (HB-1491-F-46, 4660 Wedgestone Ct.)

The applicant is seeking a variance to allow existing pool building to remain with a front yard setback of 30-feet. Section 295-45 of the Code requires a minimum of 40-feet for setback from right of way.

BACKGROUND

The accessory structure was constructed back in 2001 and the site plan submitted at that time clearly illustrates the building to maintain a 54-foot setback from the front property line (right-of-way). Village Staff believes that the building was intended to be constructed where it was shown on the submitted site plan, however that the measurement for the 54 feet may have been taken from the edge of roadway and not the right-of-way line as noted on the site plan. When reviewing the GIS aerial photos from 2005 (copy attached), the measurement between the structure and the edge of gravel adjacent to the roadway pavement is approximately 54.6 feet.

The intent of this zoning ordinance section is to set a minimum distance from property lines and for all structures to maintain uniformity within the respective neighborhoods. Staff performed a site visit and confirmed that this setback encroachment is located near the bulb of a cul-de-sac and not near any roadway intersections in addition of being separated by a fair distance from any existing private driveways so there would be no negative affect to both vehicle or pedestrian traffic due to this setback encroachment. Additionally, with this being an existing structure and Village Staff having not received any concerns for approximately the past 19 years, the Planning and Code Compliance Division would have a favorable recommendation to the variance request as submitted.

- 6. ACTION on aforesaid agenda item:** Motion made by J. Rehn second by J. Johnson, to approve the request to allow the existing building to remain at the 30' setback and allow Option#2 for the proposed addition. No addition may be closer than the 30' setback. The motion passed unanimously

- 7. ADJOURN:** Motion made by D. Happle, second by J. Rehn, to adjourn. The motion passed unanimously. Meeting adjourned 6:00pm.

VILLAGE OF
HOBART
GREATNESS IS GROWING
MEMORANDUM



TO: Board of Appeals
FROM: Todd Gerbers, Director of Planning and Code Compliance
RE: HB-3220, 4100 Trenty Trl., Variance to *section 295-190* requiring minimum 25-foot setback from said property line for a principal structure located in the R-2-R: Rural Residential Zoning District
DATE: November 29, 2022

GENERAL INFORMATION

Petitioner(s): Smart Custom Homes
Property Owner(s): James & Mary Hemmy
Location: HB-3220, 4100 Trenty Trl.

VARIANCE REQUEST

Smart Custom Homes began construction on a new single-family dwelling in the fall of 2019 located at 4100 Trenty Trl. This new dwelling was constructed and occupied prior to the encroachment in the required side yard setback was notified. The petitioner is requesting consideration for a variance to allow newly constructed principal structure (dwelling) to remain as constructed with a side yard setback of 19 feet whereas *Village Zoning Code section 295-190* requires a minimum 25 foot setback from a side property line.

BACKGROUND

This new single-family dwelling was requested for permit back in August 2019 and construction on said structure began soon thereafter. A Certificate of Survey was drafted and submitted with the building permit application, a copy of which is attached. The Certificate of Survey as drafted has the incorrect side yard setback of 10 feet noted where it should have listed 25 feet. This was missed during the drafting of the Certificate of Survey by the surveyor as well as during the permit review and issuance by Village Staff. It was first notified by the previous adjoining property owner when they called regarding concerns of compliance with the subdivision grading and drainage plan. To address the drainage issue, the Hemmy's had a landscape berm installed along the north side of the property line to contain as much storm water as possible from going on to the neighboring property and direct it towards the steep ravine in the rear yard.

Some unique features to this lot include with this being a corner lot, there is a second increased setback from the adjoining side street (Trout Creek) while the overall lot width of 150 feet remains the same as the other interior lots within the subdivision (the other corner lot across the street has an additional 20 feet in width than this lot). Additionally, the developer of the subdivision created a large, landscaped berm along Trout Creek which is entirely located on this particular lot. This berm is approximately 35 feet in width, which is almost all of the 40 foot setback for the secondary front yard. In order to maintain enough area for the location of the private onsite septic holding tanks, the dwelling was shifted further to the north to accommodate for said holding tanks (steep drop-off in rear yard limited the location for these tanks).

The intent of this zoning ordinance section is to set a minimum distance from property lines and for all structures to maintain uniformity within the respective neighborhoods. This particular lot has other

limitations than a majority of the other lots in this subdivision, as noted above. Staff performed several site visits and it is our opinion that with the installation of the landscape berm to address concerns on storm water drainage, there would be very little if any negative impact on adjoining properties or the neighborhood.

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

Todd Gerbers
 Director of Planning and Code Compliance
 e-mail: todd@hobart-wi.org

ZONING BOARD OF APPEALS VARIANCE APPLICATION

Please Type or Print in BLACK INK

Please submit a complete **reproducible site plan** (maximum size 11" x 17"). (A complete site plan includes, but is not limited to, all structures, property lines and streets with distances to each.) The fee is payable to the Village of Hobart and due at the time the application is submitted. APPLICATION FEE IS NON-REFUNDABLE.

Address of Parcel Affected: 4100 Trenty Trl.

Petitioner: Smart Custom Homes (Bryan Bryfczynski)

Phone: (920) 619-6668

Petitioner's Address: 4135 Trenty Trl.

Email: bryan@smartcustomhomes

Signature Required: *Bryan Bryfczynski*

Date: 11-2-2022

Owner (if not petitioner): James & Mary Jane Hemmy

Phone: (920) 737-3862

Owner's Address: 4100 Trenty Trl.

Email: jnjhemmy@gmail.com

Signature Required: *James Hemmy*

Date: 11-2-2022

To be granted a variance, each applicant must be able to prove that an unnecessary hardship would be created if the variance is not granted. The burden of proving an unnecessary hardship rests upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.)

1. Explain your proposed plans and why you are requesting a variance:

A variance is being request to allow for a newly constructed single-family dwelling to remain as constructed with a reduction in the required side yard setback (19' instead of 25').

2. Describe how the variance would not have an adverse effect on surrounding properties:

The existing dwelling maintains the same minimum front yard setback as the neighboring dwellings so as one drives down the street, everything appears consistent with all dwellings. With the installation of a landscaped berm on the side of the garage (where the 6' side yard setback is requested), no storm water runoff from this lot should go on to the adjoining lot (with the exception of the approximate 6' of sloped berm, which still remains in the approximate 1' of swale before the property line).

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

Although this lot is the same width as other interior lots along this side of the roadway, this lot is a corner lot which has an additional 15' of a setback than the other lots (40' because of Trout Creek versus the 25' for an interior side yard). Additionally there is a large landscaped berm all located on this lot that was installed by the developer of the subdivision which further reduces building setbacks for the structure. The rear yard contains a steep decline in grade in to a large ravine area.

4. Describe the hardship that would result if your variance were not granted:

Since the single-family dwelling had been fully constructed and occupied prior to the noticing of the side yard encroachment, other than receiving this variance, it would require 6' of the existing garage width to be removed and reduced. This not only would include the building wall, but also the roof being altered and part of the foundation to be removed.

Site and Erosion Control Plan

Certificate of Survey

4100 Twenty Trail

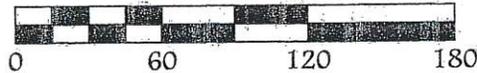
All of Lot 1 of the recorded plat "Trout Creek Estates", (Volume 24, Plats, Page 64, Document No. 2815771, Brown County Records), being in Lot 12, Section 23, Township 24 North, Range 19 East, Village of Hobart, Brown County, Wisconsin.

NOTES

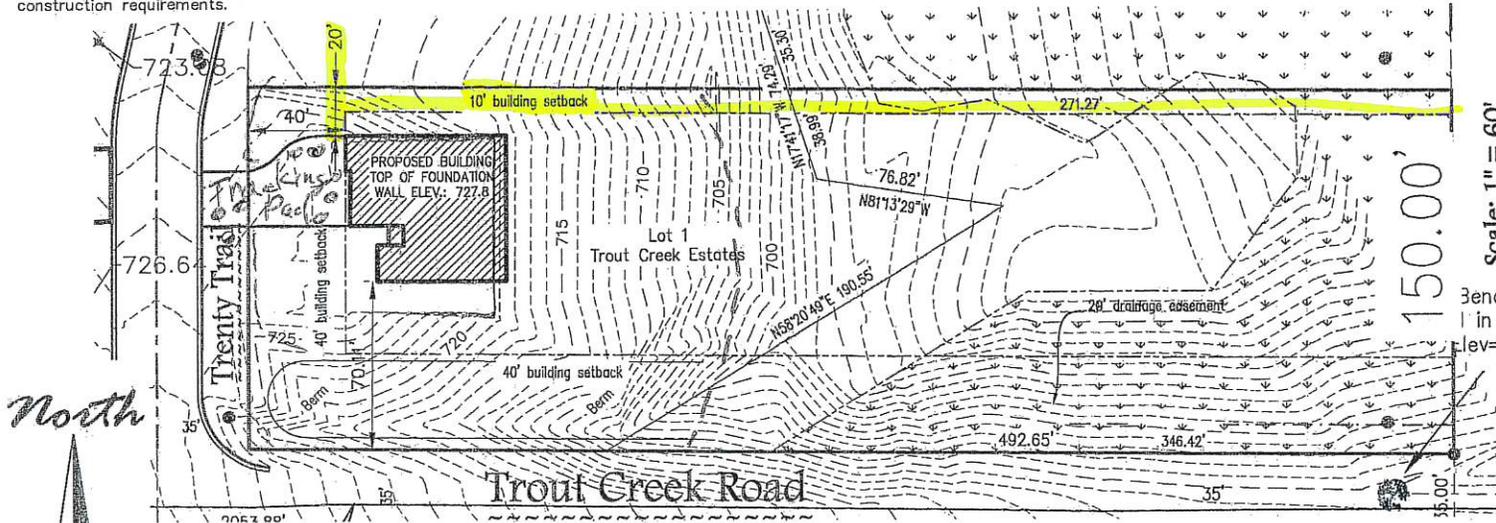
Bearings referenced to the North Line of Lot 4 of the recorded plat "Trout Creek Estates", (Volume 24, Plats, Page 64, Document No. 2815771, Brown County Records), assumed to be S89°29'06"E.

Elevations are referenced to the NAVD 88 Benchmark Datum.

Any foundation not bearing on an elevation of 706 or lower will need a soil analysis identifying any special design and construction requirements.



Steven M. Bleda
PLS-2275
June 7, 2018



Legend

- 1" iron pipe found
- 2" iron pipe found
- ▨ concrete
- ▨ wetland area

Contractor's Information
Smart Custom Homes
Bryan Bryfczynski
Phone: (920) 619-6668

Owner's Information
R

Sheet One of One
Project No.: C-16614
Drawing No.: L-
Fieldwork Completed: xx/xx/xx

LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-641-9670 Website: www.mma-assoc.com
400 Security Blvd, Great Bend, WI 54813

Client: Smart Custom Homes
Tax Parcel: HB-9220
Drafted By: SMB
File: C-16614CenterSurvey Lot 1 071919.dwg
Data File: C-16614.bt

Silt Fence - - - - -
Stock Piles to be Holed away from site
Tracking Pad - ooo

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
 11/17/2022



1:480

1 inch = 40 feet*

1 inch = 0.00758 miles*

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

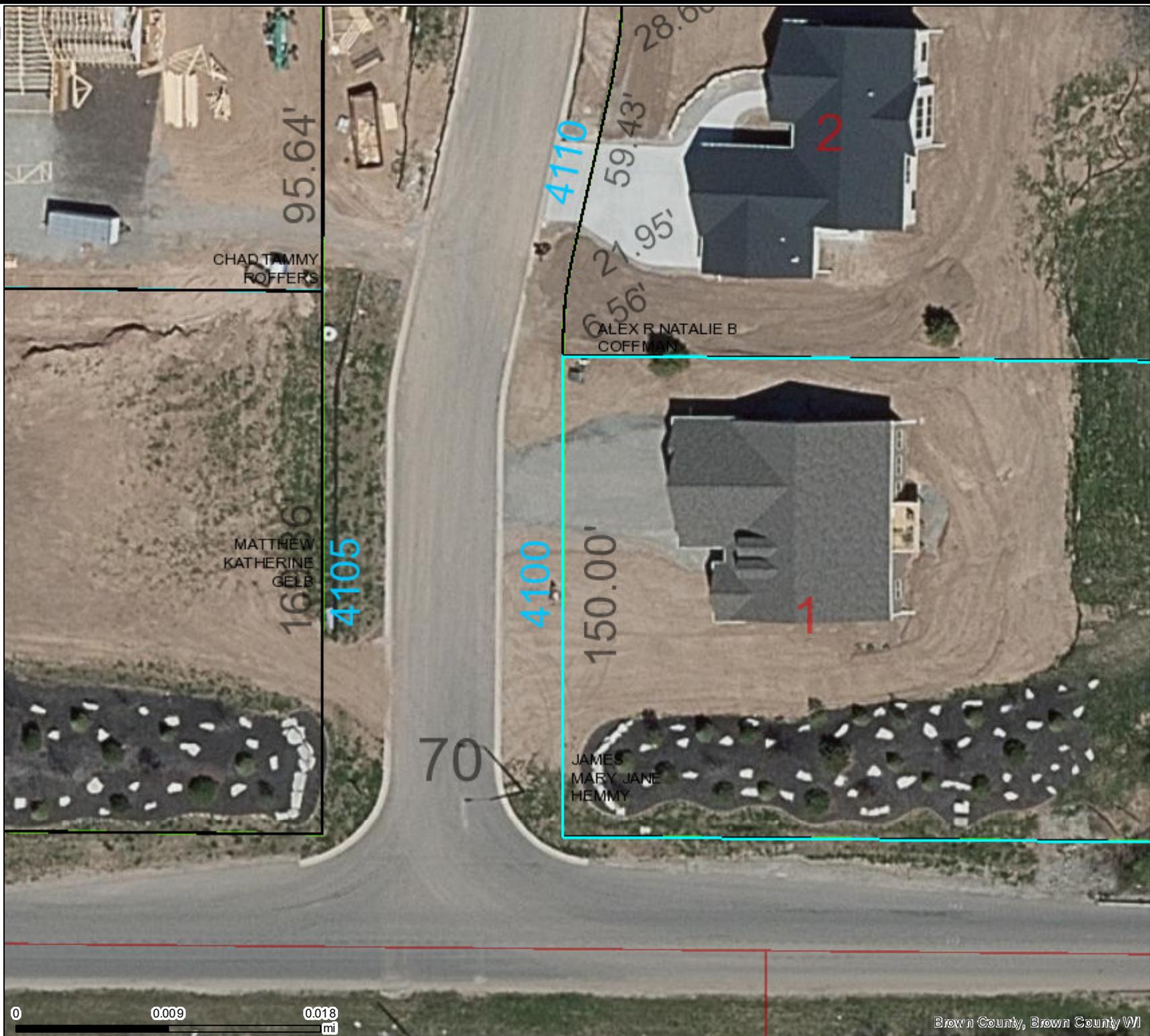
This is a custom web map created by an online user of the GIS map services provided by the

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



(920) 448-6480

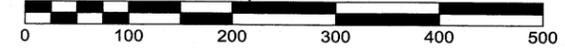
www.browncountywi.gov



Trout Creek Estates

Part of Lot 10, "Brookwood West", Volume 15, Plats, Page 43, Document No. 757999, Brown County Records, being in part of Lot 3, and part of Lot 12, all in Section 23, T24N-R19E, Village of Hobart, Brown County, Wisconsin

Graphic Scale



SCALE 1"=100'

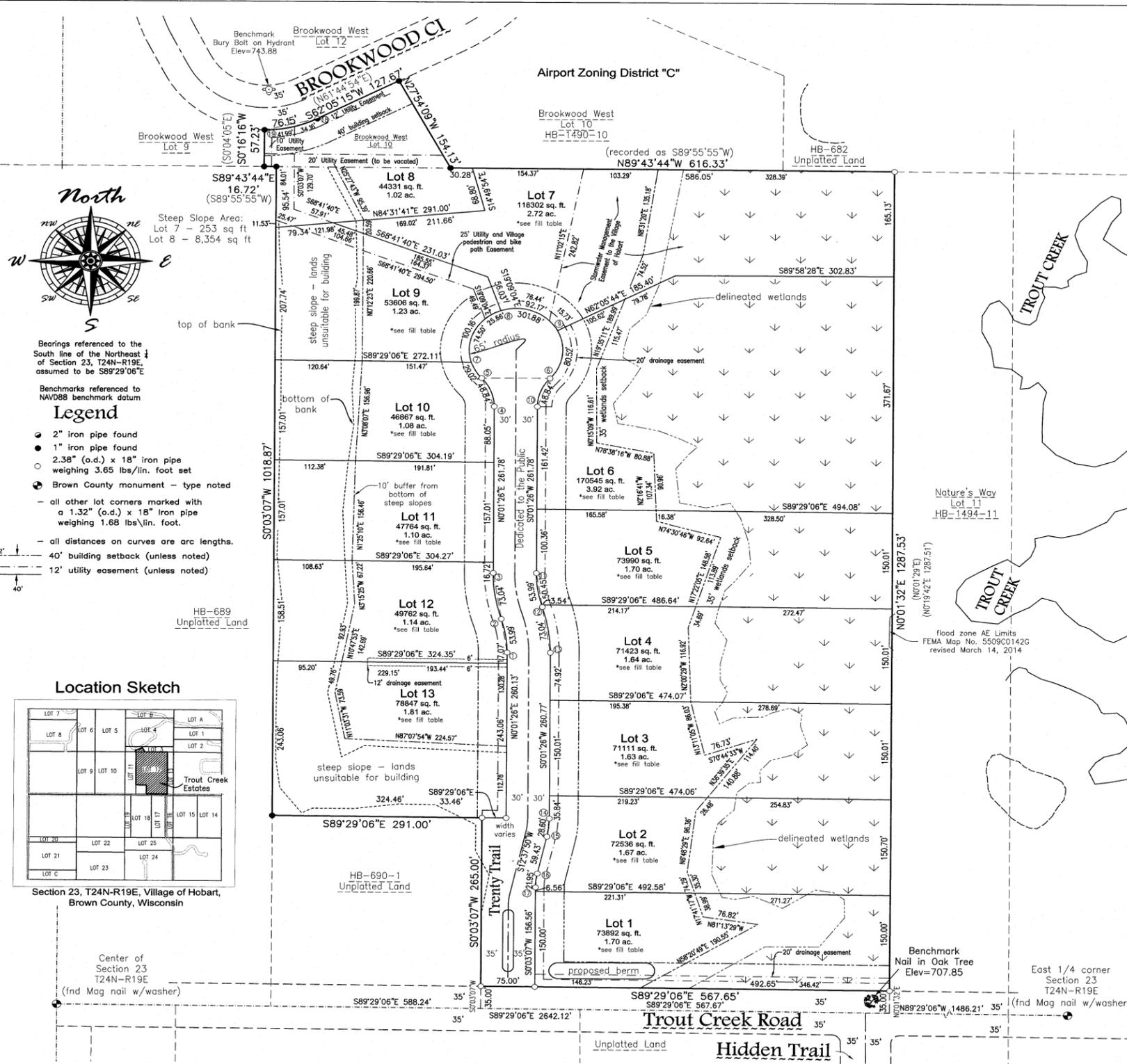
DRAWN BY MRA

Final Plat

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

C Roffers Properties LLC

PROJECT NO. C-16614
SHEET NO. 1 of 2
DRAWING NO. P-2275



An easement for electric, natural gas, and communications service is hereby granted by C Roffers Properties, LLC, 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.

SURVEYOR'S CERTIFICATE
I, Steven M. Bieda, Professional Land Surveyor, PLS-2275, do hereby certify:

That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the Village of Hobart and Brown County and under the direction of the owners listed herein, I have surveyed, divided and mapped "Trout Creek Estates", and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is part of Lot 10, "Brookwood West", Volume 15, Plats, Page 43, Document No. 757999, Brown County Records, being in part of Lot 3, and part of Lot 12, all in Section 23, T24N-R19E, Village of Hobart, Brown County, Wisconsin, more fully described as follows:

Commencing at the East 1/4 corner of Section 23, T24N-R19E; thence N89°29'06"W, 1486.21 feet along the South line of the Northeast 1/4 of said Section; thence N0°01'32"E, 35.00 feet to the North right of way of Trout Creek Road and the point of beginning; thence continuing N0°01'32"E, 1287.53 feet along the East line of Lot 12 of said Section to the North line of said Lot 12; thence N89°43'44"W, 616.33 feet along said North line; thence N27°54'09"W, 154.13 feet along a previously surveyed and monumented line to the South right of way of Brookwood West; thence S62°05'15"W, 127.67 feet along said South right of way as previously surveyed and monumented; thence 76.15 feet along said South right of way being the arc of a 154.82 foot radius curve to the right whose long chord bears S76°11'22"W, 75.38 feet as previously surveyed and monumented; thence S0°16'16"W, 57.23 feet along a previously surveyed and monumented line; thence S89°43'44"E, 16.72 feet along a previously surveyed and monumented line; thence S0°03'07"W, 1018.87 feet along the West line of said Lot 12; thence S89°29'06"E, 291.00 feet; thence S0°03'07"W, 285.00 feet to the North right of way of Trout Creek Road; thence S89°29'06"E, 567.65 feet along said North right of way to the point of beginning.

Parcel contains 1,047,899 square feet / 24.06 acres, more or less.
Road dedication contains 74,923 square feet / 1.72 acres more or less.

Steven M. Bieda
PLS-2275
August 12, 2016
revised November 17, 2016
revised November 29, 2016
revised July 14, 2017 (added drainage easements)



CERTIFICATE OF THE BROWN COUNTY PLAN COMMISSION
Approved for the Brown County Plan Commission this 7th day of February, 2017.

Dan Teatens
Senior Planner

CERTIFICATE OF THE VILLAGE OF HOBART
Approved for the Village of Hobart this 7th day of February, 2017.

Mary R. Smith
Village Clerk



CERTIFICATE OF THE TREASURERS
As duly elected Town Treasurer and Brown County Treasurer, We hereby certify that the records in our office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Plat as of the dates listed below.

Mary Smith
Town Treasurer
Paul D. Zeller
Brown County Treasurer

Lot Fill Depths
November 2015

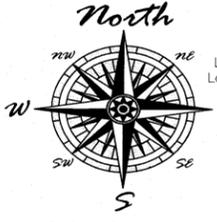
Lot #	Native Soil Elevation	Depth of Fill
1	721	0
2	715	0
3	707	1
4	706	3
5	712	2
6	716	5
7	715	3
9	715	8
10	718	3
11	717	1
12	714	2
13	715	1



Any foundations not bearing on virgin soils must provide soil analysis identifying any special design and construction requirements for proposed buildings

Office of the Register of Deeds
Brown County, Wisconsin
Received for Record February 14, 2017 at 4:09 p.m. and recorded as Document # 2815771
Volume 24 of Plats on Page 106
Cheryl Becker
Register of Deeds

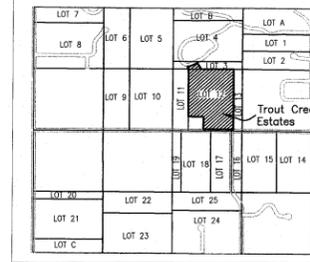
There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified July 20th, 2017
Rene M. Poney
Department of Administration



Bearings referenced to the South line of the Northeast 1/4 of Section 23, T24N-R19E, assumed to be S89°29'06"E
Benchmarks referenced to NAVD88 benchmark datum

- Legend
- 2" iron pipe found
- 1" iron pipe found
- 2.38" (o.d.) x 18" iron pipe weighing 3.65 lbs./lin. foot set
- Brown County monument - type noted
- all other lot corners marked with a 1.32" (o.d.) x 18" iron pipe weighing 1.68 lbs./lin. foot.
- all distances on curves are arc lengths.
- 40' building setback (unless noted)
- 12' utility easement (unless noted)

Location Sketch



Section 23, T24N-R19E, Village of Hobart, Brown County, Wisconsin

NOTES

The property owner, 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.
Lots 1-7 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, Brown County Planning Commission, or the local municipality's Zoning Administrator's Office prior to any development activity.
Lots 8-13 contain steep slopes that are unsuitable for building. No development shall occur in areas labeled "steep slope - lands unsuitable for building" unless a geotechnical study is submitted to and approved by Brown County Planning Commission.
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.

Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	53.99	170.00	53.76	N8°04'24"W	18°11'42"	N18°10'15"W
2-3	73.04	230.00	72.73	N8°04'24"W	18°11'42"	-
4-5	48.84	65.00	47.70	N2°13'02"W	43°02'56"	-
5-6	301.88	65.00	95.00	S89°58'34"E	266°05'52"	S43°04'22"E, S43°01'30"W
6-7	29.02	65.00	28.78	N30°13'59"W	23°35'04"	-
7-8	100.16	65.00	90.64	N26°42'15"E	88°17'22"	-
8-9	92.17	65.00	84.64	S68°31'40"E	81°14'48"	-
9-6	80.82	65.00	75.47	S7°35'04"W	70°58'38"	-
10-11	48.84	65.00	47.70	S2°13'55"W	43°02'58"	-
11-12	53.99	170.00	53.76	S8°04'24"E	18°11'40"	S18°10'14"E
Lot 5	50.45	170.00	50.26	S8°28'38"E	17°00'08"	-
Lot 4	3.54	170.00	3.54	S17°34'26"E	1°11'39"	-
12-13	73.04	230.00	72.73	S8°04'24"E	18°11'42"	-
14-15	28.60	130.00	28.55	S6°19'38"W	12°36'24"	-
16-17	21.95	100.00	21.91	S6°20'29"W	12°34'44"	-
18-19	76.15	154.82	75.38	S76°11'22"W	28°10'54"	S62°05'55"W, N89°43'11"W

Trout Creek Estates

Part of Lot 10, "Brookwood West", Volume 15, Plats, Page 43, Document No. 757999, Brown County Records, being in part of Lot 3, and part of Lot 12, all in Section 23, T24N-R19E, Village of Hobart, Brown County, Wisconsin

RESTRICTIVE COVENANTS

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

1. Lots 1-7 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.
2. No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.
3. Lots 8-13 are required to maintain the West bank in a vegetated and stable condition and are prohibited from excavating and sculpting activities without Village approval and a geotechnical analysis identifying any special design and construction requirements in the performance of any approved activities to prevent compromising the integrity of the bank.
4. The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the property owner and abutting property owners to provide for adequate drainage of surface water in compliance with the Village Approved subdivision Storm Water Grading, Drainage and Management Plan.
5. No direct vehicular access will be allowed to Trout Creek Road, other than platted streets.
6. The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in "Wisconsin Construction Site Best Management Practice Handbook" (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, at the time of construction, if the Village of Hobart has adopted a soil erosion ordinance, it shall govern over this requirement. This provision applies to any grading, construction, land disturbing activities.
7. All dwellings shall be completed within one year after the beginning of construction and every structure must have permanent finish on the exterior within six months of the start of construction.
8. All landscaping, including, lawn, trees, shrubs are to be completed within six months of completing construction.
9. Driveways are to be of concrete or brick pavers and must be completed within six months from completion of home.
10. No building erected elsewhere shall be moved onto any lot.
11. Each dwelling unit shall have a foundation below the frost line.
12. No chain link type fencing is permitted. Decorative fencing can be erected upon any lot in the plat with the proper permit from the Village of Hobart.
13. No satellite dishes over 20" or exterior antennas, such as television (other than the normal house-top antenna), ham radio or other communication modes shall be installed on any lot.
14. No livestock, poultry or exotic animals of any kind (including without exception of others) shall be kept, raised, bred or maintained on any lot within the plat.
15. No nuisance or storage can be maintained or suffered to exist in the plat. No obnoxious or offending activity shall be allowed on any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. No lawn equipment or recreational vehicles, such as but not limited to, boats, trailers, 4 wheelers, dirt bikes, jet skis, snowmobiles, etc. can be stored outside for more than 15 days per year.
16. Landscaping and maintenance shall be done in a manner to blend with the environment and nature of the community to prevent the development of unsightly and undesirable areas. The entire lot must be kept well groomed and maintained in an acceptable manner.
17. The cutting and storage of firewood shall be confined in size and location, and be maintained in an orderly fashion. It is required that storage of firewood be housed, sheltered or screened by adequate plantings or fencing so as to be concealed from view of neighboring lots and streets.
18. Trash, rubbish, garbage, and all refuse matter or waste shall be kept in a closed sanitary containers to be regularly emptied or removed from the premises and shall not be allowed to accumulate or cause an undesirable condition or health hazard.
19. Burning of trash, rubbish, garbage, yard wastes, etc. is prohibited.
20. Vacant lots cannot be used for parking cars, or storage of any kind and shall be maintained by the owner so as to comply with these covenants and local regulations.
21. No home, garage, or other structure or improvement of any kind shall be installed, erected, constructed or placed on any lot (or, altered or changed with respect to layout, location or exterior design, appearance, elevation, color or material composition) without prior written approval by the developer. The developer may deny or withhold approval of any proposed improvement in the Developer's sole judgment. Any lot owner who causes or allows any improvements to be constructed, installed, placed, or altered on any lots without prior written approval from the Developer, shall be required to remove such improvement (or restore such alteration) in its entirety at the lot owner's expense. Without intending to limit the generality of the foregoing, it is intended that the exterior color or appearance of any portion of a home, garage, or other improvement cannot be changed in any significant respect without prior written approval from the developer.
22. Lots shall have a minimum square footage of living space of 1,600 Sq. Ft. for a ranch and 1,900 Sq. Ft. for a two story.
23. The minimum square footages listed cannot include any basement areas.
24. No split level homes will be allowed.
25. Each home is to have a two(2) stall garage no less than 500 Sq. Ft. Three(3) stall garages must have the third door recessed behind the other two doors.
26. Each house shall have a minimum of 50% brick or stone front, excluding doors and windows.
27. Each house shall have a minimum 6/12 roof pitch.
28. Square footage of the homes on all lots may be altered by the developer with written permission only. This shall require some added amenities such as, but not limited to, special or unique landscaping, added stone, brick or masonry, etc.
29. C. Roffers Properties, LLC, will have plan approval on all homes being proposed. Two full size copies of each home and site plan to be submitted for approval. Three (3) days from submittal, notification of approval or denial will be given with written reasons for denial. Upon approval 2 signed copies of the submitted plan will be returned. The covenants listed are minimums with flexibility for any well designed home. The goal is to create a wonderful and varied streetscape. Quality over quantity of square feet will be emphasized. Front porches, natural materials and recessed garages are highly recommended for the front of houses. The same floor plan can only be used on 20% of the homes.

LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

C Roffers Properties LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land described on Trout Creek Estates Subdivision to be surveyed, divided, mapped and dedicated as represented hereon. C Roffers Properties LLC also certifies that this Plat 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
DEPT. OF ADMINISTRATION

In Witness Whereof, the said C Roffers Properties LLC has caused these presents to be signed by Chad Roffers, its Sole Member, on this 28 day of July, 2017.


Chad Roffers Sole Member

Personally came before me this 28th day of July, 2017 the above named Member of said Limited Liability Company and acknowledged that he executed the foregoing instrument as such Member as the deed of said Limited Liability Company, by its authority.


Notary Public
Brown County, Wisconsin My Commission Expires 07/18/2020

STATE OF WISCONSIN }
COUNTY OF BROWN } SS




Steven M. Bieda
PLS-2275
August 12, 2016
revised November 17, 2016
revised November 29, 2016
revised July 14, 2017 (added drainage easements)

SCALE
1"=100'

DRAWN BY
MRA

TAX PARCEL NO. HB690

Final Plat

File: C:\65\4Plat\42616.dwg

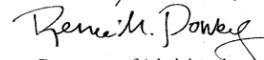
Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

C Roffers Properties LLC

PROJECT NO.
C-16614

SHEET NO.
2 of 2

DRAWING NO.
P-2275

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified July 20th, 2017

Department of Administration 

§ 295-188. Lot requirements.

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

§ 295-190. Building setbacks.

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

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