

**TO: Planning & Zoning Commission**

**RE: Conditional Use Permit for increase in square footage and location of accessory building, HB-3247, 3764 N. Overland Rd.**

**FROM: Todd Gerbers, Director of Planning and Code Compliance**

**DATE: October 5, 2026**

**ISSUE:** Consider Conditional Use Permit, HB-3247, 3764 N. Overland Rd. – 1,700 square foot accessory building on property to be located closer to the street than the rear plane of the principal structure

**RECOMMENDATION:** Staff recommends conditional approval.

#### **GENERAL INFORMATION**

1. Applicant(s): Nikolay & Lyubov Yakovenko
2. Parcel: HB-3247
3. Address: 3764 N. Overland Rd.
4. Present Zoning: R-2-R: Rural 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 regulation reads as follows:

*May be the greater of 864 square feet or 1/60<sup>th</sup> the lot square footage, but shall not exceed 2,500 square feet.*

*Detached accessory buildings located closer to a street right-of-way than the rear plane of the principal structure shall not exceed the lesser of 864 square feet or the maximum allowed accessory building square footage as described in Subsection **D(1)(b)***

#### **BACKGROUND**

The current property owner, Nikolay & Lyubov Yakovenko, of parcel HB-3247 located at 3764 N. Overland Rd. is proposing to construct a detached accessory building of 1,700 square feet on their property located at 3764 N. Overland Rd. The current lot size of 99,965 square feet would allow up to 1,666 square feet of accessory building (1/60<sup>th</sup> of the lot square footage) by ordinance. This request would consist of a Conditional Use Permit as the new accessory building would not conform to the requirements identified in the zoning code. The two conditions that would require the CUP would be the request for an increase in maximum total accessory building square footage to 1,700 (34 square feet greater than the maximum noted in the ordinance) and the placement of the proposed building being closer to the street right-of-way than the rear plane of the principal structure exceeding the 864 square foot limit.

The parcel is located directly across the street from the Village Public Works building and has the overhead power transmission lines running diagonally across the front area of the parcel. Additionally, there is a steep drop off Village Staff has also discussed the possibility of enlarging the existing attached garage with the property owner, but by Village ordinance they are limited to no more than 50% of the total footprint of the garage and dwelling combined. With concerns of overall appearance with such a large garage addition, the property owner would prefer to proceed with the CUP request.

Therefore, the property owner is requesting review of a Conditional Use Permit to increase the size of the proposed building and allowing the increased building square footage to be located closer to the street than allowed by ordinance. The proposed building would comply the required setback of 40 feet from the front property line, will be located just behind the 100 foot transmission line easement.

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

### **RECOMMENDATION/CONDITIONS**

Staff would recommend that any approval of this CUP request to increase the allowable square footage to a total of 1,700 be contingent upon the following:

1. All four building elevations of the new structure are constructed of materials similar to those on the existing residential dwelling on the property
2. Maximum of one detached accessory building be allowed on site
3. Accessory building shall not be utilized to operate a business
4. Property owner to provide Village Staff with written approval from transmission line company



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 detached accessory building located at 3764 N. Overland Rd., Hobart, Wisconsin (HB-3247) as approved by the Village Board on November 4, 2026.

This Permit is subject to the following Limitations and Conditions:

### Limitations:

- A maximum of one detached accessory building is allowed on site.

### Conditions:

1. All four building elevations of the new structure are constructed of materials similar to those on the residential dwelling currently under construction on the property.
2. Accessory building shall not be utilized to operate a business.
3. Property owner to provide Village Staff with written approval from transmission line company.

\_\_\_\_\_  
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: Nikolay & Lyubov Yakovenko Date: 08/24/2026  
Petitioner's Address: 3764 N. Overland Rd City: Hobart State: WI Zip: 54155  
Telephone #: 920-471-8316 Email: mykolayakovenko@gmail.com

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

Petitioner's Signature (required): \_\_\_\_\_ Date: \_\_\_\_\_

**OWNER INFORMATION**

Owner(s): Nikolay & Lyubov Yakovenko Date: 08/24/2026  
Owner(s) Address: 2676 G Trojan Dr Apt 8 City: Green Bay State: WI Zip: 54304  
Telephone #: 920-471-8316 Email: mykolayakovenko@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:  L. Yakovenko Date: 9-8-2026

**SITE INFORMATION**

Address/Location of Proposed Project: 3764 N. Overland Rd Parcel #: HB- 15 3247  
Proposed Project Type: Single-Family residence  
Current Use of Property: Empty log. Getting ready to build. Zoning: Residential  
Land Uses Surrounding Site:  
North: Empty Lot. 3776 N Overland Rd  
South: Developed lot. 3752 N Overland Rd  
East: Empty Lot. 587 Cross Country Ct  
West: Village of Hobart Public Works and Utilities Department

**\*\*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

RECEIVED

SEP - 8 2026

## **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.**

Placing the house further away from the power lines will improve health, safety and general welfare.

**2. Pedestrian and vehicular circulation and safety.**

N/A

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

No change on envoronmental pollution.

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

N/A

**5. Character and future development of the area.**

N/A

The proposed Conditional Use and Development Plan for 3764 N. Overland Rd. addresses unique site-specific topographic, utility, and operational constraints to establish a cohesive two-building residential layout.

The primary objective of this development plan is to establish the placement of a primary single-family residence alongside a secondary shop building on the parcel. The site presents distinct physical boundaries that dictate the orientation and separation of these structures:

- **Utility Infrastructure and Shop Placement:** High-voltage power lines run diagonally, across the lot, from the southeast corner of the front boundary of the property. The secondary shop/accessory building is strategically positioned closer to the road to handle everyday equipment access and utility staging without disturbing the main residential footprint.
- **Building Separation Requirements:** The shop is maintained at a required minimum setback distance from the primary home, creating a clear functional separation between the work/storage space and the main living area while adhering to local building and fire safety clearance guidelines.
- **Topographic Constraints and Primary House Placement:** The rear of the lot transitions into a steep hill. Because the shop occupies the forward buildable area under the utility clearance zone, the primary house is placed further back into the lot. This positions the residence on the natural bench of the site right before the severe slope begins, ensuring the home sits away from high-voltage overhead lines, avoids severe hill cuts, and minimizes total soil erosion.

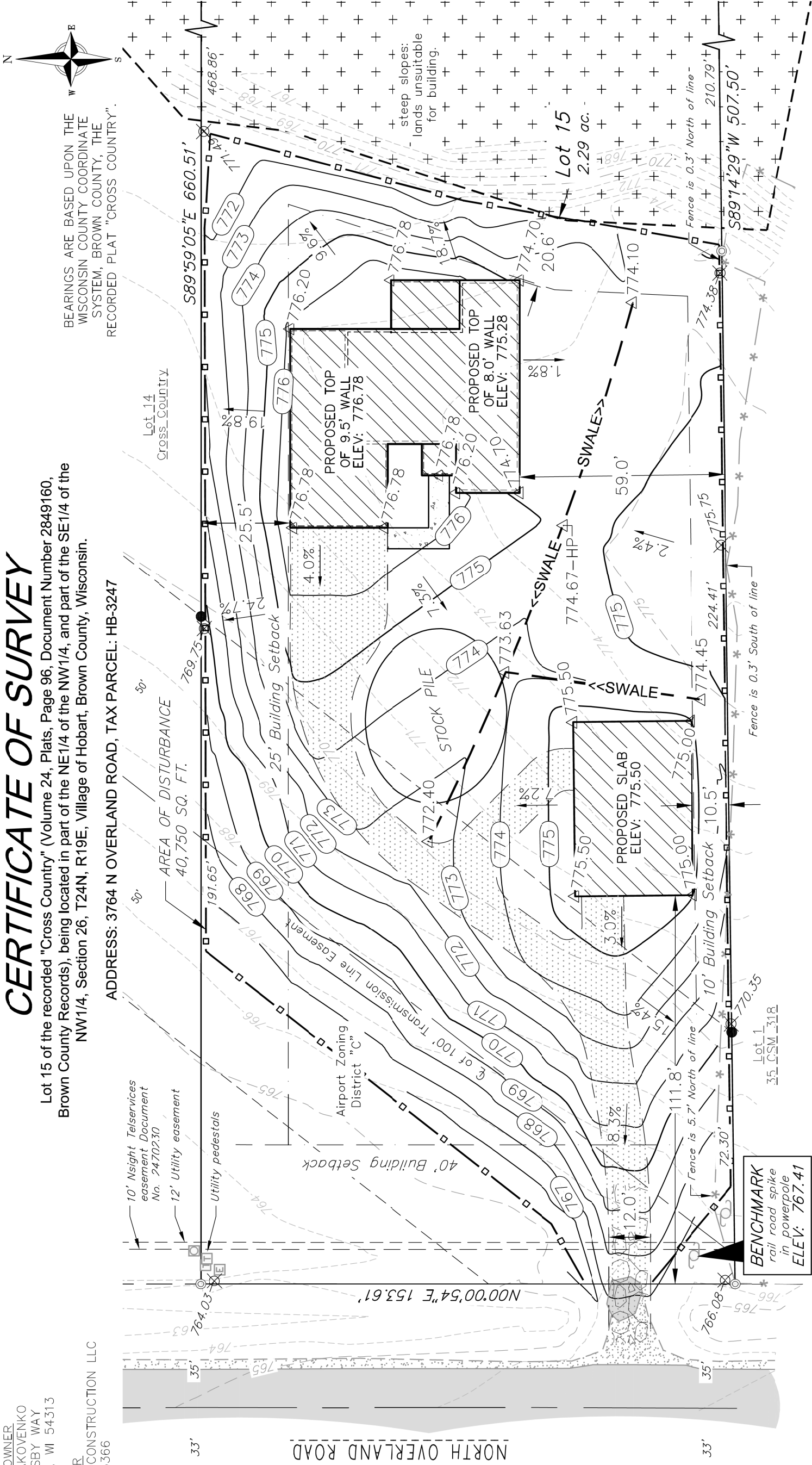
By arranging the shop toward the front and offsetting the house further back, the plan balances utility safety, building code distance requirements, and slope preservation. The proposed layout ensures proper vehicle access and preserves the visual character of the surrounding landscape.

PROPERTY OWNER  
NIKOLAY YAKOVENKO  
2919 HORNSBY WAY  
GREEN BAY, WI 54313

CONTRACTOR  
NEW HOME CONSTRUCTION LLC  
920-327-3366

**CERTIFICATE OF SURVEY**  
Lot 15 of the recorded "Cross Country" (Volume 24, Plats, Page 96, Document Number 2849160, Brown County Records), being located in part of the NE1/4 of the NW1/4, and part of the SE1/4 of the NW1/4, Section 26, T24N, R19E, Village of Hobart, Brown County, Wisconsin.

ADDRESS: 3764 N OVERLAND ROAD, TAX PARCEL: HB-3247



NOTES

FIELD SURVEY JUNE 15, 2026.

ELEVATIONS ARE REFERENCED TO THE NAVD 88 BENCHMARK DATUM.

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.

\*EROSION & SEDIMENT CONTROL NOTE

FOLLOW THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARDS AS FOUND AT:  
[dnr.wisconsin.gov/topic/Stormwater/standards/const\\_standards.html](http://dnr.wisconsin.gov/topic/Stormwater/standards/const_standards.html)  
ALSO REFER TO VILLAGE OF HOBART MUNICIPAL CODE CHAPTER 150, ARTICLE II FOR FURTHER REQUIREMENTS.

LEGEND

- POINT ON LINE, LATH SET
- FOUND 1" Ø IRON PIPE
- EXISTING POWER POLE
- PROPOSED SLOPE ARROWS
- EXISTING SPOT ELEVATIONS
- PROPOSED SPOT ELEVATIONS
- EROSION CONTROL\*
- T-POST AND ROPE FENCE

TRACKING PAD

- PROPOSED CONCRETE
- PROPOSED BUILDING
- PROPOSED DRIVEWAY
- EXISTING ASPHALT
- EXISTING GRAVEL
- EXISTING MINOR CONTOURS
- PROPOSED MINOR CONTOURS



GRAPHIC SCALE: 1" = 30'



DRAWING # X-2624

# YAKOVENKO RESIDENCE

1. **GENERAL PROJECT NOTES:**

1. CONSTRUCTION IS TO BE IN COMPLIANCE W/ ALL GOVERNING CODES, ORDINANCES, & STANDARDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & SUPERVISING ALL SAFETY PRECAUTIONS & PROGRAMS. CONDITIONS LISTED BELOW ARE FOR THIS PLAN ONLY. ANY EXCEPTIONS ARE NOTED ON THE PLAN.

2. ALL DIMENSIONS ARE TO OUTSIDE UNLESS OTHERWISE NOTED. ALL DIMENSIONS FROM ACTUAL FINISHED GRADE UNLESS OTHERWISE NOTED. OVERALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. DIMENSIONS ARE TO BE FIELD VERIFIED & ADJUSTED ACCORDINGLY. THE DESIGNER SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WORK.

4. ALL MATERIALS, DETAILS, & INSTALLATION, SHALL BE IN ACCORDANCE W/ THE MANUFACTURES STANDARDS & SPECIFICATIONS.

5. 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.

6. WATER HEATER LOCATION TO BE DETERMINED PRIOR TO CONSTRUCTION BY THE GENERAL CONTRACTOR.

7. INSULATE ALL PLUMBING WALLS - TYP.

8. COORDINATE ALL FLOOR FRAMING W/ PLANNED PLUMBING FIXTURES TO ENSURE DRAINS DO NOT HIT FRAMING MEMBERS. BOX OUT FRAMING WHERE NEEDED.

9. ALL CABINET LAYOUTS ARE CONCEPTUAL. CONSULT CABINET DESIGNER/PROVIDER FOR EXACT SIZES & LOCATIONS OF CABINETS, APPLIANCES AND WINDOWS.

10. THE SEPARATION MUST BE PROVIDED BETWEEN HOUSE & GARAGE. (SEE CODE FOR DETAILS).
2. **WALL INFORMATION:**

- TALL WALLS: ARE OVER 10'-0" & NEED TO BE DESIGNED BY ENGINEERD WOOD PRODUCTS SUPPLIER (EWP)

HOUSE FOUNDATION: 8" X 8'-0" CONCRETE WALL

GARAGE FOUNDATION: 6" X 4'-0" CONCRETE WALL

FOUNDATION: 6" X 4'-0" CONCRETE WALL

HOUSE EXTERIOR: 2X6 X 9'-1 1/8" WALLS @ 16" O.C. (BLUE COLOR ON PLAN)

HOUSE EXTERIOR: 2X6 X 9'-1 1/8" WALLS @ 16" O.C. (BLUE COLOR ON PLAN)

HOUSE INTERIOR: 2X4 X 9'-1 1/8" WALLS @ 16" O.C. (ORANGE COLOR ON PLAN)
3. **HEADERS:**

- STUDS: (2) 2X12 SELECT STRUCTURAL HEM FIR W/ FLAT (VERIFY W/ HEADER SCHEDULE)

TOP OF WINDOW R.O.S.: FIRST FLOOR @ 6'-10" ABOVE SUBFLOOR

- MINIMUM OF (2) TRIM/SOULDER STUDS AT EACH END FOR ALL OPENINGS 6'-0" AND GREATER.
4. **FLOOR SYSTEM:**

(SEE FOUNDATION PLAN & SECTIONS)

BASEMENT: 4" MID SLAB

FIRST FLOOR: 4" MID SLAB

STDL. LOADING (PER SFT): 25# DL FOR GRANITE

DEFLECTION: LL-L1480 DL-L1240

DURATION OF LOAD: 1.00%
5. **ROOF SYSTEM:**

- 2X10 WOOD RAFTERS @ 16" O.C.

SNOW LOAD FOR WISCONSIN ZONE #2

DEFLECTION: LL-L1240 DL-L1180

DURATION OF LOAD: 1.15%
6. **FRAMING NOTES:**

1. PLAN IS DRAWN ACCORDINGLY FOR 3 1/2" CASING.

2. FRAMER IS RESPONSIBLE FOR TRANSFERRING POINT LOADS FROM ABOVE, THROUGH THE FLOOR SYSTEM(S) & WALLS, W/ SOLID BLOCKING DOWN TO CONCRETE FOUNDATION WALLS BELOW.

3. FLOOR STARTS AT MAXIMUM HEIGHT OF 12" DIA. JOURNAL AT 26" HIGH ABOVE FINISH FTD, OR AS NOTED ON THE PLAN.

4. FLOOR STARTS AT MAXIMUM HEIGHT OF 12" DIA. JOURNAL AT 26" HIGH ABOVE FINISH FTD, OR AS NOTED ON THE PLAN.

5. SEE SECTIONS & DETAILS FOR ADDITIONAL STAIR INFORMATION.

6. FRAMER TO REFERENCE JOIST/TRUSS LAYOUT PLANS TO VERIFY EXACT SIZE & LOCATION OF ALL FLUSH HEADERS & BEAMS IN FLOOR SYSTEM.

7. TAPERED WALLS ARE TO BE FRAMED TO UNDERSIDE OF ROOF TRUSSES/RAFTERS.

7. **WINDOWS & DOORS:**

- ALL DIMENSIONS IN INCHES & DRAWN ON PLAN TO NEAREST WHOLE INCH.

2. MANUFACTURER TO PROVIDE SUPPLIER WITH EXACT R.O.S. SIZES AND DETAILS. VERIFY THAT ALL CODE REQUIREMENTS ARE MET.
8. **FOUNDATION:**

1. CONCRETE CONTRACTOR & BUILDER ARE RESPONSIBLE FOR DETERMINING SITE SOIL CONDITIONS & TO FOLLOW STANDARDS PER SPS 382.25 THE MOST RESTRICTIVE STANDARDS OF SPS 372.15 - SPS 321.18, ACI 318-14 & ACI 308-14 FOR ALL FOOTING & WALL.

2. ASSUMED SOIL CAPACITY IS 3,000 PSF - FIG SIZES MUST BE ADJUSTED FOR VARYING SITE DETERMINED SOIL BEARING CONDITIONS.

3. BUILDER TO PROVIDE HEADERS AT CONCRETE OPENINGS IF NOT NOTED IN FOUNDATION PLAN

4. POURED CONCRETE FOOTINGS TO BEAR ON UNDISTURBED SOIL BELOW THE FROST LINE

5. STEEL COLUMNS TO SUPPORTS 12,000# (LBS) OR AS NOTED ON PLAN.

6. INTERIOR BEARING WALLS TO SIT ON CONTINUOUS CONCRETE FOOTINGS. STUDS @ 16" O.C. W/ BRACING OR LATERAL BRACING.

7. DUE TO UNKNOWN GRADE CONDITIONS, ACTUAL STEPS IN FOUNDATION WALLS & LOCATION OF WINDOW WELLS ARE TO BE DETERMINED, ON SITE BY GENERAL CONTRACTOR.

9. FLOOR DRAINS, SUMP PIT & PUMP ARE TO BE LOCATED IN THE FOUNDATION BY THE GENERAL CONTRACTOR.

10. COORDINATE W/ PLUMBING CONTRACTOR FOR ALL UNDER-SLAB PIPING & DRAINS PRIOR TO POURING SLAB.
9. **HVAC:**

1. WOOD STOVE FIREPLACE UNIT - VERIFY LOCATION & CLEARANCES.

2. ALL HEATING EQUIPMENT SHALL BE DIRECT VENTING & SEALED COMBUSTION UNITS.

3. AC UNIT, FURNACE, BOILER & RADIANT HEAT TUBING & DISTRIBUTION TO BE LOCATED & VERIFIED PRIOR TO CONSTRUCTION.

4. HVAC ELECTRICAL & PLUMBING ARE TO BE DESIGN BUILT, COMPLYING W/ ALL LOCAL, STATE, CODES, & ARE TO BE THE FULL RESPONSIBILITY OF THE CONTRACTOR. THE DESIGNER ASSUMES NO LIABILITY FOR THE DESIGN OF THE HVAC SYSTEM.

5. STANDARDS: BUILDING OWNER AND/OR BUILDING OCCUPANTS ASSUME FULL RESPONSIBILITY FOR MAINTENANCE & OPERATION.

10. **SITE:**

1. ELECTRICAL SERVICES & WELL LOCATIONS ARE TO BE DETERMINED ON SITE BY GENERAL CONTRACTOR & VERIFIED PRIOR TO CONSTRUCTION BY THE GENERAL CONTRACTOR.

2. CONSTRUCTION SHALL BE PROTECTED DURING CONSTRUCTION. DISTURBANCE OF ANY TREES, BUSHES & OTHER NATURAL ELEMENTS & LANDSCAPING AREAS TO BE PROTECTED DURING CONSTRUCTION. CARE SHOULD BE TAKEN TO PROTECT REMAINING TREES & THEIR ROOT SYSTEMS DURING CONSTRUCTION.

3. GENERAL CONTRACTOR MUST COMPLY W/ STATE & LOCAL REGULATIONS FOR SITE DRAINAGE & CONSTRUCTION SITE STORM WATER RUNOFF PLANS, EROSION PLAN, SEDIMENT CONTROL PLAN & BMPs ARE THE RESPONSIBILITY OF GENERAL CONTRACTOR BEFORE CONSTRUCTION BEGINS.

5. ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIALS & RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM THE PREMISES DAILY.
- 
- IT IS AGREED THAT ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PREPARE AND CHECKING THESE PLANS FOR ACCURACY, THE DESIGNER ASSUMES NO LIABILITY FOR THE DESIGN OF THE HVAC SYSTEM. THE DESIGNER ASSUMES NO LIABILITY FOR THE DESIGN OF THE HVAC SYSTEM. THE DESIGNER ASSUMES NO LIABILITY FOR THE DESIGN OF THE HVAC SYSTEM.
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- PRELIMINARY SITE PLAN
- 2 1" = 30'-0"
- YAKOVENKO RESIDENCE
- 3764 OVERLAND RD , HOBART, WI 54155
- 
- TITLE PAGE
- |                             |              |
|-----------------------------|--------------|
| Scale:                      | As Indicated |
| A100                        |              |
| Project Number:             | 2026-005     |
| Date:                       | 05.28.2026   |
| DWG #:                      | 920.664.1284 |
| Drawn by:                   | DVG          |
| limitedsidedesign@gmail.com |              |
- | SHEET NUMBER | SHEET NAME        |
|--------------|-------------------|
| A100         | TITLE PAGE        |
| A101         | ELEVATIONS        |
| A200         | FOUNDATION PLAN   |
| A201         | FLOOR PLAN        |
| A202         | WALL BRACING PLAN |
| A300         | SECTIONS          |
| A301         | SECTIONS          |
| A302         | SECTIONS          |
- | IMPERVIOUS AREA           | 99,965 SQFT |
|---------------------------|-------------|
| LOT:                      |             |
| HOUSE/GARAGE/ENTRY/PATIO: | 3,701 SQFT  |
| STORAGE:                  | 1,700 SQFT  |
| FRONT WALKWAY:            | 196 SQFT    |
| DRIVEWAY:                 | 4,630 SQFT  |
| TOTAL IMPERVIOUS AREA     | 10,228 SQFT |
| & GRAVEL DRIVEWAY         |             |
| TOTAL PERVIOUS AREA       | 89,737 SQFT |
| GREEN SPACE PERCENT       | 88.77%      |
- NOTES:  
1. DIMENSIONS ARE TO BE FIELD VERIFIED & ADJUSTED ACCORDINGLY. THE DESIGNER SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WORK.  
2. ALL DIMENSIONS ARE TO OUTSIDE UNLESS OTHERWISE NOTED. ALL DIMENSIONS FROM ACTUAL FINISHED GRADE UNLESS OTHERWISE NOTED.  
3. CARE SHOULD BE TAKEN TO LEAVE EXISTING ITEMS UNDISTURBED AND STILL ACCOMMODATE WORK. EXISTING AREAS TO BE PROTECTED DURING CONSTRUCTION.  
4. ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIALS AND RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM THE PREMISES DAILY.

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