

**Town of Eldorado
Plan Commission
Public Hearing Minutes**

Date: May 9, 2023

Plan Commission Member Attendees (5):

x	Jeremy Brenner, Chairperson	x	Jenna Borski, Secretary		Aaron Rickert, Town Board Liaison
x	Jeff White, Vice Chairperson	x	Dennis Yoder, Member		

Public Hearing – Review for Renewal of Conditional Use Permit for a Non-Farm Residence

Conditional Use Permit #ELD-14-001, January 15, 2014, issued March 24, 2014 (3 yrs), renewed March 13, 2017 (3 yrs) and September 13, 2022 (3 yrs retroactively from March 2020)

Applicant: Ben & Sarah Isaac

Location/Description of Property per the CUP:

Original CUP: W9509 Rose-Eld Rd / T07-16-16-31-08-004-00 (non-farm residence) & T07-16-16-31-08-005-00 (remnant parcel with potable well).

Revised in September 2022: W9505 Rose-Eld Rd / T07-16-16-31-08-006-00 & T07-16-16-31-08-007-00 (remnant parcel with potable well).

Parent parcel acres: 1.503 +/- for W9505 Rose-Eld Rd (same acreage in 2014, 2017 & 2022 but different footprint in 2022)

Current zoning: A-1

Base Farm Tract (BFT) Acres: 196.3 +/- (Isaac Revocable Trust)

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): 186.952+/-

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): 9.348 +/-

Attendance for the application: Ben Isaac (current property owner & grandson of Annastine Isaac)

Meeting called to order by Brenner at 7:15 p.m.

At the hearing immediately preceding this one, Brenner read the legal notice published April 23 and April 30, 2023 for W9509 Rose-Eld Rd, currently 1.503 acres listed as parcel number T07-16-16-31-08-006-00 (*note typographical error in legal notice as -08-003-00*).

Presentation of application:

A questionnaire was sent to the property owners in advance of the hearing regarding current use of the property. The current property owners, Ben and Sarah Isaac, submitted the questionnaire indicating continued non-compliance due to the deed restriction still being amended by the Town for continued use of the potable well on the adjacent parcel.

Borski reviewed the CUP history and CUP review packet for EPC.

Questions of applicant from members of the public: None

Questions of applicant from Eldorado Plan Commission (EPC) members: None

Testimony in support of renewal (offered three times): None

Testimony in opposition of renewal (offered three times): None

Rebuttal testimony by applicant: None

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Discussion by EPC: Borski commented that the Town Attorney continues to work on the deed restriction correction.

Motion:

Motion made by Borski/Yoder to renew the NFR CUP for three years retroactively from March 2023, until March 2026.

Borski, Brenner, White & Yoder voted in favor of the motion. Motion carried 4-0.

Future actions:

The EPC will draft a CUP renewal document and provide to the applicant.

The EPC will continue to work with the Town Attorney to draft an amendment to the Deed Restriction for filing at the Register of Deeds with no legal charges to the property owner per the September 2022 public hearing.

Secretary note: In March 2026, the EPC may consider renewing the CUP in perpetuity if there is continued compliance, but must consider how to best monitor for compliance with the CUP requirement to relocate the potable well in the future.

Brenner adjourned the hearing at 7:26 p.m.

Respectfully submitted,

Jenna Borski

Secretary

Town of Eldorado Plan Commission