

# VILLAGE OF OCONOMOWOC LAKE

**OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES  
of Monday, April 1, 2013.  
Unofficial until approved by the Plan Commission.  
Approved as written ( X ) or with corrections ( ) on 07/01/2013.**

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, April 1, 2013, commencing at 7:00 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll was taken with the following in attendance:

Mr. Birbaum/Chairperson – absent  
Messrs. Barquist, Bickler, Foster, Owens, Waltersdorf /Members – present  
Mr. Kohl/Member – absent  
Ms. Cameron/Member – absent  
Ms. Schlieve/Clerk– present  
Mr. Wiemer/Administrator – present  
Mr. Macy/Attorney – present

## **ATTENDANCE**

Jon Spheeris, Dwight (Jack) Swanson

## **APPOINTMENT OF ACTING CHAIR IN THE ABSENCE OF PRESIDENT BIRBAUM**

Ms. Schlieve called the meeting to order, and requested nominations for acting chair in the absence of President Birbaum. Motion (Foster/Owens) to nominate Mr. Bickler as acting chair for the Plan Commission meeting, Carried Unanimously. Mr. Bickler continued the meeting as Acting Chair.

## **MINUTES**

Motion (Barquist/Foster) to approve the minutes as printed, for the Plan Commission meeting held on March 4, 2013, Carried Unanimously.

## **DISCUSSION/ACTION REGARDING A REQUEST FOR LAND TRANSFER FROM THE PROPERTY OF 4523 N. SAWYER ROAD OWNED BY ANDREA V.H. CLARKSON TRUST TO THE PROPERTY AT 4539 N. SAWYER ROAD OWNED BY PAUL L. CLARKSON TRUST, IN THE VILLAGE OF OCONOMOWOC LAKE**

Mr. Bickler outlined the request. Mr. Spheeris was present to represent the Paul and Andrea Clarkson. Mr. Wiemer reviewed the history of this request, noting that several months ago Mr. Clarkson had presented a request to the Plan Commission for a land transfer such as this. The village ordinances at the time would not allow the transfer. The Plan Commission and Village Board of Trustees reviewed the village ordinances in regard to the request, and Chapter 18.14 of the land division ordinance was amended. The amended ordinance allows Mr. Clarkson to transfer this land among two legal non-conforming lots with the approval of the Village Board if certain conditions are met. Mr. Clarkson completed all necessary documents in order to apply for the transfer of land, and

answered all applicable questions pertaining to the request in his application. His completed application is included with these minutes in the Plan Commission Minutes binder.

Motion (Foster/Waltersdorf) to recommend to the Village Board of Trustees approval of the application submitted by Paul and Andrea Clarkson pursuant to section 18.14 as reviewed and applied to this property in order to complete a land transfer between the properties located at 4523 and 4539 N. Sawyer Road, with Mr. Clarkson having complied with all requirements of the land division ordinance, Carried Unanimously.

**DISCUSSION/ACTION REGARDING APPROVAL OF A PROPOSED CERTIFIED SURVEY MAP (CSM) FOR THE PROPERTIES LOCATED AT 4523 AND 4539 N. SAWYER ROAD, OWNED BY ANDREA V.H. CLARKSON TRUST AND PAUL L. CLARKSON TRUST, RESPECTIVELY, IN THE VILLAGE OF OCONOMOWOC LAKE**

Mr. Bickler outlined the request and referenced the discussion from the previous agenda item in which the land transfer was recommended for approval.

Motion (Waltersdorf/Owens) to recommend to the Village Board of Trustees approval of the proposed Certified Survey Map for the properties located at 4523 and 4539 N. Sawyer Road, Carried Unanimously.

**DISCUSSION/ACTION REGARDING APPROVAL OF A PROPOSED CERTIFIED SURVEY MAP (CSM) FOR PROPERTIES LOCATED ON PABST ROAD AND OWNED BY MR. AND MRS. DWIGHT J. SWANSON, IN THE VILLAGE OF OCONOMOWOC LAKE**

Mr. Bickler outlined the request. Mr. Wiemer explained some of the history of the property. The CSM is a proposed land division that is being requested for the remainder of the property that Mr. and Mrs. Swanson divided within the past two years. Mr. Jon Spheeris and Mr. Dwight (Jack) Swanson were present to speak to the matter. The parcel that is being proposed for division is approximately 17 acres in size. The request is to divide the 17 acres into two lots. Mr. Wiemer reviewed the proposal, beginning with lot 1 as noted on the proposed CSM. Per Village zoning and land division code, there has to be a buildable envelope box created on this lot that is 80% of the five acres, which is shown for lot 1. Lot 2 also has a box created that is 80% of the total acreage of the lot. The boxes can be seen on the page provided with the proposed CSM. Lot 2 shows the 80%, and in the upper right hand corner is a circle that represents the building envelope. One of the requirements of the zoning code is that the building envelope has to be located in the 80% box of the lot area as it applies to the box. Lot 2 also has a circle that represents the building envelope for that lot which would have access to the private road and which is not in the box. Mr. Wiemer continued to explain that the zoning code requires that all lots must abut a public road or have adequate access. Lot 1 also must have access to either a private driveway or private road, per zoning code. That is one of the determinations that the Plan Commission needs to make in regard to this proposed CSM.

Mr. Wiemer referred to a drawing he had prepared to explain the access issues in this proposed CSM. The drawing shows 6 boxes, numbered 1 through 6, representing six properties that are on either this proposed CSM, or a previously approved CSM. The drawing also indicates the location of the private road and an easement along the south side of property 2 and along the east side of

properties 3 and 4. Properties 1 and 2 are owned by Mr. Richard Layo. Properties 3 through 6 on the drawing are owned by Mr. and Mrs. Dwight J. Swanson. Mr. Wiemer explained that per Ordinance 175, a private driveway may not serve more than three lots. If more than three lots need access to the private driveway, the driveway must be improved to the level of a private road. A private driveway must be 16 feet wide; a private road must be 30 feet wide. During the original creation of the properties 1, 2, 3, 4, 5, and 6 (with properties 5 and 6 being only one property at that time), the Village required an easement 30 feet wide to be provided at the south end of property 2 and the east side of properties 3 and 4.

Using Mr. Wiemer's drawing, Mr. Swanson and Mr. Spheeris explained their reasoning that property 2 has access to the existing private road through property 1; properties 3, 4, and 5 then would count as the three properties needing the private drive ingress and egress; lot 6 has access through the existing private road. Mr. Wiemer and Plan Commissioners disagreed with Mr. Swanson and Mr. Spheeris, stating that property 2 does not have access to the private road through property 1, and therefore that leaves properties 2, 3, 4, and 5 that would need private drive ingress and egress. That is one property too many per Village zoning code. Discussion followed.

Mr. Spheeris and Mr. Swanson requested the matter be withdrawn from discussion/action for the time being until further research can be completed into the matter. The matter was withdrawn and there was no further discussion. All documents referenced in the minutes and relating to this matter will be included in the Plan Commission Minutes binder with these minutes.

#### **ADJOURNMENT**

With no further discussion, a motion (Waltersdorf/Owens) to adjourn the meeting at 7:37 p.m., Carried Unanimously.

Respectfully submitted by:  
Cindy J. Schlieve, Clerk-Treasurer