

VILLAGE OF OCONOMOWOC LAKE

**OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES of
Monday, September 12, 2011.**

Unofficial until approved by the Plan Commission.

Approved as written (X) or with corrections () on 10/03/2011.

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, September 12, 2011, 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 – present
Messrs. Barquist, Bickler, Clarkson, Foster, Kohl, Owens /Members – present
Ms. Cameron/Member – present
Ms. Schlieve/Clerk– present
Mr. Wiemer/Administrator – present
Mr. Macy/Attorney – present

Attendance

Joe Abruzzo, Jon Spheeris, Mark Powers, Tim Hill, Maureen Hill, Karen Swanson, Jack Swanson

MINUTES

Motion (Foster/Bickler) to approve the minutes as printed for the Plan Commission meeting held on August 1, 2011, Carried Unanimously.

Discussion/action regarding the request for a residential Conditional Use Permit by Dr. Timothy and Maureen Hill for their property located at 34625 Hartwell Place, Oconomowoc, Wisconsin, for the purpose of keeping chickens

Dr. Timothy and Maureen Hill submitted a request for a residential conditional use permit for their property located at 34625 Hartwell Place in the Village of Oconomowoc Lake, for the purpose of keeping chickens. Their request is to be allowed to keep up to 10 chickens (no roosters); they will have a chicken coop (approximately 4 feet by 6 feet in size) with a fenced-in run (approximately 8 feet by 12 feet in size); there will be horizontal fencing to prevent the chickens from flying away. The family will use the chicken eggs for their personal consumption; there will be no sales occurring and no signage on the property. Village ordinance would allow up to 20 chickens on a property the size of the Hill property. Mr. Wiemer advised that he planned to treat the fencing as a minor structure; therefore, it will not need Architectural Control Board approval.

Motion (Bickler/Owens) to recommend to the Village Board of Trustees approval of the request for the Conditional Use Permit for Dr. Timothy and Maureen Hill for the purpose of keeping chickens at their property located at 34625 Hartwell Place, Oconomowoc, Wisconsin, and to set a Public Hearing for September 19, 2011 immediately preceding the regular monthly meeting of the Village Board of Trustees, Carried Unanimously.

Discussion/action regarding the definition of lot width, minimum, as it pertains to sub. 4 of the definition

Mr. Wiemer noted that the Village Zoning Code states the following in subparagraph 4 of the definition of LOT WIDTH, MINIMUM: *"If the proposed lot is to include lake frontage or is to include both lake and water frontage, then such lake frontage must form one of the sides of the envelope, which side must meet the 'Minimum Lake Frontage' requirement of the zoning district;"*

Using the Swanson property as an example, Mr. Wiemer demonstrated that the lots could be created in such a way to allow for the required 80% lot envelope, but using only the necessary water frontage to create the 80% envelope. Mr. Wiemer noted that while the ordinance states that the envelope must be four-sided, it does not state that the sides must be straight. When the side along the water frontage is included, then one of the sides can be curved, and not straight. Mr. Macy's interpretation of the ordinance was that the 80% envelope must use the entire lake frontage for the lot to make the lakefront side of the 80% envelope, and would not allow as many lots to be created on a property such as the Swanson's. Discussion followed regarding the different interpretations of the zoning code.

Motion (Bickler/Owens) to support the interpretation presented by Mr. Wiemer for LOT WIDTH, MINIMUM, as it pertains to sub. 4 of the definition, Carried Unanimously.

Motion (Bickler/Owens) to support clarifying the language of the ordinance, and to request Mr. Macy to assist in the clarification, Carried Unanimously.

Discussion/action regarding the preliminary Certified Survey Map (CSM) for property owned by Dwight (Jack) and Karen Swanson located at 35520 W. Pabst Road in the Village of Oconomowoc Lake.

Mr. Wiemer stated that the division that Jack and Karen Swanson want to do on their property requires either a subdivision plat or three (3) separate CSM's that are submitted, reviewed and recorded concurrently. Commissioners discussed concerns regarding the driveway setbacks and structures set too close to the lot line in the proposed CSM. Mr. Jon Spheeris was in attendance to represent the Swanson's; he assisted in clarifying several portions of the preliminary CSM. The issues that were discussed will be addressed and the matter will be reviewed at a future Plan Commission meeting. No action was taken regarding this matter.

Discussion/action regarding the Conditional Use application for accessory structures for property owned by Dwight (Jack) and Karen Swanson located at 35520 W. Pabst Road in the Village of Oconomowoc Lake.

Mr. Wiemer explained that the Swanson property currently includes a boathouse and ice house. The proposed division of the Swanson property would place the boathouse and ice house on lots that do not include a primary residence, which is contrary to Village zoning. The existing boathouse and ice house could be considered historical since they are most likely 100 years old or more; therefore, it would be beneficial to maintain those structures for their historical value. Discussion followed regarding the usage that would be allowed for the two structures. For the boathouse, it was determined that there would be no human habitation and it could be used for storage of boating related items, which is its current usage by the Swanson family. The ice house could be used for storage only. Mr. Macy will draft a Conditional Use Permit that will specify the usage of the structures; the draft CSM will be reviewed at the next Plan Commission meeting.

Discussion/action regarding use variances; An Ordinance to Repeal and Recreate Section 17.61(4)(b) Entitled "Powers" of the Village of Oconomowoc Lake Zoning Code, per correspondence from Mr. Macy dated August 19, 2011 and recommendation from the Village Board of Trustees for the Plan Commission to review this matter.

Mr. Macy noted that the revisions requested at the August 1, 2011 Plan Commission meeting had been incorporated into the proposed ordinance. Since the ordinance involves the Board of Zoning Appeals (BZA), Mr. Paul Fischer (chair of the BZA) worked with Mr. Macy to clarify the sections of the ordinance that affected the BZA.

Motion (Bickler/Owens) to recommend approval to the Board of Trustees of the proposed Ordinance to Repeal and Recreate Section 17.61(4)(b) Entitled "Powers" of the Village of Oconomowoc Lake Zoning Code; and that the proposed ordinance be set for Public Hearing on September 19, 2011 immediately preceding the regular monthly meeting of the Village Board of Trustees, Carried Unanimously.

Information regarding a Plan Commission Workshop that will be held on October 10, 2011 at the Waukesha County Courthouse

Ms. Schlieve stated that a brochure regarding a workshop for plan commissioners had been included in the commissioners packets. Information only.

Adjournment

With no further discussion, a motion (Bickler/Clarkson) to adjourn the meeting at 8:30 p.m., Carried Unanimously.

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