

# VILLAGE OF OCONOMOWOC LAKE

**OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES of  
Monday, November 5, 2012.  
Unofficial until approved by the Plan Commission.  
Approved as written ( X ) or with corrections ( ) on 12/03/2012.**

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, November 5, 2012, 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, Foster, Owens, Waltersdorf /Members – present  
Ms. Cameron/Member – present  
Mr. Kohl/Member – absent  
Ms. Schlieve/Clerk– present  
Mr. Wiemer/Administrator – present  
Mr. Macy/Attorney – present

## **ATTENDANCE**

Tim Schuetz, Terry Schuetz, Pat McAdams

## **MINUTES**

Motion (Bickler/Foster) to approve the minutes as printed for the Plan Commission meeting held on August 6, 2012, Carried Unanimously.

## **DISCUSSION/ACTION REGARDING AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR OCONOMOWOC AUTO PARTS, LOCATED AT 36863 E. WISCONSIN AVENUE, OCONOMOWOC, WISCONSIN, IN ORDER TO CHANGE THE NAME OF THE OWNER/AGENT**

Mr. Wiemer explained that Mr. Tom Schuetz, current owner of record for Oconomowoc Auto Parts, is retiring. Mr. Schuetz' brother, Terry Schuetz, is taking over as the new owner/agent for the store. The owner/agent is the only change to the existing Conditional Use Permit.

Motion (Bickler/Owens) to recommend to the Village Board of Trustees approval of the requested amendment to the Conditional Use Permit for Oconomowoc Auto Parts, Carried Unanimously.

## **DISCUSSION/ACTION REGARDING RENEWAL OF THE CONDITIONAL USE PERMIT FOR MCADAMS REALTY OCONOMOWOC, LLP, WHICH INCLUDES THE ROUNDY'S SUPERMARKETS, INC. D/B/A PICK N SAVE, LOCATED AT 36903 E. WISCONSIN AVENUE, OCONOMOWOC, WISCONSIN**

Mr. Wiemer explained that this is a 5-year renewal request for the Conditional Use Permit which covers the property owned by McAdams Realty Oconomowoc, LLP, and includes the Roundy's Supermarkets, Inc. d/b/a Pick N Save. Mr. Wiemer noted that the property had been well maintained, and the few areas that needed anything had been handled. Motion (Bickler/Foster) to recommend to the Village Board of Trustees approval of the renewal of the Conditional Use Permit for McAdams Realty Oconomowoc, LLP, which includes the Roundy's Supermarkets, Inc. d/b/a Pick N Save, located at 36903 E. Wisconsin Avenue, in the business district of the Village of Oconomowoc Lake, Carried Unanimously.

**DISCUSSION/ACTION REGARDING THE REQUEST FOR APPROVAL OF A CERTIFIED SURVEY MAP FOR THE PROPERTIES LOCATED AT 4523 AND 4539 NORTH SAWYER ROAD, OCONOMOWOC, WISCONSIN OWNED BY PAUL AND ANDREA CLARKSON; AND THE REQUEST FOR A LEGAL NONCONFORMING CONDITIONAL USE PERMIT FOR THE SAME PROPERTIES**

Mr. Wiemer explained that Mr. and Mrs. Clarkson have requested approval of a Certified Survey Map (CSM) for their properties located at 4523 and 4539 N. Sawyer Road, and reviewed a little of the history for the two properties. On August 20, 2012, Section 18.14 of Ordinance 18 (the subdivision and platting code) was revised and approved by the Village Board of Trustees which allowed the Clarksons to straighten the property line between the two properties, thus eliminating a shared driveway and making a better ingress and egress for both properties. The Clarksons have requested approval of a CSM for those properties in order to reflect the property line change. Because neither property is currently considered legal non-conforming, since the change to the property line is recent, discussion followed regarding the possible solutions for an approval of the proposed CSM. Suggestions included creating a Conditional Use Permit for a legal non-conforming property or revising Chapter 18 in such a way that approval of the proposed CSM would be allowed. Mr. Macy and Mr. Wiemer noted that the proposed revision to Chapter 18 is something that should be done because it is likely that similar cases as this will be coming up in the future, and the revision will provide the proper procedures for those cases. Mr. Macy reviewed the possible revision that he had prepared. The subject of revisions to Ordinance 18, the subdivision and platting code for the Village, was not on the agenda for action; therefore, no action regarding any proposed revisions could be taken.

Motion (Bickler/Owens) to recommend approval to the Village Board of Trustees of the CSM for the properties located at 4523 and 4539 N. Sawyer Road, owned by Paul and Andrea Clarkson, subject to approval of a Chapter 18 amendment, grant of petition under Chapter 18.14, and payment of all fees due to the Village, Carried Unanimously.

The proposed revisions to Chapter 18 will be presented to the Plan Commission at its December 3, 2012 meeting. If a recommendation of approval is received from the Plan Commission, the revision will have a public hearing immediately preceding the December 17, 2012 Village Board of Trustees meeting, and be placed on that agenda for discussion/action.

**DISCUSSION/ACTION REGARDING MAIN BUILDING WIDTH, SECTION 17.36(3)(g) OF THE VILLAGE ZONING CODE**

Mr. Wiemer explained that the current zoning states that the main building cannot exceed sixty percent (60%) of lot width when measured at the high water mark of the property. The original thinking in creating that portion of the law was so that if most of the houses on the waterfront were built at the 75 foot setback, then there would be an appreciable amount of green space between the properties. Mr. Wiemer reviewed the waterfront setback of the houses in the Village, and found that very few houses are at the 75 foot setback limit; most of the houses are set back much farther. Mr. Wiemer suggested that the ordinance be revised to suspend the 60% rule for main buildings on a property that are set back certain distances from the high water mark beyond the 75 foot setback. Discussion followed regarding what distances to use in order to suspend the 60% rule.

Motion (Bickler/Owens) to recommend approval to the Village Board of Trustees to revise section 17.36(3)(g) of the Zoning Code, to suspend the rule that requires that the main building be no more than 60% wide when measured at the high water mark, if any portion of the main building is located within 150 feet of the high water mark, Carried Unanimously.

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November 5, 2012*

This matter will have a public hearing immediately preceding the Village Board of Trustees meeting on November 19, 2012, and be placed on that agenda for discussion/action.

**ADJOURNMENT**

With no further discussion, a motion (Barquist/Cameron) to adjourn the meeting at 8:20 p.m., *Carried Unanimously.*

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