

VILLAGE OF OCONOMOWOC LAKE

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OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES on Monday, November 7, 2022.

Unofficial until approved by the Plan Commission:

Approved as written or with corrections () on 2/6/2023.

A regular meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, November 7, 2022 at 8:00 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:

Chairman & Village President Bickler; Members: Heinrich, Sheahan, Fischer & Fitch

Absent: Kohl, Waltersdorf, Mielke

Also present: Zoning Administrator Wiemer, Administrator/Chief Janicsek, & Attorney Macy

Attendance: Benn DiPasquale (4353 N Sawyer Rd)

Pledge of Allegiance

Discussion/action to approve the minutes from the October 3, 2022 Public Hearing and Plan Commission meeting.

Motion (Sheahan/Heinrich) to approve the minutes from the October 3, 2022 Public Hearing and Plan Commission meeting as written. *Carried unanimously.*

The three agenda items for the meeting were discussed and it was agreed that the three agenda items would be discussed together because the items are all related to the issue of the land division request of Mr. DiPasquale.

1. Discussion/action regarding a conceptual land division for Benn DiPasquale at 4353 N Sawyer Rd, Oconomowoc, WI 53066; Tax key #OCLV0578989.
2. Discussion/action regarding a request for a variance under the Subdivision and Platting Code Section 18.05 (5)(b) and 18.08 to split a legal non-conforming lot, for Benn DiPasquale at 4353 N Sawyer Rd, Oconomowoc, WI 53066; Tax key #OCLV0578989.
3. Discussion/action on a proposed revision to the Subdivision and Platting Code Section 18.05 (5)(a) regarding the potential division of legal non-conforming lots.

Zoning Administrator Wiemer gave the Plan Commission the background on the Certified Survey Map which was approved by the Village Board on May 16, 1983. This CSM was a legal lot of record until the zoning changed in December of 1991 which made the lot a legal non-conforming lot. Lot width changed from 200 feet in width to 250 feet in width.

Attorney Macy explained the difficulty in applying section 18.05(5) of Chapter 18, the Subdivision and Platting Ordinance for the Village of Oconomowoc Lake. There is ambiguity in how to deal with a legal non-conforming lot when it is being divided.

It was the consensus of the Plan Commission to fix Section 18.05 (5)(a) of the Subdivision and Platting Ordinance. The amendment recommended by the Plan Commission is as follows:

- 18.05 (5) The Plan Commission and the Village Board of Trustees may not approve any certified survey may creating a lot unless the land in question complies with:
- (a) All applicable zoning ordinance requirements contained in Chapter 17, or the land in question is determined to be a legal nonconforming lot of record under the provisions of Chapter 17,
 - (i) A legal non-conforming lot once recognized by a certified survey map cannot be subdivided, except as follows:
 - (a) A legal non-conforming lot has an approved certified survey map for the entire legal non-conforming parcel in compliance with Chapter 18; and
 - (b) No new lake lots or new lake access right can be created and a note must be placed on the Certified Survey Map so stating; and
 - (c) The degree of non-conformity that exists after the land division cannot be any greater than the degree of non-conformity existing before the land division;
 - (d) There can only be only be one lot that is non-conforming and all other parcels must be in full compliance with Chapter 17 and Chapter 18.

Motion (Fischer/Fitch) to amend the code as discussed and to recommend to the Village Board for Public Hearing and approval of same. Carried unanimously.

ADJOURNMENT

With no further discussion, a motion (Fischer/Sheahan) was made to adjourn the meeting at 8:45 p.m. Carried Unanimously.

Respectfully submitted by:
Theresa Sayles, Village Clerk