

VILLAGE OF OCONOMOWOC LAKE

OCONOMOWOC LAKE VILLAGE BOARD PUBLIC HEARING MINUTES OF
MONDAY, December 15, 2008. Unofficial until approved by the Village Board.
Approved as written () or with corrections () on _____.

Public Hearing

A public hearing was held before the regular monthly meeting of the Village Board of the Village of Oconomowoc Lake, commencing at 7:00 PM, Monday, December 15, 2008, at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification of the news media were met. Roll was taken with the following in attendance:

Mr. Kneiser/President – present
Messrs. Bickler, Birbaum, Fischer, Owens (arrived 7:08 p.m.), Schinzer, and Shult/Trustees – present
Ms. Schlieve/Clerk-Treasurer – present
Mr. Wiemer/Police Chief and Administrator – present
Mr. Macy/Attorney – present

Attendance

Village resident Ed Johnson, Judge Doug Stern (Lake Country Municipal Court), Dan Warren and Bill Niemann (Pabst Farms Development)

Discussion to consider responses from the public regarding the Village of Oconomowoc Lake Plan Commission's recommendation that the Village Board of Trustees enact "An Ordinance to Repeal and Recreate Section 17.61(3)(d) of the Village of Oconomowoc Lake Village Code Regarding Concurring Votes Required for Actions by the Board of Appeals and to Repeal and Recreate Section 17.61(4)(b) of the Village of Oconomowoc Lake Village Code and Create Section 17.61(5) of the Village Code Regarding Use Variances Within the Village of Oconomowoc Lake."

Mr. Wiemer explained that the first portion of the proposed ordinance deals with the number of votes needed in order to approve any zoning variance request. Currently, five votes are needed by the board of zoning appeals. The proposed change will mean that a variance may be granted with a majority vote of those board members present at the meeting. A quorum of the Board of Appeals members is still required in order to hear a variance request.

Mr. Macy explained that the second portion of the proposed ordinance deals with use variances. The current zoning does not allow for use variances; however, Mr. Macy advised that litigation regarding this matter has provided a ruling that opposes the Village's current zoning code. The ruling states that if there is a reasonable use of a property, then no use variance has to be granted. We have completed a use study for the Village that assigns a use to each residential property currently within the Village boundaries.

There was no public comment.

Discussion to consider responses from the public regarding the Village of Oconomowoc Lake Plan Commission's recommendation that the Village Board of Trustees enact "An Ordinance to Repeal and Recreate Section 17.39(1) and Section 17.39(2) of the Village of Oconomowoc Lake Zoning Code, Regarding Uses within the B-1 Business District."

Mr. Macy explained the proposed ordinance, and cautioned against creating any new districts that operated with only conditional use permits. The proposed ordinance sets forth a B-1 Business District in our Village that is operated with conditional use permits and explains the reasons behind only allowing businesses by conditional use permits.

There was no public comment.

Motion (Bickler/Schinzer) to close the public hearing, at 7:11 p.m., Carried Unanimously.

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