

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

Monday March 7, 2022

Robert Peregrine called the meeting to order at 6:30 p.m. Commissioner's present included Jim Navin, Linda Bergman, Dione Funk, Jim Roche, Pat Agnew and Terry Largent. Also in attendance were Administrator/Planner Jeffrey Herrmann, Clerk/Treasurer Lori Opitz and Jacob Heermans from Waukesha County Park and Planning. For additional attendees please see sign-in sheet.

A Joint Public Hearing with the Town of Oconomowoc Plan Commission and a Staff Representative of Waukesha County Department of Park and Land Use to consider a rezoning request (RZ94) for property owned by Joseph and Sheryl Garvens, W380 N6391 Florence Lane, Oconomowoc, WI 53066 to rezone the subject property from the A-2 Rural Home District to the B-3 General Business District to legalize an existing heating and cooling business. The property is described as part of the W ½ and NE ¼ of Section 31, T8N, R17E, Town of Oconomowoc. More specifically the property is located at W394N5298 Reddelien Road (Tax Key No. 0553.987).

Chairman Robert Peregrine opened the public hearing at 6:31 p.m.

Jacob Heermans from Waukesha County Park and Planning stated the property is currently zoned A-2 Rural Home District and it is currently being used as a heating and cooling business, fabrication of ductwork and storage, which is not permitted in the A-2 District.

He also stated the subject property contains a one-story, 36' x 72' (2,592 SF) building. The previous owner was granted a variance by the Waukesha County Board of Adjustment in 1980 to construct an accessory building without the presence of a principal residence. The Board rendered a decision that the owner was as victim of a zoning change that occurred after the proper owner's purchase of the property. The parcel was rezoned from M-1 Industrial to A-1 Agricultural in the comprehensive zoning change in September 1979. The property was later rezoned to the A-2 Rural Home District and neither the A-1 nor A-2 districts allow for the business use that is currently on that site.

He also stated the property underwent a Land Use Plan Amendment in 2021 changing the land use designation from Low Density Residential to Mixed subject to one condition: permissible uses are limited to residential and service-oriented businesses and retail uses are not permitted.

Finally, conditional B-3 rezone will allow for the current use, but the owner will still need a Site Plan/Plan of Operation and a release of restrictions.

Chairman Robert Peregrine closed the public hearing at 6:34 p.m.

1. **Approve Minutes for February 7th meeting.** – Commissioner Navin made the motion to approve the February 7, 2022 minutes as presented. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments.** - None
3. **Consider and Act on the variance request of Louis and Norma Balogh (Owners), Dan Groskopf (Applicant) from the nonconformance to the offset requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a two-story addition to the principal residence. The subject property is described as Lot 65, Townsite of Okauchee, part of the NW ¼ and SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W347 N5237 Elm Avenue (Tax Key No. OCOT 0574.180).** – Commissioner Navin made the motion to approve and recommend to Waukesha County Board of Adjustment the variance request of Louis and Norma Balogh (Owners), Dan Groskopf (Applicant) from the nonconformance to the offset requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a two-story

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addition to the principal residence located at W347N5237 Elm Avenue. Commissioner Largent seconded the motion. Motion carried by unanimous voice vote.

4. **Consider and Act on the variance request of Timothy and Jennifer Pierret (Owners), Stephen Bruns (Applicant) from the nonconformance to the road setback requirements and nonconformance to the offset requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit razing the existing residence and constructing a new family residence with attached garage. The property is described as Lot 34, Black 1 Upper Oconomowoc Lake, part of the N ½ and SW ¼ of Section 35, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W358 N4956 Harbor Court (Tax Key No. OCOT 0571.034).** – Commissioner Navin made the motion to approve and recommend to Waukesha County Board of Adjustment the variance request of Timothy and Jennifer Pierret (Owners), Stephen Bruns (Applicant) from the nonconformance to the road setback requirements and nonconformance to the offset requirement to permit razing the existing residence and constructing a new family residence with attached garage at the property located at W358N4956 Harbor Court. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.

5. **Consider and Act on the Site Plan/Plan of Operation for Boucher Real Estate, LLC, Chad Kemnitz (applicant) for an automotive sales and service operation. The subject property is described as PT SE ¼ SE ¼ SEC 34 T8N R17E. More specifically the property is located at N48 W36216 E Wisconsin Avenue, Oconomowoc, Wisconsin (Tax Key No. OCOT 0568.989).** – Commissioner Navin made the motion to approve the Site Plan/Plan of Operation for Boucher Real Estate, LLC, Chad Kemnitz (applicant) to operate an automotive sales and service operation at the property located at N48W36216 E Wisconsin Avenue per the recommendation of Administrator/Planner Jeffrey Herrmann's report dated March 3, 2022. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

6. **Consider and Act on the request of Michael Stohle (owner), Jessica Kowalski (applicant) to replace existing retaining walls within 5 (five) feet of property line. The subject property is described as PT NE ¼ SEC 35 & PT NW ¼ SEC 36 T8N R17E. More specifically the property is located at N55 W34809 Lake Drive, Oconomowoc, WI 53066 (Tax Key No. OCOT 0574.062).** – Commissioner Navin made the motion to approve and recommend the applicant get a temporary limited easement as well as the neighbor's permission of the request of Michael Stohle (owner) Jessica Kowalski (Applicant) to replace the existing retaining walls within 5 (five) feet of the property line located at N55W34809 Lake Drive. Commissioner Largent seconded the motion. Motion carried by unanimous voice vote.

7. **Discussion April Plan Commission meeting dates.** – Administrator/Planner Jeffrey Herrmann stated the April 5th meeting might be moved the week of March 28th and the April 18th meeting would be moved to April 19th.

8. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 6:57 p.m. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer