

TOWN OF OCONOMOWOC

PLAN COMMISSION

NOVEMBER 1, 2010

Present: Chairman Kenneth Runyard, Commissioners Richard Garvey, James Navin, Janis Husak, Terry Largent, Catherine Balthazor, Town Planner Jeffrey Herrmann 2 citizens.

Chairman Runyard opened the Plan Commission meeting at 7:00 p.m.

AGENDA

1. Approve minutes for October 4, 2010 Town Plan Commission Meeting.

Garvey moved to approve the minutes as printed. Seconded by Husak. Carried unanimously.

2. Public Comments: None

3. Consider and act on variances and Special Exception Requests for David & Elizabeth Grubba to construct a Detached Garage – W371 N5434 Marquette Street

Jarrett Grubba, son of the petitioners, presented the request. He stated that the houses to the east has a detached garage and the house to the south has an attached garage. There had originally been a one car garage, but it had been remade into a room of the house. The proposed garage will have the same setback as the house. He is allowed to be 10 ft from the house and the plans show the garage would be 21 ft. He stated that neighbors across the street agree with his plans, as they too would like to construct garages.

Garvey moved to recommend to the Board of Adjustment that they approve the variances and special exception requests. Seconded by Largent. Carried unanimously.

4. Consider and Act on Modification of Conditions of Approval of Variances granted by the Waukesha County Board of Adjustment on May 10, 2006 for the construction of a New Residence for Kevin Dittmar – W350 N5350 Road C.

Kevin Dittmar explained that he obtained a permit to construct his house and gave it to his builder and was now informed that he was in violation of some of the provisions of his permit. He stated that he built the house on the identical foot print as the old one, with a smaller patio and the garage built out of the existing footprint. He put in a paved path from the road to the lake, which was the only access to the lake. The County wants this path, which is 63 sq ft, to be grass. He asks for relief from this requirement.

The County says that his one car parking space must be turf. He bought a product that was supposed to be turf and was able to be driven on, but it ended up to be a mud hole, so he paved it.

The County says that an area 10 ft x 12 ft by the lake must be planted with wild flowers. He checked other places and they have similar areas with grass, which is what he has. He stated that other homes have more concrete parking spaces than he does.

Jeff stated that when he obtained the permit in 2006 and noticed that there were things he did not agree with, he should have come in then and asked for relief.

Navin moved to recommend to the Board of Adjustment that they approve the modifications of Conditions of Approval of Variances granted by the Waukesha County Board of Adjustment on May 10, 2006:

1. **Parking Space.** Petitioner did put in a grassy surface parking area; however due to inclement weather it turned into mush and mud, and to alleviate the problem he had it paved with concrete and asphalt so that it keeps the ruts out of his grass and makes a more presentable parking area.

2. **Reference to the sidewalk along the north side of the house.** There is no other way to get to the lower level safely except by using a paved pathway

3. **Reference to the small patio at the lower level and the grassy area.** That should remain as is, as that is an Improvement to the whole area. The only runoff going into the lake is off the patio. Everything else drains to the street and down the other way.

Seconded by Husak. Carried unanimously.

5. **Consider and Act on Recommendation to Waukesha County on proposed Amendments to the Waukesha County Shoreland and Floodland Protection Ordinance.**

Jeff stated that the County has a public hearing coming up on the coming Wednesday and he wants direction from the Plan Commission as to whether he should write a letter recommending the changes being proposed.

Sec. 12. Enclosed porches. They are presently included in the FAR. Now open porches would be considered closed.

Significant woodlands. In the Environmental corridor There are no rules. The County decides, via permit, if you can remove diseased vegetation and trees. The Plan Commission disagrees with this.

Kitchens. If there are two or more kitchens in a home the owner must file a deed restriction saying that the home will not be used as a duplex. The Plan Commission disagrees.

Accessory buildings. This is now treated as a Special Exception. The County wants to change it to a variance. The Plan Commission disagrees.

Sec 81. Referrals are made to the Town Engineer rather than to the Plan Commission or Town Clerk. The Plan Commission wants items referred to the Plan Commission or the Town Clerk and they can decide if it should go to the Town Engineer.

Sec 90. On an Environmental Corridor lot you are allowed to remove up to 15% of the vegetative cover , that is 5 acres or larger, up to a maximum of 32, 607 sq ft, which is 15% of 5 acres. In o ther words, if you have a lot 5 acres or larger, you can remove up to 32,000 sq ft. Less than 5 acres, you can remove 15%. Change the wording and make it simple. The Plan Commission agrees.

Fireworks. The County wants to permit fireworks stands. The Plan Commission disagrees.

6. Adjourn

Navin moved to adjourn. Seconded by Balthazor. Carried unanimously. Adjourned at 7:40 p.m.

Respectfully submitted,

Betty Callen, Recording Secretary