

TOWN OF OCONOMOWOC  
SPECIAL PLAN COMMISSION MEETING

AUGUST 10, 2010

Present: Chairman Kenneth Runyard, Commissioners Robert Peregrine, Richard Garvey, James Navin, Terry Largent, Janis Husak, Catherine Balthazor, Town Planner Jeffrey Herrmann, approximately 8 citizens.

Chairman Runyard called the meeting to order at 6:00 p.m.

**AGENDA**

**1. Approve Minutes for August 2, 2010 Plan Commission meeting.**

Peregrine moved to approve the minutes as printed. Seconded by Navin. Carried unanimously.

**2. Public Comments: None**

**4. Consider and act on Variance request Eric and Jill Wohlfeil for the construction of a new single family residence – N64 W35053 Road J**

Jill Wohlfeil stated that they want to build a 2 story home with a 4 car garage, as they have 5 drivers and want the home to be esthetically pleasing and not have cars and toys in view. She stated that the County produced a document 26 years old which would prohibit them from using 2 lots as they had planned, even though the 2 lots have one tax key number. Mrs. Groskopf, acting as agent, explained that the County based their denial of the Floor Area Ratio variance on the fact that Road J has a 66 ft right-of-way; also they felt that the lot across the street, lot D, should not be included in the total square footage. Jeff stated that when the Town took over Road J on June 9, 2009 they adopted by resolution the acceptance of Road J on the original plat that stated the road right-of-way was 30 ft. The County wants to use only the 23,000 sq ft on the one lot. Both Mrs. Groskopf and Jeff stated that there is a history of lots on the other side of the street being used in calculating the square footage.

Dick Mazurek, 35061 Road J, neighbor to the west, stated his concerns. He questioned if the offset was calculated from the overhang. He was told it was calculated from the foundation. Is the overhang included in the square footage? No, just the footprint.. What is the height limit? Answer – 46 ft from the lowest grade. Is there a driveway setback? Answer – I don't believe so. Mr. Mazurek stated that the proposed driveway will come up to his property line and the proposed garage will be 24 ½ ft off the lot line. He is concerned about the drain field for the septic being under the driveway. Jeff explained that this is not recommended but there are ways to successfully put it there. He is concerned that there will be 133 ft of rain gutters which would drain onto his property. Also 1200 sq ft of driveway. The garage and driveway are across from his bedrooms and he is concerned about noise and lights. He feels this proposed home will devalue his property.

Jeff suggested that Mr. Mazurek attend the meeting with the Board of Adjustment and express his concerns as the storm water and drainage issues are valid.

Peregrine stated that we have permitted Floor Area Ratio to be computed on areas separated by a public road. On Road J the Town Board by Resolution established the right-of-way on June 9, 2009 at 30 ft . Calculating Floor Area Ratio based on 66 ft is not correct. The property should be subject to a CSM combining both lots 9 and part of 8 and lot D into one parcel, not to be separated without County and Town approval, should the Board of Adjustment approve the variance. On the basis of that and also in view of the fact that the footprint is not material and not much larger than the existing building, I move that we recommend to the Board of Adjustment , based on all the facts and circumstances, that the variance applied for be granted. Seconded by Husak. Carried unanimously.

When the farmer owner sold the lots on the other side of Road J, they were to be used for gardens and parking, but were not to be built upon. Jeff stated that this restriction could be put into the CSM.

### **3. Consider and act on Variance Request for Gregory & K. Nickolaus for the Installation of a new sign – N50 W34725 Wisconsin Avenue**

Kathy Nickolaus explained that the new sign was designed so that it could be changed by taking it into the building rather than using a ladder. She had agreed to reduce the base from 8 ft to 6 ft. Overall height would be 11 ft 1 in. Both sides would be illuminated. It would not be bright, but would have a white background , the same as the Citgo sign. She plans on leaving the bush beside the sign, as it partially acts as a screen for her neighbor.

Peregrine stated that we have approved signs that are close to the road for safety reasons, so that motorists don't have to take their eyes off the road. Therefore he moves that we recommend to the Board of Adjustment and the Town Board that they approve the sign with a 6 ft pole and situated 5 ft off the roadway, with the reservation that should brightness become an issue, the Plan Commission can revisit the matter. Seconded by Husak. Carried unanimously.

### **5. Adjourn**

Peregrine moved to adjourn. Seconded by Navin. Carried unanimously. Adjourned at 6:40 p.m.

Respectfully submitted,

Betty Callen, Recording Secretary