

# TOWN OF OCONOMOWOC PLAN COMMISSION MINUTES

**Monday, June 2, 2014**

Chairman Robert Peregrine called the meeting to order at 6:33 pm. Commissioner's present included Richard Garvey, Linda Bergmann, Kenneth Runyard, Janis Husak, and James Navin. Commissioner Cathie Balthazor was absent. Others present included Administrator/Planner Jeffrey Herrmann and Clerk/Treasurer Lori Opitz. For additional attendees please see attached sign-in sheet.

1. Approve Minutes for May 19, 2014, Town Plan Commission Meeting – Commissioner Navin made the motion to approve the minutes as presented. Commissioner Runyard seconded the motion. Motion carried by unanimous voice vote.

2. Public Comments. – None

Chairman Peregrine took time to talk to the Commissioners regarding making recommendations to the Board of Adjustment. He stated that the requirements of the zoning ordinances need to be met specifically and if there is a tweak in a difference that is when a variance is applied for. He also stated that in order to qualify for a variance the petitioner must demonstrate a hardship, however, not at the petitioner's making. He also stated The Board of Adjustments will look for hardships along with taking our recommendations and he felt since he and the commissioners have not had this discussion regarding variances he felt it was appropriate to discuss.

3. Consider and Act Variance request for Randall & Jennifer Stuckert to construct a new residence with associated decks, patios and retaining walls – N52 W34223 Gietzen Drive. – Commissioner Husak stated because the petitioners have not appeared, the Commission is unable to elicit information concerning their petition for a variance. Therefore, the Commission is unable to make a recommendation. Commissioner Husak made the motion to make no recommendations to the Board of Adjustment. Commissioner Garvey seconded the motion. Motion carried by unanimous voice vote.
4. Consider and Act Variance request for Philip & Lynn Schaaf to allow an existing shed that was constructed without the necessary permits to remain on the property – N52 W35966 Country Club Lane. – Mr. Schaaf stated to the Board that his shed is within the 50' setback off the road right away, however, he is not in current compliance and he would move the building but believes it to be better in the current location because the new location would result in the loss of 4 trees that would have to be removed. Chairman Peregrine stated the petitioner has no hardship that warrants relief from the zoning ordinance to establish the 50 foot setback. Commissioner Navin asked if he could reduce the pitch to meet the requirements and the petitioner stated that he would not be able to stand in it if he

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did; Commissioner Navin stated if the petitioner would reduce the size of the shed; the trees would not have to be removed. Commissioner Husak made a motion to deny the approval for the variance adjustment to the Board of Adjustment. Commissioner Bergmann seconded the motion. Motion carried by unanimous voice vote.

5. Consider and Act Variance and Special Exception request for Trevor & Diane Garliepp/Matt & Jessica Schaefer to Randall & Jennifer Stuckert to allow the construction of additions to the existing residence, raising the roofline of the existing residence and the construction of a detached garage – W342 N4861 Lindy Lane. The petitioner's stated the home is currently in need for repair; the back part of the home was built on dirt and the property is less than a foot from the property line. The petitioner stated in order to make the home livable, they would like to tear down that part of the house that is on dirt and put in a foundation, move that addition over 5 feet from the lot line and that would allow them to build up on the house where currently the home does not meet the minimum floor area requirements and that is why they are requesting the addition. They would also like to change the pitch of the old roof on the front of the house and add an enclosed entry way; in addition to that, they would like to build a garage in the back of the property for storage. Commissioner Husak made the motion to recommend approval to the Board of Adjustment for the variance and special exception request. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.
6. Consider and Act on Allowing a Theatre/Playhouse in the B-2 Zoning Category under other similar uses. – Administrator/Planner Herrmann stated what the proposal is; would like to take the theatre and move the theatre from downtown to the Brown Street Market Place area – It would seat about 90 people and it would be used just for plays – he also stated this would be allowed in the B-2 zoning category because it would fall into the "other similar uses" category. Commissioner Navin made the motion to approve the Theatre/Playhouse in the B-2 Zoning category; Brown Street Market area. Commissioner Husak seconded the motion. Motion carried by unanimous voice vote.
7. Adjourn. – Commissioner Husak made the motion to adjourn at 7:08. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted-  
Lori Opitz, WCMC - Clerk/Treasurer