

VILLAGE OF OCONOMOWOC LAKE

OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES OF Monday, October 6, 2008. Unofficial until approved by the Plan Commission. Approved as written () or with corrections () on _____.

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, October 6, 2008, commencing at 7:00 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll was taken with the following in attendance:

Mr. Kneiser/Chairperson – present
Messrs., Bickler, Clarkson, Langenbach/Members – present
Messrs. Birbaum, Foster, Lyons, Owens/Members – absent
Ms. Schlieve/Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney – present

Attendance

There was no one in attendance other than those noted above.

MINUTES

Motion (Bickler/Langenbach) to approve the minutes for the Plan Commission Meeting held on August 18, 2008, with the correction as noted below, Carried Unanimously.

The motion to approve the certified survey map for Rogers Memorial Hospital will be changed to read "Motion (Bickler/Birbaum) to recommend approval to the Board of Trustees of the request made by Rogers Memorial Hospital for approval of its Certified Survey Map,"

Discussion/action regarding the request of Roundy's to extend the time to display "Now Hiring" banners on the Pick N Save store, located at 36903 E. Wisconsin Avenue in the Village of Oconomowoc Lake.

Mr. Wiemer noted that the request also includes a banner that states that the pharmacy is now open. Motion (Bickler/Langenbach) to approve the request of Roundy's to display its "Now Hiring" and "Pharmacy Now Open" banners through October 20, 2008, Carried Unanimously.

Discussion/action regarding "An Ordinance to Adopt a Flood Damage Prevention Code for the Village of Oconomowoc Lake." The proposed ordinance is a revision to the existing Flood Plain Ordinance that is required by the Federal Emergency Management Agency (FEMA) in order for residents in a community to qualify for flood plain insurance.

Mr. Wiemer provided some background information regarding our current flood damage ordinance that was approved in 1984. FEMA has updated its flood plain maps, and the Department of Natural Resources (DNR) has created a model ordinance that communities are to use when updating their existing flood damage ordinances. The adoption of the new updated ordinance allows residents in the community to purchase flood insurance. The maximum amount of coverage for the insurance is \$250,000.

The ordinance prohibits any building in areas that are designated as flood plain or flood fringe. Mr. Wiemer advised that there are no properties in the Village that are in either the flood plain or the flood fringe. However, discussion continued regarding the decks that are currently on the lake front of properties. It would appear that the proposed ordinance would not allow for those decks, even though current zoning in the Village does allow them. A suggestion to remedy the problem is to change the wording of Section 3.2(4) (found on page 8 of the model ordinance) by adding the words "as allowed by Village code". The section would then read: "Uses or structures accessory to open space uses, as allowed by Village code, or classified as historic structures that comply with ss. 3.3 and 3.4."

The next section discussed was section (2)(d) (found on page 21 of the model ordinance) relating to land use permits. Section (d) requires the number of days before expiration of the permit to be entered. Members chose 365 days. The section then reads: "All permits issued under the authority of this ordinance shall expire 365 days after issuance."

Motion (Bickler/Clarkson) to recommend adoption of the DNR Model Floodplain Zoning Ordinance subject to: (1) the modifications to the model as proposed by the Village Attorney; (2) the modifications to the model as proposed by the Village Plan Commission; and (3) revision to section 6.0 entitled "Nonconforming Uses" of the model ordinance to be redrafted consistent with the current Village Zoning Ordinances, Carried Unanimously.

Mr. Macy will contact the DNR to clarify the meaning of nonconforming uses and structures, and will also find out if they will allow any changes to be made to their model ordinance. Mr. Macy recommended a public hearing be held before the Village Board of Trustees on November 17, 2008 in order to explain the pros and cons of the adoption of the new floodplain ordinance.

Discussion/action regarding "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 Code and Create Section 17.61(5) of the Village Code Regarding Use Variances Within the Village of Oconomowoc Lake."

a. Discussion/action on a zoning change regarding the number of votes needed for a variance, special exception, correct an error, make an interpretation, and permit a temporary use.

The Plan Commissioners have previously made a recommendation that this portion of the ordinance be approved by the Village Board of Trustees.

b.) Discussion/action regarding reasonable uses of all property in the Village.

Plan Commissioners discussed concerns raised in Mr. Macy's letter of June 10, 2008. Mr. Macy, Mr. Kneiser, and Mr. Wiemer will continue working on the project until all matters have been resolved. Motion (Bickler/Langenbach) to table the matter until the documents have been completed, Carried Unanimously.

Discussion/action regarding the recommendation of the Village Board of Trustees to remove Section 17.31(1)(e) from the Village Zoning Code. The section reads as follows: "Agricultural structures, such as barns, silos and windmills, shall not exceed in height twice (2) their distance from the nearest lot line."

Mr. Macy advised the Commissioners that windmills may be regulated, but they cannot be banned if they are used for energy. Motion (Langenbach/Clarkson) to recommend to the Village Board of Trustees that the section referenced above should remain in the current zoning code, Carried Unanimously.

Motion (Bickler/Langenbach) to adjourn the meeting at 8:37 p.m., Carried Unanimously.

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