

VILLAGE OF OCONOMOWOC LAKE

**OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES
of Monday, October 7, 2013.
Unofficial until approved by the Plan Commission.
Approved as written (X) or with corrections () on 11/18/2013.**

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, October 7, 2013, 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. Birbaum/Chairperson – present
Messrs. Barquist, Bickler, Foster, Kohl/Members – present
Messrs. Owens, Waltersdorf/Members – absent
Ms. Cameron/Member – absent
Ms. Schlieve/Clerk– present
Mr. Wiemer/Administrator – present
Mr. Macy/Attorney – present

ATTENDANCE

Terri Anne Ullman

MINUTES

Motion (Bickler/Kohl) to approve the minutes as printed, for the Plan Commission meeting held on August 5, 2013, Carried Unanimously.

DISCUSSION/ACTION REGARDING RENEWAL OF THE CONDITIONAL USE PERMIT (CUP) FOR TERRI ANNE ULLMAN AND KEN ULLMAN, D/B/A ULLMAN STABLES PARTNERSHIP TO OPERATE A SEMI-PRIVATE RIDING STABLE IN THE VILLAGE OF OCONOMOWOC LAKE LOCATED AT 35470 W. PABST ROAD

Mr. Wiemer advised the Commissioners that there are no changes to the current CUP; the stables are currently allowed to have up to 50 horses and that will remain the same. The Commissioners complimented Ms. Ullman on the way her stables are operated. The schedule of manure removal has worked out very well. The manure is trucked out by Brinkman Construction. The renewal is for a 5-year period.

The Commissioners discussed having the renewal expiration dates for CUP's be consistent for all the CUP's in the Village instead of having the expiration and renewal date based upon when the permit was applied for and received. Beginning with this permit, the expiration date for CUP's will be June 30th. As permits expire, the June 30 expiration date will be implemented.

Motion (Bickler/Foster) to recommend approval to the Village Board of Trustees of the renewal of the Conditional Use Permit for Terri Anne Ullman and Ken Ullman, D/B/A Ullman Stables partnership to operate a semi-private riding stable in the Village of Oconomowoc Lake located at 35470 W. Pabst Road, for a 5-year period, to expire on June 30, 2018, Carried Unanimously.

DISCUSSION/ACTION REGARDING AMENDMENT TO THE ZONING CODE 17.10 DEFINITIONS, STRUCTURE, AS IT PERTAINS TO THE SEPARATION OF ABOVE-GROUND ELEMENTS.

Mr. Birbaum noted that this matter has been driven by concerns regarding whether or not there appears to be more than one house on a property based upon the way the separate sections have been connected. Another key issue is to prevent the creation of properties which would have separate living quarters that could be rented out. Mr. Wiemer noted that there are concerns regarding the appearance of more than one house on a property by using connections between buildings that are not really anything more than a walkway. Mr. Macy presented a suggestion for the amendment. Discussion followed. The suggested amendment to the zoning code, with the new portions underlined, reads as follows.

“Whether a construction constitutes one or more than one structure shall be determined by the Zoning Inspector based upon the above-ground elements.

The rule shall be: If there is a separation between the above-ground elements so that they appear to be separate structures, the above-ground elements shall be regulated as separate structures, and such separate structures may be restricted or prohibited as regulated herein.

This shall be true even if the above-ground elements are connected below ground, or by insubstantial means that do not dispel the above-ground appearance of separate structures.

Insubstantial means include, without limitation: unenclosed connections; connections that lack a roof or floor; connections that are not heated, ventilated or air conditioned in the manner of the main structure; connections that lack substantial structural elements that are present in the main structure; connections that lack a foundation or footing; connections that serve no significant purpose other than as a walkway; connections that are significantly smaller in any dimension than the connected parts; and connections that allow for motor vehicles to drive through the connection. Among other purposes, this distinction between a construction that constitutes one or more than one structure, is intended to require each single family residential principal structure to have a single, integrated, configuration of living area, and to prohibit the appearance of being multiple connected residential units.”

Motion (Bickler/Kohl) to recommend approval to the Village Board of Trustees of the proposed amendment, as printed above, to the Zoning Code 17.10 Definitions, Structure, as it pertains to the separation of above-ground elements, Carried Unanimously.

ADJOURNMENT

With no further discussion, a motion (Foster/Bickler) to adjourn the meeting at 7:56 p.m., Carried Unanimously.

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