

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE PLAN COMMISSION MEETING
MINUTES OF MONDAY, November 9, 2009.
Unofficial until approved by the Plan Commission.
Approved as written () or with corrections () on 1-11-2010.

The regular monthly meeting of the Plan Commission of the Village of Chenequa was held at 6:00 PM on **Monday, November 9, 2009**, at the Village Hall, 31275 W. Hwy K, Chenequa, Wisconsin. Legal requirement for notification of the news media had been met. The following Commission members were in attendance:

Mr. Styza/Chairperson - present
Mr. Foote, Ms. Wilkey, Ms. Surles, Mr. Bellin, Mr. Pranke / Members – present
Mr. Zlotocha/ Members - absent
Mr. Tising / Building Inspector –present
Mr. Douglas /Police Chief-Administrator – present
Attorney David Krutz/ Village Attorney - present
Ms. Zimdars /Clerk-Treasurer - present

Attendance

Matt Heaton; Bill Groskopf; Daniel Fink; Cathy Fink; Judy Stark

Public Comment

None.

Chairman's Report

No report.

Approve minutes of the October 19th Plan Commission Meeting.

Motion (Wilkey, Bellin) to approve the Plan Commission minutes of the meeting held Monday, October 19, 2009, *Carried Unanimously.*

Final - Review and consider plans submitted by Tom and Cathy Fink for a tear down and new construction for their property at 5695 N Hwy 83.

Zoning Administrator Douglas explained that this is a legal conforming lot and all side yard setbacks have been met. He said the only question remaining has to do with the height of the structure. He then referred to Attorney Krutz for clarification of the Village Code. Attorney Krutz said he looked at the purpose and intent of the code; and also looked at other jurisdictions and municipalities to see how they treat the term "height" - particularly when there's a sloping lot or when there's a hill that is more than just a gradual elevation. Most of the communities that have mainly flat lots, like Brookfield, specifically state how the measurement is started: you take a starting point and average from the curve to where the house or structure actually starts. Others actually build into it the slope requirement and have the measurement made as you move up along the slope. Attorney Krutz said his conclusion is that the measurement should be made at the vertical distance from the ground level of any elevation to the highest point on the roof of such elevation. He said you would use the actual vertical height from every point on the slope as opposed to an average or lowest to highest measurement. Attorney Krutz also concluded that the plans presented are consistent with the Village's intent to preserve the natural terrain; saying if the blanket rule is enforced (similar to jurisdictions that have included that in their definition) people would have the incentive to cut down slopes and cut down hills. He said the measurement should be made from each point straight up vertically in keeping with the express reading of the Village Code. Building Inspector Tising said the interpretation of the code is set from the ground to the 40 foot mark. He then explained the layout on the larger drawings of the project to the Plan Commission members.

Motion (Bellin, Wilkey) to give final approval to plans submitted by Tom and Cathy Fink for a tear down and new construction for their property at 5695 N Hwy 83, *Carried Unanimously*.

Review permit reports covering permits issued for October of 2009 and all open permits.

Building Inspector Tising said the permit logs had been updated and he had printed out the entire year. He said that although few permits were issued in October, they were profitable. He also expects to bring in \$10,000 to \$12,000 in permit fees for the last two month of this year.

Administrator's Report

No report.

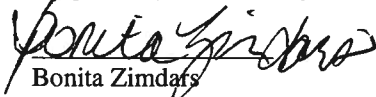
Building Inspector's Report

No report.

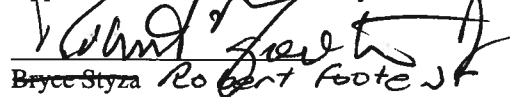
Adjournment

Motion (Foote, Pranke) to adjourn the meeting at 6:12 p.m., *Carried Unanimously*.

Respectfully submitted by:


Bonita Zimdars
Chenequa Clerk-Treasurer

Approved and Ordered Posted by:


Bryce Styza Robert Foote
Chenequa Village President