

CITY OF WAUPUN
PLAN COMMISSION
MINUTES OF THE APRIL 16, 2014 MEETING
(Approved 5/21/14)

1. Call to Order:
The Plan Commission met at 4:45 p.m. in the Council Chambers, City Hall, Waupun.
2. Roll Call:
Members Present: Kyle Clark, Richard Flynn, Fred Lueck Nancy Vanderkin, Elton TerBeest, and Derek Drews
Members Absent: Scott Aylesworth
Staff Present: Mary Kay Vogel
3. Chairman Clark called for the approval of the minutes of the February 19, 2014 meeting. Lueck noted that in paragraph (3) lines 1 & 2 the date is noted as January 15, 2014, when it should be January 19, 2014. The date at the top of the page is correct. Motion by Vanderkin, seconded by TerBeest to approve the minutes of the February 19, 2014 meeting with the correction as noted by Lueck. Motion carried, unanimously, minutes approved.
4. Public Hearing to repeal and recreate Chapter Nineteen of the Municipal Code of the City of Waupun, entitled "Floodplain Zoning". Chairman Clark read the call of the hearing and its purpose. No staff report was presented to the committee to review the proposed code amendment prior to the Public Hearing. Mary Kay Vogel briefly discussed the purpose of the new ordinance. Just a few years ago, Waupun experienced some sever flooding due to the Rock River and a tributary named Harris Creek. As a result of the flooding a new study of the floodplain boundaries was done in the City to establish new and revised elevations. Richard Flynn noted he went to Dodge County to review the County's floodplain maps and Harris Creek had never been included in any floodplain studies. The new study determined that at least 4 new homes were found to be included in the revised floodplain boundaries. The DNR noted that in order for Waupun to stay in the program, it would have to adopt the new study and repeal and replace our ordinance with an updated ordinance. Chairman Clark noted that the Plan Commission needs to make a recommendation on adopting the new ordinance to the Committee of the Whole and the City Council.

Chairman Clark asked for questions or comments from the committee in the proposed ordinance. Lueck questioned where the appendix noted in Section 1.5(2)(b) was located as it is not listed in the table of contents or found at the end of the chapter as required. He also questioned what type of record the staff was using to list all non-conforming uses and non-conforming structures, their present equalized assessed value, etc. as required in 6.1(2)(c). He also wondered how the Board of Appeals members would be schooled or learn about the required findings, reports, etc, required by the DNR when acting on a variance request or boundary dispute in a floodplain. He also thought that Section 7.6(3) should be rewritten and replace the word "should" with "shall" as it makes it mandatory as well as the sentence should not end in a preposition such as "in." In Section 9.0 he questioned what the term "Taxable Cost of Action" actually means. He also wondered what happened to the old term "100 year flood" now not found in the definition section. Mary Kay and Richard Flynn attempted to answer each of Lueck's questions.

There were no further questions for or against the proposed ordinance amendment so Chairman Clark declared the hearing closed.

Motion by Vanderkin, seconded by Drews to forward a favorable recommendation to the Committee of the Whole and the City Council to repeal and recreate Chapter Nineteen of the Municipal Code of the City of Waupun, entitled "Floodplain Zoning". Motion carried, unanimously.

5. Discuss/approve Home Occupation of Kirk Ennenga to operate a sewing and tailoring business out of his home at 111 Welch St.

No staff report was submitted to the Plan Commission for review prior to the meeting, however Mr. Ennenga submitted a list of items which appears to confirm that his proposed sewing and tailoring business will comply with all requirements for a permitted home occupation under Section 16.13(2)(a) of the Zoning Code.

Apparently there already is another home occupation in this home and it was questioned whether more than one home occupation is allowed on a property. Another question was will the two home occupations together exceed the maximum square footage allowed for a single family home. Mr. Ennenga was not in attendance to answer any questions concerning his request.

Kyle Clark questioned enforcement of the code since the home occupation does not require a Conditional Use Permit. Mary Kay said a yearly license would be required and questions could be dealt with at the time of renewal.

Motion by Drews, seconded by TerBeest to approve a home occupation for Kirk Ennenga to run a sewing and tailoring business at 111 Welch St. Motion carried, unanimously.

6. Discuss/approve Preliminary Plan of Mayfair Estates.

A copy of the Mayfair Estates Preliminary Plat was proved to the committee members for review prior to the meeting. Clark noted that one lot has been eliminated since our previous review. This has allowed for slightly larger lots to accommodate larger homes and garages. Flynn noted that a fence on an adjoining property encroaches on proposed lots 4 & 5 of this plat.

Lueck questioned whether the corner lots meet the extra 10' width required by the subdivision ordinance in order to permit adequate building setbacks from side and streets and wondered why vision clearance triangles were not shown on the plat. Mary Kay felt the corner lots met the minimum 10' width for the most part and the vision triangles are not required because they are measured from the curb and would be less than the normal building setback lines. Clark noted the final plat probably would be developed in phases.

Motion by TerBeest, seconded by Drews to approve the preliminary plat of Mayfair Estates, lands being Lot 1 of CSM #6812 as recorded in Volume 46 of CSM's on pages 201-204 in the Dodge County Register of Deeds office and being part of the SW ¼ SW ¼ and part of the SE ¼ SW ¼ Section 4, T13N, R15E, City of Waupun, Dodge County, Wisconsin on the condition that the fence encroachment on lots 4 & 5 be resolved and if the developers intend to develop the plat in phases, said phases shall be determined prior to the submittal of the Final Plat for review and approval. Motion carried, unanimously.

7. Motion by Vanderkin, seconded by Lueck to adjourn the meeting, motion carried meeting adjourned at 5:25 p.m.