

CITY OF ELKHORN
Legislative and Regulatory Committee
Lower Conference Room, 9 S. Broad Street, Elkhorn, Wisconsin

August 23, 2007

Chairman Julie Taylor called the Legislative and Regulatory Committee meeting at 5:30 p.m. followed by Roll Call.

ROLL CALL

Present: Aldermen Julie Taylor, Gary Payson Sr., Ronald Dunwiddie
Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson

EXTRATERRITORIAL RESTRICTIONS WITH CITY OF ELKHORN/ADMINISTRATIVE REVIEW

Motion (Taylor/Dunwiddie) to authorize the City Attorney to draft a letter to be sent to Gary and Judy Orange inviting the couple to the September 27, 2007, Legislative and Regulatory Committee meeting to discuss the Oranges' request for waiving the 5-acre requirement on their property located in the City's Extraterritorial Plat Authority boundary. Motion carried by the majority present.

Oranges have 5.9 acres zoned C-3 Conservancy and R-1 Residential. They would like to split the property to allow for two homes.

In discussion, Tapson explained that a similar CSM in Sugar Creek was recently submitted to the City and approved by Plan Commission and Council. The developers of the subdivision needed a certain amount of land to create the continuation of a road.

Plan Commission unanimously opposed the requested waiver by the Oranges which they are contemplating at this time. Tapson gave Committee a brief background concerning the Subdivision Code where the 5-acre requirement exists. He said staff recommended the 5-acre requirement but later sought to introduce a waiver clause when it was recognized the ordinance may produce unintended negative results. Plan Commission rejected such a waiver. Plan Commission members wanted to keep the 5-acre standard. Committee members supported the opinion of the Plan Commission, but would like to hear from the Oranges.

HISTORIC PRESERVATION COMMISSION – MEMBERSHIP

Motion (Payson/Dunwiddie) to recommend to Plan Commission to hold a Public Hearing for a Zoning Code change in Article 17.11 Historic Preservation Commission and to determine whether the section on membership can be pulled and placed in Chapter 1 General Government Section 1:04 Boards, Commissions and Committees. Motion carried by the majority present.

In discussion, Alderman Taylor presented a revised Article 17.11 concerning Historic Preservation Commission. The revisions included adding definitions, changing the number and requirements of membership and removing the sale of landmarks section which required the Commission to help property owners sell their historic property. Taylor said the revised Section of the Code will be presented to the Historic Preservation Commission prior to Plan Commission.

ADJOURNMENT

Motion (Dunwiddie/Payson) to adjourn at 6:00 p.m. Motion carried by the majority present.

Nancy B. Jacobson
City Clerk

