

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

**September 27, 2007**

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

**ROLL CALL:**

Present: Aldermen Gary Payson Sr., Ronald Dunwiddie, Julie Taylor

Also present: City Clerk Nancy Jacobson

Others present: Gary and Judy Orange

**EXTRATERRITORIAL RESTRICTIONS WITH CITY OF ELKHORN**

Chairman Taylor asked that there be a change in the minutes of the August 23, 2007, meeting. She asked that the word "similar" be struck from the third paragraph referring to a CSM in the Town of Sugar Creek. The City Clerk asked that the motion should have said that the Committee authorize the City Administrator rather than the City Attorney.

Committee discussed with Gary and Judy Orange. The Oranges are requesting a waiver of the 5-acre requirement by the City to allow a split of their property at N6333 Tamarack Road located in the Extraterritorial Platting boundary in the Town of Lafayette. The property is a 6-acre parcel zoned C-3 Conservancy and R-1 Residential. The Oranges want to create a second home site. Gary Orange said that when the land was purchased their intent was to split it at some time to create a retirement home. They were told by Walworth County that it was allowable at that time.

Taylor said the subdivision ordinance presently requires a minimum of 5 acres in the ETP. The minimum requirement was part of the Subdivision ordinance deleted and adopted September 18, 2006.

The Oranges said they contacted a surveyor in 2004 to create a land division. In the spring of 2006 they were told by the County that they had to submit the CSM to the state for plat review prior to Walworth County. They were then told by the County that they had to go to the City of Elkhorn for approval.

Aldermen Payson and Dunwiddie said they can't support sending the request for waiver back to Plan Commission at this time, but, if the Oranges to provide proof that they had begun the process prior to when the Subdivision ordinance went into effect and bring it to the October Legislative and Regulatory meeting they would reconsider.

**ADJOURNMENT**

Motion (Dunwiddie/Payson) to adjourn at 6:25 p.m. Motion carried by the majority present.

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Nancy B. Jacobson  
City Clerk