

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, SEPTEMBER 17, 2009**

1. **ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 6:33 p.m. Members present were: Commissioners Kelley, Voigt, Becker, Mlada, and Sova. Also present were: City Planner Randy Tetzlaff. City Engineer Rob Vanden Noven and City Administrator Mark Grams.
2. **APPROVAL OF MINUTES OF AUGUST 20, 2009. MOTION BY COMMISSIONER BECKER AND SECONDED COMMISSIONER VOIGT to approve the minutes as presented. Motion carried unanimously.**
3. **PUBLIS APPEARANCES AND COMMENTS:** There was none.
4. **SPECIAL EXCEPTION FOR AN OVER-SIZED DETACHED GARAGE LOCATED AT 917 WEST GRAND AVENUE:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that 917 West Grand Avenue used to be a rental property that once contained an old Victorian dilapidated house and ram shackled detached garage. The neighbors often complained about rodents living in the garage and birds living in the house soffits. The property got so bad that orders were written on it and it eventually fell into foreclosure. The applicant acquired the property and undertook a major renovation that included gutting the home interior and converting it back from a duplex to a single-family; restoring the home exterior; and demolishing the detached garage. The applicant has done a first class job on the house and currently lives there. He now desires to construct a new detached garage whose design is consistent with the house but is higher and the square footage more than allowed by code. This request is similar to the one on the corner of North Garfield and West Grand Avenue where the Commission granted a special exception. The proposed garage height at its highest point is almost 23 feet and even the average height of the gable is almost 17 feet (maximum is 15 feet). The floor area is 658 square feet per floor; the maximum allowed code is 720. The adjacent neighbor's garage to the west is also an over-sized garage with a gambrel roof. Having the proposed garage will not over-whelm this garage. Typically when we consider granting a special exception, we require some special architectural treatments of landscaping. In this case, the applicant has already designed the garage to be consistent with the Victorian house; brick beltline; clapboard-like siding; higher roof pitch; and gable trim to match the house. The Design Review Board recommended approval subject to the paint and shingles matching the house. The applicant plans on doing that. The Board also agreed that granting a special exception would not impact the surrounding neighborhood. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER SOVA to approve the special exception for an over-sized detached garage located at 917 West Grand Avenue as presented noting that it would not impact the neighborhood. Motion carried unanimously.**
5. **NEW CHANGE OF OCCUPANCY PROVISIONS:** City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that for the past couple of years, our staff has discussed the need for a *change of occupancy*. When business wishes to locate in town, or relocate into an existing building or space a *change of occupancy permit* should be required

prior to taking occupancy. The purpose of a change of occupancy permit is to ensure the business/proposed use is permitted at the proposed location. Zoning can be verified to ensure the business is permitted at the site and if the parking requirements can be met. The building inspection department can ensure the business or proposed use can operate safely within the proposed building or space. At present, if the new business or use needs to make changes to a building if wishes to occupy in order to accommodate their business, they apply for a building, electrical, or plumbing permit. At that time, we get a chance to verify the use and other code requirements that may need to be met. If however, as in the case of Mandy's Restaurant or the new Bridal Salon that is going in where Platinum Pool and Spa was located or the new liquor store on South Spring Street, the building inspector never gets a chance to go in. We never know if anything was removed or altered after the prior use left or vacated. Another benefit is that we would be able to track the new businesses and get a contact for them. Many communities have such a requirement. Staff recommends revising the building code to add a change of occupancy provision. Commissioners discussed this issue and suggested a fee be added to this permit. **MOTION BY MAYOR HUEBNER AND SECONDED BY COMMISSIONER BECKER to approve revising the building code to add a change of occupancy provision with a permit fee. Motion carried unanimously.**

6. **REVISED SECTION 20.24.030 OF THE ZONING CODE PERTAINING TO DRIVEWAYS:** City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that without Dennis Wiese here, it has been a mess on trying to get a handle on the driveway regulations. For you veteran Commissioners, you may remember that we spent months working on these regulations. Dennis took a very active role in revising these provisions. It seems that there are two versions out there; one dated and approved in September 2005 and dated May 2006. The latter version concentrated more on the recreational vehicle and trailer parking. After reviewing Dennis' notes and files, it appears he was using the September 2005 version which included among other things the items that allowed a driveway to flare out or be widened at a point 10 feet from the base setback line; and that a driveway may be no wider than the width of the garage doors plus 2 feet. These are the primary provisions that affect the property owner (Caravella) on the corner of Westport and Second Avenue. After discussing this more with other City Staff, there seems that something here was lost in transition. What we may eventually want is a blend of both the September 2005 and May 2006 regulations. Other items that might want to be added are: 1) Granting special exceptions for existing non-conforming driveways and parking spaces; 2) Allowance for parking spaces where there is no garage or carport; 3) Adding the provision that prohibits a vehicle for extending over a driveway and parking space; and 4) Adding a provision allowing other hard surfaces along the side or rear of the home. The last items were suggested by Commissioner Kelley. Since the most recent version does not include the provisions contained in the orders against Mr. Caravella, those orders are now moot. In the meantime, there is no other urgency and our current inspector will use his administrative judgment (common sense) in dealing with any other driveway issues that may come before us before the regulations are revised again. The Commissioners discussed this item and this item will come back at the next meeting.
7. **TAX INCREMENT DISTRICT UPDATE:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated there is a revised schedule for the tasks that need to be completed for the creation of our proposed tax increment district. In this schedule, we are proposing that the Council resolution to create the district be pushed back a month. Both City staff and our consultant needs more time to work on project costs as well as estimating dates for implementation and recouping projected increments. A revised boundary map now shows a

larger area that includes the parcels we last discussed as well the WE Energies property. The Plan Commission will review and officially recommend the district boundary at the October meeting and adopt the final project plan in November.

8. **PUBLIC APPEARANCES & COMMENTS:** There was none.
9. **FORTHCOMING EVENTS:** Alderman Becker mentioned the dedication of the bike bridge on October 3rd. John Sigwart mentioned the 1st Birthday of the Possibility Playground on September 20th.
10. **ADJOURNMENT: MOTION BY COMMISSIONER VANDEN NOVEN AND SECONDED BY COMMISSIONER BECKER to adjourn the meeting at 7:07 p.m. Motion carried unanimously.**