

T H E T O W N O F  
**MERRIMAC**

S6911 State Highway 113 - P.O. Box 115  
Merrimac, WI 53561

**MINUTES OF THE PLANNING & ZONING COMMISSION**  
**May 20, 2015**

Present were Richard Grant, Chair; Tim Healy, Dan Purcell, Dawn Peetz, and Frank Olah. Also present was Tim McCumber, Town Administrator. Doug Hill and John Gaedke were excused due to deaths in the family.

Chairman Grant called a Public Hearing to order regarding a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S7626 Walleye Lane., Tax Parcel 026-0115-00000; application by Stephen & Julie Hupp, 668 Indian Path Rd., Grayslake, IL 60030. Grant asked the commission members to introduce themselves. McCumber noted the Hupps were not in attendance. No one appeared in favor. Speaking in opposition was Sandra Tomberlin of S7615 Walleye Lane stated that she believes it is a 2 bedroom house and questioned the size of the septic system. They have had 6 cars at a time come in and she is concerned about the number of people. She is also concerned about the traffic. Paul Tomberlin stated he has the same concerns. He said that they have rented the house at least twice and stated that they may have remodeled without permits. He also wanted to know if they would have to more for taxes. No one else appeared in opposition. McCumber read a letter from Donald Jackson as interest may appear. No other persons appeared. Motion to close the hearing by Olah, second by Purcell.

Grant then called the commission meeting to order; McCumber certified compliance with the open meetings law. The commission considered the minutes of the April 15, 2015 meeting, a motion to approve with corrections by Olah, second by Peetz. Motion passed. Under **OLD BUSINESS**, there was none. Under **NEW BUSINESS**, the commission was to take up the matter of a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S7626 Walleye Lane., Tax Parcel 026-0115-00000; application by Stephen & Julie Hupp, 668 Indian Path Rd., Grayslake, IL 60030. McCumber reported he had a number of questions for the applicants and they are not in attendance. Tabled by Healy, second by Grant. Grant requested that a letter stating they are restricted to single family use per ordinance until they appear is to be sent to the applicants. The commission then reviewed a site plan approval for the establishment of a residential structure to be placed outside of the approved building envelope for Lot 66 on Lookout Court of Lakeview Estates Planned Area Development (PAD) #10-02, tax parcel 026-1333-50000; Nathan & Kristen Quayle, 501 21<sup>st</sup> St., Prairie du Sac, WI 53578. McCumber reported the condominium documents state the side yard has a 7' setback but the PAD was approved with 10' sideyard setbacks and the property owner was not aware of the discrepancy until it was time to make application for to build the property. McCumber noted that as a condominium LCE lot and not a simple fee lot which means this development is subject

to the PAD requirements and not the town's setback ordinance. Because of this, the request is an amendment to the PAD and not a request for a variance. McCumber recommended amending the SWS lot adjacent to have a 13' setback, so the total is 20' between structures. If SWS agrees, McCumber could conditionally issue the building permit. A motion to conditionally approve the structure with the condition the building envelope line on lot 65 is amended by 3' on the northeast side by SWS for approval at the June 3 town board meeting by Grant, second by Healy. Healy said that he believes SWS should be required to remove the language from their condo docs. The commission then considered a 9<sup>th</sup> Addendum to Lake View Estates S1327-00000 and 026-1328-00000, Premier Builders, 102 S. Holiday Dr., Waunakee, WI 53597. McCumber reported this is standard to preserve the integrity of the number of lots. This is Lots 55 & 56. A motion to recommend approval to the town board by Olah, second Peetz. Motion passed.

Under **ADMINISTRATOR'S REPORT**, McCumber reported the town issued 14 permits year-to-date totaling \$909,313. There were 14 permits totaling \$395,229 last year at this time. The difference is 2 new homes that are under construction.

Motion to adjourn by Healy, second by Purcell. Motion passed.