

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on October 20, 2020.

President LeDonne called the meeting to order at 6:33 p.m.

Members present: Commissioners Deb Anderson, Mike Knapp, Roger Johnson, Jim Muckerheide, Trustee Scott Adkins and Village President Anthony LeDonne.

Others present: Village Administrator Jeremy Smith, Assistant Village Administrator Kelsey McElroy-Anderson, Village Attorney John Macy, Administrative Services Director Sam Liebert, Deputy Clerk Caren Brustmann and applicants.

A quorum of the Village Board was not present at the meeting.

Consideration and possible action on the minutes on the Plan Commission meeting of September 15, 2020.

A motion by LeDonne, seconded by Adkins to approve the minutes of the Plan Commission meeting of September 15, 2020 as presented. Motion carried 6-0.

Consideration and possible action on Permitted Uses and Plans:

A. Consideration and possible action on a Plan of Operation and site plan for Swingrail LLC N60W22951 Silver Spring building 8 unit 15 and 16.

Administrator Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned M-1. The assembly of sporting goods is a permitted use in accordance with Section 17.0422 (A)(4)(f)(4) in the M-1 Industrial District. The owner of Swingrail will use this 3,000 square foot building to assemble, design and ship baseball and softball related equipment. The owners must also follow the declarations and By-Laws established for this Condominium Association for items such as payment of bills and no outside storage.

Plan Commission Comments: None

A motion by Johnson, seconded by Muckerheide to approve the Plan of Operation and site plan for Swingrail LLC N60W22951 Silver Spring building 8 unit 15 and 16 a finding that the use and structures meet the principals of 17.1002(A-H), subject to payment of any water RCA fees, receiving final occupancy from the Building Inspector and the standard conditions of Exhibit A. Motion carried 6-0.

Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:

A. Introduction of a Conditional Use, Plan of Operation and site plan for Michael Schmalz, N60W22951 Silver Spring building 10 unit 20.

Administrator Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned M-1. The use of indoor storage is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(5)(a). The owner is purchasing a condominium unit at the Venture Space site. The 1,500 square foot unit will be used to store personal items. The owners must follow the Declarations and ByLaws established for this Condominium Association for items such as payment of bills and no outside storage.

Plan Commission Comments: None

A motion by LeDonne, seconded by Anderson to schedule the public hearing for November 17th regarding the Conditional Use, Plan of Operation and site plan for Michael Schmalz, N60W22951 Silver Spring building 10 unit 20. Motion carried 6-0.

B. Introduction of a Conditional Use, Plan of Operation and site plan for Bookin' It, LLC N60W22951 Silver Spring building 9 unit 18.

Administrator Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned M-1. The use of indoor storage is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(5)(a). The owners are purchasing a condominium unit at the Venture Space site. The 1,500 square foot unit will be used to store personal items. The owners must follow the Declarations and ByLaws established for this Condominium Association for items such as payment of bills and no outside storage.

Plan Commission Comments: None

A motion by LeDonne, seconded by Anderson to schedule the public hearing for November 17th regarding the Conditional Use, Plan of Operation and site plan for Bookin' It, LLC N60W22951 Silver Spring building 9 unit 18. Motion carried 6-0.

C. Introduction of a Conditional Use, Plan of Operation and site plan for Mark Bush, N60W22951 Silver Spring building 1 unit 1 and 2.

Administrator Smith reviewed the Plan Staff Memo (copy attached); stating the use of indoor storage is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(5)(a). The owner is purchasing a condominium building at the Venture Space site. The 3,000 square foot building will be used to store personal items.

The owners must follow the Declarations and By-Laws established for this Condominium Association for items such as payment of bills and no outside storage.

Plan Commission Comments: None

A motion by LeDonne, seconded by Muckerheide to schedule the public hearing for November 17th regarding the Conditional Use, Plan of Operation and site plan for Mark Bush, N60W22951 Silver Spring building 1 unit 1 and 2. Motion carried 6-0.

Consideration and possible action on CSM's, Plats, Zoning and Planning Items:

A. Consideration and possible action on a request expansion of a principal structure with a side yard less than 15 feet for property for Josh Tyrrell N62W24055 Sunset Drive.

Administrator Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned RS-3. Mr. Tyrrell is requesting to enlarge his attached garage, the garage is just over one foot off his west property lot line.

Petitioner Josh Tyrell was present and provided a project description to the Plan Commission.

Administrator Smith noted in accordance with Section 17.0410 F. 2 (b), the Plan Commission may make a finding to allow a reduced side yard if it meets the requirements of the following:

2. Side Yard

(a). There shall be a side yard on each side of the principal structure of not less than 15 feet in width; or

(b). The Plan Commission may make a finding to allow the expansion/reconstruction of a principal structure such that one side yard is reduced in width if it finds the following:

(1) The principal structure was constructed prior to 1980. *House was constructed in 1956.*

(2) One side yard width remains at least 15 feet in width. *East side yard setback is 16' 1".*

(3) The reduced side yard is the greater of at least 1 foot in width or the narrowest current side yard setback of the existing principal structure or detached garage. *West side yard setback is 1' 2".*

(4) The expansion of the principal structure within the reduced side yard setback does not encroach into the street yard closer than the existing principal structure. *The expansion will not encroach closer to the street yard.*

(5) The expansion does not impact the welfare and safety of the area. *The expansion will not impact the welfare or safety of the area.*

A motion by Johnson, seconded by LeDonne to approve the request for Property owner Josh Tyrrell to tear down existing garage, expand and reconstruct the attached garage and to not encroach any closer to the west lot line than 1' 2" that it meets the requirements of 17.0410 F. 2 (b) 1-5, subject to approval of a building permit and the standard conditions of Exhibit A. Motion carried 6-0.

C. Discussion of Chapter 17 Zoning Code Section 17.0704 A. (2) Accessory buildings

Administrator Smith stated direction was given at the September Plan Commission meeting to have a discussion about shed sizes in the RS-4 Residential District. Each lot within RS-4 zoning shall maintain 50 percent of the lot area in permanent open space; exclusive of dwellings, garages, storage sheds, driveways, and parking areas. The Village currently allows in all districts a shed size maximum of 250 square feet and a height not to exceed 15 feet. Staff surveyed our peer communities of the allowable shed size in their residential districts, (table attached).

President LeDonne indicated a work group will be formed to discuss and provide recommendations to the Plan Commission regarding Chapter 17 Zoning Code Section 17.0704 A. (2) Accessory buildings. Commissioners Knapp, Commissioner Muckerheide and staff will form the work group and will provide recommendations for the January 19th meeting.

Topics for Future Agendas: Commissioner Johnson inquired about future storage buildings being occupied on Silver Spring Drive and other areas within the Village. Administrator Smith noted they are only limited to the M1 zoning district.

Adjournment:

A motion by LeDonne, seconded by Muckerheide to adjourn the meeting at 6:59 pm. Motion carried 6-0.

Respectfully Submitted,

Caren Brustmann
Deputy Clerk