

**MINUTES  
TOWN OF RHINE PLANNING COMMISSION  
Wednesday, December 13, 2017**

**GENERAL MEETING**

Chair: Todd Purkey

Members Present: Larry Eberle, Frank Zimmermann

Also Present: Lexann Hoogstra, Clerk/Treasurer

**1. Call to Order – Compliance with Open Meeting Requirements:** Called to order at 6:45 by Todd Purkey. Meeting was posted and published Dec. 1 and 8, 2017.

**2. Pledge to the Flag:**

**3. Minutes of November 15, 2017:** A motion to accept the minutes as written was made by Frank Zimmermann. 2<sup>nd</sup> by Pfaller. All in favor. No nay votes.

**4. Public Comments:**

Dirk Denzin: He is the owner of the property and the applicant. Property is zoned A,1 and he would like to change it to R1 in order to facilitate a sale to a prospective buyer who would like to build on it. He has owned the property for many years. There were no other public comments.

**5. Public Hearing:**

*To consider the request of Dirk Denzin of N3537 North Avenue, Cascade, WI to rezone a property at Little Elkhart Lake Road, approximately 1/4 mile north of Garton Rd, (parcel 59018257806) from A1 to R1). The area is 2.8 acres.*

There were no public comments regarding the hearing.

**6. Planning Committee Deliberation:**

Purkey noted that property owners have been notified. The proposed utilization of the land is to build a new home. He read information from the application into the record.

Denzin recently sold lot 1, which had a home on it. He had been living there. Zimmermann mentioned that to rezone to R1 there is a minimum of square footage to build a home. In the past, when rezones of this nature were approved, the town put a condition on it regarding the number of homes that could be built on the property. Zimmermann noted that the land is really in a residential area anyway.

Purkey asked about the easement and if it was included in the easement land. There was a review of the Survey Map and the easement along the edge of lot 2. The easement is 50 feet wide. Zimmermann mentioned that the standard width is 66 feet. He would like to see that done if possible. Denzin mentioned that would involve 3 different landowners who would have to agree. Pfaller suggested taking it out of lot 2, shifting the center line, so only the owner of lot 2 would be affected.

The committee had a discussion regarding the easement on lot 2 and how it may or may not affect a rezone. As a reference point, Zimmermann offered a brief history of prior issues with easements on private roads in the Town.

Chairman Purkey inquired about the possibility of putting more than one home on the property in the future if it is zoned R1. Denzin explained that the lot is flat in the front, but there is a downslope on the back so it would not lend itself to building more than one home on the lot.

There was a brief description on the possibility of a driveway in the future and that the new homeowner would need to be responsible for those requirements.

Zimmermann would like to see the owner of lot 1 own and be responsible for the entire driveway, with an easement for other homeowners.

Pfaller expressed that the easement could be an important issue, but reminded the committee that the application is for a Rezone, not for an easement. He could make sense out of rezoning to R1. He could also make a point of trying to protect or control development on that property. Perhaps a different zone would be more applicable.

Eberle feels that the Town Board should have made changes to zoning at the time all the changes were made in the past.

A motion to recommend to the Town Board to approve the applicant's request to rezone the lot from A1 to R1 was made by Larry Eberle. 2<sup>nd</sup> by Zimmermann.

Discussion: Zimmermann feels that it should be noted there is a possibility to put more than one home on the lot if it is rezoned to R1. He would like to require the Town Board's approval to build more than one home on that lot in the future. However, the town has little control over that, other than through its ordinances.

Roll call vote: Zimmermann – yes, Eberle – yes, Pfaller – no, Purkey – yes. The application will be presented to the Town Board for approval at the next Town Board meeting.

**7. Chairman information report:**

**8. Next meeting date** – Jan. 10, 2018.

**9. Adjournment: Motion to adjourn by Frank, 2<sup>nd</sup> by Larry at 7:05. All in favor. No nays.**

Respectfully submitted,  
Lexann Hoogstra, Clerk/Treasurer  
Town Rhine