TOWN OF RHINE PLAN COMMISSION

MEETING MINUTES

Wednesday, July 12, 2023 at 6:30 PM

Rhine Town Hall

W5250 County Road FF, Elkhart Lake, WI 53020

Join Zoom Meeting:

https://us06web.zoom.us/j/89006804128?pwd=a0s1YTQrdEFqenl6SVF3cHFhWmFnZz09

Meeting ID: 890 0680 4128 Passcode: 742816

1. Call to Order and Roll Call: Jacob called meeting to order 6:30 pm.

Present: Bill Jacob, Mark Pfaller, Christa Johanson, Paul Boocher, Larry Eberle, Paul Dirkse (Town Counsel), Amy Weber (Recording secretary).

2. Verify Compliance with Open Meetings Law: Meeting was posted and the media was notified as required by law.

3. Pledge of Allegiance

4. Approval of previous meeting minutes: Motion to approve meeting minutes from May 10, 2023 by Pfaller. Second by Johanson. All in favor.

5. Public Comments of a General Nature:

6. PUBLIC HEARINGS:

A. Clifford and Carol Miller, Owners, to rezone vacant land on Racetrack Road, Plymouth, WI 53073, Parcel #59018259470 from A1 to A2. The parcel is 10.66 acres.

Public comments: Cliff Miller explained the request.

James Kurtz: Commented the property is subject to litigation, then clarified it is the property owned by the Miller's on the eastside not the westside (this parcel is on the westside) that is subject to litigation. He is not in favor of ag-land being used for housing.

B. Austin Savage, Owner, and Karlee Brading, Applicant, to rezone Parcel #59018253152, W4878 Greatwood Lane, Elkhart Lake, WI 53020 from B1 to R1. The parcel is 2.8 acres.

Public comments: Karlee Brading explained the request and stated they want to bring the property to life. The long term goal is to make the property a family home.

James Potter: Commented the property is being used as an Airbnb. The neighbors are experiencing a lot of problems with renters. They are noisy, they are trespassing, they light fireworks. He stated if it is an Airbnb it should remain zoned B1 instead of being changed to R1. He is not favor of the request.

Austin Savage (owner): Stated the building was falling into disrepair and they are enhancing the property. In the future he would like to use this home as his vacation home. He was not aware of

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renters leaving the property. He also stated originally two buildings were legally constructed on this property and they are just trying to utilize the property.

Diane Potter: Stated renters have parking problems, sometimes there are nine cars there at a time and it makes it difficult for neighbors to use the easement/driveway. She is not in favor of this request.

Bill Swoboda: In the past he has not had issues but recently he has had people on his property and in his woods. He stated the property is not meant for so many people and the parking is an issue with so many cars in the driveway.

Pat Skrube: Stated there is not enough room for two residences on that parcel. The back home has no access to parking. There are problems with trespassers.

C. Justin Ehlenbeck, Applicant, to rezone 12 of 22.96 acres of vacant land Parcel #59018250644 on Burrows Lane, Elkhart Lake, WI 53020, owned by Circle K Acres LLC from A1 to A5.

Public comments: Justin Ehlenbeck explained the request.

Jeanne Sohre: Stated she is concerned the Ehlenbecks will be using Burrows Lane. The residents on Burrows Lane do not want extra traffic on the lane and it is a private road.

Justin Ehlenbeck: Stated they have no intention of using Burrows Lane.

Keith Koeser: Member of Circle K Farms LLC. Explained the LLC agreed to sell the twelve acres to Justin Ehlenbeck.

Brian Schad: In favor of request.

7. Discuss and act (make recommendations to the Town Board) on the following:

A. The matters which were the subjects of the above Public Hearings.

Clifford and Carol Miller, Owners, to rezone vacant land on Racetrack Road, Plymouth, WI 53073, Parcel #59018259470 from A1 to A2. The parcel is 10.66 acres.

Motion by Eberle to recommend to the Town Board approval of Clifford and Carol Miller's request to rezone Parcel #59018259470, 10.66 acres from A1 to A2. Second by Boocher.

Roll call: Eberle – yes, Boocher – yes, Johanson – no, Pfaller – yes, Jacob – yes.

Austin Savage, Owner, and Karlee Brading, Applicant, to rezone Parcel #59018253152, W4878 Greatwood Lane, Elkhart Lake, WI 53020 from B1 to R1. The parcel is 2.8 acres.

Motion by Boocher to recommend to the Town Board denial of Karlee Brading and Austin Savage's request to rezone parcel # 59018253152, 2.8 acres from B1 to R1. Second by Johanson.

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – no, Jacob – yes.

Justin Ehlenbeck, Applicant, to rezone 12 of 22.96 acres of vacant land Parcel #59018250644 on Burrows Lane, Elkhart Lake, WI 53020, owned by Circle K Acres LLC from A1 to A5.

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Motion by Eberle to recommend to the Town Board approval of Justin Ehlenbeck's request to rezone Parcel #59018250644, 12 acres of 22.96 acres from A1 to A5. Second by Pfaller.

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – yes, Jacob – yes.

B. Consider whether it is in the public interest to discontinue (vacate) a portion of Schwaller Drive and nearby platted but unimproved alleys in Schwaller's Second Plat, pursuant to s. 66.1003, Wis. Stats.

Paul Dirkse explained the request.

Motion by Johanson to recommend to the Town Board to deny the Discontinuance of a Portion of Schwaller Drive identified as #1 in the Initial Resolution. Second by Boocher.

1. That part of the alley between Lots 8 and 9, in Block 7, which is not presently part of the right-of -way or used for Lake Terrace Drive.

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – yes, Jacob – yes.

Motion by Johanson to recommen~~t~~d to the Town Board to deny the Discontinuance of a Portion of Schwaller Drive identified as #2 in the Initial Resolution. Second by Boocher. *(Correction: typographical error, "recomment", corrected to "recommend" per Johanson, Plan Commission minutes September 13, 2023).*

2. That part of the alley west of Lots 7 and 8, in Block 7, which is not presently part of the right-of-way or used for Schwaller Drive.

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – yes, Jacob – yes.

Motion by Johanson to recommend to the Town Board to deny the Discontinuance of a Portion of Schwaller Drive identified as #3 in the Initial Resolution. Second by Boocher.

3. A triangle portion between the alley referenced in the preceding paragraph and Lot 8, Block 7, described in Volume 387, page 624. (Approximately 500 sq. ft.)

Roll call: Eberle – no, Boocher – no, Johanson – yes, Pfaller – no, Jacob – no.

Motion by Boocher to recommend to the Town Board to approve the Discontinuance of a Portion of Schwaller Drive identified as #3 in the Initial Resolution. Second by Eberle.

3. A triangle portion between the alley referenced in the preceding paragraph and Lot 8, Block 7, described in Volume 387, page 624. (Approximately 500 sq. ft.)

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – yes, Jacob – yes.

C. Consider the request of LRC LLC to revise the Plat of Ridge Creek to remove an existing access restriction in order to allow vehicular ingress and egress from Little Elkhart Lake Road to Lot 1 of the subdivision, pursuant to s. 236.293, Wis. Stats.

Public comments: Bob Werner explained the request, he is representing the sellers of this parcel, LRC LLC.

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Jim Gottsacker: He will become the property owner on Monday. He and his wife are planning to build a home in fall. It would greatly help to have access on Little Elkhart Lake Road.

Motion by Johanson to recommend to the Town Board to approve the Resolution of the Town of Rhine Releasing Access Restriction Concerning Lot 1 of Ridge Creek Subdivision. Second by Pfaller.

Roll call: Eberle – yes, Boocher – yes, Johanson – yes, Pfaller – yes, Jacob – yes.

8. Next meeting date: Wednesday, September 13, 2023 and October 11, 2023, strictly for review of Chapter 4 of the Municipal Codes and Ordinances.

9. Adjourn: Motion to adjourn by Eberle 9:05 pm. Second by Boocher. All in favor.

Dated: July 27, 2023
Amy Weber, Clerk/Treasurer
Town of Rhine

APPROVED