

Approved: July 26, 2022

**TOWN OF GIBRALTAR
PLAN COMMISSION
TUESDAY, MAY 24, 2022
GIBRALTAR TOWN CENTER**

Call to order: The meeting of the Gibraltar Plan Commission was called to order at 7:00 p.m. by Linda Merline.

Roll Call/quorum: Linda Merline, Gibraltar Plan Commission Chair, stated that a quorum of the Plan Commission was present.

Members present: Linda Merline, Paul Pillat, Don Freix, and Bill Johnson

Members absent: Tom Blackwood

Proper notice: *Motion (Johnson, Freix) to adopt the agenda as posted. Carried.*

Approve minutes of previous meetings: *Motion: (Johnson, Freix) to approve the minutes of the April 26, 2022, minutes as written. Carried.*

Public comment: None

Presentation of Tax Incremental District #1, Proposed Project Plan and Boundary: Seth Hudson from Cedar Corporation gave a presentation regarding the proposed project plan and boundary.

Public Hearing on Tax Incremental District #1, Proposed Project Plan and Boundary:

Seth Hudson answered several questions and concerns regarding the proposed boundary and plan.

Resolution 2022-06 Recommending the Creation of Tax Incremental District #1, Town of Gibraltar, Wisconsin Designating the proposed Boundary and Approving the Project Plan:

Motion: (Johnson, Pillat) to approve resolution 2022-06. Carried

Petition to Re-Zone Tax Parcel #014-01-06302711C: 9091, 9095, & 9099 Cottage Row Rd.

Tyler Pluff on behalf of Cottage Row Properties LLC proposes to rezone from Single Family Residential 20,000 (SF20) to Neighborhood Residential (NR) in order to expand an existing nonconforming Multiple Occupancy Development (MOD).

Merline opened the Hearing and Explained the Procedures.

Presentation: Tyler Pluff representing Cottage Row Properties LLC is petitioning the County to rezone from SF20 to NR. SF20 only allows for one home on the property. At one point, there were 3. 1 has been torn down. The lot is 7 acres and restrictive covenants do not allow the parcel to be split. Solution to build another single-family home is to rezone to NR.

Merline opened the floor for questions.

Dennis Hahn: 9091 Gibraltar Bluff Rd. Stated the rezoning code allows up to 84 units. Pluff stated the restrictive covenants would not allow.

Mary Dorsch: 9051 Cottage Row inquired about the number of bathrooms.

Stephan Nordstrom: 9297 Cottage Row asked what would need to be done to stay within current zoning. Would need to tear down the other homes on the property.

Jeff Schwab: 9140 Cottage Row inquired about the non-conforming use. SF20 only allows 1 principal structure. It is a non-conforming use because of the 2 current homes on the property.

Charles Schott: 3436 Gibraltar Rd. inquired about the sewer line capacity.

Keith Kocourek: 9352 Cottage Row asked if the petitioner was aware of sewer issues on Cottage Row and if he knew the property was for sale.

Sue Enroth: 8809 Orchard Rd how many homes are trying to be built. Pluff stated a total of 3 homes. Zoning and covenants would allow 4 family homes.

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Testimony in Support: None

Testimony in Opposition:

Jim Nelson 9109 Cottage Row should be denied because it doesn't meet the criteria for rezoning.

Stephan Nordstrom 9297 Cottage Row The owner can build a single-family home within the current zoning

Elliott Curry 9363 Cottage Row – In all fairness everyone on Cottage Row has been able to follow the rules in the current zoning.

Jeff Schwab 9140 Cottage Row – Single Family Residential is meant for single family. Only one person benefits. Huge difference between SF20 and NR.

Robert Trainer 9163 Cottage Row – strongly encourages the Commission deny this application. NR found in high density neighborhoods.

Dennis Hahn 9091 Gibraltar Bluff Rd. The areas zoned NR is high density this would be considered spot zoning

Mathew Segorac 9345 Cottage Row – in favor of the turn-around on Cottage Row.

Keith Kocourek 9359 Cottage Row: Does not follow comp plan, benefits one person, the property is for sale and under restrictive covenants. Not in the best interest for public health, welfare, or safety of the Town.

Nancy Boyd 4333 Cottage Row: Has environmental and sanitary concerns

Admin Thyssen stated the Town takes a neutral position. Has begun the process of eminent domain to acquire the radius for the turn-around.

Dan O'Hara 9077 Gibraltar Bluff Rd. is opposed to the rezoning

Lindsey Harris inconsistent with the other zoning on Cottage Row.

Correspondence in Support: None

Correspondence in Opposition: Correspondence was received from:

Cottage Row Homeowners LLC (Jim Nelson, Robert Trainer, and Jeff Schwab)

Daniel and Lynn O'Hara

Julie Stahr

Dennis Hahn

Stephan Nordstrom

Mitch Larson

Mike and Jeanie Haggerty

Camilla Nordstrom

Calvin Akin

Carl Curry

Merline Closed the Hearing and went through the criteria to consider when evaluating petitions to rezone.

1. Was the existing district due to a mistake in the mapping process: No

2. Have circumstances changed for this property: No

3. How are adjacent properties zoned and used? Zoned SF20, residential Large Estate homes

4. Is the land area in question large or small? 7 acres, larger than most of the neighboring properties, but not large like the other NR neighborhoods (Northhaven, Little Sweden/Hedemora, Hidden Harbor, etc)

5. Would the new district fit? No

6. Is the request simply to economically benefit one property owner? Yes

7. Is there an overriding public good? No

Johnson it is still non-conforming with 2 dwellings.

Merline stated NR was created for MOD developments just outside of the commercial district and close to utility connections. This request is not adjacent to a commercial district.

Once rezoned the property owner could do whatever is allowed within the district.

The amount of traffic a MOD could create a safety problem.

Motion: (Johnson, Freix) to recommend to the Town Board not to support the petition. Carried by Roll Call vote.

The Commission took a break at 9:15 and returned at 9:23.

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Outdoor Display Ordinance: Thyssen presented a draft display ordinance to the Plan Commission. Would like to include an exemption for those with land area for art sculptures. *Motion: (Johnson, Freix) to approve with the amendment of 48 inches and the exemption for art galleries with outdoor sculptures. Carried.*

Bike & Pedestrian Plan and Recreation Plan Discussion and Direction: Rachel Parr suggested communicating with the Park regarding their master plan.
Would like to include these plans with the comprehensive plan update.

Comprehensive Plan Update: Will begin work in July.

Reports:

Chair Report: Merline reported the Green Tier Ad hoc committee met prior to this meeting. June 2nd is the next County Green Tier meeting.

The 5th grade field trip was postponed due to the park being very wet.

Administrator Report: None

Other: None

Set Next Meeting Date: Monday, June 27, 2022, at 6:00 PM

Adjourn: *Motion: (Johnson, Freix) to adjourn at 9:55 p.m. Carried.*

Respectfully Submitted,

Kelly Murre
Clerk