

**Town of Eldorado
Plan Commission
Public Hearing Minutes**

Date: May 11, 2021

Plan Commission Member Attendees (5):

x	Jeremy Brenner, Chairperson	x	Jenna Borski, Secretary	x	Aaron Rickert, Town Board Liaison
x	Lee Wenker, Vice Chairperson	x	Jeff White, Member		

Tracking # ZON-2021-04-19-Mazanka

Tracking # MLD-2021-04-19-Mazanka

Public Hearing – Application for Rezoning A-1 to A-2 / Minor Land Division – Frank & Jeni Mazanka:

Applicant: Frank & Jeni Mazanka

Location/Description of Property: W7518 Lincoln Rd / T07-16-16-12-05-002-00

Parent parcel acres: 5.32 +/-

Current zoning: A-1 (but no ag use)

Proposed parcel acres: 2.212 +/- for Lot 1 and 2.943 +/- for Lot 2 (remnant)

Area of dedication acres: 0.166 +/- for Lincoln Rd

Proposal: Spilt land and rezone for their daughter to purchase and build a new home.

Base Farm Tract (BFT) Acres: not assigned (less than 10 acres) per Base Farm Tract map with parcel data as of 12/31/2013 and Zoning Ordinance Map Certified by DATCP on 11/20/2013

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): N/A – insufficient acreage

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): N/A – insufficient acreage

Attendance for the application:

Frank Mazanka

Meeting called to order by Brenner at 7:03 p.m.

Brenner read the legal notice published April 25, 2021 and May 2, 2021.

Presentation of application:

Mazanka stated the intent of the application is to split his existing land and sell a portion to his daughter to purchase and build a home. The property has been surveyed and a percolation (perc) test performed for a mound system. Borski summarized the history of discussions with the County Planning Department regarding minimum road frontage (at least 30 feet) and the Town Attorney, Matt Parmentier, regarding the driveway being turned over from the Town to Mazanka in 2020 significantly reducing his road frontage. Brenner summarized the rationale for the proposed size for Lot 1 being less than the minimum required 3.0 acres for the A-2 district due to the road/driveway item and existing natural features of the property, also discussed with the Town Attorney. Borski clarified that proposed Lot 2 is the remnant of the existing parcel after splitting out Lot 1 and Lot 2 is to remain zoned A-1. Also, the current parcel is already a flag lot so the proposed Lot 2 is not creating a new flag lot situation.

Questions of applicant from members of the public:

It was asked whether approval of this application would be precedence-setting for the adjacent properties. EPC explained this unique situation is not setting precedence for neighboring properties.

Questions of applicant from Eldorado Plan Commission (EPC) members:

None.

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Testimony in support of application (offered three times):

Charlie Becker spoke in favor of the application and commented that the Town is setting precedence with the decision that a hardship was created by the Town turning the road over to Mazanka (i.e., reduced road frontage).

Testimony in opposition of application (offered three times):

None

Rebuttal testimony by applicant:

None

Discussion by EPC:

EPC discussed the need to require relevant variances to minimum lot size for Lot 1 and minimum frontage for both Lots 1 and 2. Also need to require the driveway easement be recorded at the Register of Deeds per the Town Attorney since they intend to utilize the existing driveway on proposed Lot 2 for both lots. Mazanka stated he supported these decisions and is appreciative for the Town's efforts to find a solution.

Motion:

Motion made by Borski/Wenker to recommend approval of the application to split W7518 Lincoln Road, parcel T07-16-16-12-05-002-00, for creation of Lot 1 of 2.212 +/- acres and remnant Lot 2 of 2.943 +/- acres with 0.166 +/- acres dedicated to Lincoln Road contingent upon approval of rezone of Lot 1 from A-1 to A-2, variances granted by the Board of Appeals for dimensional requirements and recording of a driveway easement at the Register of Deeds. Borski, Brenner, Rickert, Wenker & White voted in favor of the motion. Motion carried 5-0.

Motion made by Borski/White to recommend approval of the application for W7518 Lincoln Road, parcel T07-16-16-12-05-002-00, to rezone 2.212 +/- acres for proposed Lot 1 from A-1 to A-2 contingent upon approval of the proposed minor land division. Borski, Brenner, Rickert, Wenker & White voted in favor of the motion. Motion carried 5-0.

Future actions:

The Town Board will consider the applications at the next scheduled Town Board meeting on May 24, 2021 but approval will be contingent upon obtaining the necessary variances. The CSM cannot be signed by the Town Board until variances are granted by the Board of Appeals. Mazanka will need to schedule a separate hearing with the Town Clerk and Mike Wagner, Board of Appeals Chairman, submit an application and \$350 fee.

Brenner adjourned the hearing at 7:40 p.m.

Respectfully submitted,
Jenna Borski
Secretary
Town of Eldorado Plan Commission