David Torgler, Administrator/Clerk

COMMUNICATION FORM

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FROM: David Torgler, Town Administrator/Clerk
DATE: October 9, 2023
ITEM: Consideration to approve a request to revise an approved land division at 222 E. Main Street.
ATTACHED: January 26, 2023 letter to applicants regarding approval of a requested Land Use Change of Minor Impact; and, copy of a previously approved land division sketch.

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BOARD ACTION: _X__ ACTION ITEM
____ DIRECTION REQUESTED
____ INFORMATION

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REQUEST OR ISSUE: Paula Jaconetta has submitted a request for a new proposed separation of the property located at 222 E. Main Street, requesting that the separation be along the lot line between lots 3 and 4, Block 6, Original Town of Oak Creek.

RECOMMENDED ACTION: To approve the request for a new proposed separation of the property located at 222 E. Main Street, requesting that the separation be along the lot line between lots 3 and 4, Block 6, Original Town of Oak Creek; subject to all of the conditions approved by the Town Board on January 12, 2023 approving a Land Use Change of Minor Impact subdividing the one (1) parcel of land where Lupita's and the Cabin are located into two (2) parcels.

BACKGROUND INFORMATION: Paula and Lawrence Jaconetta, dba L3&P LLC applied for a land use change of minor impact, proposing to subdivide Lots 2-6, Block 6, Original Town of Oak Creek, into two parcels. The current parcel is home to Lupita's restaurant and the Cabin. A public hearing was held by the Planning Commission on December 21, 2022 and a public hearing was held by the Town Board on January 12, 2023. The Planning Commission recommended approval of the application with certain conditions to the Town Board. The Town Board approved the Planning Commission's recommendations. The request now submitted redraws the new property line, still resulting in two lots meeting the Town's land use code requirements for minimum lot size. The conditions approved on January 12, 2023 by the Town Board should still apply to the revised approval to meet current Town land use codes. No one spoke against the proposed land division, creating two lots, at either of the previously mentioned public hearings.

FISCAL IMPACTS: None known.

LEGAL ISSUES: None known.

CONFLICTS OR ISSUES: See above.

SUMMARY AND ALTERNATIVES: The application to revise where the lots will be subdivided is all that is being requested. The new land division will meet the minimum lot size requirements and no one voiced opposition to the original and approved request creating two lots from this one parcel. If the Board approves this lot line change the conditions of approval for the original request still apply, based on the Town's land use codes and should be applied to this change.