



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

NOTICE

PLAN COMMISSION MEETING

TUESDAY, DECEMBER 12, 2023 AT 6:30 PM

**Village Hall Council Room
250 Williams Street
Williams Bay, WI 53191**

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Minutes**
 - A.** Plan Commission Meeting Minutes of November 14, 2023
- V. Recommendation and Possible Action for Certificate of Compliance**
 - A.** APPLICANT: Geneva Lake Environmental Agency (Lessee) TAX KEY: WOP 00008
STREET ADDRESS: 105 Elkhorn Rd, Village of Williams Bay
Applicant is requesting a Certificate of Compliance per Section 390.1211.B(1)(b) "New occupancy and use of an existing building when the new use is of a different land use classification".
- VI. Recommendation for a Zoning Ordinance Text Amendment**
 - A.** Open Public Hearing
Ordinance 2023-14 Regarding Shore Yard Standards
 - B.** Close Public Hearing
 - C.** Discussion and Possible Recommendation for the Ordinance
- VII. Adjournment**

Bill Duncan
Chairman

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 12/06/2023 5:00 PM



VILLAGE OF WILLIAMS BAY

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Phone: 262-245-2700

UNOFFICIAL MINUTES PLAN COMMISSION MEETING 11/14/2023 MEETING TUESDAY, NOVEMBER 14, 2023 AT 6:30 PM VILLAGE HALL COUNCIL ROOM 250 WILLIAMS STREET WILLIAMS BAY, WI 53191

I. Call to Order

President Duncan called the meeting to order at 06:30pm.

II. Roll Call

Present: President Bill Duncan, Trustee Lowell Wright, Commissioners, Pat Watts, Maggie Gage, Jess Haak, Marianne Klemke, and Matt Robbins

Also Present: Zoning Administrator Bonnie Schaeffer, Village Attorney Mark Schroeder, Village Engineer Doug Snyder, Police Chief Justin Timm, Clerk Tina Kolls

III. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

IV. Minutes

A. Plan Commission Meeting Minutes of October 10, 2023

The motion to approve the Plan Commission Meeting Minutes of October 10, 2023 as corrected was initiated by Commissioner Watts and seconded by Commissioner Haak. Unanimously carried.

V. Recommendation for a Temporary Use Permit

A. APPLICANT: Mike Condron and John Dwyer (Applicants)

TAX KEY: WOP 00008 and WWUP 00088

STREET ADDRESS: 105 N. Walworth Street and Lakefront Area, Williams Bay, Wisconsin 53191

Applicant is requesting a Temporary Use Permit per Section 390.208 "Temporary Use Permit" and Section 390.0316.B Temporary Outdoor Sales for a food vending cart.

John Dwyer explained that they had a great fourth year and that they were looking forward to continuing to serve the residents of Williams Bay. Dwyer explained that they were looking to get a three-year commitment from the Plan Commission. Dwyer explained that they had no problem going through the application process, but they would just like some kind of assurance from the Plan Commission members that they would have a future here in Williams Bay. Dwyer explained that they felt the residents liked having them there and had grown to expect them to be there.

Commissioner Haak explained that he did not agree with giving a three-year commitment but had no problem issuing the permits for the 2024 season.

Commissioner Gage explained that she didn't think that they had the authority to give that sort of commitment and

President Duncan, Trustee Wright and Commissioner Klemke agreed.

The motion to approve the request for a Temporary Use Permit per Section 390.208 "Temporary Use Permit" and Section 390.0316.B Temporary Outdoor Sales for a food vending cart for the 2024 season was initiated by Commissioner Haak and seconded by Commissioner Klemke. Unanimously carried.

VI. Recommendation for Conditional Use Permit

- A.** APPLICANT: Constance Woods, LLC (Owner)
TAX KEY: WA499800001
STREET ADDRESS: 327 W. Constance Blvd, Village of Williams Bay
Applicant requests a conditional use permit per zoning code section 390-0223.C (5) *P & I Public and Institutional District – Indoor Institutional – Intensive* and Section 390-0821 *Group Development and Large Development Standards* to construct a Women's Leadership Center consisting of three structures with a total combined conditioned space of 24,894 square feet and a small storage accessory structure.

Ann Drake briefly described herself and her vision for this property and this project. Drake briefly described the proposed buildings and the proposed plans for the use of the buildings.

The motion to Recommend Village Board Approval of the request for a conditional use permit per zoning code section 390-0223.C (5) *P & I Public and Institutional District – Indoor Institutional – Intensive* and Section 390-0821 *Group Development and Large Development Standards* to construct a Women's Leadership Center consisting of three structures with a total combined conditioned space of 24,894 square feet and a small storage accessory structure with the condition that items 1-10 on the Engineer's Report to Committee dated November 3, 2023, are met was initiated by Commissioner Haak and seconded by Trustee Lowell Wright.

Votes:

Yes: Bill Duncan, Pat Watts, Maggie Gage, Jess Haak, Marianne Klemke, Matt Robbins, Lowell Wright

No: None

Abstain: None

Result: Passed

VII. Recommendation and Possible Action for a Site Plan

- A.** APPLICANT: Constance Woods, LLC (Owner) TAX KEY: WA499800001
STREET ADDRESS: 327 W. Constance Blvd, Village of Williams Bay
The applicant is requesting approval of a site plan for development in the P & I Public and Institutional District per Section 390-1206 Site Plan.

The motion to Recommend Village Board Approval of a site plan for development in the P & I Public and Institutional District per Section 390-1206 Site Plan with the condition that items 1-10 of the Engineer's Report to Committee dated November 3, 2023 are met was initiated by Commissioner Gage and seconded by Commissioner Robbins.

Votes:

Yes: Pat Watts, Maggie Gage, Jess Haak, Marianne Klemke, Matt Robbins, Lowell Wright

No: Bill Duncan

Abstain: None

Result: Passed

VIII. Adjournment

The motion to adjourn was initiated by Commissioner Klemke and seconded by Commissioner Haak at 07:38pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.



Planning Request Application Village of Williams Bay

250 Williams Street • PO Box 580 • Williams Bay, WI 53191
Phone: 262-245-2700 • Fax: 262-245-2705

Request:

Please check all that apply.

- ☐ **Site Plan** [§18.1206] - \$200.00 plus \$.04/sf floor area
- ☐ **Conditional Use Permit (CUP)** [§18.1207] - \$500.00
- ☒ **Certificate of Compliance** [§18.1211] - \$200.00
- ☐ **Temporary Use Permit** [§18.1208] - \$200.00
- ☐ **Preliminary Plat** - \$200.00 plus \$20.00 per lot
- ☐ **Certified Survey Map (CSM)** - \$200.00 plus \$20.00 per lot
- ☐ **Final Plat** - \$100.00 plus \$10.00 per lot
- ☐ **Planned Development Overlay (PDO)** [§18.0709] - \$500.00
- ☐ **Planned Development Amendment** - \$500.00
- ☐ **Zoning Text or Map Amendment** [§18.1204] - \$500.00
- ☐ **Project Concept Review** - \$200.00
- ☐ **Land Use Plan Amendment** - \$500.00
- ☐ **Interpretation** [§18.1216] - \$200.00
- ☐ **Appeal** [§18.1217] - \$500.00
- ☐ **Other:** _____ **Fee:** _____

Date application was received:

Fee Paid:

Physical Address of Site: 105 Elkhorn Road Williams Bay, Wisconsin 53191

Tax Parcel Number: WOP 00008

Project or Development Name: _____

Applicant

Name: Geneva Lake Environmental Agency

Mailing Address: Po Box 914 Williams Bay, WI 53191

eMail: info@gleawi.org

Phone: 262-245-4532 or 262-683-2067

Owner of Site

Name: MEJC Consulting, LLC c/o Michael J Condron

Mailing Address: PO Box 254 Williams Bay, WI 53191-254

eMail: mjcondron@gmail.com

Phone: 847-815-8086

Legal Representative

Name: Attorney Tyler Jochman

Mailing Address: 110 Arcadian Ave Waukesha, WI 53186

eMail: tyler@jochmanlaw.com

Phone: 414-458-2382

Architect, Engineer, Contractor

Name: _____

Mailing Address: _____

eMail: _____

Application for Village of Williams Bay

Phone: _____

Legal Description of Site (Attach separate sheet if additional space is needed):

PT LOT 7 BLK 1 DESC AS: COM AT PT ON W LN LOT 7 BLK 1 38' N OF SW

COR LOT 7, E 31.1', N 10', E 2.6', N 2.8', ELY 11.2', SLY 2.71', ELY 10.6', S 33',

E 44.5' M/L TO E LN LOT, S IN E LN TO SE COR, W ON S LN SD LOT TO SW

COR, N TO POB. EXC. E 8'. ALSO EASEMENT ORIGINAL PLAT VILLAGE OF WILLIAMS BAY

Please answer all applicable. Missing or incomplete information may deem this application "incomplete," delaying or prohibiting a review.

Current Zoning of Site: VC Village Center District

Current Overlay Districts of Site: VC Village Center District

Proposed Zoning of Site: VC Village Center District

Proposed type of structure of use: The structure is currently being used as a retail outlet.

Proposed use of structure or site: Geneva Lake Environmental Agency's office and meeting space
which will serve as a hub for environmental and educational outreach programming for the agency.

Statement of proposed use of property, with pertinent facts regarding the size of area involved, extent of development, type of operation, etc. (Attach separate sheet if additional space is needed):

N/A

Statement showing compatibility of proposed zoning district and/or proposed use to the Village Comprehensive Plan: (Attach separate sheet if additional space is needed)

N/A

Statement showing compatibility of proposed zoning district and/or proposed use with adjacent properties and neighborhoods (Attach separate sheet if additional space is needed):

N/A

Print Applicant's Name: Geneva Lake Environmental Agency

Signature of Applicant:  **Date:** 11/22/2023



VILLAGE OF WILLIAMS BAY

Office of Zoning Administrator

Evaluation Report Plan Commission Meeting December 12, 2023

December 5, 2023

A. APPLICANT: Geneva Lake Environmental Agency (Lessee)
TAX KEY: WOP 00008
STREET ADDRESS: 105 Elkhorn Rd, Village of Williams Bay

Applicant is requesting a Certificate of Compliance per Section 390.1211.B(1)(b) "New occupancy and use of an existing building when the new use is of a different land use classification".

The proposed use is office and meeting space and is classified as Office. Exclusively indoor land uses whose primary functions are the handling of information or administrative services. Such land uses do not typically provide services directly to customers on a walk-in or on-appointment basis. The previous retail use and the proposed use have an equivalent need for parking; therefore, approval is recommended.

Respectfully submitted,

Bonnie M. Schaeffer
Zoning Administrator

**NOTICE OF PUBLIC HEARING ON PROPOSED
AMENDMENT TO ZONING ORDINANCE
OF THE VILLAGE OF WILLIAMS BAY**

PLEASE TAKE NOTICE that a public hearing will be held before the Plan Commission of the Village of Williams Bay on **Tuesday, December 12, 2023 at 6:30 p.m.** at the Village Hall Council Room located at 250 Williams Street, Williams Bay, Wisconsin. The purpose of the public hearing is to take public comment concerning the proposed ordinance creating section 390-0822 of the Zoning Ordinance of the Village of Williams Bay, concerning shoreland standards. A copy of the full proposed ordinance is available for public inspection at the office of the Village Clerk located at the Village Hall.

All interested in the above matter, their attorneys and representatives are invited to attend this public hearing to be heard.

DATED this 15th day of November 2023.

Tina Kolls
Municipal Clerk

Published November 23 and 30, 2022 in the Lake Geneva Regional News

DO NOT PRINT THE CONTENTS BELOW THIS LINE

ORDINANCE #2023-14
AN ORDINANCE CREATING SECTION 390-0822 OF THE CODE OF ORDINANCES
OF THE VILLAGE WILLIAMS BAY CONCERNING SHORE YARD STANDARDS

WHEREAS, the Building, Zoning and Ordinance Committee having recommended to the Village Board the adoption of an ordinance regulating development of shore yard areas by providing standards to owners of properties containing shore yards, in order to preserve the natural beauty of the areas adjacent to Geneva Lake and navigable rivers or streams as well as ensuring conditions which effectively retard water runoff which may adversely affect adjoining waterways and adjoining properties; and

WHEREAS, the Plan Commission of the Village of Williams Bay having held a duly noticed public hearing to address the proposed creation of Section 390-0822; and

WHEREAS, following said public hearing, the plan commission having voted to recommend to the Village Board of the Village of Williams Bay the creation of Section 390-0822 of the Code of Ordinances of the Village of Williams Bay; and

WHEREAS, the Village Board of the Village of Williams Bay having determined that it is appropriate to accept the recommendations of the Building, Zoning and Ordinance Committee and the Plan Commission, and enact an ordinance providing for shore yard standards regulating the development of shoreland for the reasons stated by the committee, which will serve to protect, promote and enhance the quality of life, public health and safety and general welfare of persons in the village.

NOW, THEREFORE, the Village Board of the Village of Williams Bay hereby ordain as follows:

Section I. Section 390-0822 of the Code of Ordinances of the Village of Williams Bay is hereby created to read as follows:

§390-0822. Shore Yard standards.

In addition to any other applicable use, site, or sanitary regulation, the following restrictions and regulations shall apply to all shore yard, defined as all land lying within 150 feet of the ordinary high-water mark of any lake and all lands lying within 75 feet of the ordinary high-water mark of navigable rivers or streams, or the landward side of the floodplain, whichever is greater. Rivers and streams shall be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey quadrangle maps or other zoning base maps. If evidence to the contrary is presented, the Village Zoning Administrator shall make the initial determination whether or not the river or stream in question is navigable under laws of this state. The Village Zoning Administrator shall contact the appropriate district DNR office for a determination of navigability or ordinary high-water mark. Flood Hazard Boundary Maps, or Flood Insurance Study Maps (or soil maps or other existing county maps used to delineate floodplain areas which have been adopted by Walworth County) shall be used to determine the extent of the floodplain of rivers or streams.

- A. Tree cutting, shrubbery clearing, and earth movements shall require a zoning permit and a conservation plan. In addition, tree cutting and shrubbery removal

shall require a tree removal permit issued by the Tree Commissioner. The Zoning Administrator may, where appropriate, require an applicant to furnish a surety to enable the village carry out an approved land conservation plan. The amount of such surety shall be determined by the Zoning Administrator and the form and type of all sureties shall be approved by the Village Board. The Zoning Administrator may, as appropriate, request a review of the proposed cutting, clearing, or earth movement activity by the Wisconsin Department of Natural Resources, and the USDA Natural Resources Conservation Service, or other appropriate agency, and await their comments and recommendations before issuing a zoning permit but not to exceed 30 days. All cutting, clearing, and earth movement activities shall be so conducted as to prevent erosion and sedimentation and preserve the natural beauty of the shore yard. Paths and trails shall not exceed 10 feet in width and shall be so designed and constructed as to result in the least removal and disruption of natural ground cover and the minimum impairment of natural beauty. In the strip of land 35 feet wide inland from the ordinary high-water mark, no more than 30 feet in any 100 or the same proportion of a smaller lot shall be clear-cut.

- (1) Tree cutting and shrubbery clearing shall be subject to and governed by the provisions of §331-2.
- (2) Beyond the thirty-five-foot strip, a zoning permit shall be required with conservation plans for projects within 300 feet of the OHWM (ordinary high-water mark) and which are either:
 - (a) On slopes more than 20%;
 - (b) Larger than 1,000 square feet on slopes of 12% to 20%; or
 - (c) Larger than 2,000 square feet on slopes less than 12%.

B. Required setbacks.

Except as otherwise specified in this Chapter, all structures, shall require a setback of at least 150 feet from the ordinary high-water mark although a greater setback may be required where otherwise regulated by more restrictive ordinances.

- (1) Structures which require authorization or permits from the DNR pursuant to Chapters 30 and 31, Wisconsin Statutes, or which are to be located below the ordinary high-water mark, namely bridges, dams, culverts, piers, wharves, shoreland riprap, navigational aids, and waterway crossings of transmission lines, shall comply with all applicable federal, state, county and local regulations.

C. Permitted Intrusions into Required Shore Yards.

Intrusions into shore yards are permitted only in compliance with the requirements of § 390-0505C.

- D. Stairway, walkway, lift, piers, and wharves. Stairway, lift and walkway and that portion of piers and wharves landward of the ordinary high-water mark are

exempted from the shore yard setback requirements, provided that the structure is necessary to access the shoreline because of steep slopes or wet, unstable soils. Further, the structure shall be located so as to minimize earth-disturbing activities and shoreland vegetation removal during construction. The structure shall be no more than 48 inches wide; open railings are permitted only where required by safety concerns; canopies, roofs, and closed railings/walls on such structures are prohibited; landings for stairways or docks are permitted only where required by safety concerns and shall not exceed 25 feet in area.

- E. Retaining walls. Retaining walls and terracing may only be allowed as a conditional use in the shore yard setback area where the applicant can successfully prove that there is a current erosion problem that cannot be remedied by resloping and revegetation of the area or other means consistent with natural shoreline aesthetics. Walls and terracing may only be allowed to the extent that they resolve a continuing erosion problem and shall not be used to provide level outdoor living space in the near-shore area.
- F. Earth movements involving stream course changing, waterway construction or enlargement, channel clearing, or removal of stream or lake bed materials are conditional uses requiring review, public hearing, and approval by the Village Board in accordance with § 390-1207. However, such earth movements having a DNR permit under Chapter 30 of the Wisconsin Statutes are exempt from this provision.
- G. No waste materials such as garbage, rubbish, gasoline, fuel oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity or temperature so as to contaminate, pollute or harm the waters shall be so located, stored, or discharged in a way that would be likely to run off, seep, or wash into surface or ground waters.

Section II. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the village board of the village of Williams Bay this _____ day of _____, 2023.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, President

Attest: _____
Tina Kolls, Clerk

First Reading: _____
Second Reading: _____
Date Adopted: _____
Date Published: _____