



# VILLAGE OF WILLIAMS BAY

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

Phone: 262-245-2700

## NOTICE

### ZONING BOARD OF APPEALS (ZBA) MEETING

TUESDAY, JUNE 17, 2025 AT 6:30 PM

Village Hall Council Room

250 Williams Street

Williams Bay, WI 53191

There may be a quorum of Village Trustees present, no board business will be conducted.

## 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. Zoning Board of Appeals Meeting Minutes of April 15, 2025

V. Variance Application

A. Motion to Open Public Hearing - All interested in this matter are invited to attend

APPLICANT(S): Dan Leahy, Biomedical Medical Partners, LLC (Owner)

TAX KEY NUMBER: WA506300001

STREET ADDRESS: 178 Clover St, Williams Bay, WI 53191

Applicant requests a variance to zoning code section 390-0809 Fencing Standards to install a 4.5' high gate and 4' high fence in the street yard (3' maximum height allowed).

B. Motion to Close Public Hearing

C. Consideration and Possible Action on Recommendation of Variance

VI. Adjournment

George Vlach  
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: 06/11/2025 5:00 PM



# VILLAGE OF WILLIAMS BAY

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Phone: 262-245-2700

## UNOFFICIAL MINUTES ZONING BOARD OF APPEALS MEETING 4/15/2025 MEETING TUESDAY, APRIL 15, 2025 AT 6:30 PM VILLAGE HALL COUNCIL ROOM 250 WILLIAMS STREET WILLIAMS BAY, WI 53191

### I. Call to Order

Chairman Trustee Vlach called the meeting to order at 06:30pm.

### II. Roll Call

Present: Trustee Vlach, Commissioners Lothian, Fieweger, Robbins, Gluth

Also Present: Zoning Administrator Schaeffer, Clerk Kolls

Excused: Trustee Umans, Commissioner Costello

### III. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

### IV. Minutes

#### A. Zoning Board of Appeals Meeting Minutes of January 28, 2025

The motion to approve the Zoning Board of Appeals Meeting Minutes of January 28, 2025 was initiated by Commissioner Lothian and seconded by Commissioner Fieweger. Unanimously carried.

### V. Variance Application

#### A. Motion to Open Public Hearing - All interested in this matter are invited to attend

APPLICANT(S): Pamela M. Framberg Trust, Kim Piotrowski, Trustee (Owner), Brian Hyde (Agent)

TAX KEY NUMBER: WCP3 00018

STREET ADDRESS: 258 Circle Dr., Williams Bay, WI 53191

Applicant requests variances to zoning code section 390-0213 SF-CPP Cedar Point Park District:

- 1) To rebuild and extend by 1' x 4.3' a porch located 5.7' from the west side lot line (10' required).
- 2) To add a new sloping gambrel roof over the existing porch located 5.7' from the west side lot line (10' required). The new roof increases the height within the setback by up to 10'6".
- 3) To increase the height of the existing chimney by 4'6" located 5.2' from the west side lot line (10' required).
- 4) To extend a second-floor flat roof deck by 2' 6" x 2'2" located 7.9' from the east lot line (10' required).

Trustee Vlach opened the public hearing at 06:35pm.

No one spoke in favor of the variance.

Ted Johnson, Attorney with Godfrey, Leibsle, Blackbourn & Howarth SC, 354 Seymour Ct, spoke in opposition on behalf of Andrew & Maureen Szafran, Ouilmette Williams Bay LLC, 266 Circle Pkwy

**B. Motion to Close Public Hearing**

Trustee Vlach closed the public hearing at 07:27pm

**C. Consideration and Possible Action on Recommendation of Variance**

The motion to deny items 1) To rebuild and extend by 1' x 4.3' a porch located 5.7' from the west side lot line (10' required) and 2) To add a new sloping gambrel roof over the existing porch located 5.7' from the west side lot line (10' required). The new roof increases the height within the setback by up to 10'6" was initiated by Commissioner and seconded by Commissioner Robbins. Unanimously carried.

The motion to approve 3) To increase the height of the existing chimney by 4'6" located 5.2' from the west side lot line (10' required) was initiated by Commissioner Lothian and seconded by Commissioner Fieweger. Unanimously carried.

The motion to table 4) To extend a second-floor flat roof deck by 2' 6" x 2'2" located 7.9' from the east lot line (10' required) was initiated by Commissioner Fieweger and seconded by Commissioner Lothian. Unanimously carried.

**VI. Adjournment**

The motion to adjourn was initiated by Commissioner Robbins and seconded by Commissioner Fieweger at 08:00pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

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



# VILLAGE OF WILLIAMS BAY

## *Office of Zoning Administrator*

### Evaluation Report

### Zoning Board of Appeals Meeting

### June 17, 2025

June 10, 2025

**APPLICANT(S):** Dan Leahy, Biomedical Medical Partners, LLC (Owner)

**TAX KEY NUMBER:** WA506300001

**STREET ADDRESS:** 178 Clover St, Williams Bay, WI 53191

Applicant requests a variance to zoning code section 390-0809 Fencing Standards to install a 4.5' high gate and 4' high fence in the street yard (3' maximum height allowed).

Per Section 390-1215.D(2)(a through f), *Variance*, I have reviewed the request and provide the following comments for your consideration:

(a) What exceptional or extraordinary circumstances or special factors are present that apply only to the subject property? The response to this question shall clearly indicate how the subject property contains factors that are not present on other properties in the same zoning district, specifically the following:

[1] The hardship or difficulty shall be peculiar to the subject property and different from that of other properties, and not one that affects all properties similarly. Such a hardship or difficulty shall have arisen because of the unusual shape of the original acreage parcel; unusual topography or elevation; or because the property was created before the passage of the current, applicable zoning regulations and is not economically suitable for an allowed use or will not accommodate a structure of reasonable design for an allowed use if all area, yard, green space, and setback requirements are observed. **The property located on Clover Street is a unique shape and orientation, and the street frontage abuts Clover Street directly, however the lot width is minimal, which makes the private driveway appear as an extension of Clover Street.**

[2] Loss of profit or pecuniary hardship shall not, in and of itself, be grounds for a variance. **Not applicable**

[3] Self-imposed hardship shall not be grounds for a variance. Reductions resulting from the sale of portions of a property reducing the remainder of said property below buildable size or cutting off existing access to a public right-of-way or deed restrictions imposed by the owner's predecessor in title are considered to be such self-imposed hardships. **Not applicable**

[4] Violations by, or variances granted to, neighboring properties shall not justify a variance. **Not applicable**

[5] The alleged hardship shall not be one that would have existed in the absence of a zoning ordinance. (For example, if a lot were unbuildable because of topography in the absence of any or all setback requirements.) **Not applicable**

(b) In what manner do the factors identified in Subsection D(2)(a) above prohibit the development of the subject property in a manner similar to that of other properties under the same zoning district? The response to this question shall clearly indicate how the requested variance is essential to make the subject property developable so that property rights enjoyed by the owners of similar properties can be enjoyed by the owners of the subject property. **The requested variances are not essential to make the subject property developable so that property rights enjoyed by the owners of similar properties can be enjoyed by the owners of the subject property.**

(c) Would the granting of the proposed variance be of substantial detriment to adjacent properties? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on adjacent properties. **The proposed variance would not be of substantial detriment to adjacent properties.**

(d) Would the granting of the proposed variance as depicted on the required site plan [see Subsection C(3) above] result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the intent, provisions, and policies of this chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide growth and development? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on such long-range planning matters. **No substantial or undue adverse impact is evident.**

(e) Have the factors that present the reason for the proposed variance been created by an act of the applicant or previous property owner or their agent (for example: previous development decisions such as building placement, floor plan, or orientation, lot pattern, or grading) after the effective date of this chapter? The response to this question shall clearly indicate that such factors existed prior to the effective date of this chapter and were not created by action of the applicant, a previous property owner, or their agent. **Not applicable**

Respectfully submitted,

Allison Schwark  
Zoning Administrator



# APPLICATION OF A VARIANCE

(Requirements per Zoning Ordinance Section 18.1215)

Applicant name: Peerless Fence & Dan Leahy (owner)  
~~Amarty B... of ...~~

Applicant address: 178 CLOVEN STREET, WILLIAMS BAY, WI

Applicant phone number: 312-806-8800 / 224-636-1690

Address of subject site: 178 CLOVEN STREET, WILLIAMS BAY, WI

Current zoning of subject site: \_\_\_\_\_

Current land use of subject site: \_\_\_\_\_

Written description of the proposed variance: THE GATE & 30' of THE FENCE IS TO  
BE INCREASED FROM THE PERMITTED 3' TO 4'6".

Written justification for the proposed variance (or attach as a separate sheet): THE 4'6"  
VARIANCE OFF THE GROUND FOR THE GATE IS TO MATCH & COORDINATE  
WITH THE FENCE COLUMNS. THE FENCE INCREASE IS TO MATCH THE HEIGHT OF  
THE GATE WHEN IT CLOSURE. LANDSCAPING WILL COVER THIS PORTION OF THE FENCE

### Requirements

- Map of the subject property showing its general location in relation to the Village as a whole.
- Map of the subject property at a scale of not less than 1" equals 800 feet showing:
  - Current zoning of the subject property and lands within 200 feet of the subject property and the jurisdiction(s) that maintains that control.
  - All lot dimensions of the subject property.
  - Graphic scale and a north arrow.
- Names and addresses of the owners of all lands within 200 feet of subject property as they appear on the current tax records of the Village of Williams Bay.
- Site Plan of the subject property as proposed for development (see Site Plan application requirements).

Dated this 12 day of May, 2025

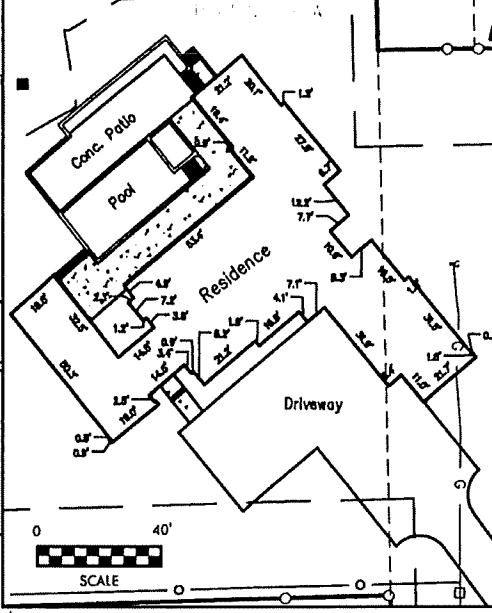
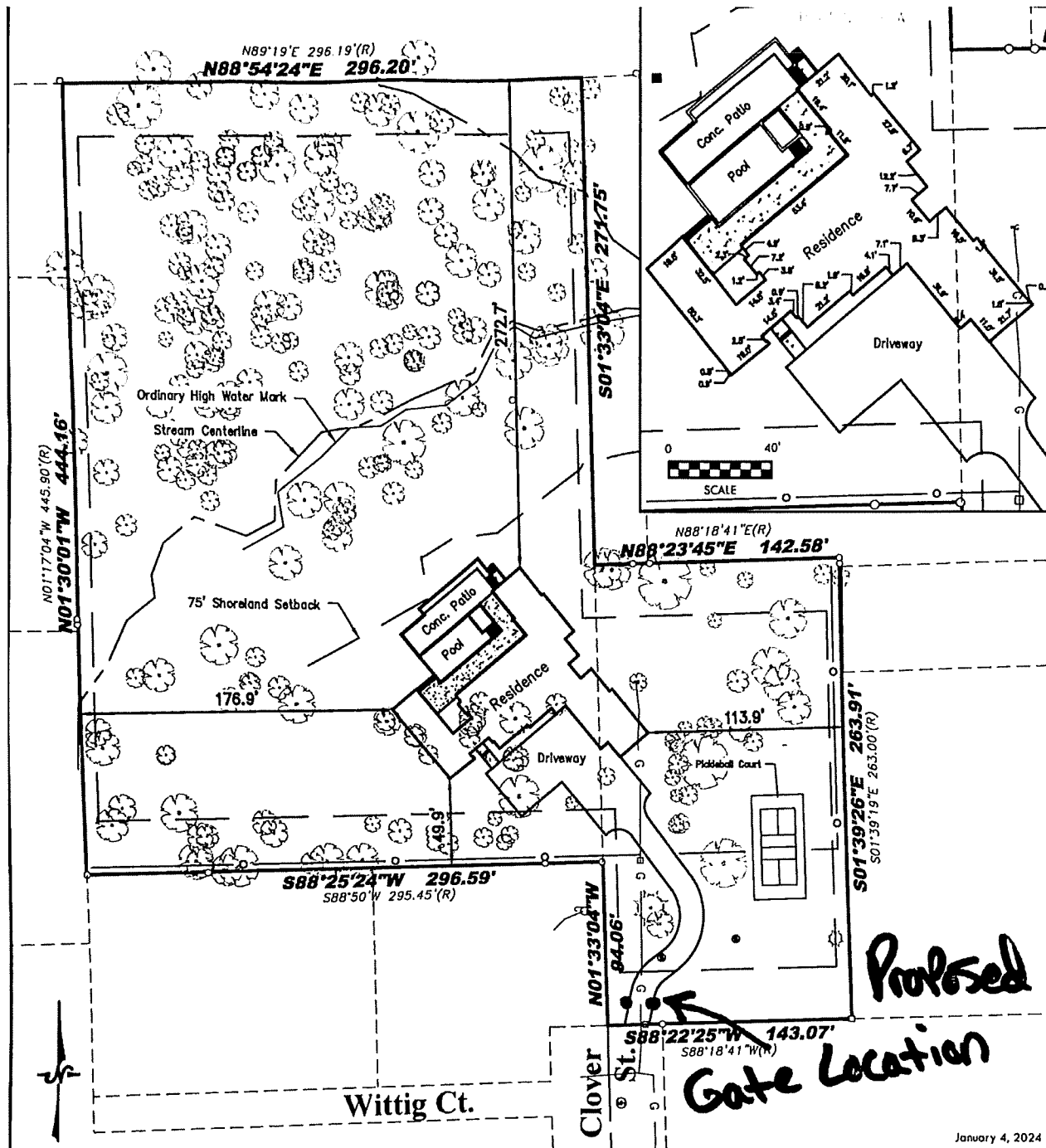
Respectfully submitted,  
  
(Signature of Applicant)

178 Clover Street, Williams Bay, WI

As a continuation the justification for the proposed variance is based on the special factors of the orientation of the lot and front yard. The subject property dead ends at the end of Clover Street and the purpose to install a gate with columns is to avoid traffic to enter on the private property. Over the last 6 months since the home has been completed, we have seen several automobiles and delivery trucks drive up to the house thinking Clover Street extends. Most of this traffic seems to be coming from visitors and deliveries leaving the Williams Bay Health Services and Sherwood Lodge Assisted Living and looking for a northern exit. The special factor that only to this subject property is the orientation, lot pattern, access and frontage on Clover which is the width of the street and right of way. These factors are not present on other properties in this zoning district. The purpose is stopping the traffic and having a gate that is 4'6" off the ground (and a fence matching the height) be a deterrent from drivers to access the property and highly visible from a safety perspective. A 3' gate will not be high enough to be seen by elderly visitors in the dark, snow trucks or other vehicles if we have 3' of snow on the ground in the winter.

If this variance were granted this would not be a detriment to adjacent properties or have an undue adverse impact on the character of the neighborhood, the environment, traffic, parking, public improvements, right of way or other matters affecting the public health or safety.

I would request approval of this variance based on the orientation, lot pattern and access which was changed when the two parcels were combined. Thank you for your consideration.



**Proposed Gate Location**

January 4, 2024

Legal Description Tax ID: WWUP-248 & WWUP-25

Two parcels of land located in the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 1 in Township 1 North, Range 16 East, in the Village of Williams Bay, Walworth County, Wisconsin, more particularly described as

Beginning at the Northeast Corner of Carlson's Addition to Williams Bay Subdivision; N88°54'24"E, 296.20 feet; thence S01°33'04"E, 271.75 feet; thence N88°23'45"E, 142.58 feet; thence S01°39'26"E, 263.91 feet; thence S88°22'25"W, 143.07 feet; thence N01°33'04"W, 84.06 feet; thence S88°25'24"W, 296.59 feet to the east line of said Carlson's Addition to Williams Bay Subdivision; thence N01°30'01"W along said east line, 444.16 feet to the point of beginning

Said lands containing 3.88 Acres (168,970 sq. ft.) more or less

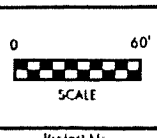
Said lands contain portions of the former Clover Street Right-of-Way as vacated by the Village of Williams Bay, recorded as Document No 1063774 in the Walworth County Registry



I certify that I have surveyed the above-described property and in my professional opinion this map is a true representation thereof and is made in accordance with the records of the register of deeds as nearly as practical and that this survey complies with Wisconsin Administrative code AE-7 except for those items waived, if any, and is bound by Wisconsin State Statute 893.37 that defines statute of limitations in regard to surveys. This survey was prepared for the exclusive use of the client and present owners of the property.

No title policy has been provided to the surveyor regarding the property identified on this map. Therefore this plat of survey does not guarantee the existence, size and location of any easements, encumbrances, restrictions or other facts that could otherwise be discovered in an ALTA/NSPS survey

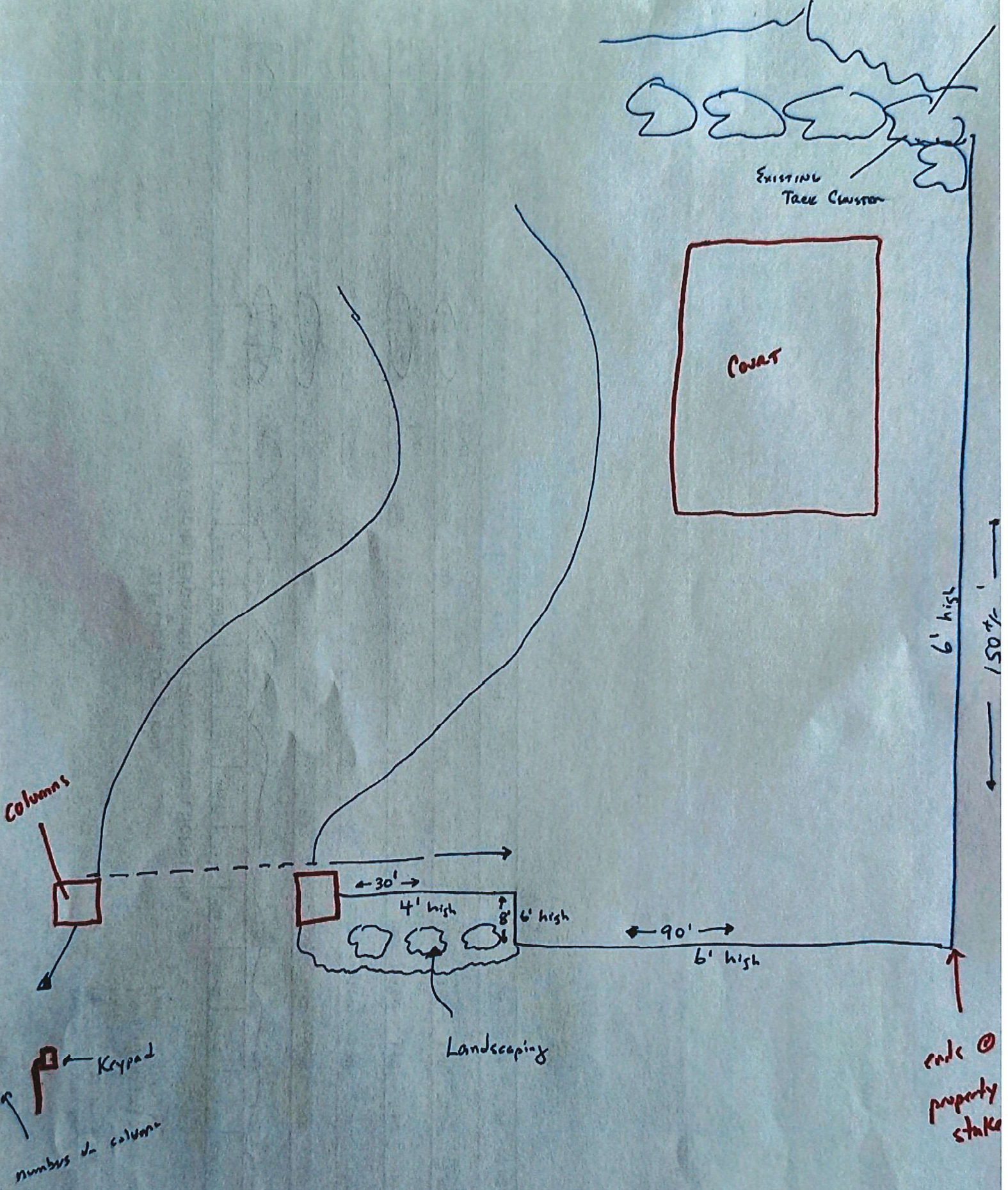
*Rick R. Hillmann*  
 Rick R. Hillmann, Professional Land Surveyor, S-3005



Plat of Survey  
 for  
**Leahy Residence**

LEGEND

○ Found 1" Iron Pipe	◊ Soil Boring
□ Found 3/4" Iron Rod	— Fence-Chain Link
■ Set 3/4" Iron Rod	— Utility-Water
⊕ Man Hole	— Utility-Gas



NOT TO SCALE





4'6"

5'6"

**WARNING**  
Always Use Care  
When Operating  
Swordsplay Clusters

**OFFICIAL PUBLICATION**  
FOR THE  
**VILLAGE OF WILLIAMS BAY**  
**Walworth County, Wisconsin**

**NOTICE OF PUBLIC HEARING**  
FOR A  
**VARIANCE APPLICATION**  
BEFORE THE  
**ZONING BOARD OF APPEALS**  
June 17, 2025 at 6:30 PM  
Village Hall Council Room  
250 Williams Street

**APPLICANT(S):** Dan Leahy, Biomedical Medical Partners, LLC (Owner)

**TAX KEY NUMBER:** WA506300001

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Applicant requests a variance to zoning code section 390-0809 *Fencing Standards* to install a 4.5' high gate and 4' high fence in the street yard (3' maximum height allowed).

All interested in the above matter are invited to attend. Copies of the application are on file at the Village Hall and are available for public inspection during regular office hours on Monday, Tuesday, Wednesday, Friday from 8:30 am – 5:00 pm and Thursday 8:30 am – 12:00 pm.

Tina Kolls  
Village Clerk  
Published May 29, 2025 and June 5, 2025