



VILLAGE OF WILLIAMS BAY

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OFFICIAL MINUTES ZBA 04/20/21 MEETING TUESDAY, APRIL 20, 2021 AT 6:30 PM VIA ZOOM WEBINAR

I. Call to Order

Chairman Vlach called the meeting to order at 6:31pm.

II. Roll Call

Present: Trustees Vlach and Umans, Members Pegel (joined at 6:36pm), Costello, and Fieweger
Also Present: Administrator Tobin and Zoning Administrator Schaeffer
Excused: Member Tom Lothian

III. Pledge of Allegiance

IV. Minutes

A. Zoning Board of Appeals Meeting Minutes of 03-16-2021

The motion to Approve the Zoning Board of Appeals Meeting Minutes of 03-16-2021 was initiated by Robert Umans and seconded by Mike Fieweger. Unanimously carried.

V. Variance Application

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

Chairman Vlach gave an overview of the Public Hearing process, the reasons this item was tabled at the last ZBA meeting in March and opened the Public Hearing at 6:34pm.

1. APPLICANT(S): John Engerman, Woodley Assets, LLC (Owner)
TAX KEY: WWUP 00017
STREET ADDRESS: 251 Constance Blvd., Williams Bay, WI 53191

Applicant requests a variance to zoning code section 18.0209, *SF-1 Low Density Residential District*, to allow a shore yard setback of 88.5 feet (150 feet required) and side yard setbacks of 23.4 feet and 10 feet (30 feet required) for construction of a new single-family residence.

John Engerman (applicant) presented the tree study, the impervious surface calculations, the hydrology study, and the revised site and building plans following the Zoning Board's requests from the last meeting.

Zoning Administrator Schaeffer read two letters that she received in favor of the Variance from Michael Covey (7 Dartmouth) who stated that he finds the home is suitable for the area in size and style and Patricia Purcell (249 Constance) who stated that erroneous claims were made at the last meeting from the Herrman's, saying that the statement about him clear-cutting her lot at 249 Constance and finding a spring were false, and she believes his redevelopment of a dilapidated eye-sore will be an improvement for her and her neighbors.

Baird Allis, representing his mother-in-law Patricia Purcell (249 Constance) spoke in favor of the Variance stating that his mother-in-law remains entirely behind the project.

Attorney Christina Green, representing Bob Herrman (257 Constance) thanked Engerman for moving the house slightly further from the Herrman's property and the lake. She stated that they are not against Engerman building a new home on the property, but is speaking in opposition of the variance because she believes it does not meet variance standards as she does not believe there is a hardship. She stated that if the house were built on the existing footprint, a variance would not be necessary and that the proposed hardship is a want, not a need.

Bob Herrman (257 Constance) spoke in opposition of the variance agreeing with what his attorney stated and also expressed concern about the proposed driveway.

Attorney Tom Gardiner, representing John Engerman (applicant) stated that this is clearly a hardship because of zoning restrictions that make it so that you can build a house only on within a 15-foot area based on those restrictions. Gardiner stated that it's very clear that there needs to be some give and take with variances to be able to build a new house. Gardiner stated that there is a slope that needs to be addressed before it is completely eroded, and this house being built would create retaining walls to stop the erosion which will be in compliance with the Village Engineer.

John Engerman (applicant) spoke in agreement with his attorney and explained the plan for the driveway and landscaping.

B. Motion to Close Public Hearing

Chairman Vlach closed the Public Hearing at 7:38pm.

C. Consideration and possible action on recommendation of Variance

Umans stated that he is in approval of the revised setbacks and thinks that Engerman has addressed all of the previous concerns.

Costello stated that he does not believe there is a hardship because the property can be used as a residence the way it is set-up right now.

Vlach stated that all of the items that the Board requested last time have been presented and he believes re-building a house in the exact same footprint is not realistic. He stated that no harm to the public interest has been presented by evidence.

The motion to Approve the Variance as requested was initiated by Robert Umans and seconded by George Vlach.

Votes:

Yes: George Vlach, Robert Umans, Jane Pegel, Mike Fieweger

No: Dennis Costello

Abstain: None

Result: Passed

VI. Adjournment

The motion to adjourn was initiated by George Vlach and seconded by Robert Umans at 07:53 PM. Unanimously carried.