



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

MONDAY, NOVEMBER 3, 2025 AT 5:00 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 October 21, 2025**

V. Variance Application

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

APPLICANT(S): Thomas and Laurie Beda (Owner)

TAX KEY NUMBER: WDA 00007

STREET ADDRESS: 7 Dartmouth Road, Dartmouth Woods Condominium, Williams Bay, WI 53191

Applicants request a variance to zoning code section 390-0209, SF-1 Low Density Residential District, to allow for a second story addition on a portion of the home that already exists within the required side yard setback of 30 feet, and shore yard setback of 150 feet.

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: 10/29/2025 5:00 PM



VILLAGE OF WILLIAMS BAY

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Phone: 262-245-2700

UNOFFICIAL MINUTES ZONING BOARD OF APPEALS MEETING 10/21/2025 MEETING TUESDAY, OCTOBER 21, 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 George Vlach, Commissioners Dennis Costello, Matt Robbins, and Connie Gluth

Also Present: Zoning Administrator Allision Schwark, Clerk Tina Kolls

Excused: Trustee Robert Umans, Commissioners Tom Lothian and Mike Fieweger

III. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

IV. Minutes

A. Zoning Board of Appeals Meeting Minutes of June 17, 2025

The motion to approve the Zoning Board of Appeals Meeting Minutes of June 17, 2025 was initiated by Commissioner Robbins and seconded by Commissioner Costello. Unanimously carried.

V. Variance Application

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

APPLICANT(S): Thomas and Laurie Beda (Owner)

TAX KEY NUMBER: WDA 00007

STREET ADDRESS: 7 Dartmouth Road, Dartmouth Woods Condominium, Williams Bay, WI 53191

Applicants request a variance to zoning code section 390-0209, SF-1 Low Density Residential District, to allow for a second story addition on a portion of the home that already exists within the required side yard setback of 30 feet, and shore yard setback of 150 feet.

Trustee Vlach opened the public hearing at 06:34 pm.

Thomas Beda, 7 Dartmouth Rd, spoke in depth regarding the variance request.

Thomas Finns and Mike McDermott, Builders, spoke briefly about the project.

Attorney Kathy Gutenkunst, spoke regarding NR-115 stating they do not believe that a variance is required based on State vs. Ziervogel.

Mark Scarpeli, 3 Dartmouth Rd, Spoke in favor

Laurie Beda, 7 Dartmouth Rd, Spoke in favor

Matthew Fernholz, Attorney for Greg and Linda Wolf, 9 Dartmouth Rd, Spoke in opposition

Trustee Vlach closed the public hearing at 07:50 pm.

The motion to table the request for variance to zoning code section 390-0209, SF-1 Low Density Residential District, to allow for a second story addition on a portion of the home that already exists within the required side yard setback of 30 feet, and shore yard setback of 150 feet was initiated by Commissioner Robbins and seconded by Commissioner Gluth. Unanimously carried.

VI. Adjournment

The motion to adjourn was initiated by Trustee Vlach and seconded by Commissioner Robbins at 08:01pm. 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 October 21, 2025

October 14, 2025

APPLICANT(S): Thomas and Laurie Beda (Owner)

TAX KEY NUMBER: WDA 00007

STREET ADDRESS: 7 Dartmouth Road, Dartmouth Woods Condominium, Williams Bay, WI 53191

Applicants request a variance to zoning code section 390-0209, SF-1 Low Density Residential District, to allow for a second story addition on a portion of the home that already exists within the required side yard setback of 30 feet, and shore yard setback of 150 feet. The owners of the existing home would like to build a second story within the existing footprint of the home, however the existing home is currently legal nonconforming as it does not comply with setback requirements of the SF-1 district.

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.

A variance is only justified when the hardship is unique and specific to the property, caused by unusual physical conditions or legal circumstances predating current zoning. General hardships that affect all properties equally do not meet this standard and cannot serve as a basis for a variance.

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

The Zoning Board of Appeals shall avoid granting variances just to improve profitability or reduce cost. A variance is not a tool for maximizing financial gain it's a remedy for unique, property-specific burdens that prevent reasonable use regardless of economic considerations.

[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.

The hardship is self-imposed because the applicant seeks to expand the structure beyond what is allowed by the ordinance. The existing home is usable, and the limitations are based on personal preference, not a condition created by the zoning regulations.

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

This is not applicable to this request as every variance request shall stand on its own merits.

[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.)

This point explains that the hardship described must be caused by the zoning ordinance itself, not because of other circumstances.

- **The property is already buildable and has been developed.**
- **The house exists and is legal nonconforming already.**
- **The desire to expand is not due to a zoning-created hardship, but rather a personal preference or desire.**

(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. The property is already developed, and there is an existing single-family home on site.

(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 may be a substantial detriment to adjacent properties. The proposed variance would include a second story addition that would impact the adjacent properties and condo owners in Dartmouth Woods. There are currently nine homes in Dartmouth Woods, many, or possibly all of which do not meet setback requirements. If other homes in Dartmouth Woods would like to expand, a variance request would be required for each condo unit.

(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.

Expanding into the side and shore yard setbacks could adversely impact the lakefront environment and neighborhood character, increasing risks to water quality, privacy, and public safety.

(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.

The proposed expansion plans themselves have created the need for a variance, therefore the hardship is self-imposed and does not justify the variance.

(f) The Zoning Administrator may also evaluate the application to determine whether the requested variance is in harmony with the recommendations of the Village of Williams Bay's Comprehensive Plan. **The comprehensive plan shows the land use designation as single family, which is consistent with the current zoning designation of the property (SF-1). However, single-family zoning is typically intended for one home to be built on a single parcel, versus nine single-family homes built upon one single parcel. The SF-1 zoning district is intended to permit single-family residential development at a low density of one dwelling per acre. Density and intensity standards for this district are designed to ensure that the existing character of areas zoned in Low-Density Residential are protected and preserved.**

Respectfully submitted,

Allison Schwark
Zoning Administrator

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
October 21, 2025 at 6:30 PM
Village Hall Council Room
250 Williams Street

APPLICANT(S): Thomas and Laurie Beda (Owners)

TAX KEY NUMBER: WDA 00007

STREET ADDRESS: 7 Dartmouth Road, Dartmouth Woods Condominium, Williams Bay, WI 53191

Applicants request a variance to zoning code section 390-0209, SF-1 Low Density Residential District, to allow for a second story addition on a portion of the home that already exists within the required side yard setback of 30 feet, and shore yard setback of 150 feet.

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 October 2, 2025 and October 9, 2025



APPLICATION OF A VARIANCE

(Requirements per Zoning Ordinance Section 18.1215)

Applicant name: THOMAS & LAURIE BEDA
Applicant address: 64697 BROOKHAVEN LN, ST. CHARLES IL 60175
Applicant phone number: TOM - 630-220-2483
Address of subject site: 7 DARTMOUTH RD (DARTMOUTH WOODS)
Current zoning of subject site: SF-1 LOW DENSITY RESIDENCE
Current land use of subject site: SINGLE FAMILY RESIDENCE
Written description of the proposed variance: THE ADDITION OF 2 BEDROOMS BUILT ABOVE THE EXISTING STRUCTURE (NORTH ELEVATION)

Written justification for the proposed variance (or attach as a separate sheet): SEE ATTACHED variance needed for 150' set back and 30' side yard

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 14 day of August, 2025

Respectfully submitted,

Thomas P. Beda
(Signature of Applicant)

Request for Variance:

- Proposed project is the addition of two bedrooms built above the existing structure. The additional space is approximately 600 square feet.
- The additional space is below the Dartmouth Woods Condominium allowable limit of 3,000 square feet.
- Written approval from the Dartmouth Woods Condominium Association is included (see attached).

Justification / Statement:

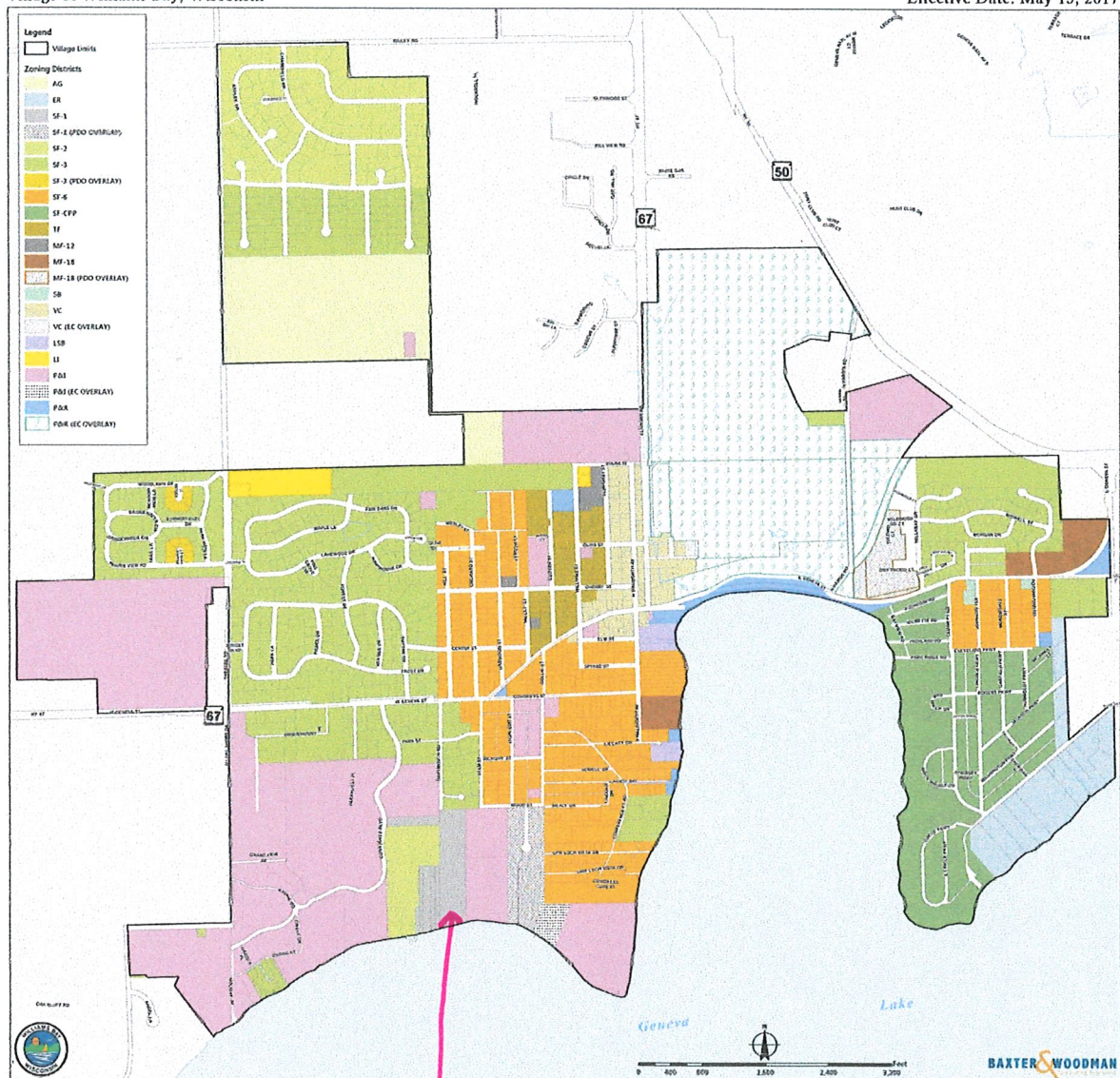
- The project will be built off of the existing foundation and will not extend closer to any existing structures.
- Williams Bay ordinance requires a variance for construction within 150' of shoreline and 30' of side yard setback.
- The residence was constructed prior to the current zoning ordinance and is a legally existing non-conforming structure. Utilizing the existing foundation will ensure that the addition will not encroach into any further setbacks.
- The development will have no substantial impact on the neighborhood's character since it will remain consistent with the size of adjacent houses within Dartmouth Woods.

Record of Administrative Procedures for Village Use

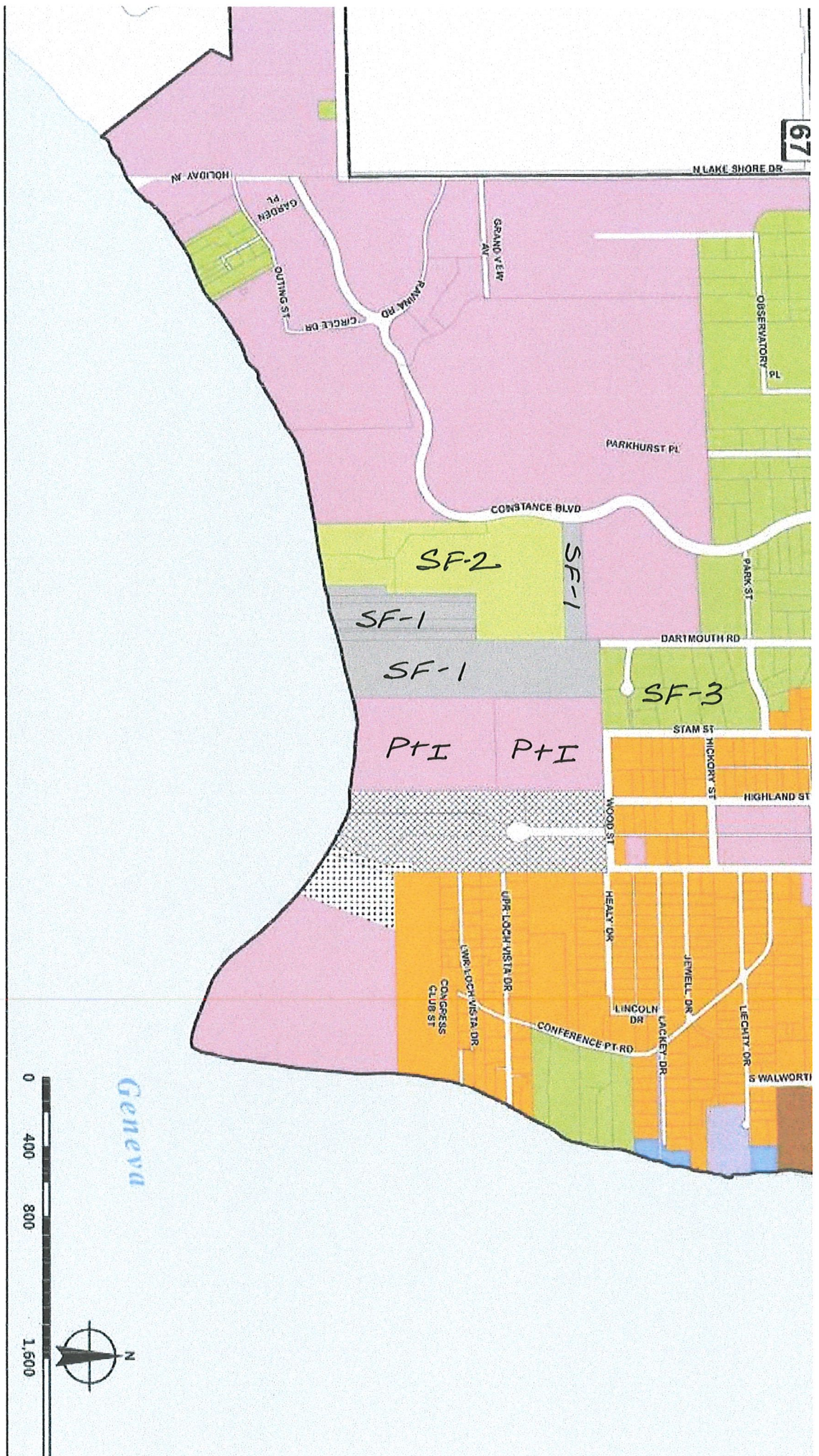
- | | |
|---|-----------------------|
| ☐ Application form filed with Village Clerk | Date: _____ By: _____ |
| ☐ Application fee of \$_____ received by Village Clerk | Date: _____ By: _____ |
| ☐ Reimbursement of professional consultant costs agreement executed | Date: _____ By: _____ |
| ☐ Certification that application is complete by Zoning Administrator | Date: _____ By: _____ |
| ☐ Evaluation report prepared by Zoning Administrator | Date: _____ By: _____ |
| ☐ Notified Neighboring Property Owners (within 200 feet) | Date: _____ By: _____ |
| ☐ Notified Neighboring Township Clerks (within 1,000 feet) | Date: _____ By: _____ |
| ☐ Class 2 legal notice sent to official newspaper by Village Clerk | Date: _____ By: _____ |
| ☐ Class 2 legal notice published on _____ and _____ | Date: _____ By: _____ |
| ☐ Zoning Board of Appeals public hearing
<i>(Within 30 days of certification application as complete by Zoning Administrator)</i> | Date: _____ By: _____ |
| ☐ Review/ action by Zoning Board of Appeals
<i>(Within 30 days of public hearing)</i> | Date: _____ By: _____ |

Village of Williams Bay

Effective Date: May 15, 2017



SUBJECT PROPERTY



LOCATION: 7 Dartmouth Road, Williams Bay, Wisconsin 53191

PREPARED FOR: John Matustik - Matustik Builders

PROPERTY DESCRIPTION:

Unit 7, together with said unit's undivided interest in the common elements (and the exclusive use of the limited common elements appurtenant to said unit) all in Dartmouth Woods Condominium f/k/a Stam Woods Condominium, a condominium declared and existing under and by virtue of the Condominium Ownership Act of the State of Wisconsin and recorded by a Declaration as such condominium in the office of the Register of Deeds for Walworth County, Wisconsin, on November 11, 1983, in Volume 313 of Records, at page 178 through 206, as Document No. 96565; Amendment to Declaration recorded December 17, 1984, in Volume 336 of Records at page 27, as Document No. 110234; Amendment to By-Laws recorded January 3, 2008 as Document No. 726719, said condominium being located in the Village of Williams Bay, County of Walworth, State of Wisconsin on the real estate described in said Declaration and incorporated herein by this reference thereto.

CURRENT OWNER: Tom & Laurie Beda

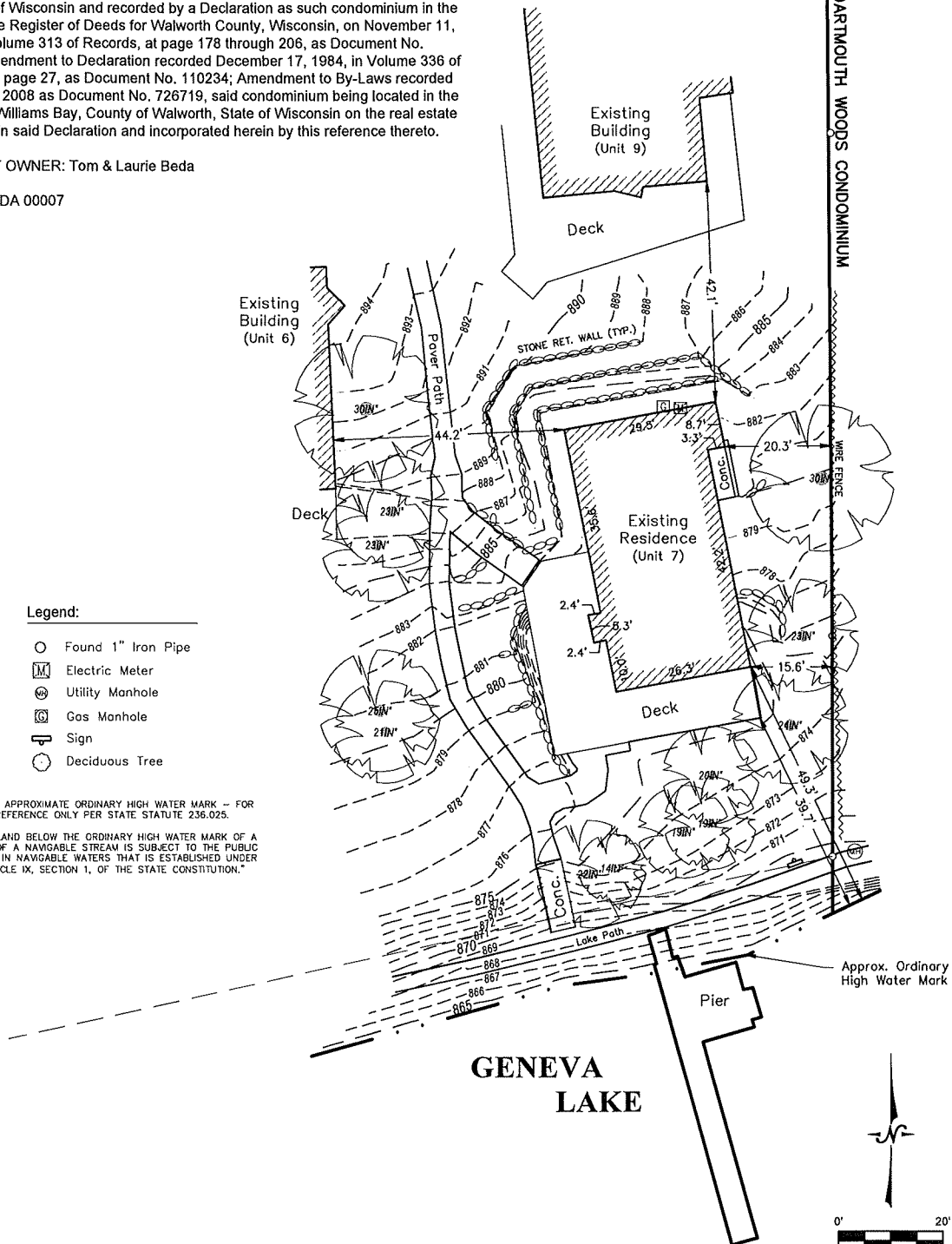
TAX ID: WDA 00007

Legend:

- Found 1" Iron Pipe
- Ⓜ Electric Meter
- Ⓢ Utility Manhole
- Ⓢ Gas Manhole
- Ⓢ Sign
- Deciduous Tree

NOTE: APPROXIMATE ORDINARY HIGH WATER MARK -- FOR REFERENCE ONLY PER STATE STATUTE 238.025.

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OF A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.



0' 20'
SCALE: 1" = 20'



LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC
5482 S. WESTRIDGE DRIVE
NEW BERLIN, WI 53151
440 MILWAUKEE AVENUE
BURLINGTON, WI 53105
(262) 402-5040



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 disclosed in an ALTA/NSPS survey.

Ritchie P. Wenzel, Professional Land Surveyor, S-4027



DETAIL MAPPING
UNIT 6 DARTMOUTH WOODS CONDOMINIUM
WILLIAMS BAY, WI 53191

WORK ORDERED BY -
MICHAEL KNOX
BARRINGTON, IL 60010
814 S. COOK STREET

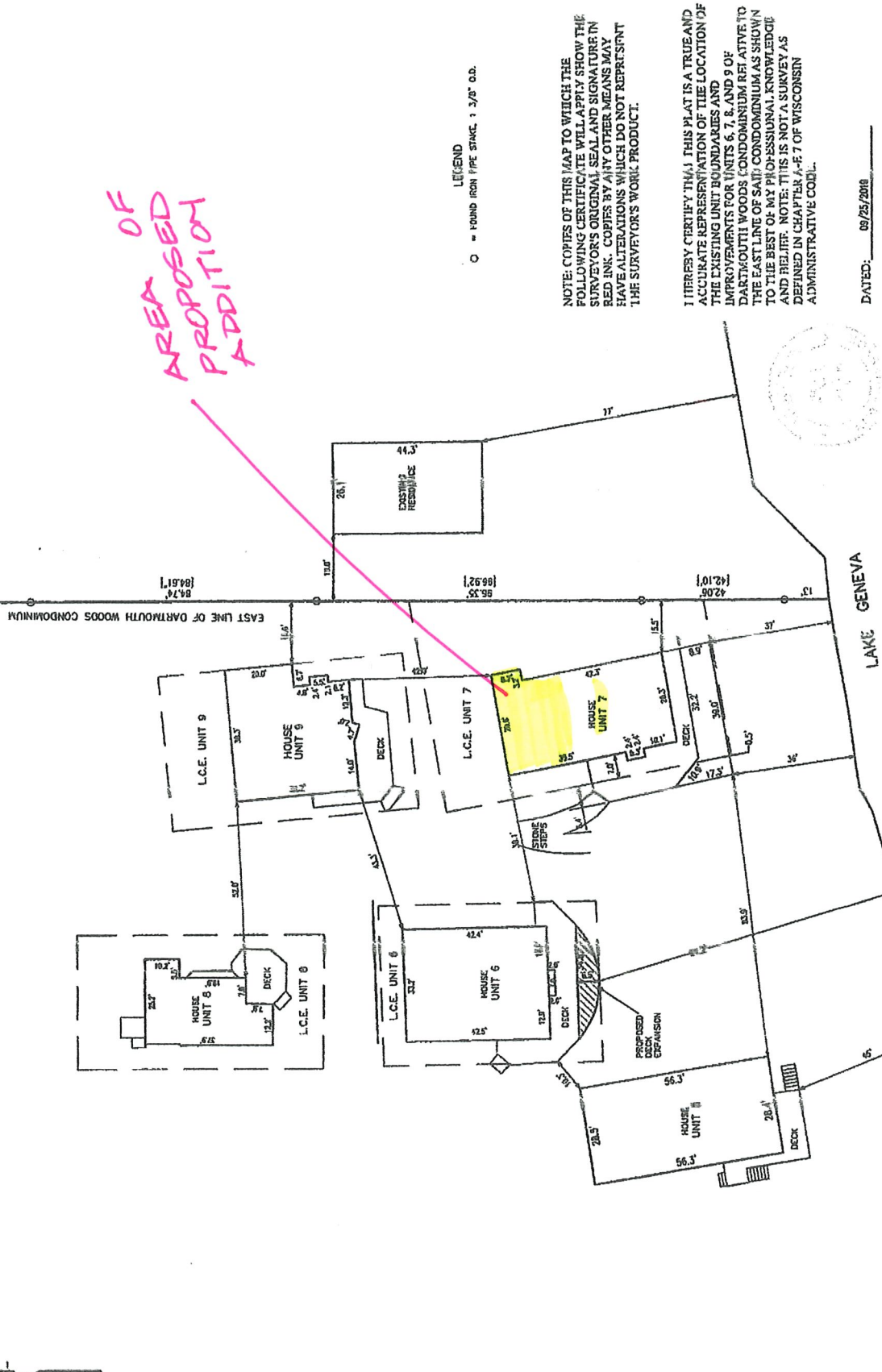
FARRIS, HANSEN & ASSOCIATES, INC.
ENGINEERING - ARCHITECTURE - SURVEYING
7 BERRY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (262) 723-2008 FAX: (262) 723-2009

REVISIONS

PROJECT NO. 10179
DATE 9/25/2018
SHEET NO. 1 OF 1

7 DETAIL MAPPING UNIT 7 OF DARTMOUTH WOODS CONDOMINIUM

PART OF THE S.W. 1/4 OF THE S.E. 1/4 SECTION 1
TOWNSHIP 1 NORTH, RANGE 18 EAST
VILLAGE OF WILLIAMS BAY, WAUKESHA COUNTY, WISCONSIN



NOTE: COPIES OF THIS MAP TO WHICH THE FOLLOWING CERTIFICATE WILL APPLY SHOW THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK. COPIES BY ANY OTHER MEANS MAY HAVE ALTERATIONS WHICH DO NOT REPRESENT THE SURVEYOR'S WORK PRODUCT.

I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND ACCURATE REPRESENTATION OF THE LOCATION OF THE EXISTING UNIT BOUNDARIES AND IMPROVEMENTS FOR UNITS 6, 7, 8, AND 9 OF DARTMOUTH WOODS CONDOMINIUM RELATIVE TO THE EAST LINE OF SAID CONDOMINIUM AS SHOWN TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. NOTE: THIS IS NOT A SURVEY AS DEFINED IN CHAPTER 19.17 OF WISCONSIN ADMINISTRATIVE CODE.

DATED: 09/25/2018

NOTE: THE NEW DECK LOCATION IS TO BE BUILT IN THE SAME LOCATION AS THE EXISTING DECK AND THE PROPOSED DECK EXPANSION

BRIA M CARLSON PLS NO. 2039

Dartmouth Woods Condominium Association

Dartmouth Rd.

Williams Bay, WI 53191

July 11, 2025

Village of Williams Bay

P.O. Box 560

250 Williams Street

Williams Bay, WI 53191

RE: 7 Dartmouth

This letter confirms that a majority of homeowners have approved the Beda's proposed expansion of 7 Dartmouth.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Scarpelli". The signature is fluid and cursive, with a large initial "M" and a distinct "S".

Mark Scarpelli

President

Dartmouth Woods Condominium Assoc.







Dartmouth Woods Condominium Association

Dartmouth Rd.

Williams Bay, WI 53191

July 11, 2025

Village of Williams Bay

P.O. Box 560

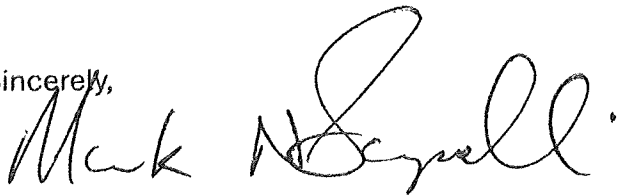
250 Williams Street

Williams Bay, WI 53191

RE: 7 Dartmouth

This letter confirms that a majority of homeowners have approved the Beda's proposed expansion of 7 Dartmouth.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Scarpelli". The signature is fluid and cursive, with the first name "Mark" and last name "Scarpelli" clearly distinguishable.

Mark Scarpelli

President

Dartmouth Woods Condominium Assoc.

Building Information

7 DARTMOUTH ROAD (DARTMOUTH WOODS)
ZONING: SF-1 LOW DENSITY RESIDENCE
CURRENT LAND USE: SINGLE FAMILY RESIDENCE
SCOPE OF WORK: SECOND FLOOR ADDITION

APPROVAL OF DARTMOUTH WOODS CONDOMINIUM ASSOCIATION
REQUIRED.

NO CHANGES TO EXISTING GRADES.

NO TREES EFFECTED IN THIS WORK.

ADDITION TO BE WITHIN EXISTING FOUNDATION LINES.

1ST FLOOR AREA: 1820 SQ FT
2ND FLOOR AREA: 1471 SQ FT
LOWER LEVEL AREA: 784 SQ FT

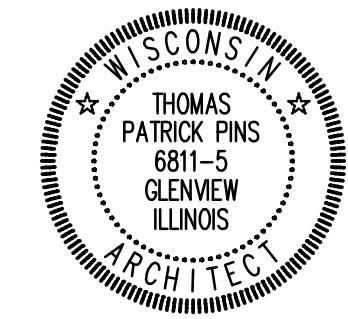
TOTAL: 2856 SQ FT

General Notes

GENERAL STEEL NOTES:

- 1. ALL STRUCTURAL STEEL WORK SHALL CONFORM TO THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS", LATEST EDITION, AND THE AISC "CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES", LATEST EDITION, EXCEPT AS MODIFIED BELOW OR IN THE SPECIFICATIONS.
- 2. ALL STRUCTURAL STEEL W SHAPES SHALL CONFORM TO ASTM A512 OR A442 GRADE 50. ALL OTHER STRUCTURAL STEEL SHAPES, PLATES AND BARS SHALL CONFORM TO ASTM A36 GR 36, UNLESS NOTED OTHERWISE. COLD FORMED TUBING SHALL CONFORM TO ASTM A500 GRADE 6. PIPES SHALL CONFORM TO ASTM A53 TYPE E OR S.
- 3. ALL WELDING SHALL BE DONE BY QUALIFIED WELDERS AND SHALL CONFORM TO AWS D1.1 "STRUCTURAL WELDING CODE", LATEST EDITION. ALL WELDING ELECTRODES SHALL BE E70XX.
- 4. THE CONTRACTOR SHALL FIELD VERIFY ALL MEASUREMENTS AND EXISTING CONDITIONS.
- 5. IF CONDITIONS VARY FROM THOSE ON THE DRAWINGS, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
- 6. THE CONTRACTOR SHALL OBSERVE ALL SAFETY RULES DICTATED BY CODE AND GOOD PRACTICE.
- 7. SHOULD UNFORESEEN CONDITIONS OR OTHER CAUSE NECESSITATE THE CONSTRUCTION DETAILS TO BE MODIFIED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER BEFORE PERFORMING THESE CHANGES.

2nd Floor Addition
7 Dartmouth Rd.
Williams Bay, WI 53191



I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY OR UNDER MY SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY CONFORM TO THE REQUIREMENTS OF WILLIAMS BAY, WISCONSIN

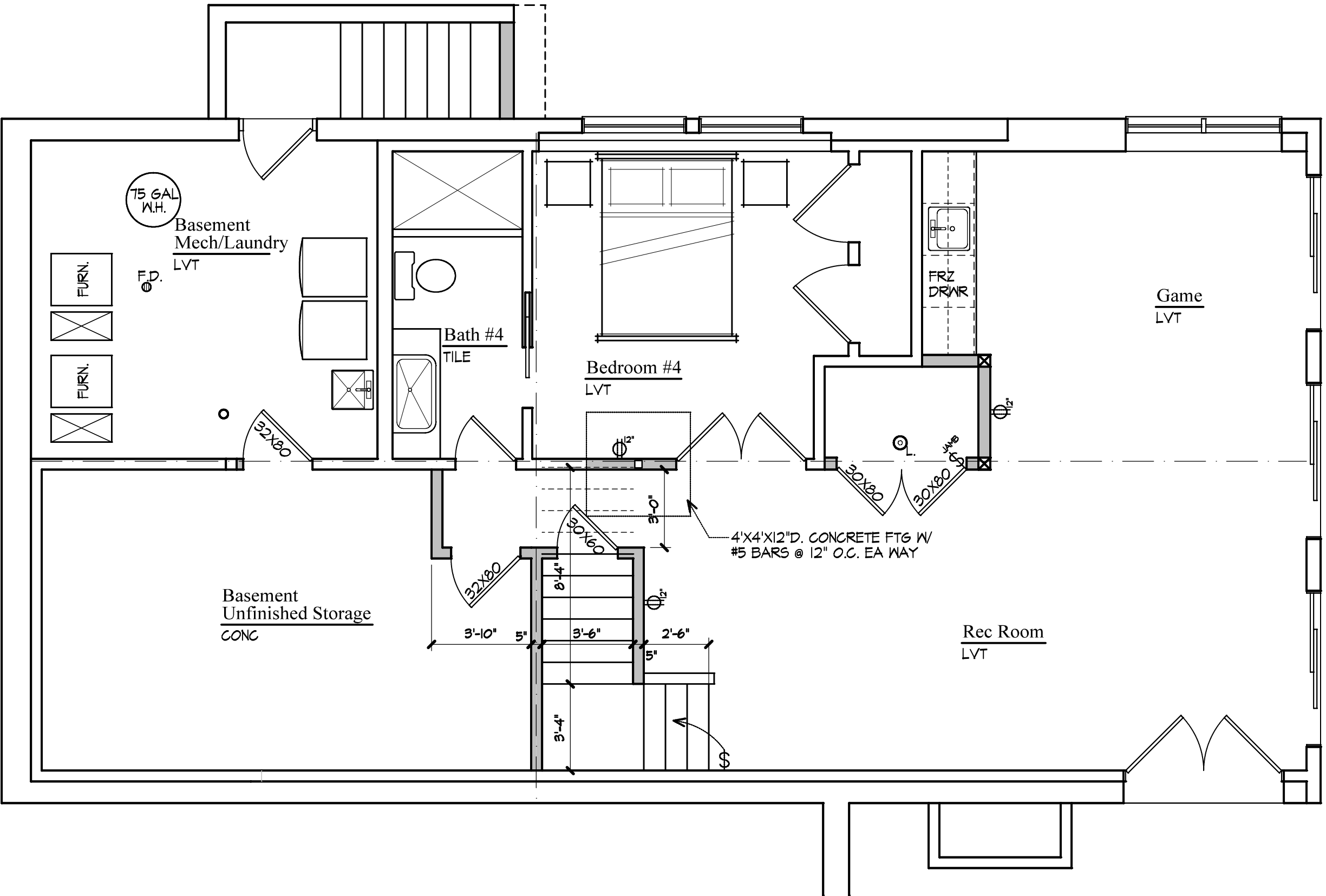
Thomas P. Pins
THOMAS P PINS
WI LIC# 6811-5 EXP. 1/31/2026

DATE
5/14/2025

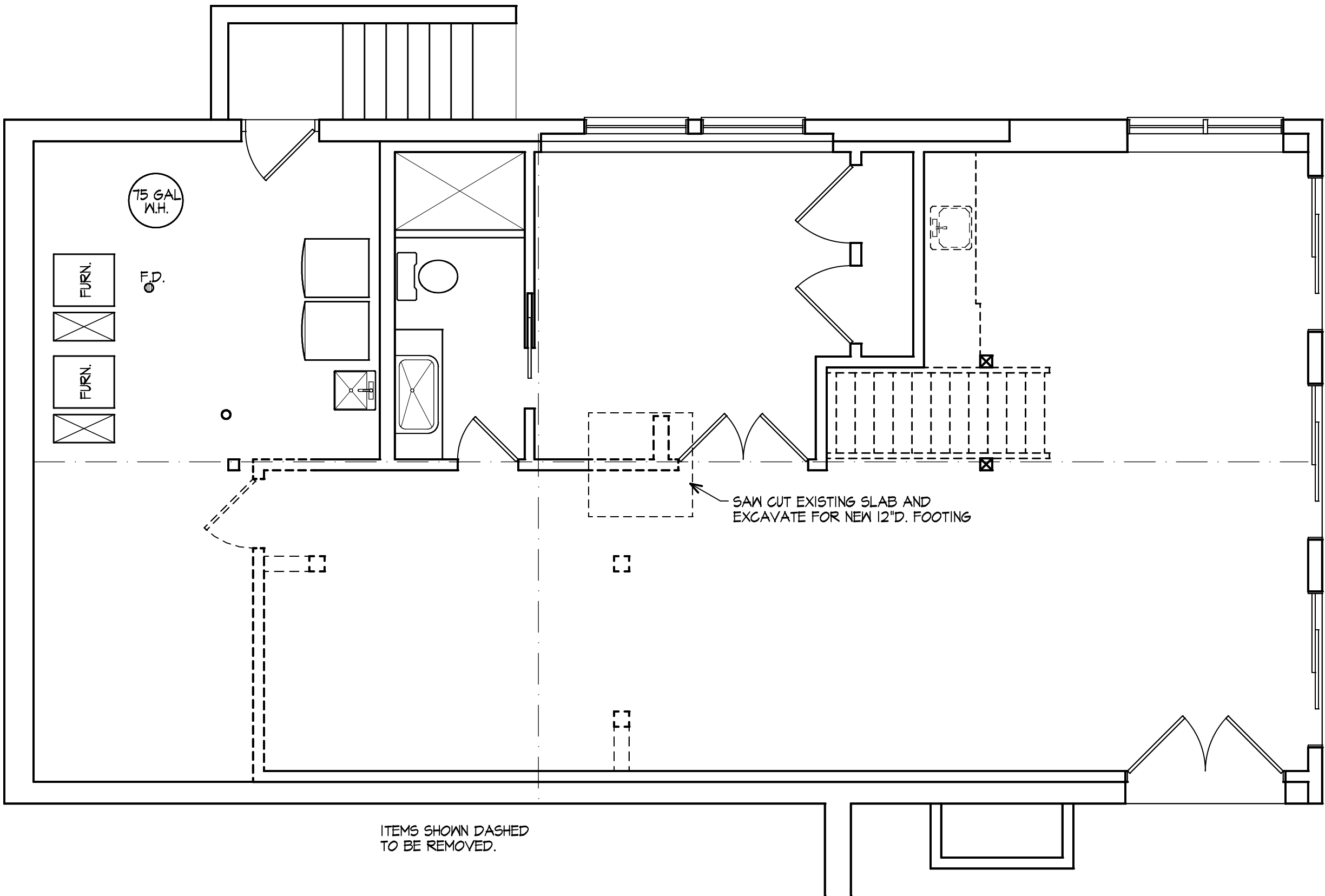
Drawing Index

STAMP APPLIES TO FOLLOWING SHEETS:

- A1 Notes and Basement Plans
- A2 First and Second Floor Plans
- A3 South and West Elevations
- A4 North and East Elevations
- A5 Sections and Details
- A6 Electrical Plans



Basement Plan w/ Electrical
1/4"=1'-0" 0 1 2 4 6 8



Basement Demolition Plan
1/4"=1'-0" 0 1 2 4 6 8

Copyright © 2025 by
Thomas Patrick Pins, Architect

These documents are prepared
by the architect and are to be
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location specified on these
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plans may be reproduced
without the written consent
of the copyright owner.

Thomas Patrick Pins
~ Architect ~

2216 Dewey Street
Glenview, IL 60025

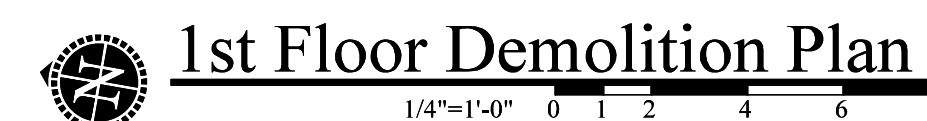
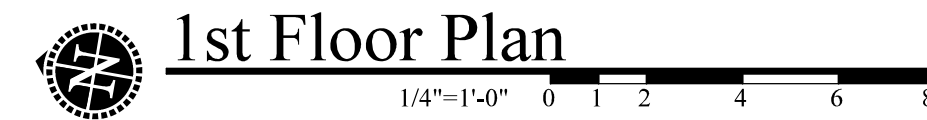
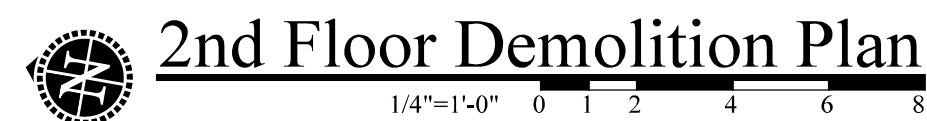
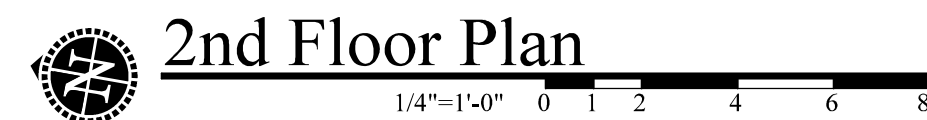
Phone (312) 656 7290
www.thomaspins.com

2nd Floor Addition
7 Dartmouth Rd.
Williams Bay, WI 53191

REVIEW	4/29/2025
REVIEW	6/7/2025
PERMIT	6/7/2025

Notes
Basement Plans

A1





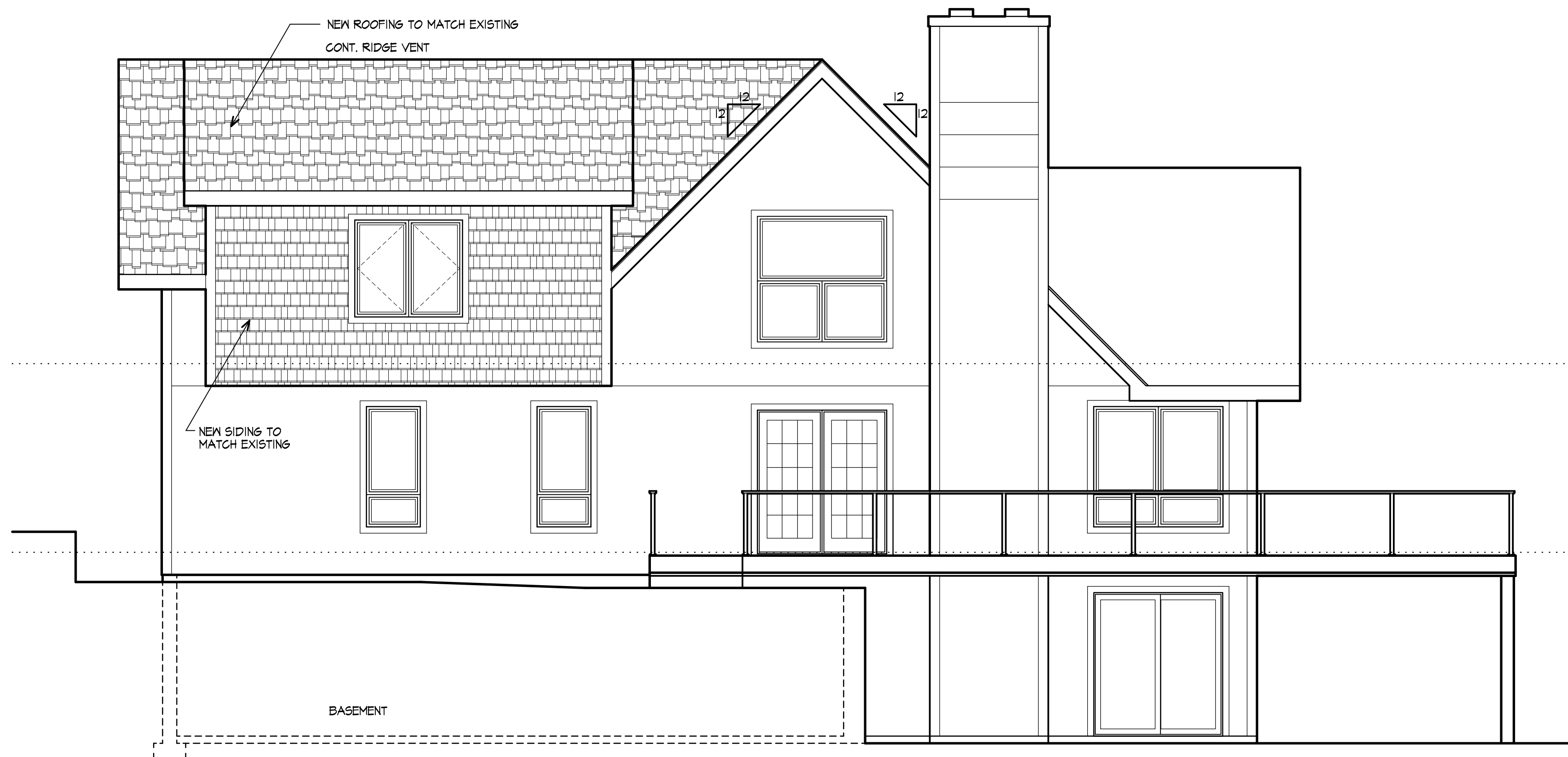
Existing Front Elevation

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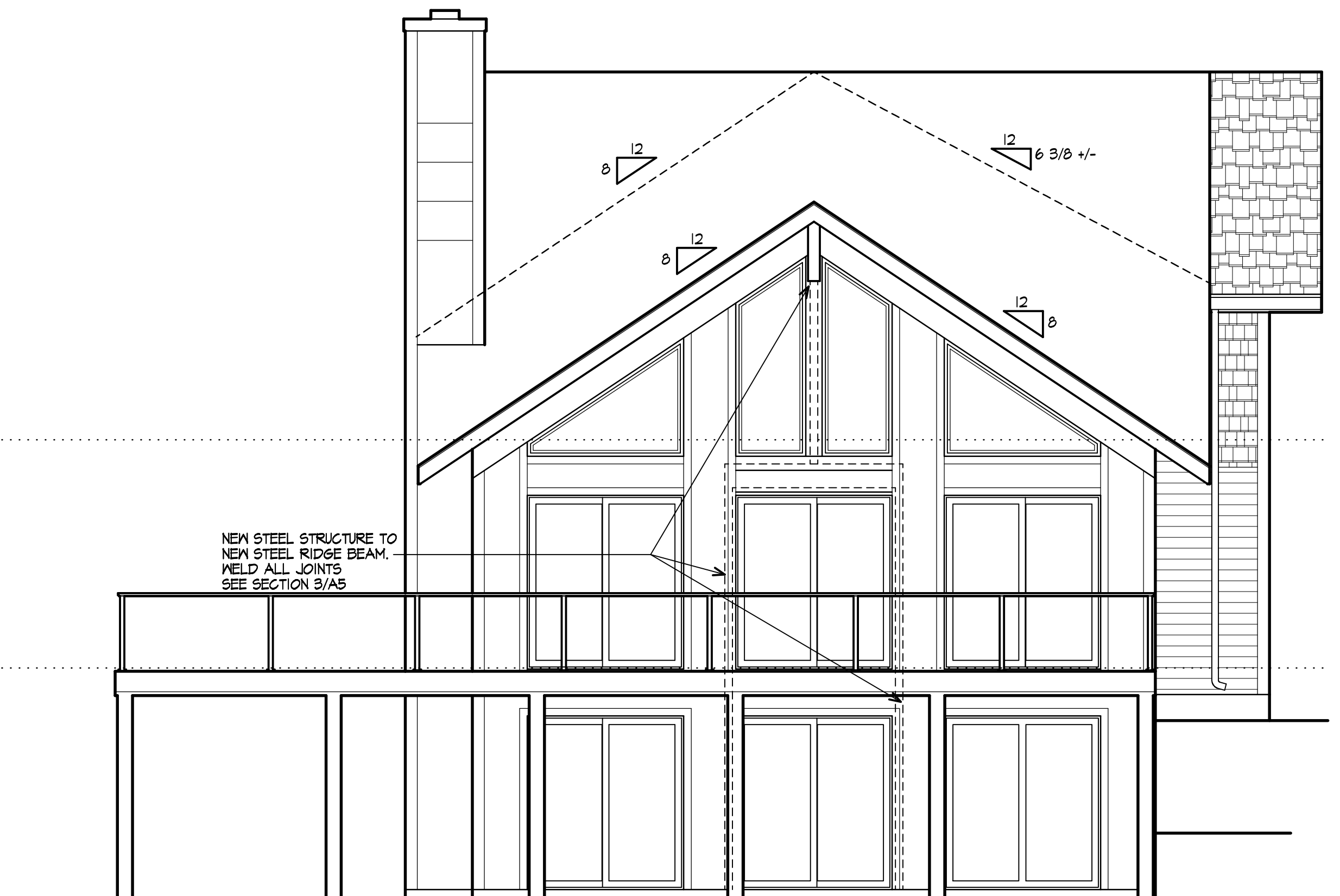
Existing South Elevation

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Front Elevation

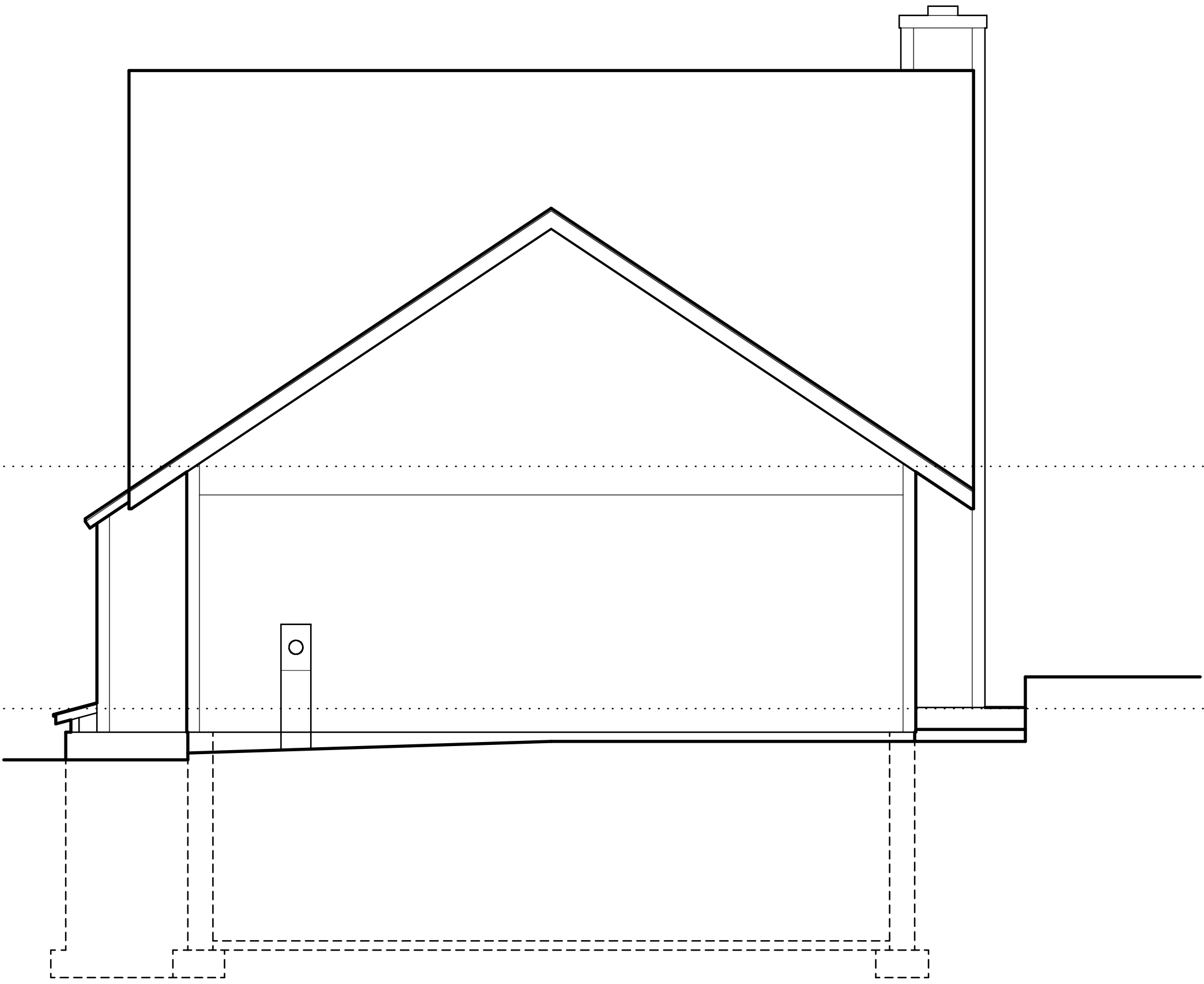
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South Elevation

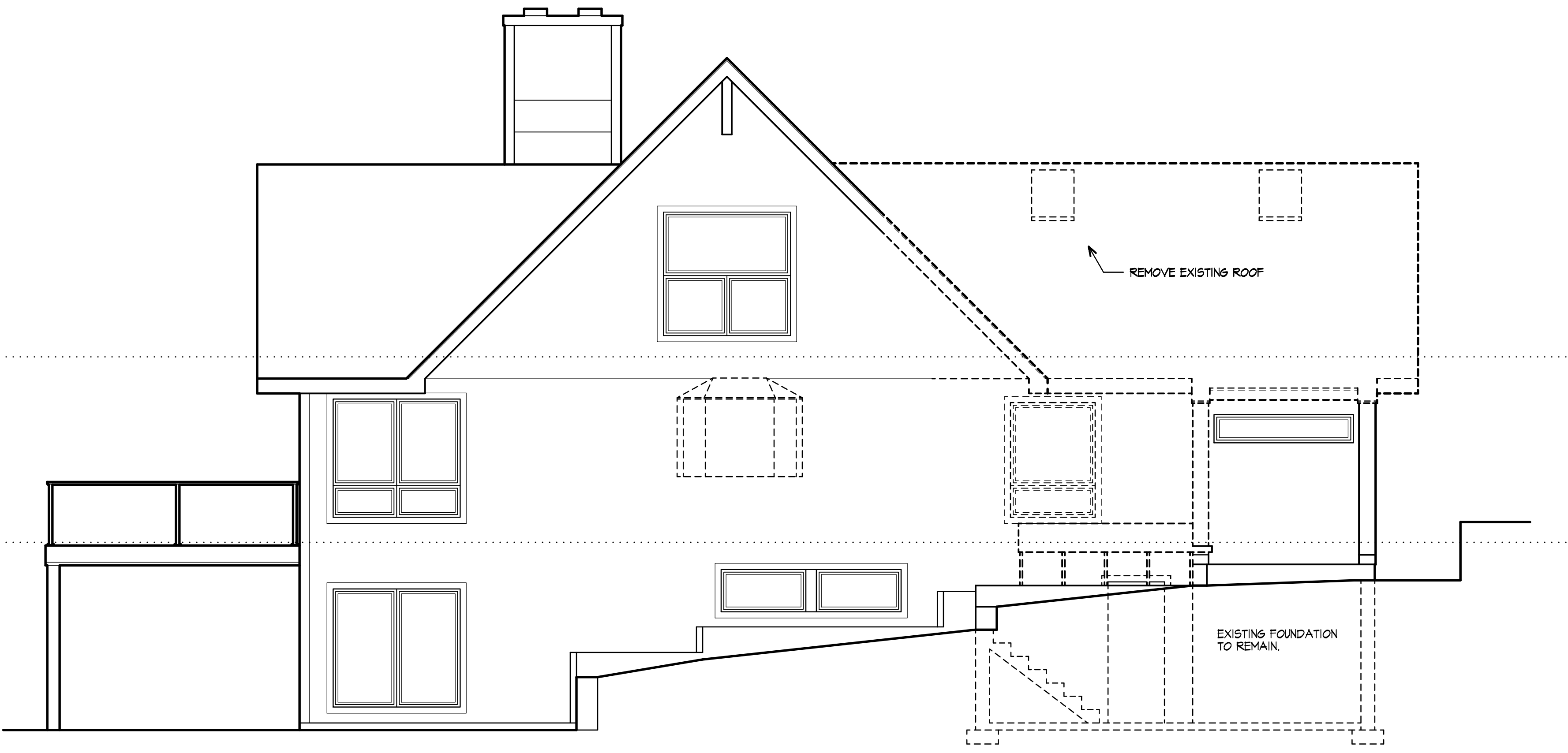
1/4"=1'-0" 0 1 2 4 6 8

REVIEW	14/29/2025	6/27/2025	6/27/2025
REVIEW			
PERMIT			



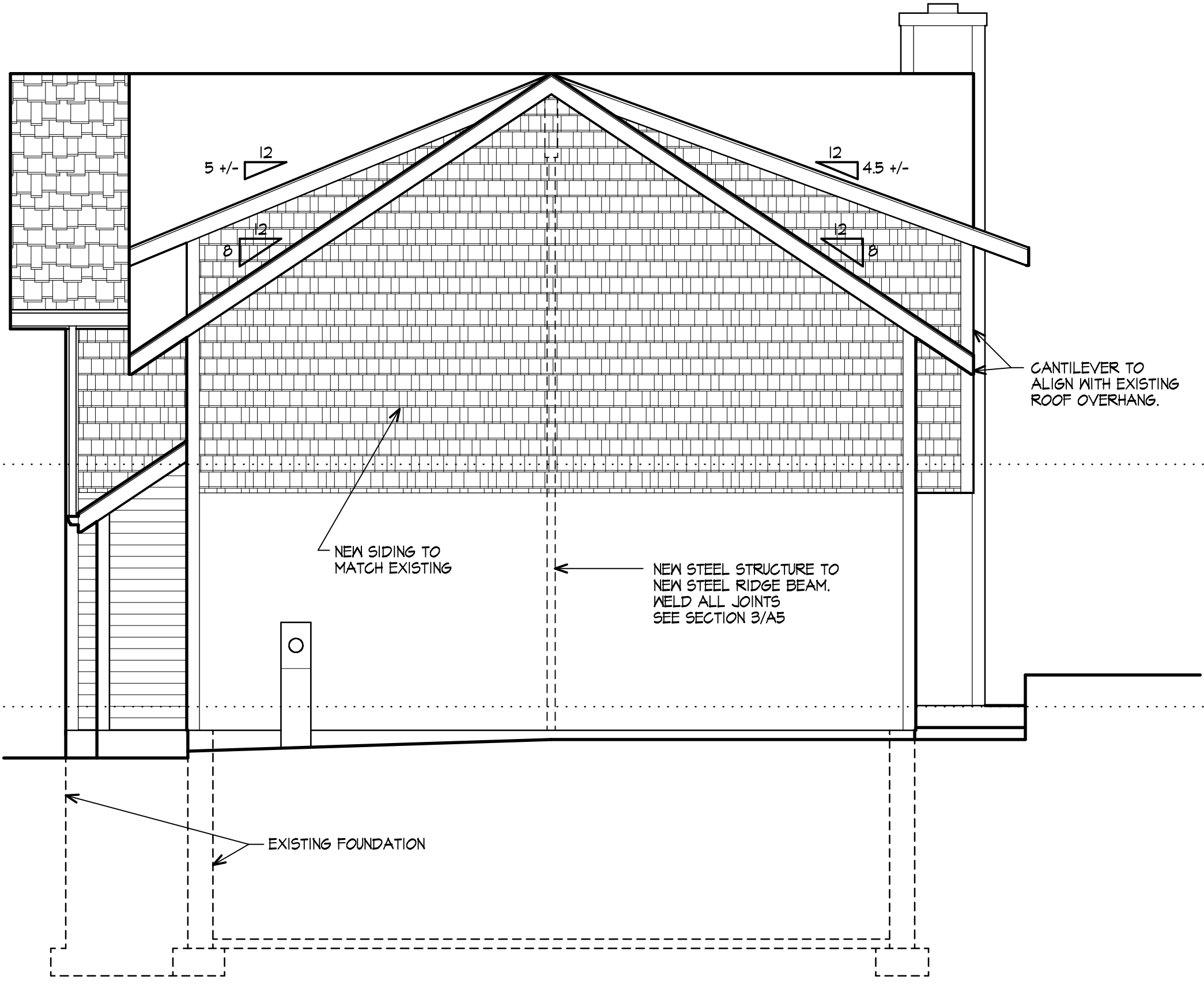
Existing North Elevation

1/4"=1'-0" 0 1 2 4 6 8



Existing East Elevation

1/4"=1'-0" 0 1 2 4 6 8



North Elevation

1/4"=1'-0" 0 1 2 4 6 8

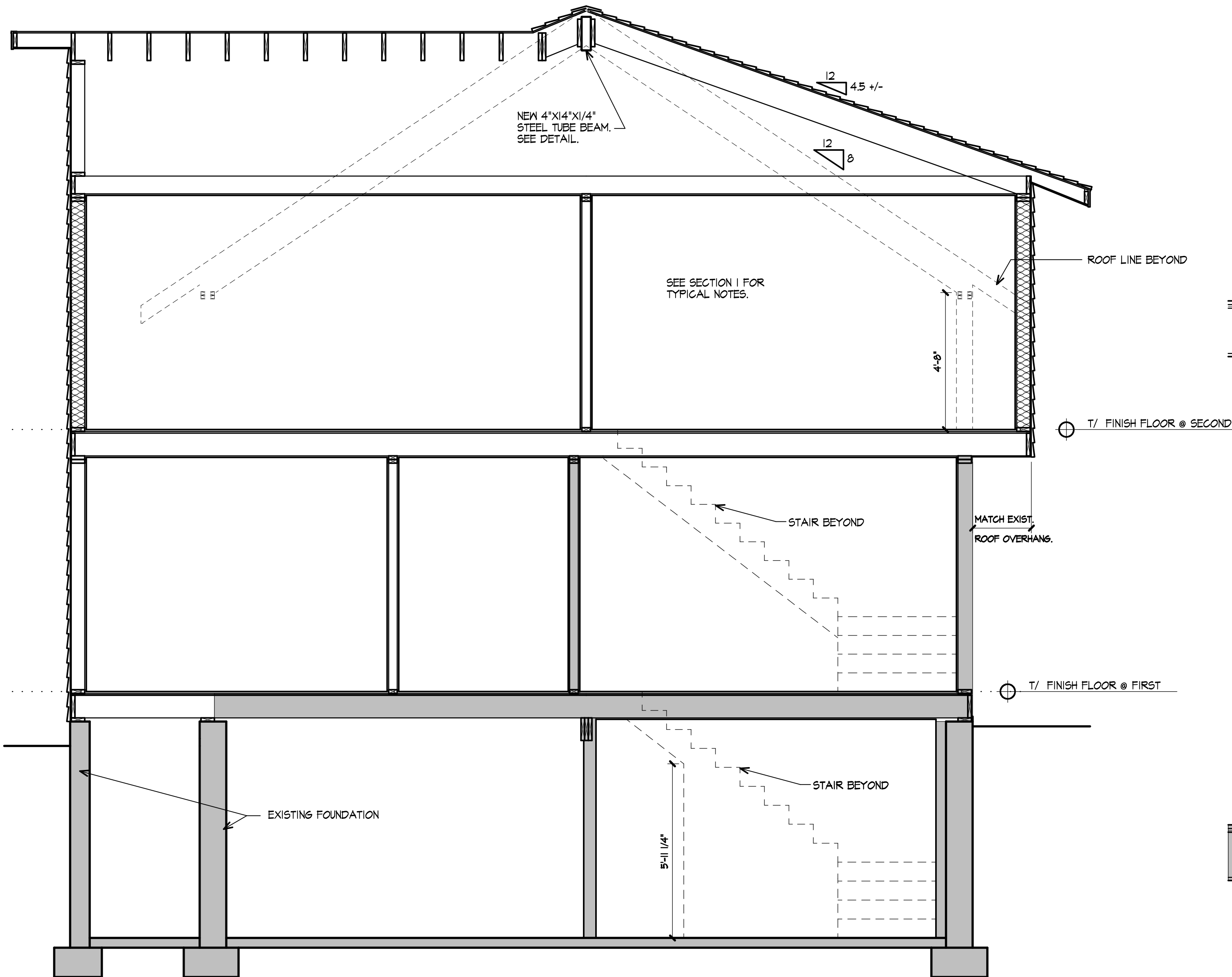


East Elevation

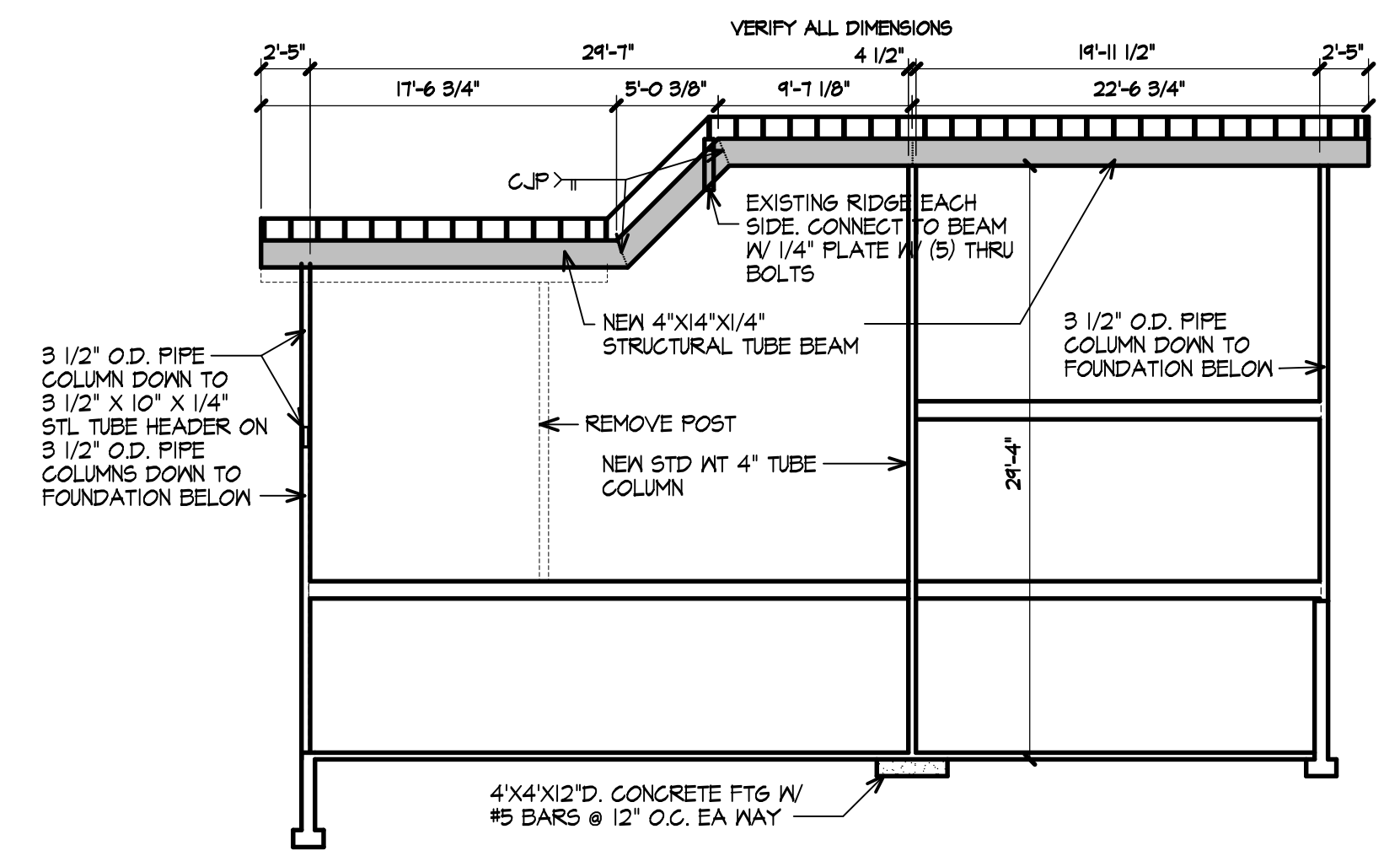
1/4"=1'-0" 0 1 2 4 6 8

REVISION	DATE	BY	FOR
1	4/29/2025		
2	6/17/2025		
3	6/17/2025		
4			
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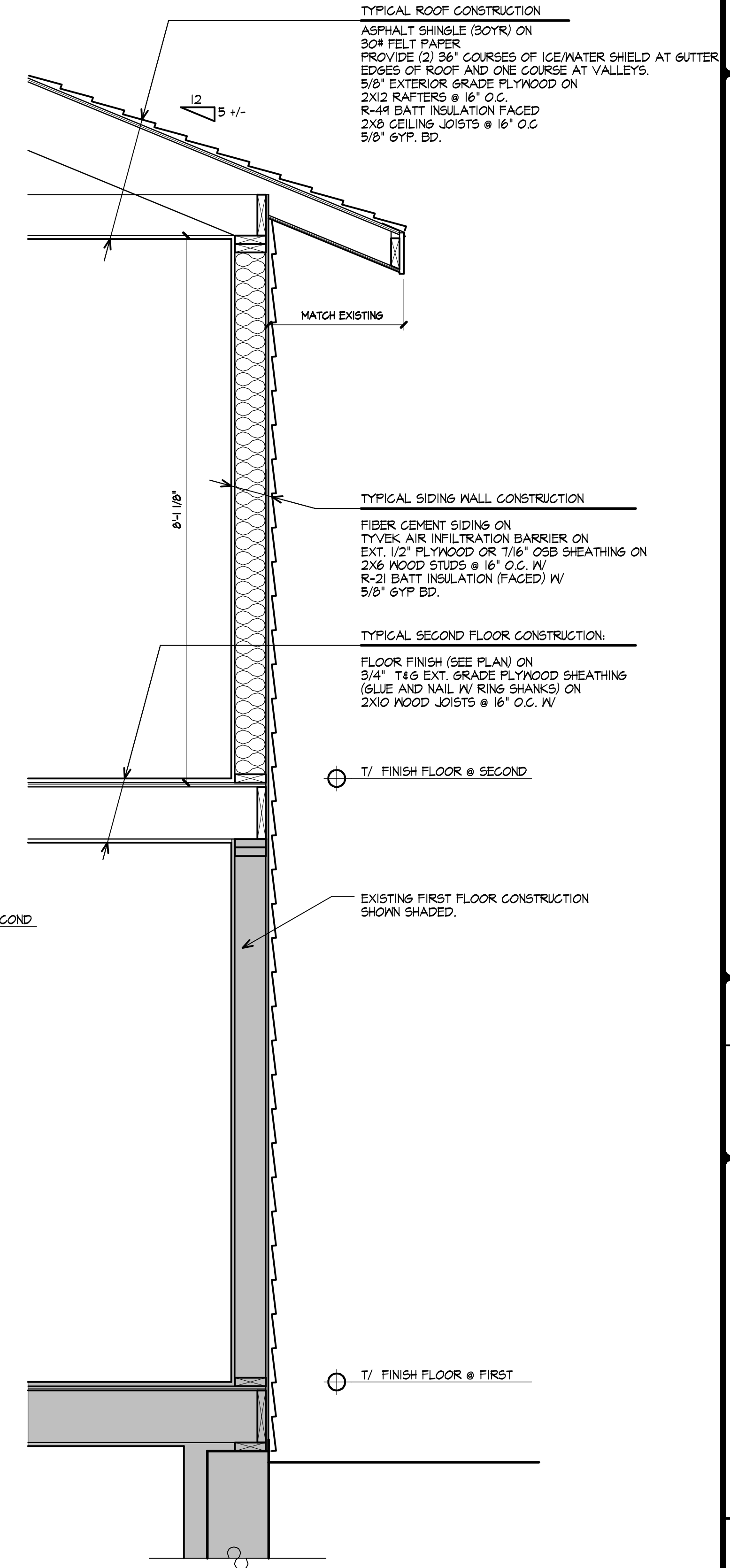
REVISION	DATE	BY	FOR
1	4/29/2025		
2	6/17/2025		
3	6/17/2025		
4			
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7			
8			
9			
10			



2
A5
Section
3/8"=1'-0" 0 6" 1' 2' 3' 4'



3
A5
Building Section
1/8"=1'-0" 0 2' 4' 8' 12' 16'



1
A5
Section
3/8"=1'-0" 0 6" 1' 2' 3' 4'

Thomas Patrick Pins
~ Architect ~
2216 Dewes Street
Glenview, IL 60025
Phone (312) 656 7290
www.thomaspins.com

2nd Floor Addition
7 Dartmouth Rd.
Williams Bay, WI 53191

4/29/2025	14/29/2025	6/27/2025	6/27/2025						
REVIEW	REVIEW	PERMIT							

Sections
Details

A5

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Page 24 of 65

Electrical Fixture Schedule

- A. CEILING SURFACE MOUNTED FIXTURE TO BE SUPPLIED BY OWNER FOR INSTALLATION BY ELECTRICAL CONTRACTOR.
- B. WALL MOUNTED FIXTURE TO BE SUPPLIED BY OWNER FOR INSTALLATION BY ELECTRICAL CONTRACTOR.
- D. RECESSED INSULATING 4" CAN LED LIGHT FIXTURE BY HALO # H245ICAT, WHITE TRIM
- F. RECESSED LOW VOLTAGE INSULATING 4" CAN LIGHT FIXTURE BY HALO # H14491C-14493W
- H. RECESSED INSULATING 7" CAN LIGHT FIXTURE BY HALO # HT45ICAT-457W (SLOPED CEILING)
- K. SHOWER INSULATING 6" CAN LIGHT FIXTURE BY HALO #HT1CAT-505I RATED FOR WET LOCATION.
- L. CLOSET INSULATING 6" CAN LED LIGHT FIXTURE BY HALO HLC6049301EW-6BP.
- N. UNDERCABINET LIGHT FIXTURE TO BE JUNO TRAC12 XENON OR LED.
- P. BATHROOM EXHAUST FAN BY PANASONIC #FV-08VG5 - 80 CFM.
- R. BATHROOM EXHAUST FAN BY PANASONIC #FV-11VG5 - 110 CFM.
- S. BATHROOM EXHAUST FANLIGHT BY PANASONIC #FV-05-11VKSL1- 50 CFM MIN.

NOTES:

DWELLING UNITS ALTERATIONS, REPAIRS, OR ADDITIONS REQUIRE AN UPGRADE TO THE SMOKE ALARMS AS FOLLOWS: HARDWIRED AND INTERCONNECTED WITH BATTERY BACK-UP IN EACH BEDROOM, WITHIN 15' OUTSIDE EACH BEDROOM, AND ON EACH FLOOR LEVEL INCLUDING THE BASEMENT AND THE HEAD OF EACH STAIR. INDIVIDUAL CONDITIONS WILL BE EVALUATED BY THE ELECTRICAL INSPECTOR.

CO DETECTORS ARE REQUIRED TO BE INSTALLED WITHIN 15' OF SLEEPING ROOMS AND ON EACH LEVEL. DETECTORS ARE REQUIRED TO BE HARDWIRED, INTERCONNECTED AND EQUIPPED WITH BATTERY BACK-UP.

FANS SHALL EXHAUST DIRECTLY TO THE OUTSIDE AND NOT INTO THE ATTIC, CRAWL SPACE OR OTHER AREAS INSIDE THE HOUSE.

ELECTRICAL FIXTURES THAT ARE INSTALLED OUTSIDE ARE REQUIRED TO BE LISTED AND LABELED FOR THE LOCATION.

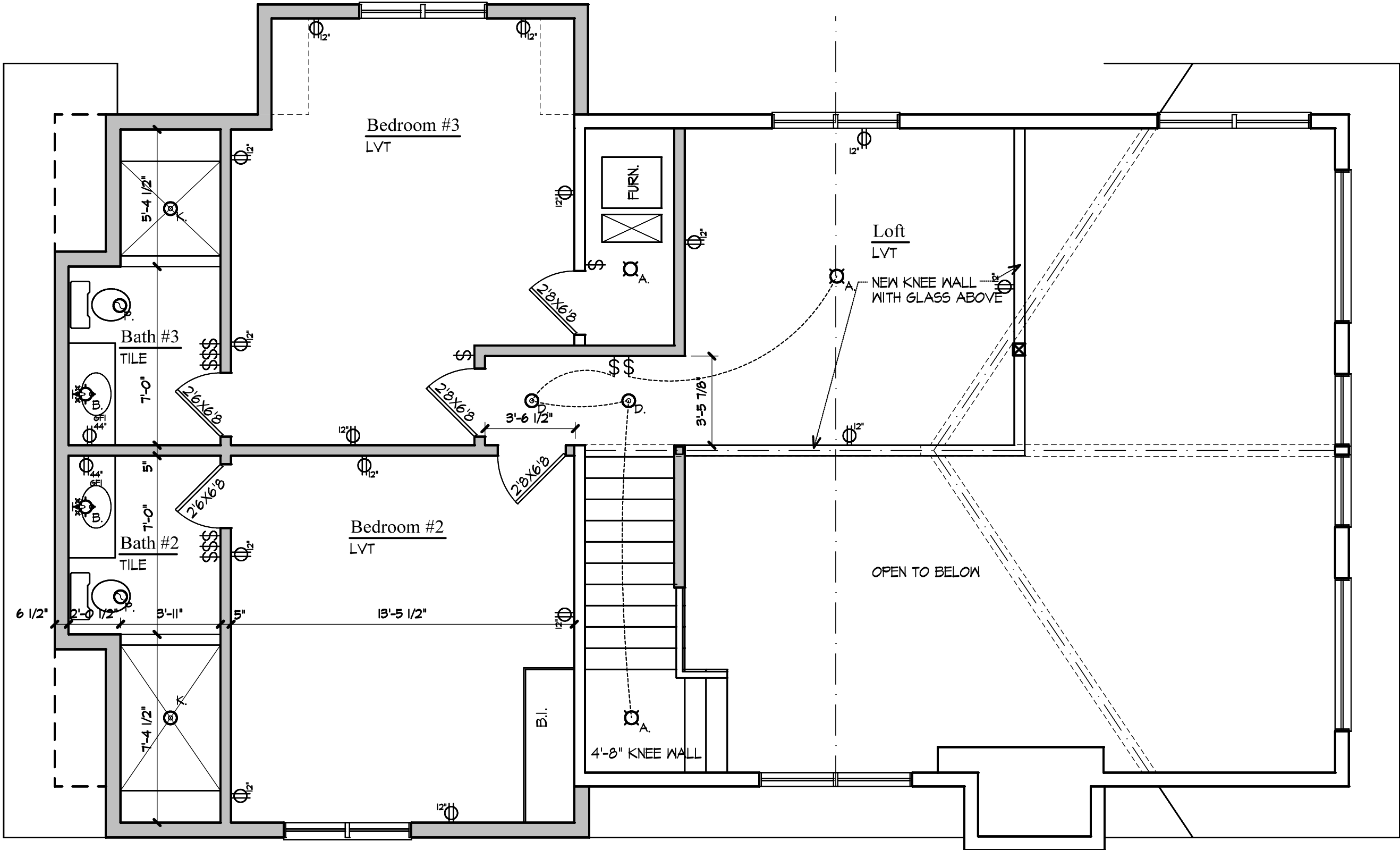
THE LIGHTING TO BE INSTALLED WITHIN THE SHOWER AREA SHALL BE LISTED AND LABELED FOR SUCH INSTALLATIONS AND INSTALLED IN A MANNER SO THAT WATER CANNOT ENTER THE FIXTURE OR ACCUMULATE IN WIRING COMPARTMENTS

ANY OUTLET BOX WHICH IS BEING INSTALLED IN AN AREA THAT CAN REASONABLY ACCOMMODATE A CEILING FAN SHALL BE LISTED AND IDENTIFIED FOR CEILING FAN SUPPORT.

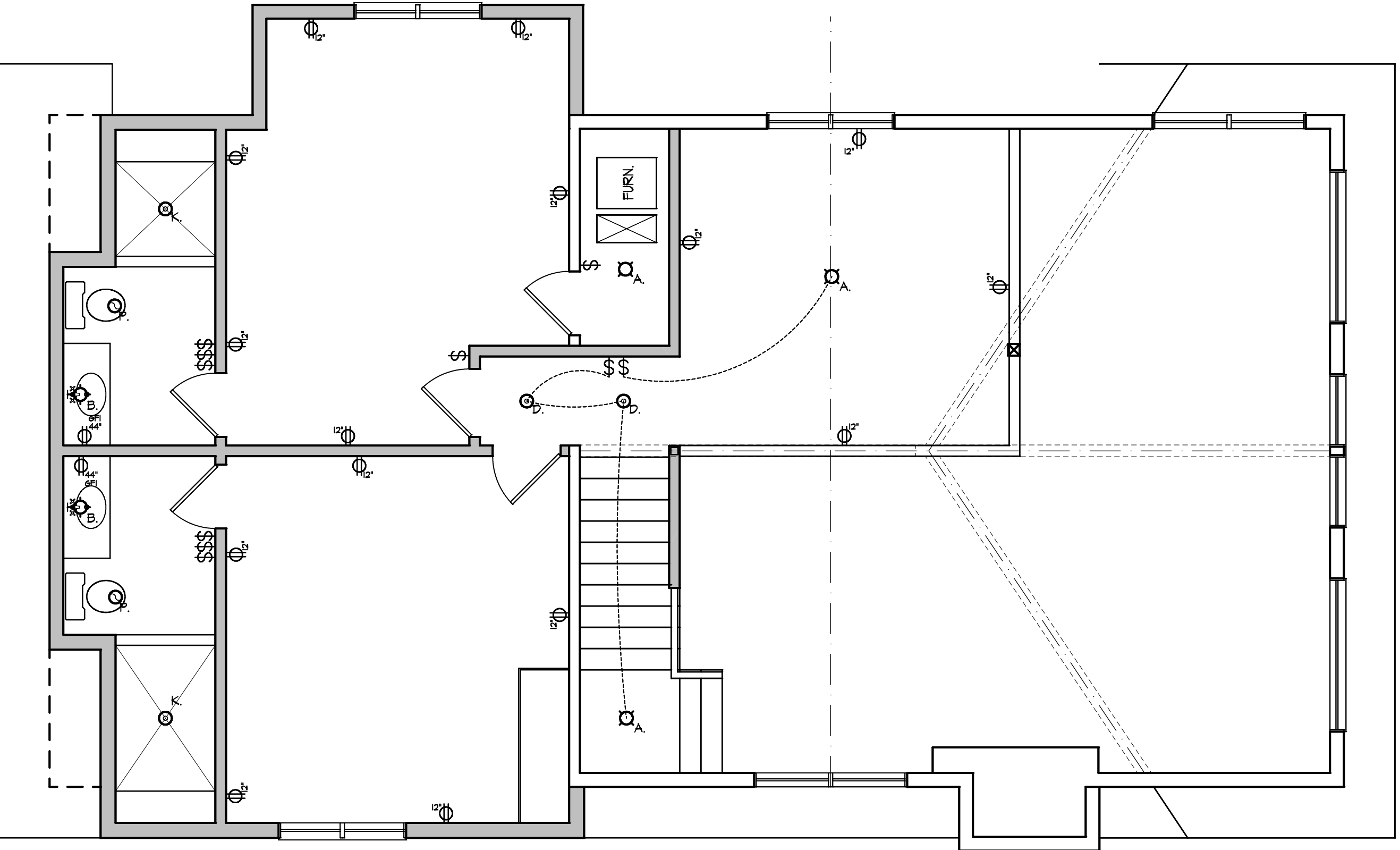
Symbol Legend



DUPLEX OUTLET
DEDICATED DUPLEX OUTLET
WEATHER PROOF DUPLEX OUTLET, 6FI
GROUND FAULT INTERRUPTER DUPLEX OUTLET
QUAD OUTLET
FLOOR MOUNTED DUPLEX OUTLET
WALL MOUNTED LIGHT FIXTURE
CEILING MOUNTED LIGHT FIXTURE
RECESSED CAN LIGHT FIXTURE
LIGHT SWITCH
LIGHT SWITCH - DIMMER
3 WAY LIGHT SWITCH
PHONE JACK
THERMOSTAT
JUNCTION BOX
COMPUTER JACK
EXHAUST FAN
EXHAUST FAN WITH LIGHT
SMOKE DETECTOR, SEE ELECTRICAL NOTES.
CARBON MONOXIDE DETECTOR
COMBO SMOKE AND CO DETECTOR
HEAT DETECTOR
CABLE TV OUTLET
UNDER CABINET FIXTURE
GARAGE DOOR OPENER
SUPPLY REGISTER
RETURN REGISTER



Electrical Plan at 2nd Floor



Electrical Plan at 2nd Floor

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Thomas Patrick Pins, Architect

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Thomas Patrick Pins
~ Architect ~

Phone (312) 656 7290
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2216 Dewey Street
Glenview, IL 60025

2nd Floor Addition
7 Dartmouth Rd.
Williams Bay, WI 53191

REVISION	4/29/2025
REVISION	6/27/2025
PERMIT	6/27/2025

Electrical Plans

A6

LOCATION: 7 Dartmouth Road, Williams Bay, Wisconsin 53191

PREPARED FOR: John Matuslik - Matuslik Builders

PROPERTY DESCRIPTION:

Unit 7, together with said unit's undivided interest in the common elements (and the exclusive use of the limited common elements appurtenant to said unit) all in Dartmouth Woods Condominium f/k/a Stam Woods Condominium, a condominium declared and existing under and by virtue of the Condominium Ownership Act of the State of Wisconsin and recorded by a Declaration as such condominium in the office of the Register of Deeds for Walworth County, Wisconsin, on November 11, 1983, in Volume 313 of Records, at page 178 through 206, as Document No. 96565; Amendment to Declaration recorded December 17, 1984, in Volume 336 of Records at page 27, as Document No. 110234; Amendment to By-Laws recorded January 3, 2008 as Document No. 726719, said condominium being located in the Village of Williams Bay, County of Walworth, State of Wisconsin on the real estate described in said Declaration and incorporated herein by this reference thereto.

CURRENT OWNER: Tom & Laurie Beda

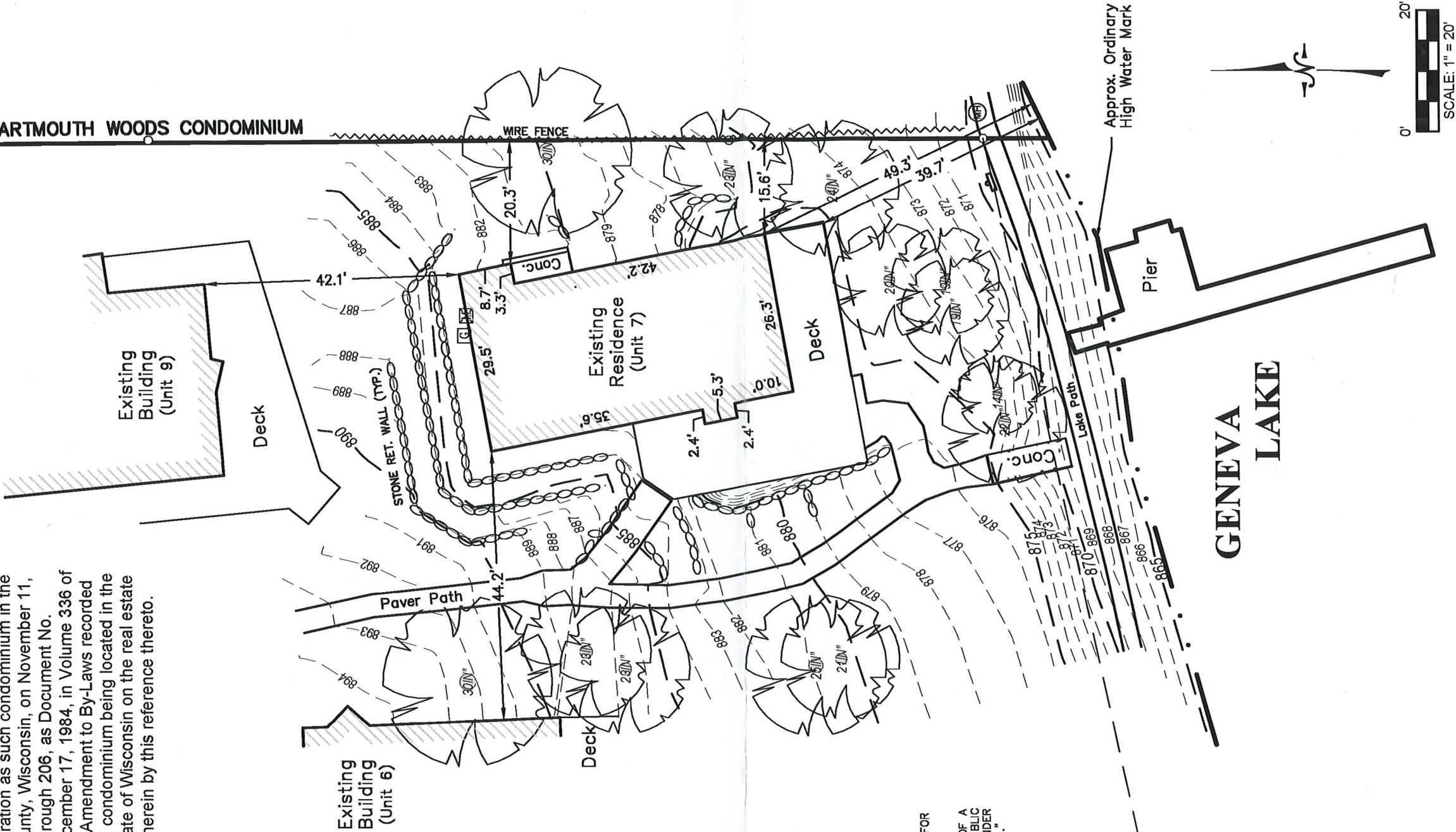
TAX ID: WDA 00007

Legend:

- Found 1" Iron Pipe
- ⊞ Electric Meter
- ⊞ Utility Manhole
- ⊞ Gas Manhole
- ⊞ Sign
- ⊞ Deciduous Tree

NOTE: APPROXIMATE ORDINARY HIGH WATER MARK - FOR REFERENCE ONLY PER STATE STATUTE 236.025.

"ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OF A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION."



GENEVA LAKE



LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

5482 S. WESTRIDGE DRIVE
NEW BERLIN, WI 53151
440 MILWAUKEE AVENUE
BURLINGTON, WI 53105
(262) 402-5040



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 disclosed in an ALTA/NSPS survey.

Ritchie P. Wenzel

Ritchie P. Wenzel, Professional Land Surveyor, S-4027

VILLAGE OF WILLIAMS BAY, WISCONSIN

JOINT MEETING OF THE PLAN COMMISSION AND VILLAGE BOARD
November 10, 1983

The meeting was called to order by President Lundberg at 7:30 p.m. Those present were Trustees Lovell, Lola, Pernic, and Roth; Commissioners Zikmund, Pagel, Partridge, and Engineer Eberle. Attorney Knight was present as were attorneys Andrews and Grant; also the Press; P. Reinfeldt and P. Roth. Trustees Stevenson and Loyd were absent as was Commissioner Gage. Visitors included Ed Nicol, Mrs. Nicol, Rich Dukelow, Pat Moore, Peg Leedy, Bob Mott, Bob Loewenstein, Al Harper, Attorney Harry Worth, and Engineer Warren Hansen.

The Board cannot rule tonight on road because the meeting was not legally announced, but Plan Commission can rule on conditional use if it wants to.

Mr. Nicol again presented the outline of the conditional use application. The condominium declaration has been finalized; Attorney Knight has a copy. Some changes to the draft of the condominium declaration were enumerated. Bylaws of the association have been added; some changes to the perimeters of cottages 5 and 6 were shown (this squares them off somewhat). Exhibits of drawings were added. Some additions to p. 9 include prohibition of livestock raising, clotheslines, etc.; p. 18 was added to cover use of the lakefront and assigning pier area to each property owner as limited common element ownership.

Mrs. Zikmund: Under definitions, what is noncontiguous? Mr. Nicol: That doesn't apply now, but would to garages, if built later. Mrs. Zikmund: page 4 section 3: common elements, percentage of ownership could be changed: for what purpose? Mr. Nicol: Perhaps sometime in the future, these cottages (not on lakefront) could say they didn't have as much value to their property, because it wasn't on the lakefront but have to pay full share of common ownership. Mrs. Zikmund: do you contemplate a sales office? Mr. Nicol: No.

B. Pernic asked Attorney Andrews to speak regarding the subject of Stams Woods and Dartmouth. He mentioned the letter he had written to the board on October 21, 1983. The reason for joint meeting of the Board and Plan Commission; role of Plan Commission for ruling on conditional use application; matter of Dartmouth Road for Board determination. The court has determined that Dartmouth is public, but status of Prospect Place is not determined. Thorny issues can be resolved if people can agree to what should be done to Dartmouth. Nothing need to done to Dartmouth, but the Board controls absolutely what is to be done.

Pernic said he has no problem with what developers have proposed for Stams Woods; he can use Dartmouth Road as is. Attorney Andrews said they have reviewed developer's condominium declaration and finds it to accomplish all requirements that the village has requested in the past. Whether future owners can get together and change the condominium declaration can be addressed by having that as part of the conditional use permit, that they cannot, that the only use is this use, as described in the condominium declaration. Drafting of the conditional use permit is the key.

Bob Pernic said that whatever is done, the \$15,000 offered by Chicago Title Insurance Company should be paid, if necessary as part of the developer's agreement. Harry Worth said that money was offered to deal costs involved with Dartmouth Road. If there is no need to restructure Dartmouth, no need to pay the \$15,000.

Bob Knight: Some exhibits have been presented which are not in their final form. You could reserve approval until the exhibits are in their final form and

EXHIBIT

A

shown to be consistent with what has been proposed. A developer's agreement might be considered. Special assessment may be required for damage to Dartmouth or Stam. In lieu of bond, a special assessment might be required. Video taping could be required to determine condition of road and property now; to assess damage done. Sewer lines could be laid while the road is torn up. Make reference to all exhibits and surveys in final form. Recheck drainage plans based upon final plans for roads. Plan commission does have two roles; to rule on conditional use permit and make recommendation regarding Dartmouth Road.

Engineer Eberle: Erosion control provisions sound. Can be checked after construction has begun.

Another discussion re \$15,000 and intent of offer.

Bob Knight: based on discussion so far, is proposal acceptable to members? Motion will be drafted. (Straw ballot of Plan Commission members present: all Yes.)

Discussion continued re Dartmouth Road. Some adjustments have been made; Pernic and Partridge driveways and trees may or may not be affected. Pernic proposed driveway above grade; the new road will improve it. Engineer Hansen doesn't think Partridge tamarack trees will be affected. Developer offers to purchase 2 new 4" trees to replace large maple on Pernic yard which will be lost. Consensus is that safety is the prime factor; aesthetics another consideration. Does the village have an obligation to change public road to improve a grade for a private driveway? There is a water line that freezes; will changes to Prospect Place uncover that line more? It's in the plans to make allowances for it. The road doesn't get plowed that well; safety is the prime concern. Warren Hansen will bring in the final plans with the new changes for village engineer Monday. Determination has to be made if Prospect is public or private (on state aids map forever; same status as Dartmouth; can be declared public by board resolution); that will determine how intersection is engineered.

Developer should put all statements into writing; discussion about final engineering plans; what about any claims resulting from change of grade?

Attorney Knight drafted motion as follows: Plan Commission moves the approval of the conditional use permit in accordance with the principles presented at this meeting subject to the approval of the plan in its final updated form, subject to the approval of the final declaration of condominium ownership, subject to the entering into the developer's agreement to be completed by the Board as soon as possible. Moved and seconded by Zikmund/Partridge. Unanimously approved by Plan Commission members present.

Meeting adjourned at 9:30 p.m.

Judith A. Lola
Plan Commission Secretary

96565

VOL 313 PAGE 178

DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND
BY-LAWS
FOR
STAM WOODS CONDOMINIUM
WILLIAMS BAY, WALWORTH COUNTY, WISCONSIN 53191

RECORDED IN VOL 313

PAGE 178

'83 NOV 11 AM 10 26

LOIS M. MATTERHAGEN
REC'D DEEDS
WALWORTH COUNTY, WIS.

Edward Nicol

60.00 pd cash

NOVEMBER 1, 1983

EXHIBIT

B

Definitions

For the purpose of brevity and clarity, certain words and terms used in this Declaration are defined as follows:

<u>Act:</u>	The Condominium Ownership Act of the State of Wisconsin, as amended from time to time.
<u>Building:</u>	The physical structures which are located on the Parcel, each of which constitutes a unit.
<u>Common Elements:</u>	All of a condominium except its units.
<u>Declaration:</u>	The instrument by which a property becomes subject to this chapter, and that declaration as amended from time to time.
<u>Developer:</u>	Wherever herein used, the word "Developer" shall denote the present legal title holder of the property.
<u>Garage Unit:</u>	A part of a condominium intended for the parking of a single automobile including one cubicle of enclosed space.
<u>Garage Unit Owner:</u>	A person, combination of persons, partnership or corporation, who holds legal title to a garage unit or has equitable ownership as a land contract vendee.
<u>Limited Common Elements:</u>	That portion of the common elements which is designated as a portion of the lakefront.
<u>Occupant:</u>	Person or persons, other than an Owner, in possession of a Unit.
<u>Parcel:</u>	The entire tract of real estate above described.
<u>Parking area:</u>	The part of the Common Elements provided for parking automobiles as delineated on the surveys as "Parking" or "Parking Area" but not including any of the Garage Spaces.
<u>Parking Space:</u>	Each portion of the Parking Area intended for the parking of a single automobile.
<u>Person:</u>	A natural individual, corporation, partnership, trustee or other legal entity, capable of holding title to real property in Wisconsin.
<u>Pier:</u>	A structure intended for the use of one Unit Owner and located partially upon the bed of Lake Geneva within the Unit Owner's Limited Common Element.
<u>Property:</u>	Unimproved land, land together with improvements on it or improvements without the underlying land.
<u>Survey(s):</u>	Condominium survey(s) of the Units and the Common Elements, attached hereto as Exhibits and incorporated herein by this reference as though fully set forth.
<u>Unit:</u>	A building which is a part of a condominium intended for residential use, including one or more cubicles of air at one or more levels of space or one or more rooms or enclosed spaces, located on one or more floors. A unit may include 2 or more noncontiguous areas.
<u>Unit Owner:</u>	A person, combination of persons, partnership or corporation who holds legal title to a condominium unit or has equitable ownership as a land contract vendee.

ARTICLE II

Units and Garage UnitsA. Legal Description:

The units shall be legally described as follows:

Units(s) 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Stam Woods Condominium, being a condominium created under the Condominium Ownership Act of the State of Wisconsin by a "Declaration of Condominium for Stam Woods Condominium", dated the 1st day of November, 1983 and recorded the 11th day of November, 1983 in the Office of the Register of Deeds for Walworth County, Wisconsin in Vol. 313 of Records, at Pages 178 through 206, as Document No. 96565 and by a Condominium Plat thereof;

- B. Description of the Units: The Condominium consists of nine (9) detached buildings, delineated on the Plats of Survey as Exhibit "A", sheets one and two. Each building constitutes one (1) unit and is intended for residential use only. Each unit consists of the space enclosed by the outer surfaces of the structure including, but not limited to the walls, roof, glass and foundation.

- C. Unit Expansion: Except as otherwise provided in the Act, no owner shall, by deed, plat, or otherwise, subdivide or in any other manner cause his unit to be separated into any tracts or parcels different from the whole unit as shown on the surveys. Units number one (1) through seven (7) shall not be expanded beyond their outer perimeters as delineated in the surveys attached as Exhibits hereto, noting, however, that Unit 5 and Unit 6 have proposed future perimeter expansion for "squaring off" those buildings and Unit 9 has a proposed deck which is not a perimeter expansion, but is not now an existing structure. Nothing in this paragraph shall be construed so as to preclude a Unit Owner from expanding his unit by adding a foundation, raising the building or adding additional floors. Unit Owners of units eight (8) and nine (9) shall be allowed to expand the outer perimeters within the confines of the designated area for expansion as delineated on the surveys attached as Exhibits hereto. Said Unit Owners must submit architectural plans which must be approved by a majority of the Board. In no event shall the expanded unit contain more than three thousand square feet of living space, as defined by local ordinance, without the approval of all nine (9) Board members.

- D. Certain Structures not Constituting Part of a Unit: No Owner shall own any pipes, wires, conduits, public utility lines running to his Unit and serving more than his Unit, except as a Tenant in Common with all other Unit Owners.

- E. Surveys: These Condominium Declarations do not have a survey showing the floor plans of each building because they are existing structures which the Developer intends will be remodeled.

(13) The Unit restrictions in paragraphs (1) and (7) of this Article X shall not, however, be construed in such a manner as to prohibit a Unit Owner from: (a) maintaining his personal professional records or accounts therein; or (b) handling his personal business or professional telephone calls or correspondence therefrom. Such uses are expressly declared customarily incident to the principal residential use and not in violation of paragraphs (1) and (11) of this Article X.

(14) Pets. No pets, animals, rabbits, livestock, fowl or poultry of any kind shall be raised, bred or kept in any Unit or in any of the Common Elements at any time, except such domestic household pets as may be authorized by the Board of Directors.

(15) Concreting or Blacktopping of Common Elements: None of the Common Elements shall be concreted, blacktopped or otherwise paved by any Unit Owner without the prior written consent of the Board of Directors.

(16) Fences: Unit Owners are hereby prohibited from erecting any fences on the Common Elements. All fencing of any kind and nature will be constructed by the Board of Directors.

(17) Clothes Lines: Clothes lines shall not be permitted in the Common areas.

(18) Motor Vehicles: No allowable motorized vehicle of any type may be parked or located other than on an approved parking area. Inoperable vehicles shall be removed promptly by their owners.

(19) Boats and Trailers: No boats or trailers may be stored on the Common Areas, except for those places designated as areas for such parking.

(20) No person may cut or remove any trees or vegetation from any part of the Common Elements nor alter its existing topography and drainage. The Board may permit trimming or removal of small vegetation adjacent to the Units and located in the Common Elements, if necessary, for the reasonable use and enjoyment of the Units.

B. Unit Improvement

1. In General: There may be no improvement to a Unit which in any manner hinders the use of another Unit or the Common Elements of the Condominium or which in any way interferes with the provision of services to any Unit.

2. Contour Improvements: There shall be no contour improvements made by any Unit Owner to the Common Areas.

3. Unit Improvements: Improvements to the exterior of Units shall be allowed upon the express written consent of the Board of Directors, but the improvement of all Units shall be done with materials and colors approved by the Board of Directors. No Unit shall be expanded beyond the limit of the present dimensions as set forth in Article II, C and attached Surveys. Unit Owners shall submit to the Board for approval any remodeling plans which require a building permit. The Board shall approve or disapprove the plans at their next meeting but in no instance later than 30 days. The Board shall not capriciously withhold approval and state in writing the reason(s) for disapproval. shall



Geneva Lake

EXHIBIT

tabbles **C**

Legal Landscape

WALWORTH COUNTY, WISCONSIN

0 12.5 25 50 75 100 125 Feet

1:774

Author:

Map Produced on: 9/26/2025

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011

**Walworth County Information Technology Department
Land Information Division**

1800 County Trunk NN
Elkhorn, Wisconsin 53121-1001

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williamsbay.org

VILLAGE OF WILLIAMS BAY

P.O. Box 580 • 250 Williams Street
Williams Bay, WI 53191
P: (262) 245-2700 • F: (262) 245-2705

NOTICE

ZONING BOARD OF APPEALS MEETING AGENDA

Tuesday, August 15, 2017 at 6:30 PM

Village Hall Council Room

A quorum of Village Board may be present

AGENDA

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approve Minutes
 - A. 02-21-2017 Zoning Board of Appeals Meeting Minutes
 - B. 03-21-2017 Zoning Board of Appeals Meeting Minutes
 - C. 05-16-2017 Zoning Board of Appeals Meeting Minutes
- V. All persons, their agents or attorneys will be given an opportunity to be heard in relation thereto.

Public Hearing and Recommendation for a Variance for the following:

- A. APPLICANT: Gregory E. Wolf

TAX KEY: WDA 00009

STREET ADDRESS: 9 Dartmouth Woods, Williams Bay, WI 53191

Applicant is requesting a variance to zoning code section 18.0209, *SF-1 Low Density Residential District*, to allow a front yard setback of 129' (150' required) and an east side yard setback of 15' (30' required) to expand an existing deck and build a screened in porch

VI. Adjournment

Jim Killian, Chairman

Created July 17, 2017

Posted August 14, 2017 at 6:00 PM



Not Approved
WILLIAMS BAY
ZONING BOARD OF APPEALS
MINUTES
February 21, 2017

08-15-2017 Zoning Board of Appeals Attachment IV.A.

Doug Swangren called the meeting to order at 7:00 p.m. in the Community Room at Sherwood Lodge, 116 Cherry Street, Williams Bay, Wisconsin.

ROLL CALL: Present: Doug Swangren, Jane Pegel, Roy Grada, Jim Killian, Michael Vanderbunt
Absent: Patrick Byrnes (excused – Election), Gregory Trush
Administrative Staff Present: Jerry Anderson, Building Inspector,
Administrative Staff Absent: Jacqueline Hopkins, Village Clerk (excused – Election)
Quorum met.

From the Chair: Any variances granted by the Zoning Board of Appeals are specific to the plans presented at this meeting. Should a variance be granted, the Building Inspector will follow the plans strictly that have been approved for the inspections conducted. No changes can be made to the plans or on the plans without coming back to the Zoning Board of Appeals for approval.

No variances granted prior by this Board or in the future decisions of this Board have any precedent setting statute with any other variances.

Roy Grada moved to approve the Minutes from January 17, 2017. Jane Pegel seconded the motion. A vote was taken and carried unanimously by those present.

Motion Carried

I. THE PETITION OF Jeff and Nancy Meisenger – 105 Lincoln Parkway

For a Variance to Zoning Code section 18.0213 to construct a covered porch.

The petitioner requests a Variance to allow a 4.21' encroachment into a 22' street yard setback.

BOARD OF APPEALS DECISION: The Village of Williams Bay Zoning Board of Appeals, during the meeting of February 21, 2017 for the petition of **Jeff & Nancy Meisenger** requesting a Variance to section 18.0213 of the Zoning Ordinance to construct covered porch **APPROVED** the Variance.

Doug Swangren moved to **APPROVE** the request. James Killian seconded the motion. A vote was taken and carried unanimously by those present.

Motion Carried

BOARD OF APPEALS FINDINGS: The Board of Appeals allowed the Variance due to uniqueness of the lot.

The Cedar Point Park Association recommended approval of the proposed projects and the granting of a Variance. There were no letters from neighbors in opposition or supporting the request.

II. Conference Point Camp Request for Variance – Informational Only

Ross Adams, Conference Point Camp Executive Director, gave an update to the Zoning Board of Appeals members regarding the four outstanding contingencies from the August 16, 2016 Zoning Board of Appeals meeting. This meeting was tabled at that meeting pending additional information on four items.

1. Road Easement with Congress Club
2. Fire road design
3. Landscaping
4. Drainage

Three of the four items have been satisfied. The road easement with the Congress Club has not been successful in negotiating an agreement. The cost of repairing and maintaining the road and potential liability are issues. Conference Point has offered to take over 100% of the maintenance and cost of the road and Conference Point has offered a liability waiver on the road. Congress Club wants some restrictions on the road, such as property ownership or zoning changes. There are no restrictions currently. Conference Club has been using the road for over 75 years and do not want to have restrictions. A packet was distributed to the Zoning Board of Appeals and a letter representing Attorney, Chad Pollard's opinion and Conference Point's position. There is an easement over the property and there are three different ways and three different interpretations that could be made by the Court: a prescriptive easement using the road openly, notoriously, hostilely, and continuously for over 20 years; by implication (specific to where the easement is located) and by necessity (over the whole property). Conference Point is landlocked and Conference Point does not need an easement. There is no need to negotiate with Congress Club, however, but to be neighborly, Conference Point wants to include them in the planning. The Congress Club wants to put restrictions on the use of the property. A review of the request made to the Zoning Board of Appeals in August, 2016 was explained where four conditions were required to obtain approval for the Variance. Suggestions were made by the Zoning Board of Appeals and a time line was given. This request will be brought forth to the March Zoning Board of Appeals.

Doug Swangren moved to adjourn the meeting at 7:40pm. Roy Grada seconded the motion. A vote was taken and carried unanimously by those present.

Jacqueline Hopkins, Village Clerk



williamsbay.org

VILLAGE OF WILLIAMS BAY

P.O. Box 580 • 250 Williams Street

Williams Bay, WI 53191

P: (262) 245-2700 • F: (262) 245-2705

Zoning Board of Appeals

Minutes

March 21, 2017

I. CALL TO ORDER

Doug Swangren called the meeting to order at 7:00 PM at the Village Hall, 250 Williams Street, Williams Bay, Wisconsin.

II. ROLL CALL

Present: Doug Swangren, Gregory Trush, Jim Killian, Patrick Byrnes, Jane Pegel, Mike Vanderbunt, Bill Duncan

Absent: Jerry Anderson, Building Inspector; David Jameson, Trustee
Quorum met.

III. **From the Chair:** Road agreement or run off control will not be discussed at this meeting. Road is up to the neighbors and run off is to be handled by the building inspector, DNR and architects.

IV. **Approval of Minutes:** Minutes of last meeting in question and not approved.

V. Review of Use Variance and Conditional Use Requests

A. Conference Point Camp

Street Address: 300 Conference Point Drive

Tax Parcel: WWUP 72

Applicant is requesting a Use Variance approval to raze and build two buildings and continue to utilize the buildings as dormitory living space. Applicant is also requesting a Setback Variance of 52.0 feet (150 feet required, leaving a 98 foot setback) and 140 feet (150 feet required leaving a 10 foot setback).

BOARD OF APPEALS DECISION: The Village of Williams Bay Zoning Board of Appeals, during the meeting of March 21, 2017 for the petition of Conference Point Camp requesting to raze and build two buildings and for a setback variance to section 18.0233 of 52.0 feet (150 feet required, leaving a 98 foot setback) and 140 feet (150 feet required leaving a 10 foot setback). APPROVED the Setback Variance Requests. Further, Conference Point Requested a Use Variance to continue to utilize the buildings as dormitory living space. The Board determined it did not have jurisdiction to hear the Use Variance request.

Mike Vanderbunt moved to APPROVE both of the Setback Vaiance requests. Jane Pegel seconded the motion. A roll call vote was taken and carried by a majority of those present.

3 – Aye (Doug Swangren, Mike Vanderbunt, Jane Pegel), 2 – Abstained (Greg Trush, Jim Killian), Patrick Byrnes was told he could not vote by Bill Duncan.

BOARD OF APPEALS FINDINGS: The Village of Williams Bay Board of Appeals with a quorum present and with a concurring vote of the majority has approved the requested setback variances provided for in Conference Point's Application based on the Board's review of the Application and statements at the public hearing, said approval based on the Board's satisfaction that the factors of Section 18.1215(D)(2)(a)-(e) have been met.

VI. Adjournment

Patrick Byrnes moved to adjourn the meeting and Jane Pegel seconded the motion. A vote was taken and carried unanimously by those present.

Submitted by: Liz Gasparac - Village Clerk

NOT APPROVED



williamsbay.org

08-15-2017 Zoning Board of Appeals Attachment IV.A.

VILLAGE OF WILLIAMS BAY

P.O. Box 580 • 250 Williams Street
Williams Bay, WI 53191
P: (262) 245-2700 • F: (262) 245-2705

Zoning Board of Appeals Minutes May 16, 2017

I. CALL TO ORDER

Jim Killian called the meeting to order at 7:00 pm in the Council Room at the Village Hall, 250 Williams Street.

II. ROLL CALL

Present: Jim Killian, George Vlach, Douglas Swangren, Jane Pegel, Pat Byrnes, Roy Grada.

Absent: Patty Duda (excused)
Quorum Present

III. Pledge of Allegiance

IV. Approval of Minutes: Minutes of March 21, 2017 meeting in question and not approved.

V. Public Hearing and Recommendation for a Variance

Bill Gage requests a variance to Zoning Code Section 18.0212, SF-6 Village Residential District.

Tax Key Number: WSU-25

Street Address: 14 Liechty Drive, Williams Bay, WI 53191

The petitioners request a variance to allow a 12.56' setback (30' required).

BOARD OF APPEALS DECISION: The Village of Williams Bay Zoning Board of Appeals, during the meeting of May 16, 2017 for the petition of **Bill Gage** requesting a variance to section 18.0212 of the Zoning Ordinance to allow a 12.56' setback

DENIED the Variance.

Douglas Swangren moved to **DENY** the request. George Vlach seconded the motion. A roll call vote was taken and carried unanimously by those present. The request was **DENIED**.

Motion Carried

BOARD OF APPEALS FINDINGS: The Board of Appeals denied the Variance due to incorrect information filed.

Douglas Swangren moved to adjourn at 7:39 pm. Roy Grada seconded the motion. All Aye.

Motion Carried

Submitted by: Liz Gasparac - Village Clerk



APPLICATION OF A VARIANCE

(Requirements per Zoning Ordinance Section 18.1215)

Applicant name: Gregory E. Wolf

Applicant address: 9 Dartmouth Woods, Williams Bay, WI 53191

Applicant phone number: (262) 245-1196

Address of subject site: 9 Dartmouth Woods, Williams Bay, WI 53191

Current zoning of subject site: SF1

Current land use of subject site: Single Family Residence

Written description of the proposed variance: To expand the existing deck so that the dimensions are 7' from the house to the West, 14' from the house to the South, and in line with the existing wall closest to the lot line to the East. Also, to build a screened-in porch below the Southeast corner of the proposed deck.

Written justification for the proposed variance (or attach as a separate sheet): See attached sheet.

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 27th day of JUNE, 2017

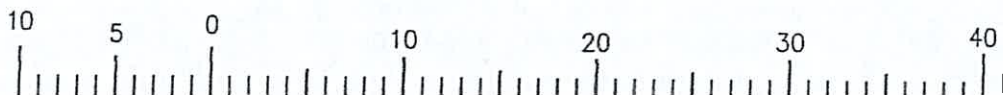
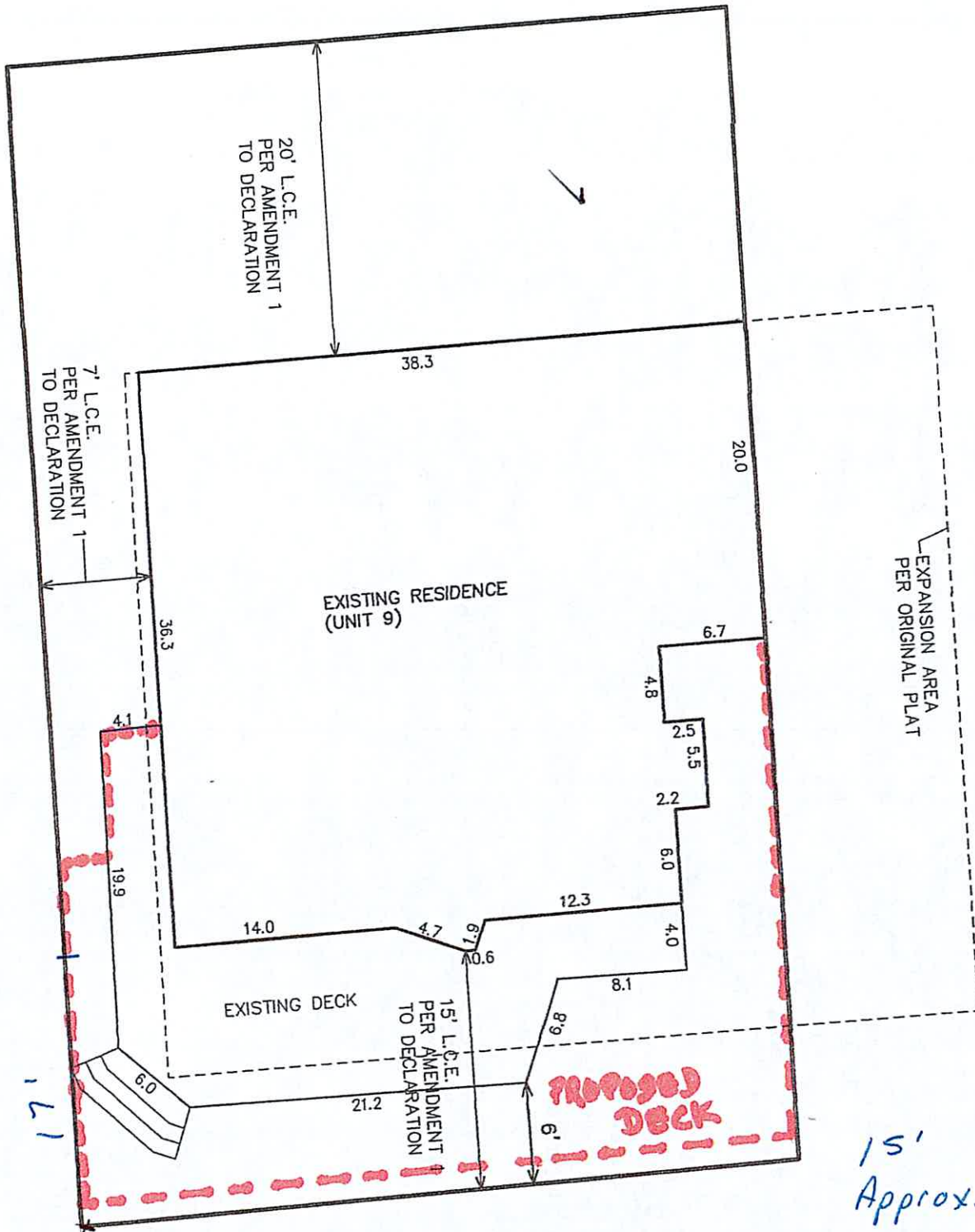
Respectfully submitted,

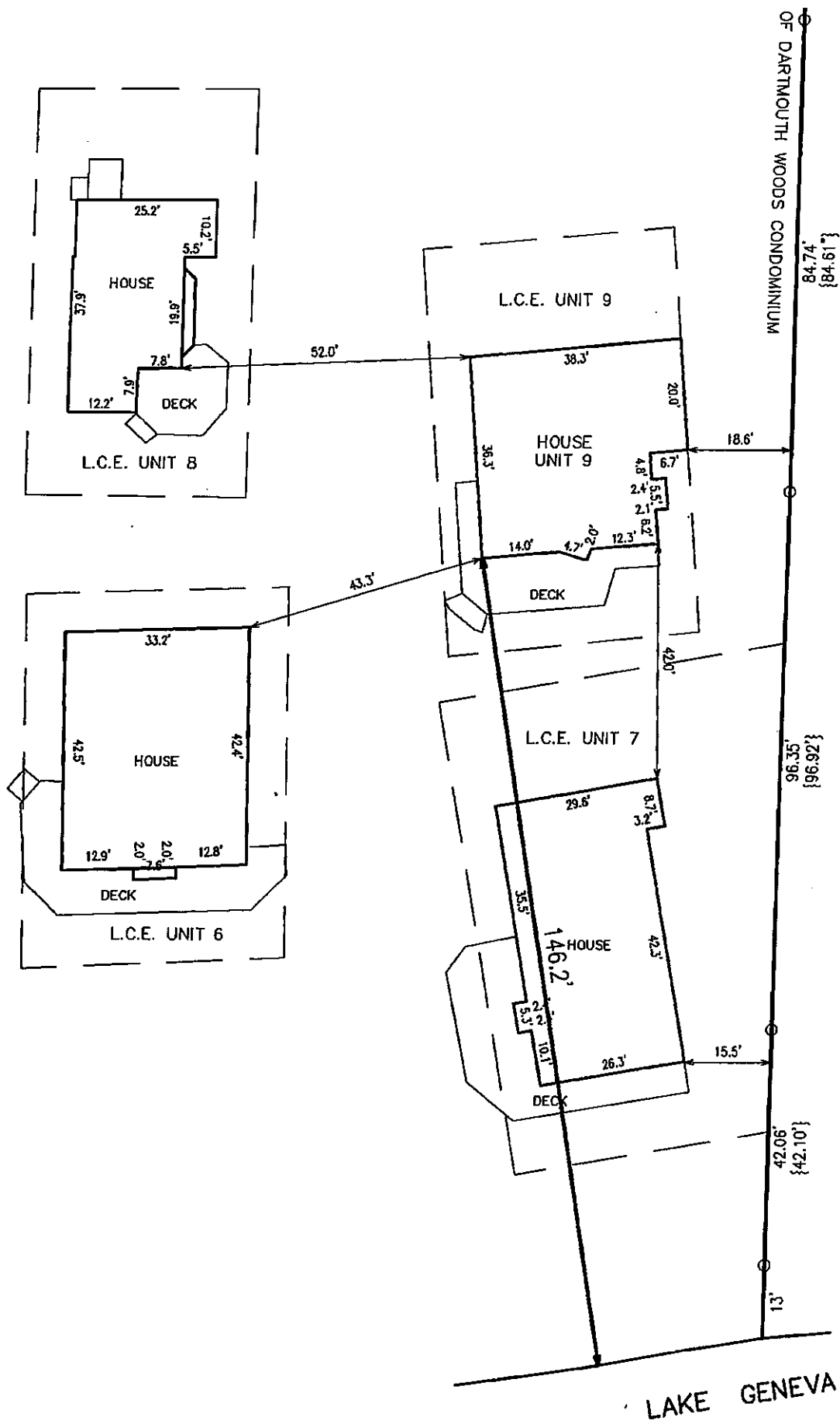
Gregory E. Wolf
(Signature of Applicant)

Written justification for the proposed variance: This property has unique property limits. We are extending the deck to the existing wall on the East side of the house. The result is that the SE corner of the deck will be ~ 15' from the lot line, which is in accordance with our amended Declarations and less intrusive than the expansion area on the original plat. The house to our south, Unit 7, is ~ 15' from the lot line, and a building on the adjacent property to the east is ~ 15' from the lot line.

TOWN 1 NORTH, RANGE 16 EAST
VILLAGE OF WILLIAMS BAY, WALWORTH COUNTY, WI.

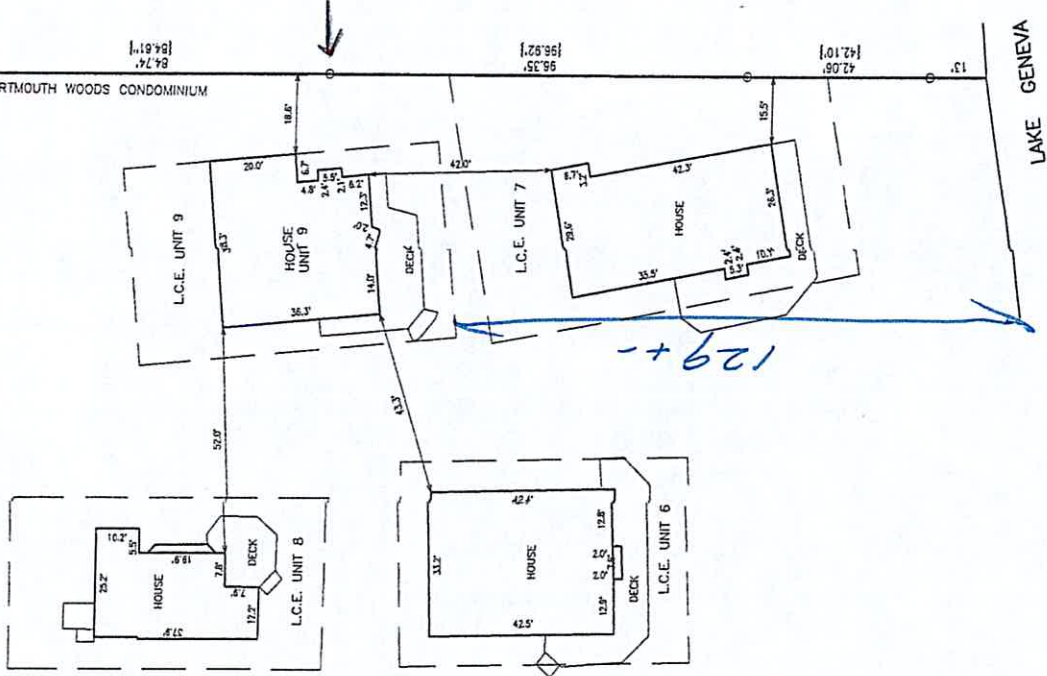
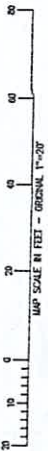
ORDERED BY: LOWELL MANAGEMENT
401 GENEVA NATIONAL AVE SUITE 6
LAKE GENEVA, WI. 53147





HOUSE LOCATION UNIT 9 DARTMOUTH WOODS CONDOMINIUM

PART OF THE S.W. 1/4 OF THE SE. 1/4 SECTION 1
TOWNSHIP 1 NORTH, RANGE 16 EAST
VILLAGE OF WILLIAMS BAY, WISCONSIN



LEGEND
O = FOUND IRON PIPE STAKE, 1 3/8" O.D.

NOTE: COPIES OF THIS MAP TO WHICH THE FOLLOWING CERTIFICATE WILL APPLY SHOW THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK. COPIES BY ANY OTHER MEANS MAY HAVE ALTERATIONS WHICH DO NOT REPRESENT THE SURVEYOR'S WORK PRODUCT.

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE LOCATION OF THE EXISTING UNIT BOUNDARIES AND IMPROVEMENTS FOR UNITS 6, 7, 8, AND 9 OF DARTMOUTH WOODS CONDOMINIUM RELATIVE TO THE EAST LINE OF SAID CONDOMINIUM AS SHOWN AND BELIEF. NOTE: THIS IS NOT A SURVEY AS DEFINED IN CHAPTER A-E 7 OF WISCONSIN ADMINISTRATIVE CODE.

DATED: 5/31/2017

BRIAN M CARLSON PLS NO. 2039

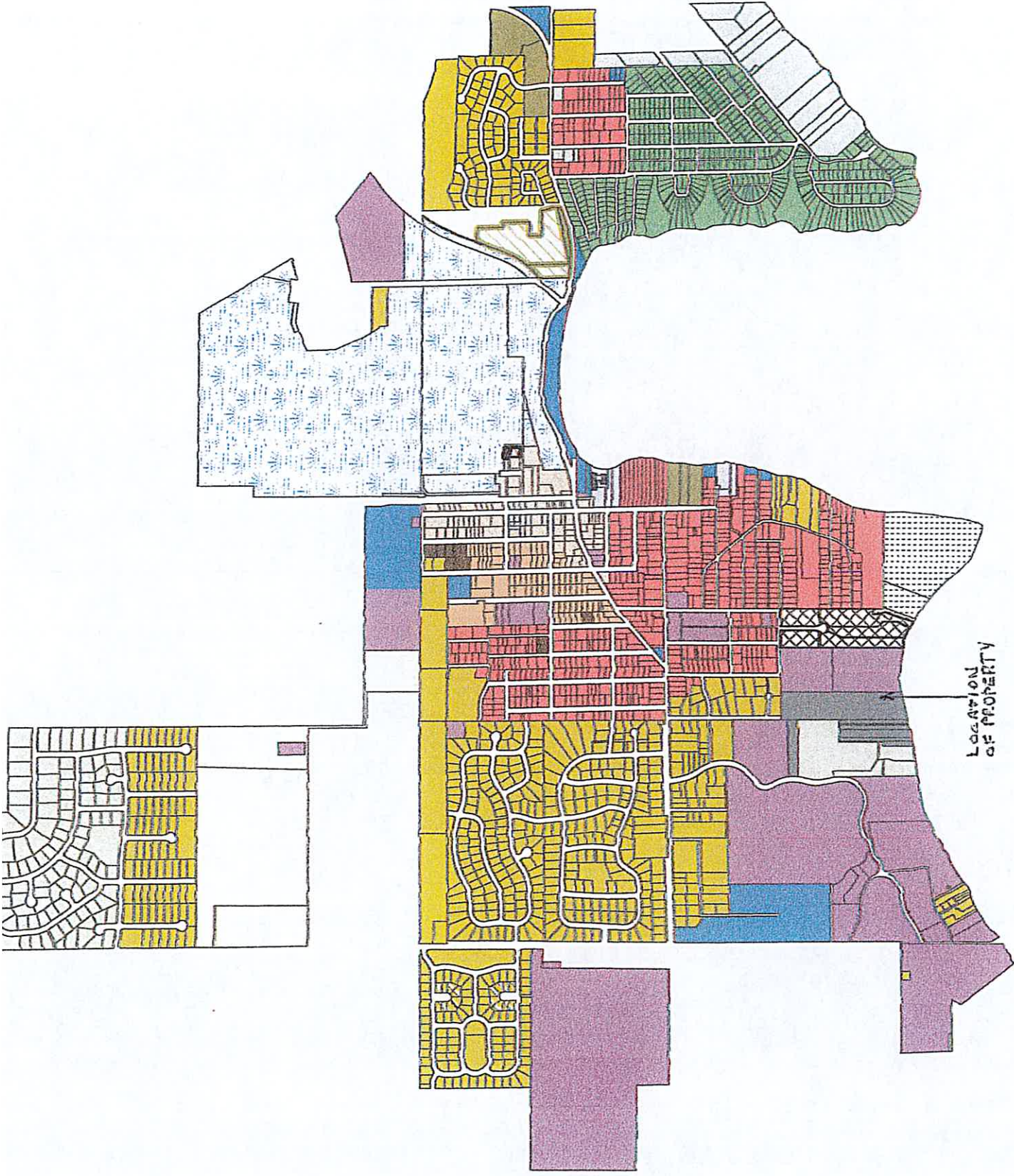
HOUSE LOCATION
WILLIAMS BAY, WI.

WORK ORDERED BY -
GREG WOLF
9 DARTMOUTH ROAD
WILLIAMS BAY, WI.

FARRIS, HANSEN & ASSOCIATES, INC.
ENGINEERING - ARCHITECTURE - SURVEYING
7 RIDGWAY COURT
P.O. BOX 437
BROOKLYN, WISCONSIN 53121
OFFICE: (262) 723-2098 FAX: (262) 723-5986

REVISIONS

PROJECT NO.
9730.17
DATE
5/26/2017
SHEET NO.
1 OF 1



Zoning
parcels2010_NewZones
ZONING

AG	EC Overlay	ER	LI	LSB	MF-12	MF-18	MF-18 (PDO OVER)	P&I	P&R	P&R (EC OVER)	P-I (EC OVER)	SB	SF-1	SF-1 (PDO OVER)	SF-2	SF-3	SF-3 (PDO OVER)	SF-6	SF-CPP	TF	VC	VC (EC OVER)

Sorry, this should have been included in our recent correspondence.

Amendment I to Declaration

EASEMENTS, RESTRICTIONS, COVENANTS AND
BY-LAWS FOR
STAM WOODS CONDOMINIUM
WILLIAMS BAY, WALWORTH COUNTY, WISCONSIN 53191

WHEREAS, the Declarant, WILLABAY SHORES DEVELOPMENT COMPANY, recorded in the Office of the Register of Deeds in and for Walworth County, Wisconsin, the Declaration of Condominium of STAM WOODS on the 11th day of November, 1983; and

WHEREAS, after said recording, the Administration of said Condominium was vested in a Board of Directors, and

WHEREAS, said Board of Directors desire to amend said Condominium Declaration pursuant to the powers as provided therein in the following particulars:

NOW, THEREFORE, the Board of Directors for the purpose set forth above, declares as follows:

1. AMENDMENT Name of the Condominium shall be changed from STAM WOODS CONDOMINIUM and shall henceforth be named "DARTMOUTH WOODS CONDOMINIUM".

2. AMENDMENT Article III, Paragraph E is hereby amended to provide as follows:

E. LIMITED COMMON ELEMENTS

1. Each Unit owner shall have the exclusive use of a one-ninth proportionate share of the lakefront pursuant to rules and regulations promulgated by the Board. Each Unit Owner shall have the right to maintain a pier and "shore station". Any Unit Owner who owns two or more Units, wherein the Limited Common Elements are contiguous to each other, may maintain one "H" pier instead of two or more individual piers. However, should said Unit Owner divest himself of the ownership of all but one Unit, he must also discontinue to use of the "H" pier and be in conformance with other Unit Owners.

2. The areas between the Units numbered 1, 2, 3, 4 and 5 and Limited Common Areas and the areas are limited to the use and enjoyment of the two adjacent Units.

The areas fifteen (15) feet in front and twenty (20) feet in back of each of the Units numbered 1, 2, 3, 4 and 5 shall be a limited common elements for those Units.

Unit number 5 shall have a limited common element of seven (7) feet on the East side.

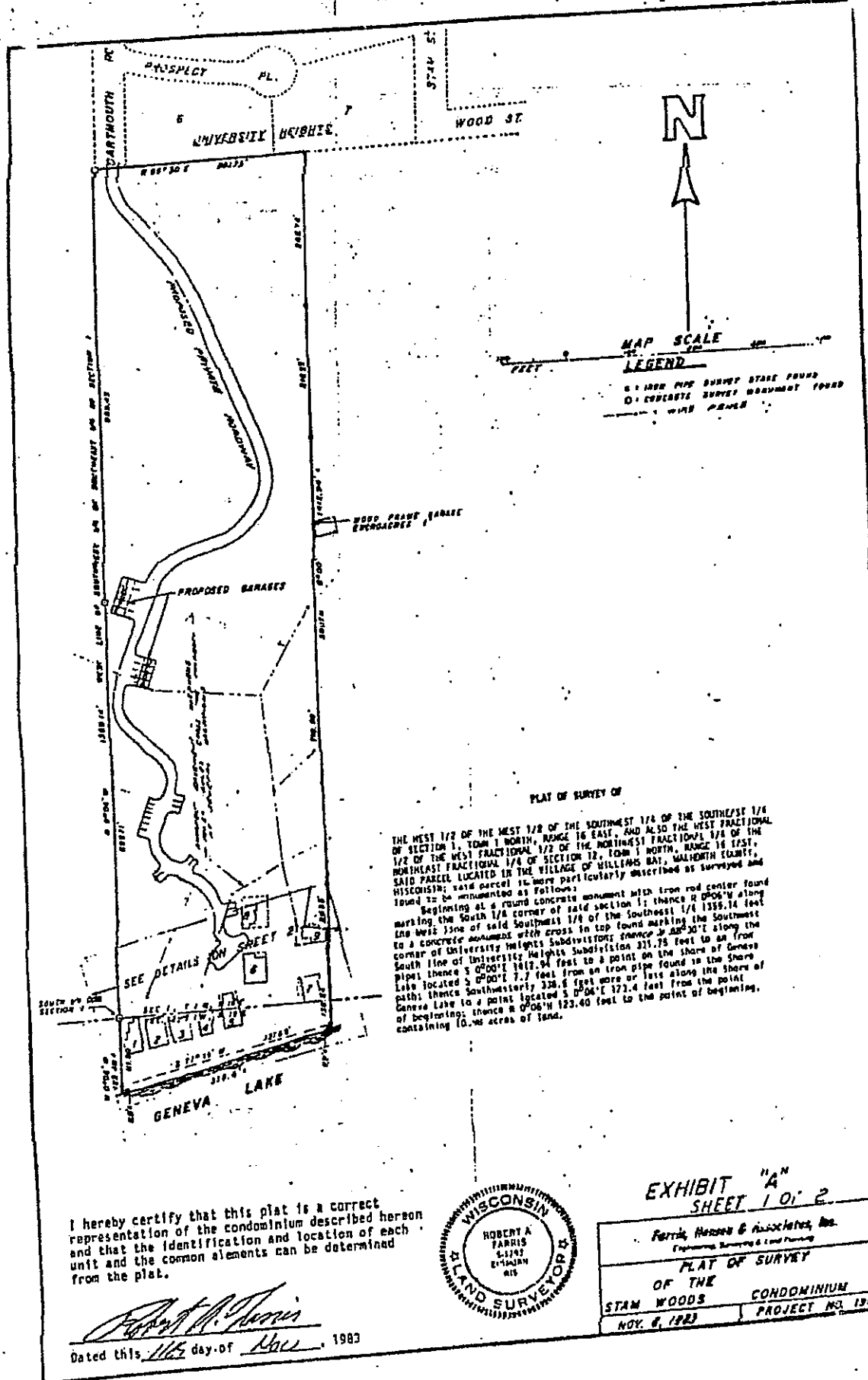
Unit number six (6) shall have a limited common element of seven (7) feet on the East, West and North sides and fifteen (15) feet in the front or South side.

Unit number seven (7) shall have a limited common element of fifteen (15) feet in the front, twenty (20) feet in the back, seven (7) feet to the West of the deck area and shall extend from the Unit to the property line on the East side.

Unit number one (1) shall have a limited common element on the West side extending from the Unit to the West property line.

Units 8 and 9 shall have a limited common element of fifteen (15) feet on the South, twenty (20) feet to the North, and seven (7) feet to the West.

Unit 8 shall have seven (7) feet to the East and Unit 9 shall extend East to the property line. Nothing herein stated shall in any way diminish the property rights of Units 8 and 9 which already extend beyond the Unit perimeters pursuant to Article II, Paragraph C and the heretofore filed survey delineating such areas.



PLAT OF SURVEY OF
THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 1, TOWN 1 NORTH, RANGE 16 EAST, AND ALSO THE WEST FRACTIONAL
1/2 OF THE WEST FRACTIONAL 1/2 OF THE NORTHWEST 1/4 OF THE
NORTHWEST 1/4 OF SECTION 12, TOWN 1 NORTH, RANGE 16 EAST,
SAYD PARCEL LOCATED IN THE VILLAGE OF MILLERS BAY, WASHINGTON COUNTY,
WISCONSIN; said parcel is more particularly described as surveyed and
found to be monumented as follows:
Beginning at a round concrete monument with iron rod center found
marking the South 1/4 corner of said section 1; thence N 0° 06' 14" along
the West line of said Southwest 1/4 of the Southwest 1/4 1335.14 feet
to a concrete monument with cross in top found marking the Southwest
corner of University Heights Subdivision; thence S 89° 30' E along the
South line of University Heights Subdivision 325.75 feet to an iron
pipe located S 0° 00' E 7.7 feet from an iron pipe found in the shore of
Lake Geneva to a point located S 0° 06' E 123.4 feet from the point
of beginning; thence S 0° 06' E 123.40 feet to the point of beginning,
containing 10.46 acres of land.

I hereby certify that this plat is a correct
representation of the condominium described hereon
and that the identification and location of each
unit and the common elements can be determined
from the plat.

Robert A. Harris
Dated this 11th day of Nov, 1983



EXHIBIT "A"
SHEET 1 OF 2

Ferris, Hansen & Associates, Inc.
Engineering, Surveying & Land Planning

PLAT OF SURVEY
OF THE
STAM WOODS CONDOMINIUM
NOV. 6, 1983 PROJECT NO. 130

**Figure 18.0208:
Density, Intensity, and Bulk Regulations in the Estate Residential Zoning District**

	Residential Uses	Nonresidential Uses
Minimum Off-Street Parking Requirement	Per Section 18.0300	
Accessory Structures	Refer to Section 18.0303B for additional requirements	
Accessory Structure Setback from Principal Building	10 feet	
Accessory Structure Interior Side Yard Setback	5 feet (less than 200 square foot structure; 10 feet (more than 200 foot structure)	
Accessory Structure Rear Yard Setback	5 feet (less than 200 square foot structure; 10 feet (more than 200 foot structure) 60 feet (all accessory structures) from Cedar Point Drive	
Maximum Accessory Structure Height	15 feet	

** For additional setback standards applicable to residential garages, see Section 18.0315I.*

18.0209 SF-1 Low Density Residential District

- A. Description and Purpose. This district is intended to permit single-family residential development at a low density of one dwelling per acre. Density and intensity standards for this district are designed to ensure that the existing character of areas zoned in Large-Lot Residential are protected and preserved.
- B. Principal Land Uses Permitted by Right.
1. Single-Family (per Section 18.0306A)
 2. Selective Cutting (per Section 18.0307D)
 3. Public Services and Utilities (per Section 18.0308D)
 4. Community Living Arrangement (1-8 Residents) (per Section 18.0308F)
 5. Passive Outdoor Recreation (per Section 18.0309A)
 6. Active Outdoor Recreation (per Section 18.0309B)
- C. Principal Land Uses Allowed by Conditional Use Permit (see Section 18.1207).
1. Cultivation (per Section 18.0307A)
 2. Clear Cutting (per Section 18.0307E)
 3. Community Garden (per Section 18.0307H)
 4. Market Garden (per Section 18.0307I)
 5. Indoor Institutional—General (per Section 18.0308A)
 6. Indoor Institutional—Intensive (per Section 18.0308B)
 7. Outdoor Open Space Institutional (per Section 18.0308C)
 8. Bed and Breakfast Establishment (per Section 18.0310J)
 9. Large Developments (per Section 18.0821)
 10. Group Developments (per Section 18.0821)
- D. Accessory Uses Permitted by Right.
1. Home Occupation (per Section 18.0315A)
 2. Family Daycare Home (4-8 children) (per Section 18.0315B)
 3. In-Home Suite (per Section 18.0315D)
 4. Residential Garage or Shed (per Section 18.0315I)
 5. Residential Recreational Facility (per Section 18.0315J)

6. On-Site Parking (per Section 18.0315L)
 7. Exterior Communications Device (per Section 18.0315R)
 8. Lawn Care (per Section 18.0315SS)
 9. Stormwater Facilities (per Section 18.0315T)
 10. Small Solar Energy System (per Section 18.0315V)
- E. Accessory Uses Allowed by Conditional Use Permit (see Section 18.1207).
1. Intermediate Daycare Home (9-15 children) (per Section 18.0315C)
 2. Filling (per Section 18.0315Y)
- F. Allowable Temporary Uses.
1. Temporary Outdoor Assembly (per Section 18.0316C)
 2. Temporary Shelter Structure (per Section 18.0316D)
 3. Temporary Portable Storage Unit (per Section 18.0316E)
 4. Temporary Construction Storage (per Section 18.0316F)
 5. Temporary Relocatable Building (per Section 18.0316G)
 6. Temporary Garage or Estate Sale (Auction) (per Section 18.0316H)
- G. Overlay District Requirements. All lots, uses, structures, and site features within one or more overlay zoning districts (see Section 18.0700) shall be subject to the regulations of the applicable overlay zoning district in addition to those of the underlying standard zoning district. Where there are conflicts between the standard zoning district regulations and the overlay zoning district regulations, the more restrictive requirements shall prevail.
- H. Performance Standards. All allowed uses in the SF-1 zoning district shall comply with applicable performance standards of Section 18.0800, except for any exemptions specifically stated in this Chapter or any other agency with jurisdiction.
- I. Landscaping Regulations. Single-family land uses are exempt from landscaping requirements. All other land uses in the SF-1 zoning district shall adhere to the applicable landscaping requirements in Section 18.0900.
- J. Signage Regulations. All signs in the SF-1 zoning district shall comply with applicable provisions of Section 18.1000.
- K. Nonconforming Situations. Any nonconforming lot, use, structure, and/or site shall adhere to the provisions of Section 18.0600.
- L. Density, Intensity, and Bulk Regulations. Density, intensity, and bulk regulations specific to the SF-1 zoning district are detailed in Figure 18.0209. See Sections 18.0400 and 18.0500 for additional requirements applicable to all zoning districts.

Figure 18.0209:**Density, Intensity, and Bulk Regulations in the Low Density Residential Zoning District**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	1 acre	2 acres
Maximum Gross Density	1 du per acre	N/A
Minimum Gross Floor Area	Total du: 1,500 sf 2-story du, 1 st level: 900 sf 3-story du, each level: 500 sf	N/A
Maximum Building Coverage of Lot	30 percent	

**Figure 18.0209:
Density, Intensity, and Bulk Regulations in the Low Density Residential Zoning District**

	Residential Uses	Nonresidential Uses
Minimum Landscape Surface Ratio	50 percent	
Minimum Lot Width	200 feet	
Minimum Front and Street Side Yard Setback	30 feet*	
Minimum Shore Yard Setback	150 feet	
Minimum Interior Side Yard Setback	30 feet	
Minimum Rear Yard Setback	30 feet	
Maximum Principal Building Height	35 feet	
Minimum Principal Building Separation (multi-structure developments on shared lots)	30 feet	
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	3 feet	
Minimum Off-Street Parking Requirement	Per Section 18.0300	
Accessory Structures	Refer to Section 18.0303B for additional requirements	
Accessory Structure Setback from Principal Building	10 feet	
Accessory Structure Interior Side Yard Setback	5 feet (less than 200 square foot structure; 10 feet (more than 200 foot structure)	
Accessory Structure Rear Yard Setback	5 feet (less than 200 square foot structure; 10 feet (more than 200 foot structure)	
Maximum Accessory Structure Height	15 feet	

* For additional setback standards applicable to residential garages, see Section 18.0315I.

18.0210 SF-2 Large Lot Residential District

- A. Description and Purpose. This district is intended to permit single-family residential development at a density of two dwelling units per acre. Density and intensity standards for this district are designed to ensure that the character of areas zoned Low Density Residential are protected and preserved.
- B. Principal Land Uses Permitted by Right.
1. Single-Family (per Section 18.0306A)
 2. Selective Cutting (per Section 18.0307D)
 3. Public Services and Utilities (per Section 18.0308D)
 4. Community Living Arrangement (1-8 Residents) (per Section 18.0308F)
 5. Passive Outdoor Recreation (per Section 18.0309A)
 6. Active Outdoor Recreation (per Section 18.0309B)
- C. Principal Land Uses Allowed by Conditional Use Permit (see Section 18.1207).
1. Cultivation (per Section 18.0307A)
 2. Clear Cutting (per Section 18.0307E)
 3. Community Garden (per Section 18.0307H)
 4. Market Garden (per Section 18.0307I)



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9 Dartmouth Rd, Williams Bay, WI 53191

~~\$3,495,000~~





















CRAMER MULTHAUF LLP

ATTORNEYS

Matthew M. Fernholz

1601 EAST RACINE AVENUE STE 200
POST OFFICE BOX 558
WAUKESHA, WISCONSIN 53187-0558
TELEPHONE (262) 542-4278
FACSIMILE (262) 542-4270
mmf@cmlawgroup.com
www.cmlawgroup.com

October 7, 2025

Via Email & U.S. Mail

zoning@vi.williamsbay.wi.gov

Village of Williams Bay Zoning Board of Appeals
c/o Allison Schwark, Zoning Administrator
P.O. Box 580
250 Williams Street
Williams Bay, WI 53191

Re: Use Variance Request from Thomas and Laurie Beda

To Whom It May Concern:

This firm represents Greg and Linda Wolf, who reside in Unit 9 of the Dartmouth Woods Condominium Association, with respect to their objections to the Bedas' proposed expansion of Unit 7. This letter sets forth the Wolfs' position and legal basis for their objections to the requested variance filed by the Bedas for their expansion. It is our understanding that the Board intends on hearing this requested variance and voting on it at the October 21st meeting. My clients and I intend to attend this meeting.

As you are aware, to qualify for a variance an applicant carries the burden of proof to demonstrate that all three elements defined in our state statutes and case law are met. Those elements are 1) unnecessary hardship, 2) due to unique conditions of the property, and 3) there is no harm to the public interest if the variance is granted. The Bedas application fails to prove any of these three elements.

For an area variance, unnecessary hardship exists only when compliance "would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome." *Snyder v. Waukesha Cnty. Zoning Bd. of Adjustment*, 74 Wis. 2d 468, 475, 247 N.W.2d 98 (1976). In this case, the Bedas cannot carry their burden of proving unnecessary hardship because the property is currently habitable and usable. The Bedas acknowledge that their property is already a nonconforming structure and if this variance were granted it would further increase the nonconformity of an already nonconforming structure. As our Supreme Court has noted, the "showing of natural growth of a family and personal inconvenience do not constitute practical difficulties or unnecessary hardship

which justify a variance.” *Snyder v. Waukesha Cnty. Zoning Bd. of Adjustment*, 74 Wis. 2d 468, 478, 247 N.W.2d 98 (1976). The Bedas’ desire to add two bedrooms to their existing residence, and their inability to do so within the present zoning conditions, is not an acceptable justification to meet the unnecessary hardship element.

The second element is intertwined with the first element as it requires the applicant to prove that the unnecessary hardship is due to unique physical limitations of the property. *State ex rel. Ziervogel v. Washington Cnty. Bd. of Adjustment*, 2004 WI 23, ¶ 20, 269 Wis. 2d 549, 676 N.W.2d 401 (“The hardship must be based on conditions unique to the property rather than considerations personal to the property owner”). The Bedas will also fail to carry their burden on this element. There are many homes and properties within the Village of Williams Bay that operate as legally nonconforming structures based upon their construction before the implementation of the current shoreline and area setback requirements. There is nothing within the Bedas’ application that suggests their currently constructed property has such unique characteristics to warrant granting the variance.

The last element considers whether granting the requested variance would be contrary to the public interest. *State ex rel. Ziervogel v. Washington Cnty. Bd. of Adjustment*, 2004 WI 23, ¶34, 269 Wis. 2d 549, 676 N.W.2d 401. The Bedas will also fail to meet this element as the requested variance, if approved, would have a substantial impact on the Wolfs’ personal enjoyment and use of their own property. Attached to this letter are two pictures from the Wolf property which demonstrate the harm to the Wolfs’ property and potential detrimental effects to the larger public interest. The property where this variance is being requested lies within a SF-1 Low-Density Residential District. The setback requirements established in this part of the zoning ordinance are “designed to ensure that the existing character of areas zoned in Low-Density Residential are protected and preserved.” Village of Williams Bay Zoning Code, Chapter 390, Art. 2, § 390-0209. Allowing this variance to the Bedas will change the existing character of the area, affect the Wolfs’ view of the lake, and likely affect the property value of the Wolfs’ property. Allowing this variance would harm the public interest as it would take away from the scenic beauty of the views of the lake and affect the overall nature of the community.

The applicants are likely to point towards the approval of other condominium owners within their association as a basis for granting the variance, but that merely demonstrates the consequences that may arise if the Board grants this variance. If the Board grants a variance for the Bedas, the standard will be established that other condominium owners can seek and gain approval for variances for their properties. The consequences of granting a variance could create a cascading effect where every property owner who wants to add on to their property would seek a variance from the Board. The Board should consider “the purpose of the zoning law, the effect on the property, the effect of a variance on the neighborhood, and the larger public interest” when deciding whether to grant this variance. *Driehaus v. Walworth Cnty.*, 2009 WI App 63, ¶27, 317 Wis. 2d 734, 767 N.W.2d 343. The Board would set a precedent that any condominium owner could obtain a variance from the Board as long as the condominium association approves of the addition or construction. This would eviscerate the purposes of the zoning code to maintain and preserve the scenic views of the lake.

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October 7, 2025
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Thank you for your attention regarding this matter.

Sincerely,

s/ Matthew Fernholz

Matthew Fernholz

MMF
Enclosures

cc: Clients



