



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, DECEMBER 16, 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 November 18, 2025

V. Variance Application

A. Motion to Open Public Hearing - All interested in this matter are invited to attend
APPLICANT(S): Elain Macalister (Applicant), Jops and Macalister Family Trust (Owners)
TAX KEY NUMBER: WLV2 00005

STREET ADDRESS: 43 Lower Loch Vista Drive, Williams Bay, WI 53191

The applicants request a variance to zoning code section 390-0212, SF-6 Village Residential District, to allow a basement and first floor building addition that would convert an existing three season room to living space that already exists within the required rear yard setback of 30 feet. The applicant is requesting a 5.9-foot rear yard setback.

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: 12/10/2025 5:00 PM



VILLAGE OF WILLIAMS BAY

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Phone: 262-245-2700

UNOFFICIAL MINUTES ZONING BOARD OF APPEALS MEETING MEETING TUESDAY, NOVEMBER 18, 2025 AT 6:30 PM VILLAGE HALL COUNCIL ROOM 250 WILLIAMS STREET WILLIAMS BAY, WI 53191

I. Call to Order

Clerk Kolls called the meeting to order at 06:30pm.

II. Roll Call

Present: Trustee Robert Umans, Commissioners Dennis Costello, Tom Lothian, Mike Fieweger, Matt Robbins

Also Present: Zoning Administrator Allison Schwark, Clerk Tina Kolls

Excused: Trustee George Vlach

The motion to select Trustee Umans to chair the remainder of the meeting was initiated by Commissioner Lothian and seconded by Commissioner Fieweger. Unanimously Carried.

III. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

IV. Minutes

A. Zoning Board of Appeals Meeting Minutes of November 3, 2025

The motion to approve the Zoning Board of Appeals Meeting Minutes of November 3, 2025 was initiated by Commissioner Robbins and seconded by Commissioner Lothian. Unanimously carried.

V. Variance Application

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

APPLICANT(S): Rafael and Karen Rodriguez (Owner)

TAX KEY NUMBER: WOP 00215

STREET ADDRESS: 220 W Geneva Street, Williams Bay, WI 53191

The applicant is requesting a variance per section 390.0315.l(6)(c) and 390.0315.l(7) to construct an accessory structure having a footprint of 1,925 square feet (maximum of 1,000 square feet allowed) and a height of 20 feet (maximum of 15 feet allowed).

Trustee Umans opened the public hearing at 06:33 pm.

Rafael Rodriguez, 220 W Geneva St, explained they were asking for 1000 feet from both lots so that they can put all of their stuff inside. Rodriguez explained he cannot put his truck in the current garage. Rodriguez explained that he has had multiple surgeries and it is hard to work outside. Rodriguez stated he could better maintain the property if everything could be stored inside. Rodriguez explained that the need for the higher roof was to be able to maintain his classic cars.

Letter from Dennis and Patricia Kuper, 22 Hill Street was received in support.
There was no one who spoke in opposition.

B. Motion to Close Public Hearing

Trustee Umans closed the public hearing at 06:47 pm.

C. Consideration and possible action on recommendation of Variance

The motion to deny the variance per section 390.0315.l(6)(c) and 390.0315.l(7) to construct an accessory structure having a footprint of 1,925 square feet (maximum of 1,000 square feet allowed) and a height of 20 feet (maximum of 15 feet allowed) was initiated by Trustee Umans and seconded by Commissioner Fieweger. Unanimously carried.

Votes:

Yes: Trustee Umans, Commissioners Costello, Lothian, Fieweger and Robbins

No: None

Abstain: None

Result: Passes

VI. Adjournment

The motion to adjourn was initiated by Trustee Umans and seconded by Commissioner Costello at 06:52pm.
Unanimously carried.

/s/ Tina Kolls, Village Clerk

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

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
December 16, 2025 at 6:30 PM
Village Hall Council Room
250 Williams Street

APPLICANT(S): Elain Macalister (Applicant), Jops and Macalister Family Trust (Owners)

TAX KEY NUMBER: WLV2 00005

STREET ADDRESS: 43 Lower Loch Vista Drive, Williams Bay, WI 53191

Applicants request a variance to zoning code section 390-0212, SF-6 Village Residential District, to allow a basement and first floor building addition that would convert an existing three season room to living space that already exists within the required rear yard setback of 30 feet. The applicant is requesting a 5.9-foot rear yard setback.

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 November 26, 2025, and December 3, 2025
Kenosha News



APPLICATION OF A VARIANCE

(Requirements per Zoning Ordinance Section 18.1215)

Applicant name: Elain MacAlister

Applicant address: 43 Lower Lock Vista

Applicant phone number: 630-267-1088

Address of subject site: 43 Lower Lock Vista

Current zoning of subject site: Residential

Current land use of subject site: Residence

Written description of the proposed variance: I would like to remove our existing 3 season room and turn it into year round living space by adding a basement and 1st floor addition.

I would need to utilize the footprint of the sunroom plus an additional 4' to the east

Written justification for the proposed variance (or attach as a separate sheet): _____

As I am getting older I will need my washer and dryer to be on the main floor as I will not always be able to do the stairs. The house is very small so using exiting living space will make it harder for me to live in the house full time.

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 18 day of November, 2025

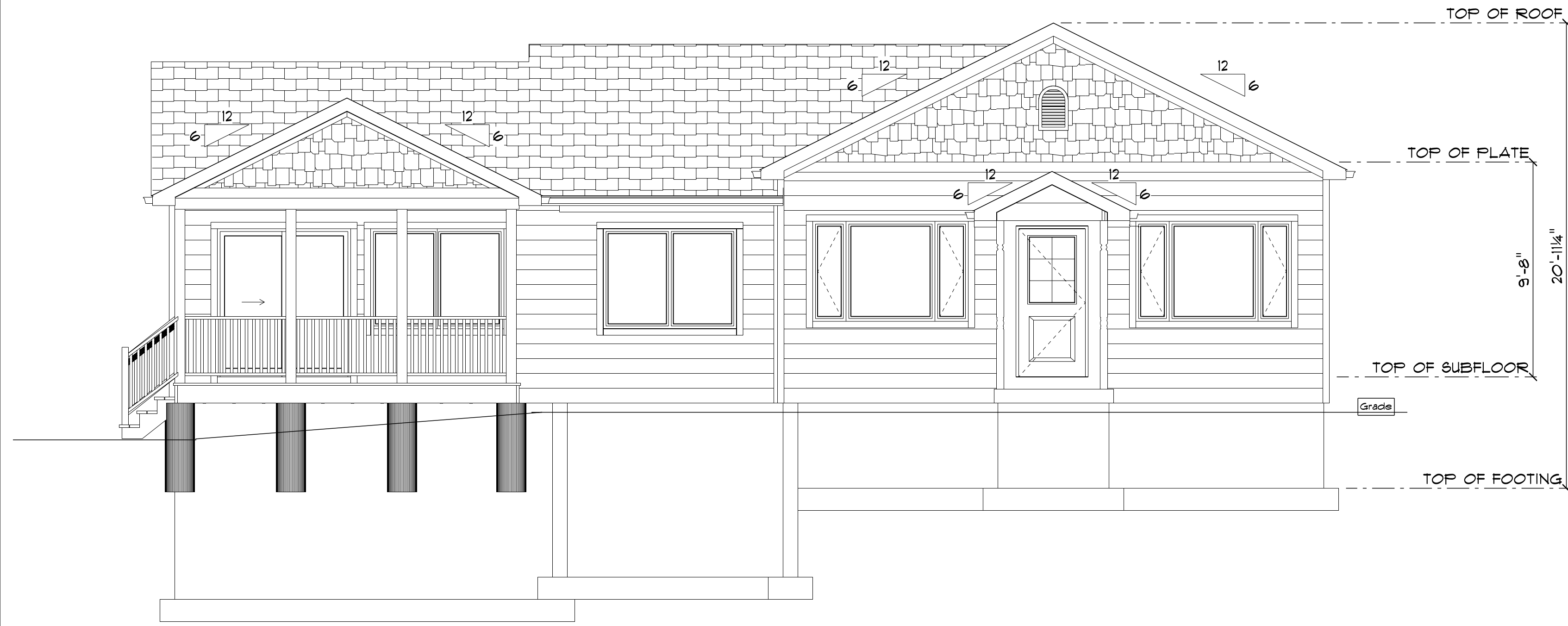
Respectfully submitted,

(Signature of Applicant)

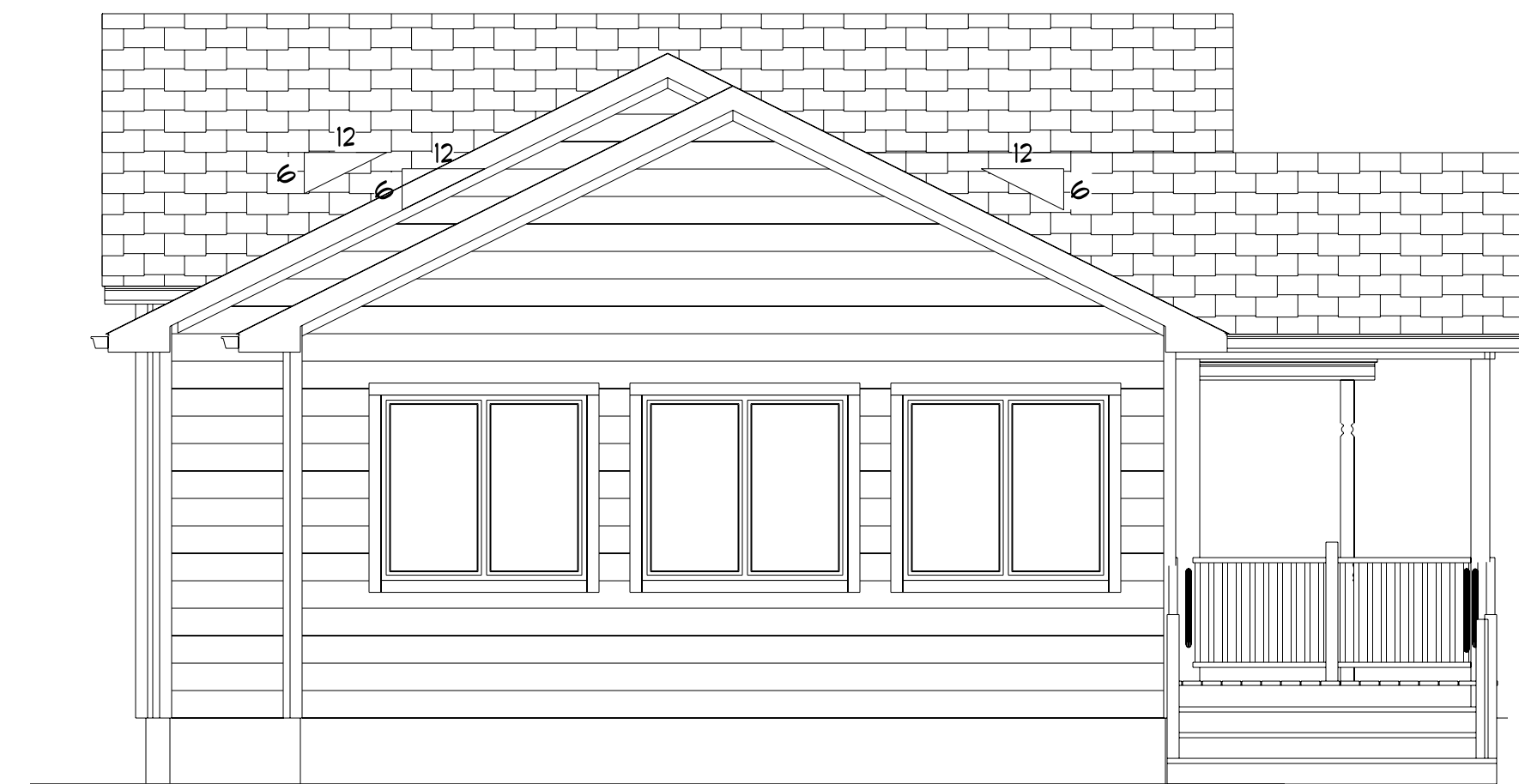
Record of Administrative Procedures for Village Use

- 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 Date: _____ By: _____
(Within 30 days of certification application as complete by Zoning Administrator)
- Review/ action by Zoning Board of Appeals Date: _____ By: _____
(Within 30 days of public hearing)

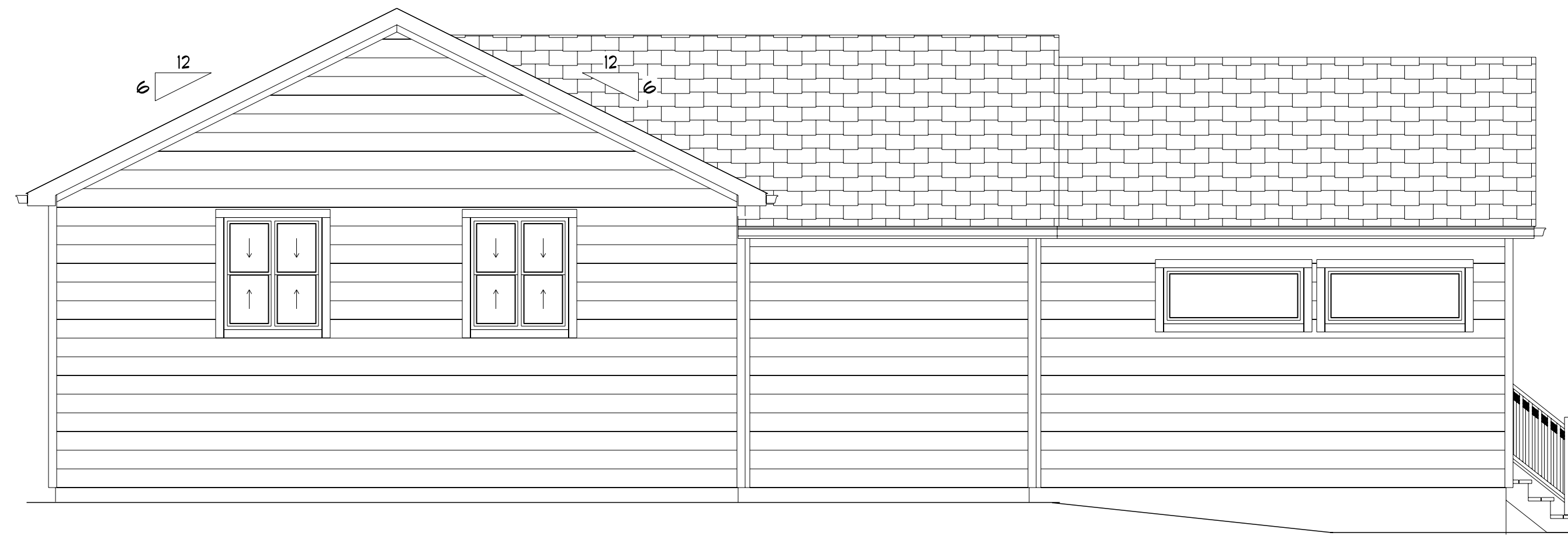
Need by Nov. 19th



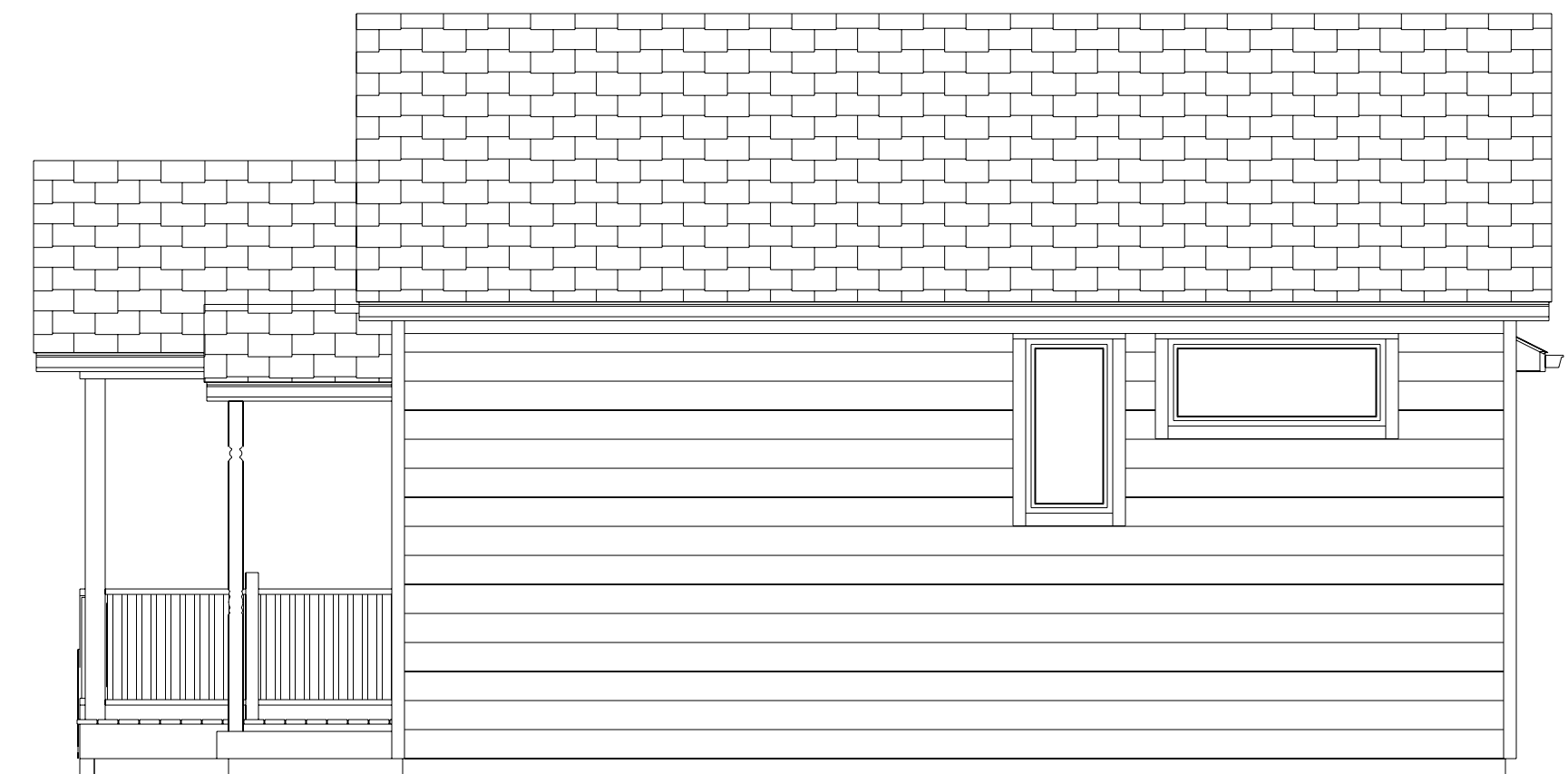
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Elain MacAlister
PHONE: 262.206.0829
FAX:
MOBILE:
43 Lower Loch Vista
Williams Bay
WI
53191

SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

Mackay Builders LLC

PHONE: 262.206.0829
FAX:
MOBILE:
tyan_mackay74@yahoo.com

SCALE: 1/4" = 1'-0"

DRAWN BY:

DATE: Sunday, November 16, 2025

SECTION LETTER

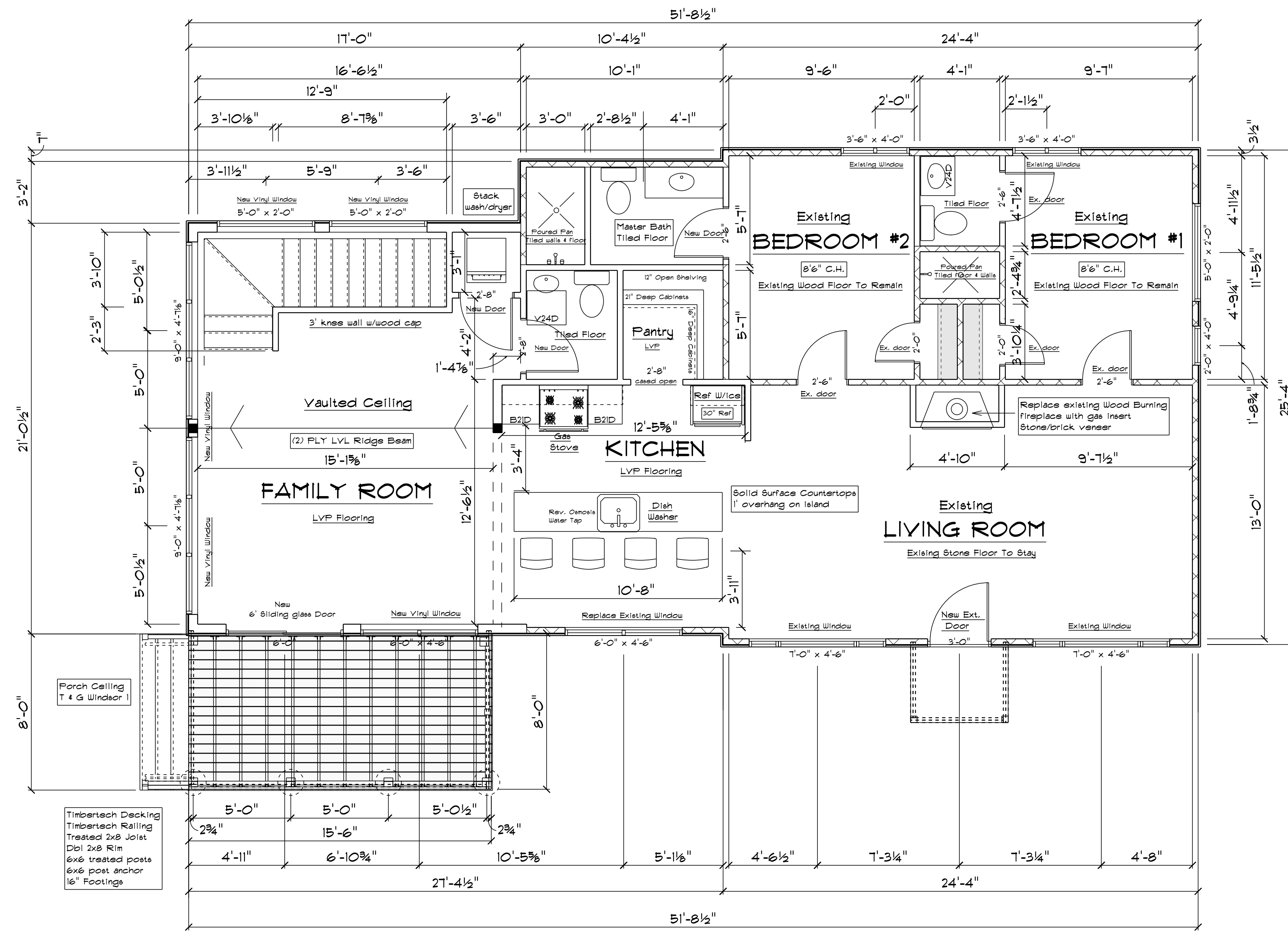
A
11

PAGE NUMBERS

APPROVED:

CHECKED BY:

PAGE: /



Existing Wall to Remain

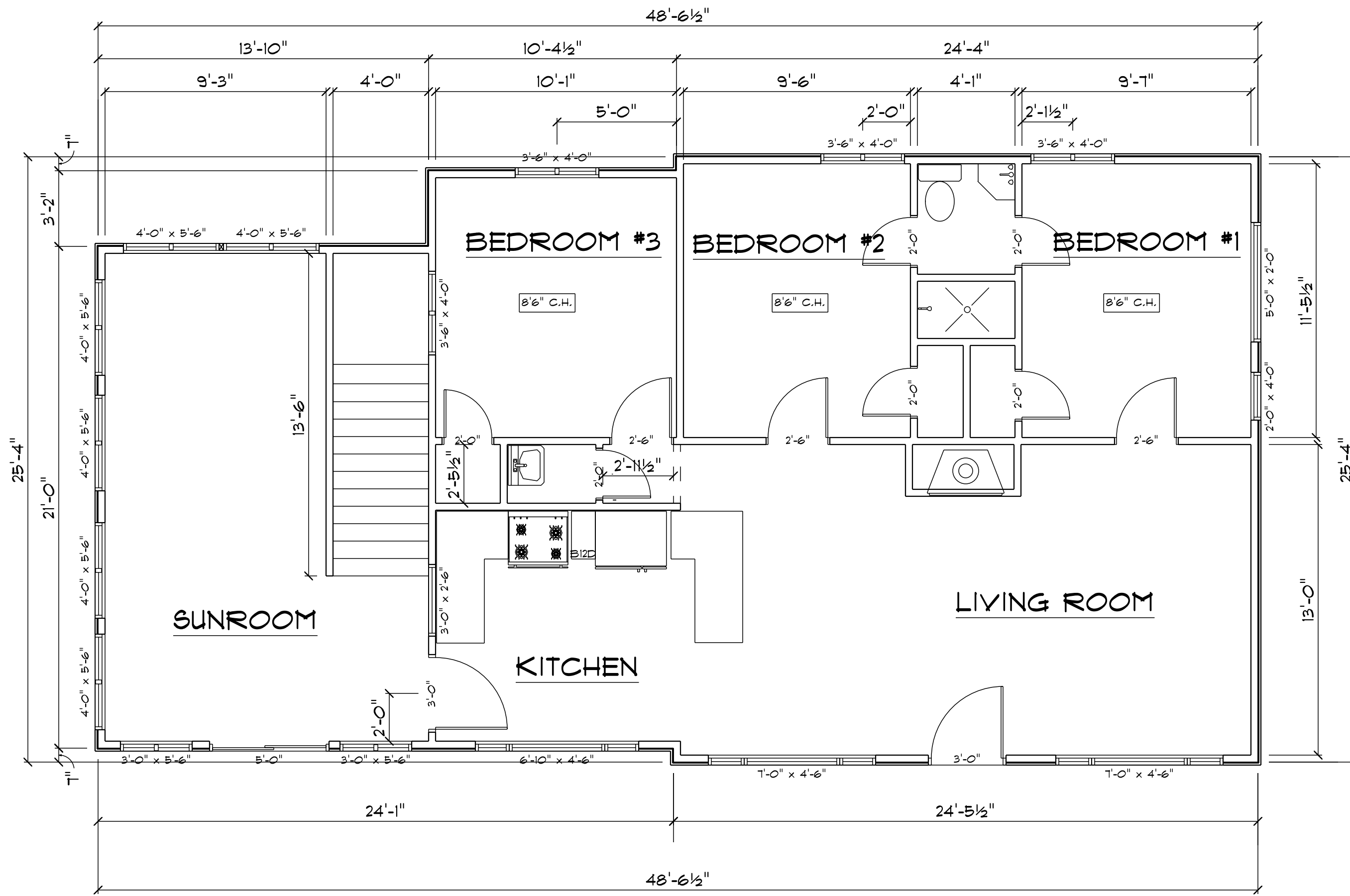
Elain MacAlister
 PHONE: 282-206-0829
 FAX: 282-206-0829
 MOBILE: ryan_mackay74@yahoo.com

SOFTPLAN
 ARCHITECTURAL DESIGN SOFTWARE

Mackay Builders LLC
 PHONE: 282-206-0829
 FAX: 282-206-0829
 MOBILE: ryan_mackay74@yahoo.com

SCALE: 1/4" = 1'-0"
 DRAWN BY:
 DATE: Sunday, November 16, 2025

PAGE: /
 SECTION LETTER: A
 PAGE NUMBERS: 11



Existing Floor Plan

Elain MacAlister
 43 Lower Loch Vista
 Williams Bay
 WI
 53191

SOFTPLAN
 ARCHITECTURAL DESIGN SOFTWARE

Mackay Builders LLC
 PHONE: 262-206-0829
 FAX:
 MOBILE: tyam_mackay74@yahoo.com

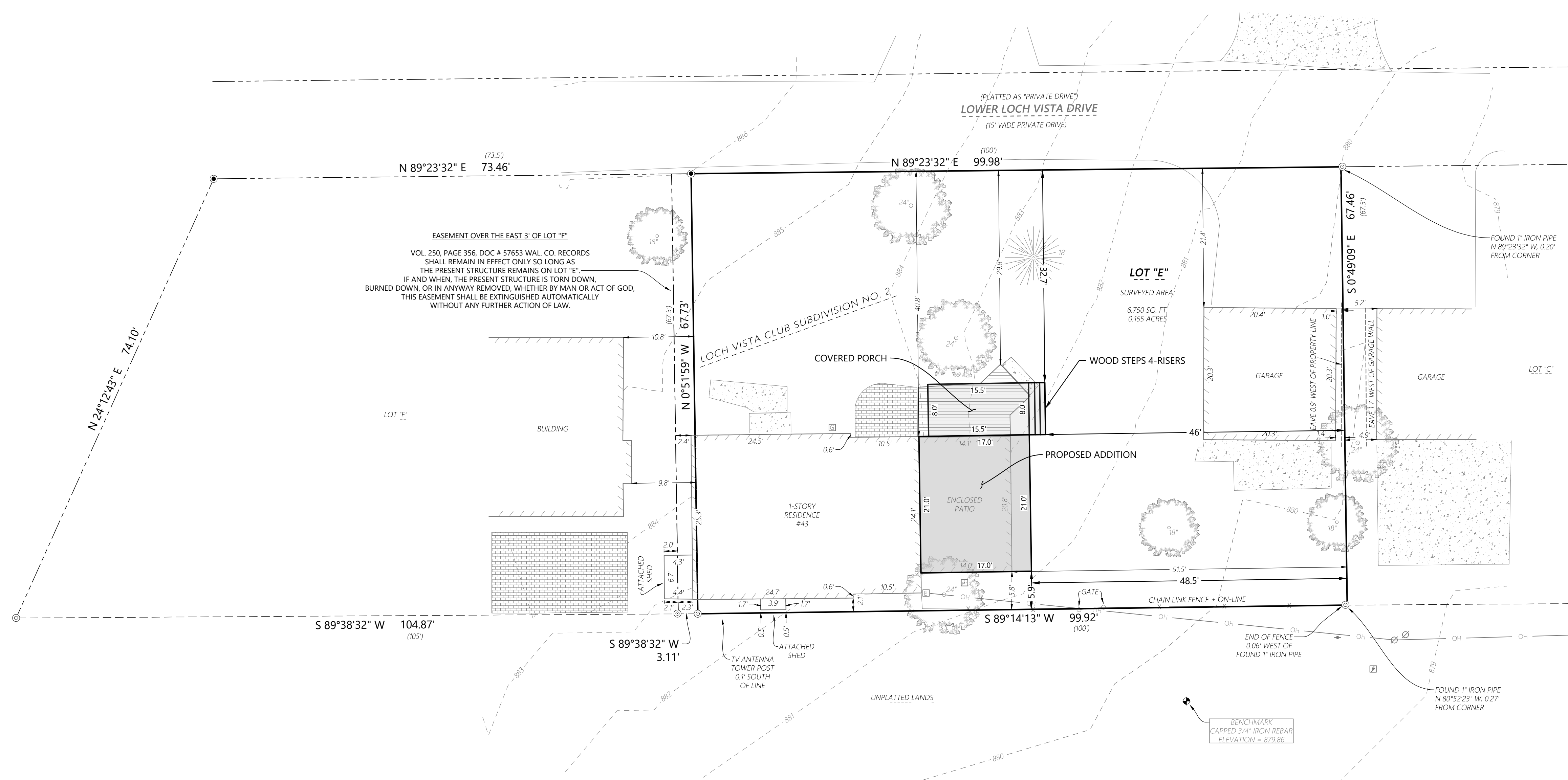
SCALE: 1/4" = 1'-0"
 DRAWN BY:
 DATE: Sunday, November 16, 2025

SECTION LETTER: A
 PAGE NUMBERS: 11

APPROVED:
 CHECKED BY:

PAGE: /

PLAT OF SURVEY WITH SITE LAYOUT
 OF LOT "E" OF LOCH VISTA CLUB SUBDIVISION NO. 2,
 BEING PART OF THE FRACTIONAL SE 1/4 OF THE FRACTIONAL SE 1/4 OF SECTION 1, T. 1 N., R. 16 E.,
 OF THE 4TH P.M., VILLAGE OF WILLIAMS BAY, WALWORTH COUNTY, WISCONSIN



EASEMENT OVER THE EAST 3' OF LOT "E"
 VOL. 250, PAGE 356, DOC # 57653 WAL CO, RECORDS
 SHALL REMAIN IN EFFECT ONLY SO LONG AS
 THE PRESENT STRUCTURE REMAINS ON LOT "E".
 IF AND WHEN THE PRESENT STRUCTURE IS TORN DOWN,
 BURNED DOWN, OR IN ANYWAY REMOVED, WHETHER BY MAN OR ACT OF GOD,
 THIS EASEMENT SHALL BE EXTINGUISHED AUTOMATICALLY
 WITHOUT ANY FURTHER ACTION OF LAW.

Kristin J. Belongia
 Kristin J. Belongia, P.L.S.
 Wisconsin Professional Land Surveyor S-2943
 State of Wisconsin }
 County of Walworth } SS

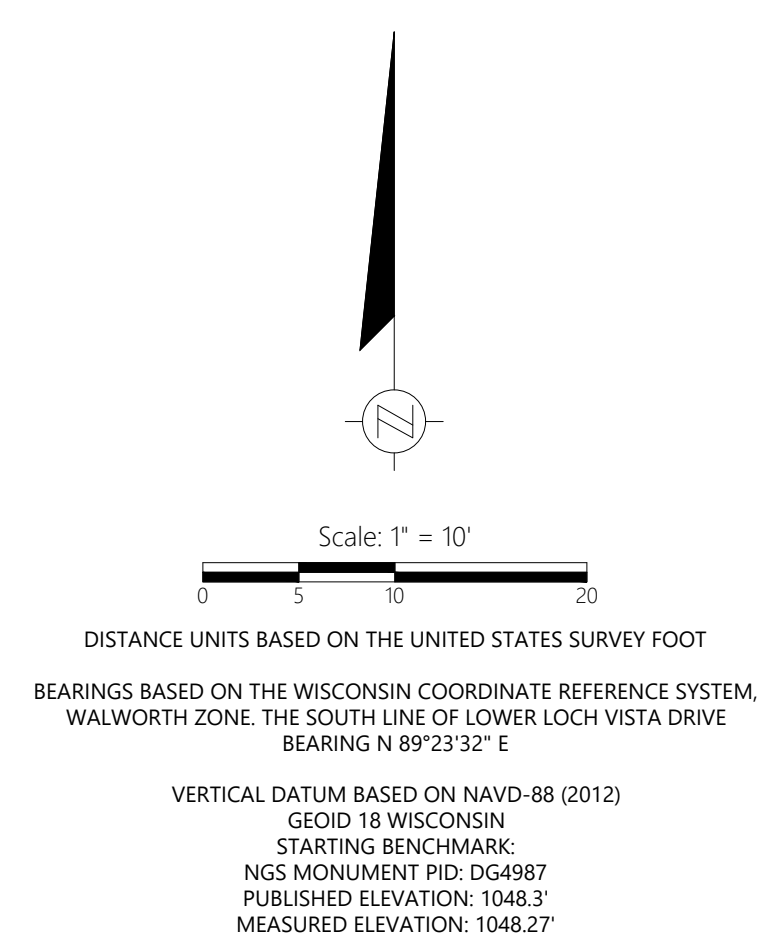


If the surveyor's signature is not red in color,
 the plan is a copy that should be assumed to
 contain unauthorized alterations.
 The certification contained on this document
 shall not apply to any copies.

LEGAL DESCRIPTION
 FROM QUITCLAIM DEED DOCUMENT NUMBER 1087242
 LOT E IN LOCH VISTA SUBDIVISION NO. 2 IN
 THE VILLAGE OF WILLIAMS BAY, WALWORTH COUNTY, WISCONSIN

SURVEY NOTES
 1. SURVEYED PROPERTY SUBJECT TO ANY AND ALL
 EASEMENTS AND AGREEMENTS RECORDED AND
 UNRECORDED.
 2. THIS SURVEY IS A RETRACEMENT OF A PLAT OF
 SURVEY BY LAND-MARK SURVEYING DATED
 DECEMBER 23RD, 2011.

MONUMENT KEY	LEGEND
● 3/4" Iron Rebar Found	— Existing Boundary Line
⊙ Iron Pipe Found	- - - Existing Right-of-Way Property
(XXX) Record Information	- - - Existing Adjacent Property
⚡ Benchmark	- - - Existing Easement Line
	X Existing Chain Link Fence
	OH Existing Overhead Power
	⊕ Existing Utility Pole
	⊕ Existing Guy Wire
	⊕ Existing Transformer
	⊕ Existing Electric Meter
	⊕ Existing Gas Meter
	⊕ Existing Air Conditioner
	☼ Coniferous Tree
	☼ Deciduous Tree
	x Existing Spot Elevation
	■ Existing Asphalt Pavement
	■ Existing Concrete
	■ Existing Wood Deck
	■ Existing Brick Patio



ORDER NO: 35778
 FIELD CREW: BMR
 DRAWN BY: BMR
 SHEET 1 OF 1

FOR THE EXCLUSIVE USE OF:
 Ryan Mackay c/o Mackay Builders, LLC
 187 Conference Point Road
 Williams Bay, WI 53191

PLAT OF SURVEY WITH SITE LAYOUT
 43 LOWER LOCH VISTA DRIVE
 WILLIAMS BAY, WISCONSIN

Batterman
 engineers surveyors planners
 BELOIT | ELKHORN | JANESVILLE
 2857 S. Barlett Dr., Beloit, WI 53511
 608.365.4464 | www.batterman.com



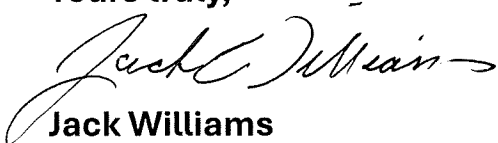
November 14, 2025

**To: Village of Williams Bay
Zoning Board of Appeals**

**Ref: MacAlister Property
43 Lower Loch Vista**

My wife Paula and I live next door to this property. We have discussed the proposed changes with Elaine MacAlister, and we have reviewed the plans that are being presented to the Zoning Board of Appeals. After consideration, neither Paula nor I have any objections to her plans or to the variance that she is requesting and are in support of her request.

Yours truly,

A handwritten signature in black ink that reads "Jack Williams". The signature is written in a cursive style with a long, sweeping tail on the "s".

**Jack Williams
53 Lower Loch Vista
Williams Bay, WI**

Fw: Letters of Support for 43 Lower Loch Vista project

From: emaca74@yahoo.com

To: ryan_mackay74@yahoo.com

Date: Sunday, November 16, 2025 at 10:19 AM CST

Sent from Yahoo Mail for iPad

Begin forwarded message:

On Thursday, November 13, 2025, 4:23 PM, mcjp43@yahoo.com <mcjp43@yahoo.com> wrote:

Yvonne Miller

From:mdmiller66@hotmail.com

To:mcjp43@yahoo.com

Wed, Nov 12 at 5:27 PM

To whom it may concern,

I currently live at 186 Conference Point Rd in Williams Bay, across the street from Elaine MacAlister at 43 Lower Loch Vista. I am writing to let you know that I do not have any objections to her remodeling plans submitted for review in November of 2025.

Thank you-

Yvonne Miller

Patrick Erickson

From:patacufabulous@gmail.com

To:mcjp43@yahoo.com

Wed, Nov 12 at 1:56 PM

To whom it may concern,

My name is Patrick Erickson, I have a home at 35 Lower Loch Vista Williams Bay.

As a long time next door neighbor of Elaine MacAlister on Lower Loch Vista Drive, I have zero objections to her remodeling plans submitted to the Village of Wms Bay for review in November of 2025. I have looked them over and see no issues. We are very excited to see all the wonderful improvements they will make.

Thank you!!!

Patrick M. Erickson



VILLAGE OF WILLIAMS BAY

Office of Zoning Administrator

Evaluation Report Zoning Board of Appeals Meeting December 16, 2025

December 9, 2025

APPLICANT(S): Elain Macalister (Applicant), Jops and Macalister Family Trust (Owners)

TAX KEY NUMBER: WL2 00005

STREET ADDRESS: 43 Lower Loch Vista Drive, Williams Bay, WI 53191

The applicants request a variance to zoning code section 390-0212, SF-6 Village Residential District, to allow a basement and first floor building addition that would convert an existing three season room to living space that already exists within the required rear yard setback of 30 feet. The applicant is requesting a 5.9-foot rear yard setback.

Per Section 390-0212(L) a 30 foot rear yard setback is required for SF-6 Village Residential 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. Reasonable use of the home exists without additional expansion, and the proposed addition is based on personal circumstances, not a condition created by the zoning regulations. However, a variance was already previously approved for the owner to expand their home footprint within this space, the owner is simply asking to convert this space to true year-round living space, versus a 3-season room.

[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. No previous variances for other properties should be considered.

[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 desire to expand is not due to a zoning-created hardship, but rather a personal preference or desire.**
- **The property owner is seeking to convert a 3-season room that was previously constructed after variance approval to year-round living space within the exact footprint of the existing 3 season room.**

(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. Other homes in the SF-6 district are developed in compliance with the 30-foot rear setback. The ability to reasonably use the dwelling is unaffected by denial of the variance.

(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 is not likely to create a substantial detriment to adjacent properties, as the home already exists within the footprint presented. The applicant is only seeking to change the deck/3-season room previously approved by variance to a fully insulated and heated living space.

(d) Would the granting of the proposed variance as depicted on the required site plan 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.

Granting the proposed variance would likely not result in an undue adverse impact on the character of the neighborhood and surrounding properties. The requested variance would allow for a change in use from a screened 3-season room that already has a roof, and allow the property owner to construct walls, windows, insulate, heat, and utilize this space as year-round living space versus indoor/outdoor space. The height of the structure and all other aspects of the structure remain the same. The 3-season room was originally approved via variance and is legal nonconforming.

(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 structure could continue as-is, a legal three-seasons room, but the desire to expand into the minimum setback is an applicant-created condition. Because the variance request is due to proposed construction plans rather than pre-existing property-specific conditions, the hardship is considered self-imposed.

(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-6). The requested variance is not conflicting with the guiding principles of the comprehensive plan. The

Comprehensive Plan emphasizes maintaining the established residential character, protecting neighborhood scale and aesthetics, and ensuring that new development is compatible with surrounding properties. Allowing the property owner to change a structure's use that already exists, where the roof height and footprint is unaffected and the primary use is for residential enjoyment does not affect the comprehensive plan objectives.

Respectfully submitted,

Allison Schwark
Zoning Administrator