



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org Phone:
262-245-2700 | Fax: 262-245-2705

NOTICE

ZONING BOARD OF APPEALS (ZBA) MEETING TUESDAY, SEPTEMBER 21, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

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 July 20, 2021

V. Variance Application

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

1. APPLICANT(S): Donald & Karen Batterson (Owners)

TAX KEY: WCP1 00042

STREET ADDRESS: 168 Birch Walnut Dr., Williams Bay, WI 53191

Applicant requests a variance to zoning code section 18.0213, *SF-CPP Cedar Point Park District*, to allow a rear yard setback of 10 feet (20 feet required) for replacement and expansion of existing patio.

- 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: 09/14/2021 5:00 PM



VILLAGE OF WILLIAMS BAY

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UNOFFICIAL MINUTES ZBA 07/20/21 MEETING TUESDAY, JULY 20, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

I. Call to Order

Chairman Vlach called the meeting to order at 6:30 PM.

II. Roll Call

Present: George Vlach, Robert Umans, Jane Pegel, Dennis Costello, Mike Fieweger

Also Present: Administrator Tobin and Zoning Administrator Schaeffer

Excused: Tom Lothian

III. Pledge of Allegiance

IV. Minutes

A. Zoning Board of Appeals Meeting Minutes of May 18, 2021

The motion to Approve the Zoning Board of Appeals Meeting Minutes of May 18, 2021 was initiated by Robert Umans and seconded by Mike Fieweger. Unanimously carried.

V. Variance Application

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

Chairman Vlach opened the Public Hearing at 6:32 PM.

B. APPLICANT(S): Dave Born, Born Trust (Owner)

TAX KEY: WCP 00193

STREET ADDRESS: 633 Jackson Pkwy., Williams Bay, WI 53191

Applicant requests a variance to zoning code section 18.0213, *SF-CPP Cedar Point Park District*, to allow a side yard setback of 7.6 feet (10 feet required) for construction of a 12' x 34' garage and storage addition.

Dave Born (applicant) stated that he will be moving to Williams Bay full-time in the near future and would like to build a two-car garage and storage.

Susie Pegel (91 Potawatomi) spoke in opposition, asking why there is not a written verification of support from the neighbors.

Mark Noland (627 Jackson Pkwy) stated that he had concerns about drainage.

Dave Born (applicant) verbally amended his application to work within the footprint of the existing deck which is 9.6 feet from the side lot line.

C. Motion to Close Public Hearing

Chairman Vlach closed the Public Hearing at 7:04 PM.

D. Consideration and possible action on recommendation of Variance

The motion to Approve the variance to allow a side yard setback of 9.6 feet for construction of a 10' x 34' garage and storage addition as long as the grading and draining are properly addressed was initiated by Robert Umans and seconded by Mike Fieweger.

The motion to Amend the original motion to include the condition that the Village Engineer does a review and approves the drainage was initiated by Robert Umans and seconded by Mike Fieweger. Unanimously carried.

VI. Adjournment

The motion to adjourn was initiated by Robert Umans and seconded by Dennis Costello at 7:10 PM. Unanimously carried.

/s/ Jackie Pankau, Village Clerk

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



APPLICATION OF A VARIANCE

(Requirements per Zoning Ordinance Section 18.1215)

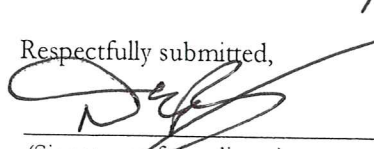
Applicant name: DON BATTERSON
Applicant address: 617 N. KENILWORTH AVE OAK PARK, IL. 60302
Applicant phone number: (708) 267-9092
Address of subject site: 168 BIRCH WALNUT DR.
Current zoning of subject site: SF-3
Current land use of subject site: RESIDENTIAL
Written description of the proposed variance: CHANGE EXISTING 20 FOOT REAR SETBACK TO A 10 FOOT REAR YARD SETBACK

Written justification for the proposed variance (or attach as a separate sheet): HOME IS 22 FEET FROM REAR PROPERTY LINE, TO REPLACE EXISTING PATIO AND RET. WALL WITH SOME ADDITIONAL SQ. FOOTAGE REQUIRES REAR SETBACK LINE TO BE 10'. THIS ALLOWS FOR A USABLE PATIO SPACE, AND BRINGS EXISTING NON COMPLIANT REQUIREMENTS PATIO INTO A COMPLIANT STRUCTURE.

- ☐ 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 16th day of August, 20 21

Respectfully submitted,


(Signature of Applicant)

Record of Administrative Procedures for Village Use

- | | |
|---|-------------------------------------|
| ☒ Application form filed with Village Clerk | Date: <u>8/16/21</u> By: <u>BMS</u> |
| ☒ Application fee of \$ <u>500</u> received by Village Clerk | Date: <u>8/16/21</u> By: <u>BMS</u> |
| ☐ 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: _____ |

Batterson Patio Project at 168 Birch Walnut Drive

Existing Patio square footage = 370

Proposed New Patio square footage = 470

Existing Patio dimensions:

East back corner extends out 13 feet from home

West back corner extends out 7 feet from home

Proposed Patio dimensions:

East back corner extends out 11.8 feet from home

West back corner extends out 11.8 feet from home

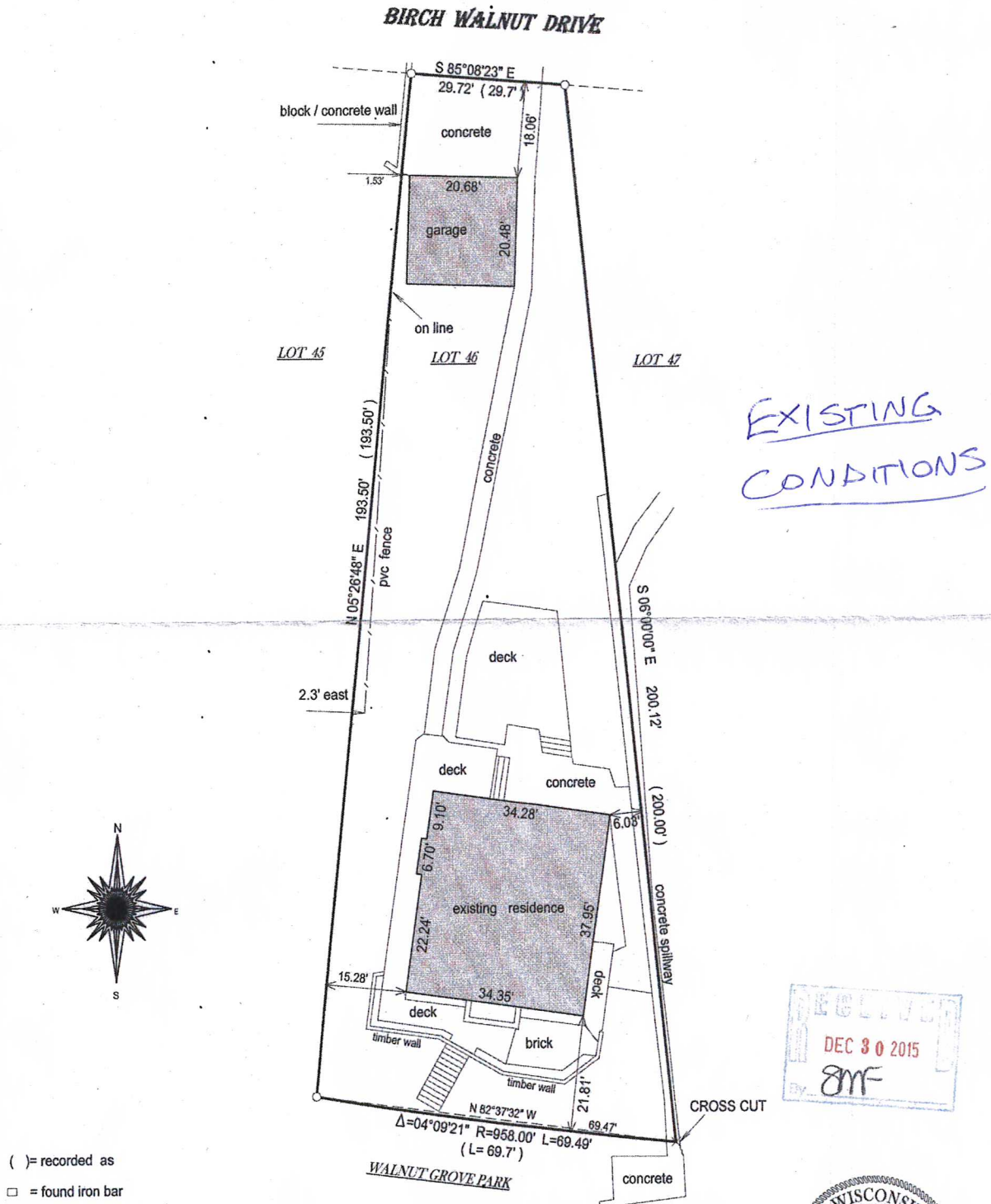
PREPARED FOR
LINDA TONGE
KEEFE REAL ESTATE
LAKE GENEVA WI

PLAT OF SURVEY

- OF -

PATHFINDER SURVEYING INC.
(formerly)
J.K. SURVEYING INC.
P.O. BOX 322
LAKE GENEVA, WI. 53147
WWW.PATHFINDERSURVEYING.NET
262-248-8303

LOT 46, FIRST ADDITION TO CEDAR POINT PARK, ACCORDING TO THE
RECORD PLAT THEREOF, SAID LAND BEING IN THE VILLAGE OF WILLIAMS
BAY, COUNTY OF WALWORTH AND STATE OF WISCONSIN.



- () = recorded as
- = found iron bar
- = found iron pipe
- = set iron pipe
- = set iron bar

SCALE 1" = 20'

JOB # 15-338

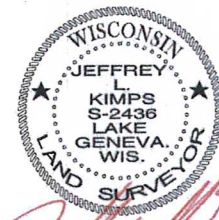
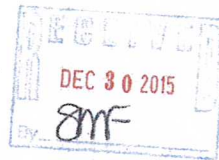
TAX ID # WCP100042

20 0 20 40 60

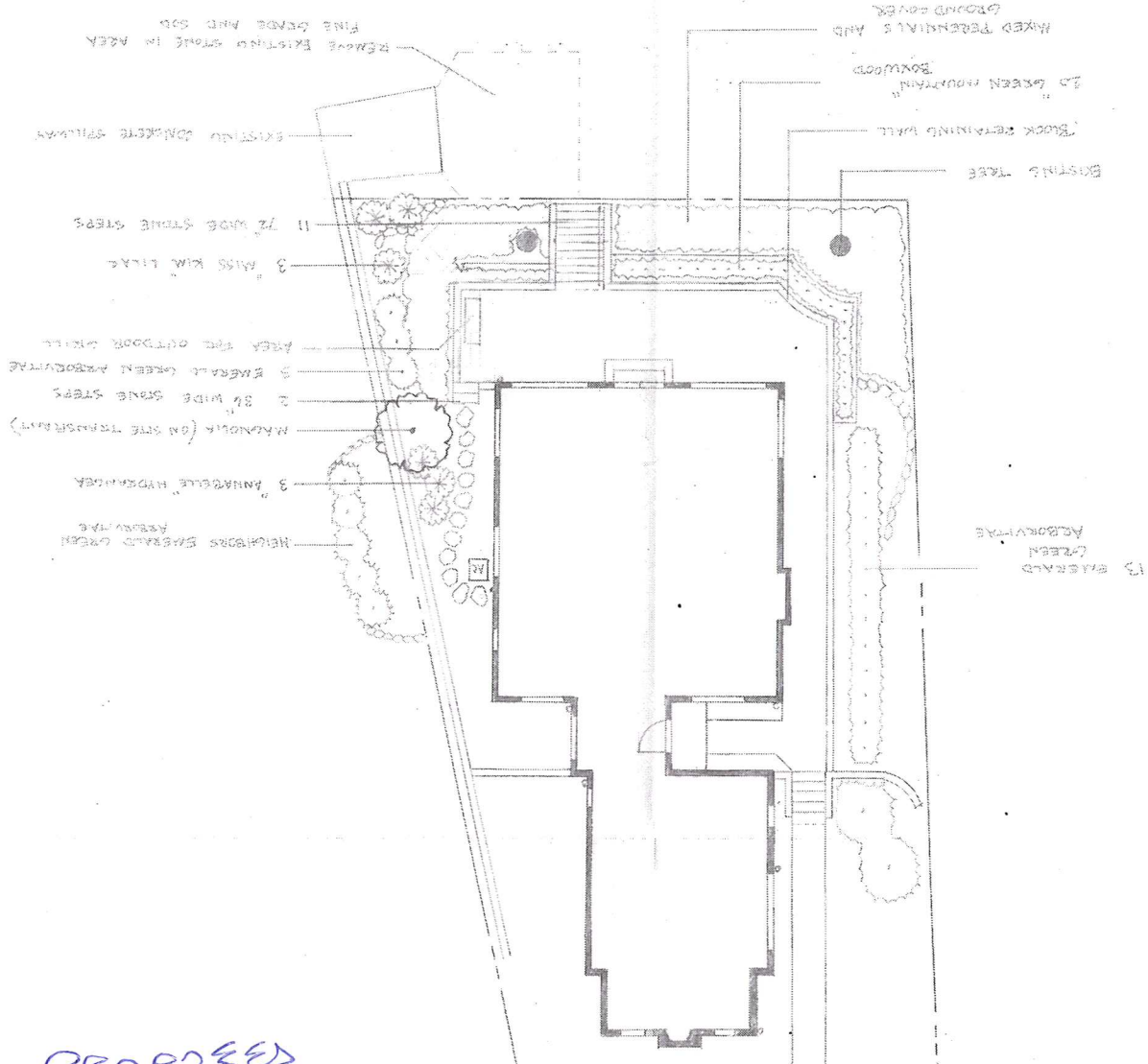
BASIS OF BEARING OF THIS PLAT: THE EAST LINE OF LOT 46 WAS
ASSUMED TO BEAR S 6°00'E.

I hereby certify that I have surveyed the above-described property and the
above map is a true representation thereof and shows the size and
location of the property, its exterior boundaries, the location and
dimensions of all structures thereon, fences, appurtenant easements and
roadways and visible encroachments if any.

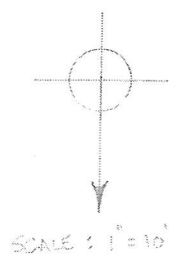
This survey is made for the present owners of the property, and those who
purchase, mortgage, or guarantee the title thereto, within one year from
the date hereof.



JEFFREY L. KIMPS S-2436
Wisconsin Professional Land Surveyor
(original if signed in red)



PROPOSED
PLAN



Paul Swartz Nursery & Garden Shop
30728 - 93RD Street
Burlington, Wisconsin 53105
Telephone: (Silver Lake) 262-537-8083
Fax No. 262-537-8092

SHEET
OF
SCALE: _____

DON & KAREN BATTERSON
1168 BIRCH WALNUT DR.
WILLIAMS BAY WI. 53191

PROJECT: PATIO
DATE: 5-14-21 DRAWN BY: JENNE OLSON
Paul Swartz Nursery, Inc. reserves its common law copyrights and other property rights in these plans. These plans are confidential and not to be reproduced, changed, or copied in any form; nor shall they be disclosed to, or used by any other party without first obtaining written permission and consent of Paul Swartz Nursery, Inc.





Village
Of
Williams Bay

Bonnie Schaeffer <zoning@williamsbay.org>

Fw: Batterson variance

bilpetullo <bilpetullo@aol.com>

Thu, Sep 9, 2021 at 3:27 PM

To: Bonnie Schaeffer <zoning@williamsbay.org>, John Widell <j.widell@comcast.net>, dbatterson9092@gmail.com

To the Zoning Administrator:

The CPPA Building committee has reviewed the plan for an addition at 168 Birch Walnut and recommend this plan to the village for issuance of any required permits pending any need for a variance for the landscaping plan.

The landscaping plan appears to improve the aesthetics of the property.

Bill Petullo

Chairman, Building committee

[Sent from the all new AOL app for iOS](#)

[Quoted text hidden]



VILLAGE OF WILLIAMS BAY

Office of Zoning Administrator

Evaluation Report Zoning Board of Appeals Meeting September 21, 2021

September 13, 2021

APPLICANT(S): Donald & Karen Batterson (Owners)

TAX KEY: WCP1 00042

STREET ADDRESS: 168 Birch Walnut Dr, Williams Bay, WI 53191

Applicant requests a variance to zoning code section 18.0213, *SF-CPP Cedar Point Park District*, to allow a rear yard setback of 10 feet (20 feet required) for replacement and expansion of an existing patio.

Per Section 18.1215.D(2)(a through f), *Variance*, I have reviewed the request and provide the following comments for your consideration:

- The Cedar Point Park Association has approved the project.
- The hardship is not peculiar to the subject property.
- The requested variance is not essential to make the subject property developable.
- The proposed development does not appear to have any substantial impact on adjacent properties.
- The development will have no substantial impact on the character of the neighborhood as it is consistent with location and size of development on adjoining lots. The existing deck at 110 Cedar Point Drive is within a similar proximity to the rear lot line.
- The property was originally developed prior to passage of the current applicable zoning regulations.
- The proposed development is not in conflict with the Village Comprehensive Plan.

Respectfully,

Bonnie M. Schaeffer
Zoning Administrator