



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org

Phone: 262-245-2700

NOTICE

PLAN COMMISSION MEETING TUESDAY, MAY 10, 2022 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. Plan Commission Meeting Minutes of April 12, 2022
- V. Recommendation for a Zoning Ordinance Text Amendment
 - A. Open Public Hearing
 - 1. Resolution R-16-22 Regarding Shore Yard Setback Ordinance 2022-07
 - B. Close Public Hearing
 - C. Discussion and Possible Action for the Resolution
- VI. Adjournment

Bill Duncan
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: 05/03/2022 5:00 PM



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UNOFFICIAL MINUTES PLAN COMMISSION 04/12/22 MEETING TUESDAY, APRIL 12, 2022 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

I. Call to Order

President Duncan called the meeting to order at 6:30pm.

II. Roll Call

Present: President Bill Duncan and Commissioners Pat Watts, Maggie Gage, Jess Haak, Marianne Klemke, Jane Pegel and Matt Robbins

Also Present: Administrator Tobin, Zoning Administrator Schaeffer and Clerk Pankau-Daniels

Excused: Trustee Don Parker

III. Pledge of Allegiance

IV. Minutes

A. Joint Plan Commission and Village Board Minutes of March 7, 2022

The motion to Approve the Joint Plan Commission and Village Board Minutes of March 7, 2022 was initiated by Pat Watts and seconded by Maggie Gage. Unanimously carried.

B. Plan Commission Meeting Minutes of March 8, 2022

The motion to Approve the Plan Commission Meeting Minutes of March 8, 2022 was initiated by Pat Watts and seconded by Jess Haak. Unanimously carried.

V. Recommendation and Possible Action for a Certified Survey Map and Approval of an Affidavit of Correction to Terminate the Access and Utility Easement (Extraterritorial)

A. APPLICANT: Marshall Taylor Smith Trustee (Owner), Chad Pollard (Agent)

TAX KEY: IA424000002

STREET ADDRESS: N2375 Valley View Drive, Town of Linn

Applicant is requesting approval of a Certified Survey Map to complete the combination of a 2-lot CSM to a 1-lot CSM and terminate the prior private access and egress easement, utility easement, and setbacks on the prior CSM #4240.

Attorney Pollard explained that his client, Marshall Taylor, would like to combine two lots into one and that the lot is in an extraterritorial area of the Town of Linn.

The motion to Approve a Certified Survey Map to complete the combination of a 2-lot CSM to a 1-lot CSM and terminate the prior private access and egress easement, utility easement, and setbacks on the prior CSM #4240 for APPLICANT: Marshall Taylor Smith Trustee (Owner), Chad Pollard (Agent)

TAX KEY: IA424000002

STREET ADDRESS: N2375 Valley View Drive, Town of Linn

was initiated by Maggie Gage and seconded by Pat Watts. Unanimously carried.

VI. Recommendation and Possible Action for a Certified Survey Map (Extraterritorial)

A. APPLICANT: David Filter, Davjan Real Estate Ventures, LLC (Owner)

TAX KEY: WWUP00031

STREET ADDRESS: Between Williams St and Clover St at the west end of Olive St, Village of Williams Bay

Applicant is requesting approval of a Certified Survey Map to divide the existing 1.21 acre parcel into two 0.24 acre lots and two 0.36 acre lots.

Zoning Administrator Schaeffer explained that the Engineer's report came back with changes that needed to be made so the applicant cannot present this item as written, therefore this item should be tabled.

President Duncan tabled this item.

VII. Recommendation and Possible Action for a Zoning Ordinance Text Amendment

A. Open Public Hearing

President Duncan opened the Public Hearing at 6:37pm.

1. Resolution 2022-14 Regarding Tourist Rooming House Ordinance 2022-03

Zoning Administrator Schaeffer stated that the current ordinance limits the total Tourist Rooming Houses to five. At the time the limit was established, there were already seven and they were grandfathered in. She stated that there has been more interest since then for more Tourist Rooming Houses. She also stated that the proposed new Ordinance would remove the limit and would remove the ability for someone in a residential district to apply to be a Tourist Rooming House so that only properties in the business districts could apply. Zoning Administrator Schaeffer clarified that Tourist Rooming Houses are properties that can be rented for six days or less. Administrator Tobin read the definition of Tourist Rooming House as it is defined in the Village Ordinances.

Tom Shaughnessy (45 Liechty) stated that in Conference Point there are six houses that rent out their house for a weekend and it should not be allowed in a residential area as they are bothered by the constant new neighbors who are loud and inappropriate.

President Duncan stated that the State took away the Village's ability to regulate Short-Term rentals and the Village can only regulate the location of Tourist Rooming Houses.

Dawn Marie Mancuso and Jennifer Veith (Business Owners) asked the Village to lift the limit of the five Tourist Rooming Houses as they own vacant land downtown that they would like to put in two apartments and rent them out for six days or less when they build their building.

Joel Reyenga (Corner of Cherry and Elmhurst and local Real Estate Agent) stated that he is surrounded by Air BnBs which he has had no problems with. He stated that he is not opposed to lifting the limit in the Village Center, but that the rest of the Village, residential areas, should not have Tourist Rooming Houses and that properties there should be longer rentals.

John Holmes (29 N Walworth) stated that he is one of the Tourist Rooming House owners and that he would like to know how they should go about re-applying for their permit in case they make an improvement to their property or their house has a fire. Zoning Administrator Schaeffer stated that they should wait until the Ordinance is changed as they are currently one of the grandfathered in properties. Schaeffer clarified that if this proposed Ordinance passes, the grandfathered properties would be considered existing non-conforming and if anything were to happen to their house, they must build it again as it was, so to become conforming again they would need to re-apply if this proposed Ordinance is passed.

B. Close Public Hearing

President Duncan closed the Public Hearing at 6:57pm.

C. Discussion and possible action for the Resolution

Commissioner Haak clarified with Zoning Administrator Schaeffer that the dwelling units within the business districts would now have the opportunity to apply for a Conditional Use Permit to be a Tourist Rooming House, but this proposed Ordinance would not change anything as it is currently if passed.

Commissioner Klemke asked why this had come up again in a short amount of time. Zoning Administrator Schaeffer stated that there has been a lot more interest in Tourist Rooming Houses, but almost more importantly, this would take out the ability for owners in Residential Districts to get a Tourist Rooming House permit, which would address some of the complaints that the Village receives from the neighbors. Commissioner Klemke stated that the Village needs to figure out how to regulate the people who are renting their house out for 2-3 nights who shouldn't be before we start allowing more. Administrator Tobin explained what the Village does to try and regulate them, but there are people who still rent their property for seven days but only have people in the house for three and, unfortunately, there is not much they can do about that. President Duncan stated that those people receive Short-Term Rental licenses from the State and the Village cannot regulate Short-Term Rentals, only Tourist Rooming Houses. President Duncan stated that this proposed Ordinance would only allow Tourist Rooming Houses in Business Districts and not in Residential areas.

Commissioner Gage stated that she doesn't believe this proposed Ordinance will have any effect on the people who are currently renting their properties in the residential areas for seven days or less and so this proposed ordinance will not help the neighbors who are complaining about the ruckus from the rental units necessarily.

Commissioner Robbins stated that he believes the Business District is a good place to increase the limit of Tourist Rooming Houses, but he does not think it is a good idea to completely eliminate the limit. He thinks there should be a limit of some kind and that there should be more discussion about this along with the Comprehensive Plan.

The motion to Table the discussion and possible action for the Resolution was initiated by Jess Haak and seconded by Marianne Klemke. Unanimously carried.

VIII. Adjournment

The motion to adjourn was initiated by Maggie Gage and seconded by Matt Robbins at 7:16pm. Unanimously carried.

/s/ Jackie Pankau-Daniels, Village Clerk

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



VILLAGE OF WILLIAMS BAY

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RESOLUTION R-16-22

RECOMMENDING APPROVAL OF ORDINANCE #2022-07 AMENDING SECTIONS 390-0207 THROUGH 390-0212, 390-0214 THROUGH 390-0218 AND 390-0221 THROUGH 390-0224 OF THE CODE OF ORDINANCES OF THE VILLAGE OF WILLIAMS BAY

WHEREAS, pursuant to the provisions of Section 390-1204D., the Zoning Administrator having reviewed the proposed ordinance amending Sections 390-0207 through 390-0212, 390-0214 through 390-0218 and 390-0221 through 390-0224 to provide for a minimum shore yard (lake) setback of 150 feet and a minimum shore yard (navigable stream or watercourse) setback of 75 feet to determine whether the proposed amendments meet the criteria of Section 390-1204D. (2) of the Code of Ordinances and having notified the Plan Commission that said proposed ordinance meets the criteria of subpart (2); and

WHEREAS, the Plan Commission of the Village of Williams Bay having held a duly noticed public hearing on the 10th day of May 2022 on the proposed ordinance amending Sections 390-0207 through 390-0212, 390-0214 through 390-0218 and 390-0221 through 390-0224 to provide for a minimum shore yard (lake) setback of 150 feet and a minimum shore yard (navigable stream or watercourse) setback of 75 feet; and

WHEREAS, following said public hearing the Plan Commission of the Village of Williams Bay having found that the proposed ordinance amending Sections 390-0207 through 390-0212, 390-0214 through 390-0218 and 390-0221 through 390-0224 of the Code of Ordinances does meet the criteria set forth in Section 390-1204D. (2) of the Code of Ordinances and that the public benefits outweigh any potential adverse effects of the proposed ordinance.

NOW, THEREFORE, the Plan Commission of the Village of Williams Bay do hereby resolve to recommend to the Village Board of the Village of Williams Bay the adoption of proposed Ordinance #2022-07 amending Sections 390-0207 through 390-0212, 390-0214 through 390-0218 and 390-0221 through 390-0224. of the Code of Ordinances of the Village of Williams Bay concerning shore yard setbacks, as prepared.

Approved by the Plan Commission of the Village of Williams Bay this _____ day of May 2022.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, Chairperson

Attest: _____
Jackelyn Pankau-Daniels, Clerk

ORDINANCE #2022-07
AN ORDINANCE AMENDING SECTIONS 390-0207 THROUGH 390-0212, 390-0214 THROUGH 390-0218 AND 390-0221 THROUGH 390-0224 OF THE CODE OF ORDINANCES OF THE VILLAGE OF WILLIAMS BAY REGULATING SHORE YARD SETBACK

WHEREAS, the Zoning Ordinance imposes a 150 foot setback from a shore yard in all but three zoning districts whether the shore yard is adjacent to the lake or to a navigable stream or watercourse; and

WHEREAS, the Village of Williams Bay Building, Zoning and Ordinance Committee having recommended that the Zoning Ordinance be amended to provide for a 75 foot shore yard setback for a shore yard adjacent to a navigable stream or watercourse to facilitate appropriate development within the village; and

WHEREAS, the Plan Commission of the Village of Williams Bay having held a duly noticed public hearing to address the proposed amendment of Sections 390-0207 through 390-0212, 390-0214 through 390-0218 and 390-0221 through 390-0224 to provide for a minimum shore yard (lake) setback of 150 feet and a minimum shore yard (navigable stream or watercourse) setback of 75 feet; and

WHEREAS, following said public hearing, the Plan Commission having voted to recommend to the Village Board of the Village of Williams Bay the above stated proposed amendments to Chapter 390 of the Code of Ordinances of the Village of Williams Bay; and

WHEREAS, the Village Board of the Village of Williams Bay having determined that it is appropriate to accept the recommendation of the Plan Commission and the Building, Zoning and Ordinance Committee regarding providing for a minimum shore yard (lake) setback of 150 feet and a minimum shore yard (navigable stream or watercourse) setback of 75 feet.

NOW, THEREFORE, the Village Board of the Village of Williams Bay do hereby ordain as follows:

Section I. Section 390-0207L. Figure 390-0207 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.

Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section II. Section 390-0208L. Figure 390-0208 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.

Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section III. Section 390-0209L. Figure 390-0209 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.

Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

- Section IV. Section 390-02010L. Figure 390-0210 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section V. Section 390-02011L. Figure 390-0211 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section VI. Section 390-02012L. Figure 390-0212 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section VII. Section 390-02014L. Figure 390-0214 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section VIII. Section 390-02015L. Figure 390-0215 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section IX. Section 390-02016L. Figure 390-0216 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section X. Section 390-02017L. Figure 390-0217 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:
- Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.
- Section XI. Section 390-02018L. Figure 390-0218 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section XII. Section 390-0221L. Figure 390-0221 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section XIII. Section 390-0222L. Figure 390-0222 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section XIV. Section 390-0223L. Figure 390-0223 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section XV. Section 390-0224L. Figure 390-0224 is hereby amended to repeal the requirement of minimum Shore Yard setback 150 feet, and to create the following:

Minimum Shore Yard (lake) setback 150 feet.
Minimum Shore Yard (navigable stream or watercourse) setback 75 feet.

Section XVI. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the Village Board of the Village of Williams Bay this _____ day of _____, 2022.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, President

Attest: _____
Jackelyn Pankau-Daniels, Clerk

First Reading: _____
Second Reading: _____
Date Adopted: _____
Date Published: _____