



VILLAGE OF WILLIAMS BAY

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OFFICIAL MINUTES PLAN COMMISSION 06/14/22 MEETING TUESDAY, JUNE 14, 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, Trustee Lowell Wright, Commissioners Maggie Gage, Jess Haak, Marianne Klemke and Matt Robbins

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

Excused: Commissioner Pat Watts and Alternate Commissioner James Killian

III. Pledge of Allegiance

IV. Minutes

A. Plan Commission Meeting Minutes of May 10, 2022

The motion to Approve the Plan Commission Meeting Minutes of May 10, 2022 was initiated by Jess Haak and seconded by Lowell Wright. Unanimously carried.

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

A. Open Public Hearing

President Duncan opened the public hearing at 6:32pm.

1. Plan Commission Resolution R-14-22 - Regarding Tourist Rooming House Ordinance 2022-03

President Duncan explained that the purpose of the proposed Resolution is to limit where the Tourist Rooming Houses can be located and limit the number of them to fifteen (15).

Cheryl and Gene Frietag (Corner of Cherry and Walworth) stated that there is a house near him that has three groups of 8-10 people at a time, and there are many houses like this nearby. He stated that the number of people coming in and out of the village is raising the cost of water and tax bills. They stated that they do not want to see the number of these properties be increased. President Duncan explained the difference between Tourist Rooming Houses and Short-Term Rentals. He explained that Short-Term Rental properties are permitted by the State of Wisconsin and the Village does not have any control over them.

John Holmes (27 N Walworth) confirmed that his Short-Term Rental Properties would be grandfathered into this new Ordinance as a non-conforming conditional use or they would need to apply for a second Conditional Use Permit to become a conforming conditional use.

Dawn Marie Mancuso (69 N Walworth) stated that she is in favor of this proposed ordinance passing as she will be renovating the vacant building which will include two apartments that they would like to rent out as Tourist Rooming

Houses.

Bob Darre (78 Upper Loch Vista Dr) asked for a straight definition of a Tourist Rooming House and a Short-Term Rental property. President Duncan explained that Short-Term Rentals are regulated by the State and can be rented out from 7-29 days, while Tourist Rooming Houses are regulated by the Village and are rented out from 1-6 days. Bob Darre stated that there are numerous Short-Term Rental properties that are acting as Tourist Rooming Houses and cheating the system without being penalized.

Pat Prohuska (109 Clover) asked if the properties on his street are registered with the Village and are paying the Room Tax. President Duncan stated that most of the Short-Term Rental properties are registered and are paying Room Tax. Administrator Tobin explained that the Village contracts with Host Compliance to track these properties and complaints. She also stated that the Village Board will be looking into increasing the Code Enforcement Officer's hours to be able to focus on these issues more. Pat Prohuska stated that he has found success with calling the Police Department about rowdy rental properties near him.

Cheryl Frietag (Corner of Cherry and Walworth) stated that she does not want to call the Police Department and that she shouldn't have to do that since she pays taxes. She stated this is all about money and nothing will change.

B. Close Public Hearing

President Duncan closed the public hearing at 6:58pm.

C. Discussion and Possible Action for the Resolution

Jess Haak confirmed that if this were approved, new Tourist Rooming Houses would only be allowed in the Small Business district, Village Center and Lake Shore Business district and not in any Residential Districts.

Matt Robbins thanked Lowell Wright for creating the summary sheet explaining the difference between Tourist Rooming Houses and Short-Term Rentals.

Marianne Klemke stated that the different property types are essentially the same because the Short-Term Rental properties are purposely renting their property out on a Friday for a week, even though the people are only staying for the weekend. President Duncan stated that Short-Term Rentals are regulated by the State, not the Village. Klemke stated that she does not want to punish the existing Tourist Rooming Houses if we do not receive complaints about them. President Duncan explained that they could be grandfathered in as they are, or apply for another Conditional Use Permit to become conforming.

Maggie Gage stated that it doesn't seem that the Village is getting as many complaints about the properties that are Tourist Rooming Houses than it is about the properties that are Short-Term Rentals. She also stated that it is an Election year and the Village does work with the League of Wisconsin Municipalities and she would be curious if the League has a study group on this and if we could initiate communication with them about this issue. President Duncan stated that we certainly could reach out to the League and that he has spoken with Tyler August, who is a candidate running for Representative, and brought up this issue to him.

Zoning Administrator Schaeffer stated that she also serves as the Zoning Administrator in the Village of Fontana and they have nearly ten times the amount of rental properties there than we have in Williams Bay. She stated that this is not the first time that the State has mandated something that has a serious repercussion on municipalities. She stated that we should reach out to the State and let them know about the repercussions this has caused because the Short-Term Rentals are renting their property out for seven days, even though the renters are only staying for the weekend, which cannot be stopped by the way the law is written currently.

The motion to Approve Plan Commission Resolution R-14-22 was initiated by Lowell Wright and seconded by Matt Robbins.

Votes:

Yes: Bill Duncan, Maggie Gage, Jess Haak, Matt Robbins, Lowell Wright

No: Marianne Klemke

Abstain: None

Result: Passed

VI. Recommendation and Possible Action for an Extraterritorial Condominium Plat

- A.** APPLICANT: John Berget (Owner)
TAX KEY: FD250000214
STREET ADDRESS: 4954 State Rd. 50, Town of Delavan

Applicant is requesting approval of a Condominium Plat for North by Northwest Storage Condominium per Section 375-0903 Review and Approval of Extraterritorial Plats and Certified Survey Maps.

John Berget (Owner) explained that he has purchased the land at the intersection of 50 and 67 and stated that he would like to put storage units and storage condominiums there. He explained that storage condominiums are when people own the storage unit, rather than lease it.

Zoning Administrator Schaeffer stated that this is in the Village's Extraterritorial Plat area. She explained that either way, Berget has been approved by the other communities and can build the buildings as storage units. The Village is just voting on whether they can be storage condominiums or storage units.

The motion to Recommend Village Board Approval of the Extraterritorial Condominium Plat for:

APPLICANT: John Berget (Owner)
TAX KEY: FD250000214
STREET ADDRESS: 4954 State Rd. 50, Town of Delavan

was initiated by Jess Haak and seconded by Maggie Gage. Unanimously carried.

VII. Recommendation and Possible Action for an Extraterritorial Certified Survey Map

- A.** APPLICANT: Dennis & Tracy O'Shaughnessy (Owners), Jameson Bradford (Agent)
TAX KEY: IGO 00022
STREET ADDRESS: N2363 Geneva Oaks Trail, Town of Linn

Applicant is requesting approval of a Certified Survey Map to complete the combination of Lot 22 Geneva Oaks Subdivision with adjoining un-platted lands per Section 375-0903 Review and Approval of Extraterritorial Plats and Certified Survey Maps.

Zoning Administrator Schaeffer explained that these are Extraterritorial Plat reviews and the owners own both parcels, one being in the Geneva Oaks Subdivision and one is not. She stated that because of that, they cannot combine their two parcels without doing this. Schaeffer stated that the Town of Geneva has already approved this and that she recommends approval as well.

The motion to Approve the Extraterritorial Certified Survey Map for:

APPLICANT: Dennis & Tracy O'Shaughnessy (Owners), Jameson Bradford (Agent)
TAX KEY: IGO 00022
STREET ADDRESS: N2363 Geneva Oaks Trail, Town of Linn

was initiated by Matt Robbins and seconded by Jess Haak. Unanimously carried.

VIII. Discussion Regarding Proposed Zoning Ordinance Text Amendment

- A.** Discussion regarding proposed Zoning Ordinance Text Amendment to allow Apiaries as a Conditional Use

in the P&I District

Pete Solter, representing the Yerkes Future Foundation, suggested that the Plan Commission consider taking out the fly away barrier since it is not really needed in the P&I District because of the flying height of the bees. He also suggested that they take out the water source because, in his experience, bees have always found water and they are close to the lake. Lastly, he stated that they are looking at placing beehives over 100 yards away from residential areas, so Section IV.(4) in the proposed ordinance would not be necessary.

Zoning Administrator Schaeffer stated that typically setbacks are taken from lot lines, not buildings.

President Duncan explained that this is only up for discussion at this point and the Plan Commission needs to take into consideration all of the P&I District, not just the Yerkes property.

It was the consensus of the Plan Commission to leave the proposed ordinance as it is written for when it comes back for a public hearing at the July Plan Commission meeting. No changes were made.

IX. Adjournment

The motion to adjourn was initiated by Jess Haak and seconded by Marianne Klemke at 7:44pm. Unanimously carried.

/s/ Jackie Pankau-Daniels, Village Clerk

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