

**CITY OF LAKE GENEVA
PLAN COMMISSION MEETING**

MONDAY, MARCH 16, 2015 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL

A g e n d a

1. Meeting called to order by Mayor Connors.
2. Roll Call.
3. Approve Minutes of February 16, 2015 Plan Commission meeting as distributed.
4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.
5. Acknowledgment of Correspondence.
6. Downtown Design Review.
 - A. Application by Angela Durkin for KD Vape Shop, 252 Center Street, Lake Geneva, WI 53147 for four new exterior signs at the storefront at Tax Key No. ZOP 00258.
7. Final design approval for an exterior entrance alteration filed by Innovative Construction Solutions, Inc on behalf of Interra-Sky Lake Geneva, LLC, 2400 Augusta Drive, Houston, TX 77057 for their property at 200 Edwards Blvd., Tax Parcel # ZA196100001.
8. Review and Recommendation on an Application for Site Plan Review for a building and parking lot addition filled by Lake Geneva Animal Hospital Properties, 801 Townline Road, Lake Geneva, WI 53147 for land located at 801 Townline Road, Lake Geneva, WI 53147, Tax Key No. ZA317000001.
9. Review and discussion of a Conceptual Design for a Group Development by Basso Builders, 405 Skyline Drive, Lake Geneva WI, 53147, for five (5), six (6) unit Townhome Apartments, at the property located on Skyline Drive and Curtis Street, Current Tax Key No's. ZYUP 00130C & ZMEA 00052.
10. Public Hearing and Recommendation on a Conditional Use Application filed by Milliette Family LP, 493 Wrigley Drive, Lake Geneva, WI 53147, to install an accessory structure (Pier) closer to the lake shore than the primary structure, within Lakeshore Overlay Zoning District located at 493 Wrigley Drive, Lake Geneva, WI 53147, Tax Key No. ZOP 00369.
11. Public Hearing and recommendation on a Zoning Text Amendment to Section 98-802 to revise the Sign Ordinance to include "Menu Boards" for the City of Lake Geneva.
12. Adjournment

QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT

Requests from persons with disabilities, who need assistance in order to participate in this meeting, should be made to the City Clerk's office, in order for appropriate accommodations.

Posted 3/13/15

**CITY OF LAKE GENEVA
PLAN COMMISSION MEETING**

**MONDAY, FEBRUARY 16, 2015 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL**

MINUTES

1. Meeting called to order at 6:30 pm by Mayor Connors.

2. Roll Call

Present: Al Kupsik, John Gibbs, Doug Skates, Cindy Flower, Tyler Frederick
Also Present: Planner Mike Slavney, Atty. Dan Draper, Mayor Connors, Assistant Gregoles
Not Present: Sara Adams

3. Approve Minutes of January 19, 2015 Plan Commission meeting as distributed.

MOTION #1

Skates/Kupsik moved to approve the minutes of January 19, 2015 Plan Commission meeting as distributed.
The motion carried unanimously.

4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.

PUBLIC SPEAKER #1 – Mary Jo Fesenmaier - 955 George Street - LG

Fesenmeyer commented on the specifics found in the packet with regard to recommending approval or denial of agenda item #7. *(Those specific details can be found in the Staff Report filed with the electronic agenda packet for this meeting.)*

PUBLIC SPEAKER #2 – Deborah Chiczewski – 6815 W Ardmore, Chicago (Owner Caboose #21)

Chiczewski voiced her objection to agenda item #7 stating her specific concerns.
She was speaking for herself, her husband and on behalf of the owners of Caboose #22 and # 3.

PUBLIC SPEAKER #3 – Jan Peterson – 721 S Curtis Street - LG

Peterson voiced her objection to agenda item #7 stating her specific concerns.

PUBLIC SPEAKER #4 – Cheryl Ryan – 795 Curtis Street - LG

Ryan voiced her objection to agenda item #7 stating her specific concerns and gave a handout to the commission for review. (LG Regional News article dated October 2003 “Commission Denies Rezone” – copy attached to these minutes).

PUBLIC SPEAKER #5 – LD Rockwell – Wisconsin Sierra Club – SE Gateway Group Chair N6619 Grove Road, Elkhorn

Rockwell voiced his objection to agenda item #7 stating his specific concerns and gave a handout to the commission for review regarding Smart Growth. (copy attached to these minutes).

PUBLIC SPEAKER #6 – Maureen Ziegerhorn - 301 E Townline Road

Ziegerhorn voiced her objection to agenda item #7 stating her specific concerns.

PUBLIC SPEAKER #7 – Dave Shouder - 420 Manning Way – LG

Shouder voiced his objection to agenda item #7 stating his specific concerns.

PUBLIC SPEAKER #8 – Daniel Lehman - 439 Manning Drive - LG

Lehman voiced his objection to agenda item #7 stating his specific concerns.

PUBLIC SPEAKER #9 – Marilee Holtz – 398 Mill Street Fontana

Holtz voiced her objection to agenda item #7 stating her specific concerns.

PUBLIC SPEAKER #10 – Tim Dunn - 499 Manning Way - LG

Dunn voiced his objection to agenda item #7 stating his specific concerns.

PUBLIC SPEAKER #11 – Lauren Hansen / Engineer for this development

Hansen addressed the public and commission regarding the concerns stated regarding agenda item #7. He addressed the zoning, wetlands, storm water control, temporary rentals and density issues.

PUBLIC SPEAKER #12 – Josh Basso / Basso Builders LG

Basso addressed the public and commission regarding the concerns stated regarding agenda item #7. He addressed the conservancy area, conservancy easement, temporary rentals, traffic patterns regarding Manning Way etc.

PUBLIC SPEAKER #13 – Sara Lehman - 439 Manning Way - LG

Lehman voiced her objection to agenda item #7 stating her specific concerns.

5. Acknowledgment of Correspondence.

ACKNOWLEDGEMENT #1

Letter of Objection received regarding agenda item #7 – Tax Key ZMEA 00052 & ZYUP 00130C / Basso development from: *Deborah & Ralph Chiczewski*

6. Downtown Design Review

A. Application by Andrea Brewer for Raw Salon and Spa, 706 Main Street, Lake Geneva, WI 53147 for a change in the exterior awning with signage at the storefront at 706 Main Street, Tax Key No. ZOP 00307.

DISCUSSION

Joanne Cunningham addressed the commission regarding the application details.

MOTION #2

Kupsik/Skates moved to approve the application by Andrea Brewer for Raw Salon and Spa, 706 Main Street, Lake Geneva, WI 53147 for a change in the exterior awning with signage at the storefront at 706 Main Street, Tax Key No. ZOP 00307, including staff recommendations. The motion carried unanimously.

B. Application by Meridien Condo Association (Bella Vista), 335 Wrigley Drive, Lake Geneva, WI 53147 for a tile re-roofing color change at 335 Wrigley Drive, Tax Key No. ZMER 00040.

DISCUSSION

Mark Nortrowski, agent for the applicant, addressed the commission's concerns regarding color of the tile, existing tile age, what will be done with the old tiles etc.

MOTION #3

Skates/Gibbs moved to approve the application by Meridien Condo Association (Bella Vista), 335 Wrigley Drive, Lake Geneva, WI 53147 for a tile re-roofing color change at 335 Wrigley Drive, Tax Key No. ZMER 00040. The motion carried unanimously.

C. Application by Oakfire Properties, LLC, 1335 Edgewood Drive, Lake Geneva, WI 53147 for exterior modifications and signage to an existing building at 831 Wrigley Drive, Tax Key No. ZOP 00340.

DISCUSSION

Peter Jergens / Geneva Bay Construction / 133 Darwin Street, LG

Jergens addressed the commission regarding the details of the application and answered their questions and concerns. Samples of materials were passed around for the commission to review as well as 2 photo handouts that are attached to these minutes.

MOTION #4

Kupsik/Skates moved to approve the application by Oakfire Properties, LLC, 1335 Edgewood Drive, Lake Geneva, WI 53147 for exterior modifications and signage to an existing building at 831 Wrigley Drive, Tax Key No. ZOP 00340, to include staff recommendations. The motion carried 5/1 (Flower).

- 7. Item continued from January meeting, discussion and recommendation on a request filed by Basso Builders, 405 Skyline Drive, Lake Geneva WI, 53147 for a Zoning Map Amendment to change the zoning, on a CSM created from two parcels, from Rural Holding Zoning District (RH) & Single Family Zoning District (SR-4) to Multi-Family Residential-8 (MR-8) at the property located on Skyline Drive and Curtis Street, Current Tax Key No's. ZYUP 00130C & ZMEA 00052.**

DISCUSSION

Atty. Draper addressed the commission, clarifying that they are approving a zoning map change only. He further stated that they are not approving any particular project or plans. That would come at a later time.

Planner Slavney also addressed the commission adding that if anything beyond a single 4 unit building is proposed on this property it would need further city approval through a Conditional Use Permit or a Planned Development. Either of those things would require a Public Hearing and Notices similar to the geographic coverage we had for the zoning map amendment.

Slavney also commented on the State Law regarding the comprehensive plan and that the city has had a comp plan for decades. It was amended in the early 1990's, 1998 and the mid 2000's. The city is required by state law to amend the plan every ten years with a thorough review and update. The Smart Growth plan that was sited allows for amendments to occur more often than ten years. During the development of these comprehensive plans we've talked about how often that should be and it was determined that we should make available the ability for any property owner to request a change in the comp plan in any given year. The comp plan amendment process is described by state statutes and needs to be done with a public hearing and a 30 day public notice. That is really the only requirement. The city adopted a plan amendment process that if it goes as quickly as possible, it takes 5 months and provides for 4 months of public review of any requested change to the plan. This particular property came through last year under that process. It was brought before the Plan Commission as I recall as early as May 2014 and voting for the comp plan finally took place in October and November of 2014. A similar process will happen in 2015. This was the only request during that period and because of that it received a thorough review by the Plan Commission.

Slavney further stated that on our zoning map the rural holding designation is a holding zone. That means that a development oriented zoning district is anticipated but has not been assigned yet. The non-wetland portion of this property has always been identified as having potential for development. This is the first request to assign any kind of specific development oriented zoning to the property. During the plan amendment process it was determined that a multi family plan designation was appropriate for this property.

Skates asked if there is a way to change the way we Notice the public going forward. Planner Slavney stated that the Statues require that there be a public notice in the paper for a minimum of 30 days before the public hearing to consider Comprehensive Plan Amendments and that the proposed plan amendment go to the Plan Commission for recommendation and that a public hearing be held in front of the common council. Those are the minimum requirements that are spelled out in statutes and the City met those requirements for public notice and certainly provided a lot more review than the minimum time period allowed.

Slavney is the circuit rider planner for 24 other communities in addition to Lake Geneva, many here in Walworth county. During the period of the Smart Growth law where these requirements have been in place since 1999, all of the Comprehensive Plan Amendments, the individual parcel type of amendments, have gone through the process that he described above that is required by statutes and have not gone beyond that. He has also written or supervised over 200 Comprehensive Plans that were thorough rewrites, the ten year anniversary plan. In none of these processes were individual notices mailed out, it was all the general public notice, although typically for a ten year anniversary there are usually other events that provide opportunity for input, including the public hearing at the end of the process. The process that we went thru is more extensive than most communities use for a property specific amendment, but there is nothing that would prohibit any jurisdiction from going further than what we have outlined as the current process right now.

MOTION #5

Kupsik/Skates moved to approve the recommendation on a request filed by Basso Builders, 405 Skyline Drive, Lake Geneva WI, 53147 for a Zoning Map Amendment to change the zoning, on a CSM created from two parcels, from Rural Holding Zoning District (RH) & Single Family Zoning District (SR-4) to Multi-Family Residential-8 (MR-8) at the property located on Skyline Drive and Curtis Street, Current Tax Key No's. ZYUP 00130C & ZMEA 00052, to include any staff recommendations and suggested Plan Commission Findings for Recommendation to Common Council listed on the Staff Report and below:

- A. *If, after the public hearing, the Commission wishes to recommend approval, then the appropriate fact finding would be in agreement with Items 1 and 3, and one or more factors of Item 2, of the following.*
1. *The proposed Zoning Map Amendment furthers the purposes of the Zoning Ordinance as outlined in Section 98-005 and the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).*
 2. *One or more of the following factors have arisen that are not properly addressed on the current Official Zoning Map:*
 - a. *The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan;*
 3. *The proposed amendment to the Official Zoning Map maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.*

The motion carried unanimously.

- 8. Review and Recommendation on an Application for Land Division Review for an Addendum to Restriction/Modification Affidavit of Correction by Kelly T. Smith, 1525 W. Altegeld Street, Chicago, IL 60614 for land located in the extra-territorial plat review area at N1864 Wildwood Drive, Tax Key # ITE 00005, and being in the Town of Linn.**

DISCUSSION

Jim Howe, attorney with Godfrey Lawfirm – agent for applicant
Howe addressed the commission regarding the details of the application.

MOTION #6

Mayor Connors/Flower moved to approve the recommendation on an application for Land Division Review for an Addendum to Restriction/Modification Affidavit of Correction by Kelly T. Smith, 1525 W. Altegeld Street, Chicago, IL 60614 for land located in the extra-territorial plat review area at N1864 Wildwood Drive, Tax Key # ITE 00005, and being in the Town of Linn. The motion carried unanimously.

9. Public Hearing and recommendation on a Conditional Use Application filed by Michael Keefe, PO Box 460, Lake Geneva, WI 53147 to operate a Commercial Indoor Lodging facility at an existing Commercial Apartment in a Central Business (CB) zoning district located at 725 W. Main Street, Tax Key No. ZOP 00276.

DISCUSSION

Thomas Keefe - N1419 Academy Rd, LG

Keefe addressed the commission with details regarding the application.

Keefe clarified comments and concerns of the commission, including parking arrangements, heating for the unit, etc. Exception regarding ownership as they are under contract to close on the property this week.

PUBLIC SPEAKERS - None

MOTION #7

Flower/Skates moved to close the public hearing. The motion carried unanimously.

DISCUSSION

There was general discussion amongst the commission regarding the details of the application.

MOTION #8

Kupsik/Skates moved to approve the recommendation on a Conditional Use Application filed by Michael Keefe, PO Box 460, Lake Geneva, WI 53147 to operate a Commercial Indoor Lodging facility at an existing Commercial Apartment in a Central Business (CB) zoning district located at 725 W. Main Street, Tax Key No. ZOP 00276 to include staff recommendations, that the building have a one hour fire door, an escape window, hardwired carbon monoxide and smoke detectors, the lighting be repaired in the stairway and they work with their neighbor to put emergency lighting in the stairway as well. The motion carried unanimously.

10. Public Hearing and recommendation on a Conditional Use Application filed by Lake Geneva YMCA, 203 S. Wells Street, Lake Geneva WI, 53147, to operate a Group Day Care Center (9+ Children) (Summer Camp) in a Planned Development Zoning District (PD) at 203 S. Wells Street, Tax Key No. ZA181600002.

DISCUSSION

Mike Cramp, executive director with the Lake Geneva YMCA – 203 S. Wells Street, LG Cramp addressed the commission regarding the details of the application.

PUBLIC SPEAKER #1 - None

MOTION #9

Kupsik/Gibbs moved to close the Public Hearing. The motion carried unanimously.

MOTION #10

Skates/Flower moved to approve the recommendation on a Conditional Use Application filed by Lake Geneva YMCA, 203 S. Wells Street, Lake Geneva WI, 53147, to operate a Group Day Care Center (9+ Children) (Summer Camp) in a Planned Development Zoning District (PD) at 203 S. Wells Street, Tax Key No. ZA181600002 to include fact finding as included in the staff report. The motion carried unanimously.

11. Adjournment

MOTION #11

Skates/Gibbs moved to adjourn the meeting at 8:15 pm. The motion carried unanimously.

/s/Jackie Gregoles, B&Z Administrative Assistant

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE PLAN COMMISSION.



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Source: Lake Geneva Regional News

Commission denies rezone

October 02, 2003

By Steve Targo

Lake Geneva Regional News

The existing characteristics of a Lake Como neighborhood prompted the Geneva Township Planning Commission Monday to recommend denial of a rezone request from Howard Basso of Basso Builders, 405 Skyline Drive, Lake Geneva.

Basso requested the rezone in order to authorize the construction of two five-unit apartment buildings on Beach Road.

Numerous Lake Como residents opposed the "Beach Road Apartments" proposal because the site is located in a residential neighborhood.

"Aesthetically, this community does not need apartment buildings," resident Robert Giovannoni said.

Residents and commission members expressed concerns about the precedent that would be set if the commission approved the request.

Many residents said the neighborhood has a high density of people and traffic. They expressed concerns about the potential impact that the proposal can have on the neighborhood.

Some residents were opposed to the removal of numerous trees on the property. Basso and Commission Chairman Joe Kopecky said the trees on the site are "scrub" trees.

Basso said the trees need to be removed regardless of the type of development that occurs on the property.

"Either way, there will be building going on (there) so it is not going to stop any trees from being cut," Basso said.

In his presentation of the Beach Road Apartments plans, Basso said the proposal calls for vinyl siding and a 35-year roof on the buildings.

Kopecky and Basso clarified confusion concerning Basso's rezone request.

* Public Speaker #4
Handout
2-16-15

Resident Chris Madison said a sign on the Beach Road property states Basso requested a variance. Kopecky said the statement on the sign was an error.

The Monday agenda states Basso requested an "R-4" zoning classification for the property.

Basso said he wants an "R-5" class, which will authorize the proposed Beach Road Apartments.

Many residents asked Basso why he wants to build two apartment buildings on the property.

Basso said he proposed two buildings because of an 18-foot slope in the center of the property.

Residents and commission members said they oppose the apartment buildings, but they praised Basso for houses his company has already built in the Lake Como subdivision.

Residents and commission members asked Basso to build houses on the Beach Road property.

"I just don't feel, down in Como, that they need apartment buildings," commission member Pauline Malsch said.

Malsch and commission member Andy Schmidt also praised Basso Builders.

Schmidt said he would like to see Basso build homes instead of apartment buildings on the property.

"I would hate to see apartment buildings infiltrate the subdivision any further," Schmidt said.

Commission member Dave Van Lue spoke for the preservation of the existing character of the neighborhood.

"I think we should just keep it all residential (in the neighborhood)," Van Lue said. "No rezones."

Secretary Mary Van Lue presented two letters and a petition of 39 signatures which oppose the proposal.

Van Lue said the petition was submitted by Jackie Lickerman. A letter of opposition from Robert and Connie Decker contained five signatures of residents who oppose the request and the proposal, Van Lue said.

Mark Vallengo, who owns seven lots east of Beach Road, also wrote a letter of opposition, Van Lue said.

Rezoning Hearings

[Rezoning Application Form](#)

[Zoning Map and Text Amendment - Required Application Materials](#)

[Planning & Zoning Fee Worksheet](#)

[Zoning Map and Text Amendment - Administrative Procedures](#)

REZONING PUBLIC MEETING SCHEDULE

Filing Deadline: January 12, 2015, 3:00 p.m.	Public Meeting: April 20, 2015
Filing Deadline: July 10, 2015, 3:00 p.m.	Public Meeting: October 19, 2015

Rezoning meetings are held at the Washington County Circuit Court House, Room #1. Meetings begin promptly at 7:00 p.m.

Please Note: The public meeting date, time and location is subject to change. The applicant will be notified, in writing, of the meeting date, time and location.

The rezoning process is a formal legal proceeding by which an individual, a group of individuals, or the governing body may apply to change either the zoning classification of a particular property or a group of properties, or amend text contained in regulatory documents adopted by the Board of County Commissioners of Washington County. Applications to change a zoning classification are considered a Map Amendment. Presiding governmental bodies may periodically initiate rezonings on sections of the jurisdiction they govern comprising several parcels. This process is known as a Comprehensive Rezoning. Applications requesting modifications in the language included in the regulatory documents of the County are considered text amendments.

Map Amendments:

A petition to amend the Washington County Zoning Maps by rezoning a particular property (a piecemeal map amendment) may be submitted by the owner of the property, the contract purchaser or the agent for either party.

In accordance with Maryland State Law in order for a piecemeal rezoning to be granted, petitions for zoning map amendments, when not part of a comprehensive rezoning undertaken by the governing body, must be judged by the "change or mistake rule."

Change in Character of the Neighborhood:

It must be shown that there has been a change in the character of the neighborhood, since the last Comprehensive Zoning Plan, where the request for rezoning is located. As part of this premise, an applicant is to provide an accurate and acceptable definition of the neighborhood where the change is alleged to have occurred, the specific events that have caused the change and describe the character of the neighborhood before and after the change.

Mistake in Original Zoning:

A mistake in the current zoning can be shown to have occurred when there has been a failure to take into account projects or trends probable of fruition. Decisions based on erroneous information, facts that later prove to be incorrect, events that occurred since the current zoning, or ignoring facts in evidence can all contribute to a legitimate mistake having occurred.

*Even when one or the other is sufficiently sustained, it merely allows the local governing body to change the zoning and it does not require the change. When conditions are right for a change, the new zone must be shown to be appropriate, logical for the location, and consistent with the Comprehensive Plan.

Text Amendments:

A petition can be filed with the Washington County Planning Department to amend the text of the following documents: Adequate Public Facilities Ordinance, Comprehensive Plan, Forest Conservation Ordinance, Solid Waste Plan, Subdivision Ordinance, Water & Sewer Plan and Zoning Ordinance.

Text Amendments are not judged under the "change or mistake" law that is required for Map Amendments. The applicant does have to provide which section of the Ordinance they are requesting to be amended, the desired verbiage, a detailed explanation of the reasons why the text amendment is being sought and the rationale for the change.

***Select Administrative Procedures, at the top of the page to get a detailed listing of filing procedures. ***

Section 98-902 Amendment of Zoning Regulations

Section 98-902 Amendment of Zoning Regulations

through

application is not complete or does not fulfill the requirements of this Chapter, he shall return the application to the Applicant. If the Zoning Administrator determines that the application is complete, he shall so notify Applicant.

(b) Upon notifying the Applicant that his application is complete, the Zoning Administrator shall review the application and evaluate and comment on the written justification for the proposed text amendment which may be provided in the application per Subsection (3)(a)-(c), above.

(c) The Zoning Administrator may also evaluate the application to determine whether the requested text amendment is in harmony with the recommendations of the City of Lake Geneva's Comprehensive Master Plan, particularly as evidenced by compliance with the standards of Subsection (4)(c)1.-5., below:

1. The proposed text amendment furthers the purposes of this Chapter as outlined in Section 98-005.
2. The proposed text amendment furthers the purposes of the general Article in which the amendment is proposed to be located.
3. The proposed text amendment furthers the purposes of the specific Section in which the amendment is proposed to be located.
4. The following factors have arisen that are not properly addressed in the current zoning text:

a. The provisions of this Chapter should be brought into conformity with the Comprehensive Plan. (If a factor related to the proposed amendment, note pertinent portions of the Comprehensive Plan.);

b. A change has occurred in the land market, or other factors have arisen which require a new form of development, a new type of land use, or a new procedure to meet said change(s);

c. New methods of development or providing infrastructure make it necessary to alter this Chapter to meet these new factors;

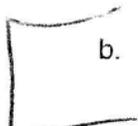
d. Changing governmental finances require amending this Chapter in order to meet the needs of the government in terms of providing and affording public services.

5. If the proposed text amendment is concerned with the provisions of Article II and/or III: The proposed amendment maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.

(d) The Zoning Administrator shall forward the report per (4)(b), and if prepared the report per (4)(c), to the Plan Commission for the Commission's review and use in making its recommendation to Common Council. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of the City's Comprehensive Master Plan, the Zoning Administrator shall note this determination in the report.

(5) **Review, Public Hearing, and Recommendation by the Plan Commission:** Common Council shall not make an amendment to this Chapter without allowing for a recommendation from the Plan Commission per the provisions of this Subsection.

(a) The Plan Commission shall schedule a reasonable time and place for a public hearing to consider the application within 45 days after the acceptance and determination of the complete application as determined by the Zoning Administrator. The Applicant may

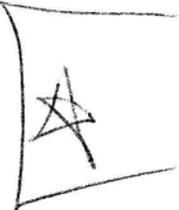


Section 98-903 Amendment of Official Zoning
MapSection 98-903 Amendment of Official Zoning
Map

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appear in person, by agent, and/or by attorney. Notice of the proposed amendment and the public hearing shall conform to the requirements of Section 62.23(7)(d) of the Wisconsin Statutes. Said notice shall contain a description of the proposed text change. In addition, at least ten days before said public hearing, the City Clerk shall mail an identical notice to the Applicant, and to the Clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter. Failure to mail said notice, provided it is unintentional, shall not invalidate proceedings under this Section.

- (b) Within 60 days after the public hearing (or within an extension of said period requested in writing by the Applicant and granted by the Plan Commission), the Plan Commission shall make a written report to the Common Council stating its findings regarding Subsection (4), above, and its recommendations regarding the application as a whole. Said report shall include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of (4)(b)1. through 5., above.
- (c) If the Plan Commission fails to make a report within 60 days after the filing of said complete application (and in the absence of a Applicant-approved extension per (b), above), then the Common Council may hold a public hearing within 30 days after the expiration of said 60 day period. Failure to receive said written report from the Plan Commission per Subsection (5)(a), above, shall not invalidate the proceedings or actions of Common Council. If such a public hearing is necessary, Common Council shall provide notice per the requirements of Subsection (a), above. *State Law Reference: Section 62.23(7)(d).*
- (d) If the Plan Commission recommends approval (or denial) of an application, it shall state in the minutes or in a subsequently issued written decision, its conclusion and any finding of facts supporting its conclusion as to the following: that the potential public benefits of the proposed amendment outweigh (or do not outweigh) any and all potential adverse impacts of the proposed amendment, as identified in Subsections (4)(b)1.-5. above, after taking into consideration the proposal by the Applicant.

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- (6) **Review and Action by Common Council:** Common Council shall consider the Plan Commission's recommendation regarding the proposed text amendment. The Council may request further information and/or additional reports from the Plan Commission, Zoning Administrator, and/or the Applicant. The Council may take final action on the application at the time of its initial meeting, or may continue the proceedings at the Applicant's request. Common Council may approve the amendment as originally proposed, may approve the proposed amendment with modifications (per the recommendations of the Zoning Administrator, the Plan Commission, authorized outside experts, or its own members), or may deny approval of the proposed amendment. If the Common Council wishes to make significant changes in the proposed text amendment, as recommended by the Plan Commission, then the procedure set forth in Section 62.23(7)(d) of the Wisconsin Statutes shall be followed prior to Council action. Any action to amend the provisions of the proposed amendment, or to reverse the recommendation of the Plan Commission, requires five votes of the Council regardless of quorum size. The Common Council's approval of the requested amendment shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed amendment.
- (7) **Effect of Denial:** No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.
- (8) **Fee:** A fee is required for this procedure. Refer to Section 98-935.

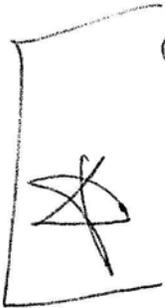
Section 98-507 Woodland Overlay Zoning District**Section 98-508 Steep Slope Overlay Zoning District***through*

groundcover in areas which are susceptible to variable runoff flows and moderate to rapid water movement.

- (3) **Determination of Drainageway Boundaries:** General drainageway boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a drainageway depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of Section 98-510. This analysis shall depict the location of all drainageway areas on the subject property as related to the provisions of Subsection (1), above.
- (4) **Mandatory Drainageway Protection Requirements:** Drainageways shall remain in an undisturbed state except for the land uses permitted in Section 98-204 per the requirements in Subsection 98-206(10). Vegetation clearing to maintain drainageway functions is permitted with the written approval of the Director of Public Works. All areas designated as drainageways shall be located within a public easement or dedication for maintenance purposes to preserve proper drainage flow.

Section 98-507 Woodland Overlay Zoning District

- (1) **Definition:** Woodlands are areas of trees whose combined canopies cover a minimum of 80% of an area of one acre or more, as shown on Environmental Corridors Composite Maps for the City of Lake Geneva and its environs, prepared by the SEWRPC.



- (2) **Purpose of Woodland Protection Requirements:** Woodlands provide a wide variety of environmental functions. These include atmospheric benefits such as removing air-borne pollutants, carbon dioxide uptake, oxygen production, and evapotranspiration returns. Water quality benefits include substantial nutrient uptake rates (particularly for nitrogen and phosphorus) and surface runoff reduction in terms of both volumes and velocities. Woodlands provide unique wildlife habitats and food sources. Woodlands are excellent soil stabilizers, greatly reducing runoff-related soil erosion. Woodlands also serve to reduce wind velocities which further reduces soil erosion. Finally, under proper management techniques, woodlands serve as regenerative fuel sources.
- (3) **Determination of Woodland Boundaries:** General woodland boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a woodland depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of Section 98-908(3)(h). This analysis shall depict the location of all woodland areas on the subject property as related to the provisions of Subsection (1), above.
- (4) **Mandatory Woodland Protection Requirements:** Woodlands shall remain in an undisturbed state except for the land uses permitted in Section 98-204 per the requirements of Subsection 98-206(10) and areas subject to the following mitigation requirements. Selective cutting operations are permitted by right in all woodland areas (per the requirements of Section 98-206(2)(f)). Clear cutting is permitted as a conditional use in all woodland areas (per the requirements of Section 98-206(2)(g)).

development districts and mixed-use districts the regulations need not be uniform.

(c) *Purposes in view.* Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems; to encourage the protection of groundwater resources; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to preserve burial sites, as defined in s. 157.70 (1) (b). Such regulations shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city.

(d) *Method of procedure.* 1. a. Upon the request of the city council, the city plan commission, the board of public land commissioners, or if the city has neither, the city plan committee of the city council shall prepare and recommend a district plan and regulations for the city. Following the formulation of tentative recommendations a public hearing shall be held by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee. The entity holding the hearing shall consider any comments made, or submitted, by the commanding officer, or the officer's designee, of a military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city. At least 10 days' prior written notice of any such hearings shall be given to the clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the proposed plan and regulations, and to the commanding officer, or the officer's designee, of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city, but failure to give such notice shall not invalidate such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the tentative recommendations and hearings thereon must be made once during each of the 2 weeks prior to such hearing. If the proposed district plan and regulations have the effect of changing the allowable use of any property within the city, the notice shall include either a map showing the property affected by the plan and regulations or a description of the property affected by the plan and regulations and a statement that a map may be obtained from the city council.

b. The council may make changes in the tentative recommendations after first submitting the proposed changes to the plan commission, board of public land commissioners or plan committee for recommendation and report and after publishing a class 2 notice, under ch. 985, of the proposed changes and hearings thereon as well as the notice to the clerk of any contiguous municipality and to the commanding officer, or the officer's designee, of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city, as required in subd. 1. a. Hearings on the proposed changes may be held by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee. The entity holding the hearing shall consider any comments made, or submitted, by the commanding officer, or the officer's designee, of a military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city. If the proposed changes to the proposed district plan and regulations have the effect of changing the allowable use of any property within the city, the notice shall include either a map showing the property affected by the changes or a description of the property affected by the changes and a statement that a map may be obtained from the city council.

2. The council may adopt amendments to an existing zoning ordinance after first submitting the proposed amendments to the city plan commission, board of public land commissioners or plan committee for recommendation and report and after providing the notices as required in subd. 1. b. of the proposed amendments and hearings thereon. In any city which is not located in whole or in part in a county with a population of 500,000 or more, if the proposed amendments would make any change in an airport affected area, as defined in sub. (6) (am) 1. b., the council shall mail a copy of such notice to the owner or operator of the airport bordered by the airport affected area. A hearing shall be held on the proposed amendments by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee. The entity holding the hearing shall consider any comments made, or submitted, by the commanding officer, or the officer's designee, of a military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city. If the proposed amendments have the effect of changing the allowable use of any property within the city, the notice shall include either a map showing the property affected by the amendments or a description of the property affected by the amendments and a statement that a map may be obtained from the city council. If the council does not receive recommendations and a report from the plan commission, board of public land commissioners or plan committee within 60 days of submitting the proposed amendments, the council may hold hearings without first receiving the recommendations and report.

2m. a. In case of a protest against an amendment proposed under subd. 2., duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed amendment, or by the owners of 20% or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective except by the favorable vote of three-fourths of the members of the council voting on the proposed change.

b. In any city which is not located in whole or in part in a county with a population of 500,000 or more, if a proposed amendment under subd. 2. would make any change in an airport affected area, as defined under sub. (6) (am) 1. b. and the owner or operator of the airport bordered by the airport affected area protests against the amendment, the amendment shall not become effective except by the favorable vote of two-thirds of the members of the council voting on the proposed change.

3. The council may repeal or repeal and reenact the entire district plan and all zoning regulations in accordance with subd. 1. The council may repeal or repeal and reenact a part or parts of the district plan and regulations in accordance with subds. 2. and 2m.

4. The city council shall maintain a list of persons who submit a written request to receive notice of any proposed zoning action that may be taken under subd. 1. a. or b. or 2. that affects the allowable use of the person's property. If the plan commission, the board of public land commissioners, or city plan committee of the city council completes action on any tentative recommendations that are noticed under subd. 1. a., proposed changes to a proposed district plan and regulations that are submitted under subd. 1. b., or proposed amendments that are submitted under subd. 2., and the city council is prepared to vote on the tentative recommendations, proposed changes to a proposed district plan, and regulations or proposed amendments, the city council shall send a notice, which contains a copy of the tentative recommendations, proposed changes to a proposed district plan, and regulations or proposed amendments, to each person on the list whose property, the allowable use of which, may be affected by the tentative recommendations or proposed changes or amendments. The notice shall be by mail or in any reasonable form that is agreed to by the person and the city council. The city council may charge each per-

2-16-15

Public Speaker #5 - Handout

WI; John Muir Chapter's Sierra Club provides a long history of supporting Smart Growth. Anti-sprawl and pro-land use policies in discussing this proposal.

The Smart Growth Law enacted in 1999, which requires that county and local general, shore land, subdivision. Mapping & zoning ordinances; enacted or amended on or after January 1, 2010, be consistent with the comprehensive plan adopted by the unit of government enacting or amending such ordinances. The law requires that the following nine elements be addressed in a comprehensive plan:

1. Issues and Opportunities;
2. Housing;
3. Transportation;
4. Utilities and
5. Community Facilities;
6. Agricultural,
7. Natural, and Cultural Resources;
8. Economic Development;
9. Roads, and utilities by up to 18 percent.

The City of Franklin completed studies and ran the numbers' finding that new development costs them all. Each new home costs at least \$10,000 per year. Builders paid only \$813 in impact fees while local property taxpayers paid the rest. (*Franklin Impact Fee Task Force, Impact Fee Needs Assessment, 1995, page 1.*)

Smart Growth Cuts Tax Costs

According to the UW Planning Professor Jack Huddleston, Smart Growth and efficient development can reduce the cost of new housing development by up to 10 percent, saving taxpayers \$400 million over poorly planned sprawl development. Growth and good land use planning means we need to build fewer roads, schools and sewers to service new development. Smart Growth Saves Taxpayers and Local Governments Money

One Michigan study found that good land use planning and Smart Growth cuts money spent on roads, utilities, and housing significantly. A study of 18 Michigan communities by the Southeast Michigan Council of Governments proves that those with smarter growth cut their cost of housing, roads, and utilities by up to 18 percent.

Residential Development Costs 3 Times More than Open Space

More than 80 studies from American Farmland Trust and others show that residential land use is a net drain on municipal tax reserves. Houses don't cover the cost of schools, roads and other public costs.

American Farmland Trust - Farmland Information Center, Cost of Community Services Studies Fact Sheet, 2001, www.farmlandinfo.org/ifc/tas/fafs-cocs.html

What Can be done to support smart growth

1. Support and fund Smart Growth planning to reduce costs on new development
2. Require new development to pay its fair share for schools and all costs.
3. Protect parkland, critical habitat, and farmland to cut development costs
4. Make the state provide a generic town plan to help local units of government complete their plans.

For more information see

"Sprawl Costs Us All," www.sierraclub.org/sprawl/articles/kulsey.asp

Some Key Points About Wisconsin's New "Smart Growth" Legislation

Requires that all local governments must have a comprehensive plan by January 1, 2010, if they engage in programs or actions that affect land use.

**Prepared by Brian W. Ohm
Assistant Professor
Department of Urban & Regional Planning
University of Wisconsin-Madison**

I. Where did this Legislation originate from?

It is the work of a unique coalition of groups including the Wisconsin Realtors Association, 1000 Friends of Wisconsin, the Wisconsin Builders Association, the Wisconsin Chapter of the American Planning Association, the Wisconsin Council of Regional Planning Organizations, the local government associations and the State. Facilitated by faculty from the University of Wisconsin-Madison, the groups developed the definition of the comprehensive plan that Governor Tommy Thompson included in the state budget bill along with money for planning grants. Sen. Brian Burke, D-Milwaukee added local comprehensive planning goals, a "smart growth dividend," and requirements for traditional neighborhood development ordinances.

II. How does the legislation impact local planning in Wisconsin?

A. Provides a definition of a "comprehensive plan."

1. Prior to this legislation, Wisconsin only had the 1920s limited definition of a "master plan" (for cities, villages, and towns with village powers) and a limited definition of a "county development plan" added in 1967.
2. This definition applies to all cities, villages, towns, counties and regional planning commissions in Wisconsin. It begins to provide the framework for a unified land use planning and regulation enabling law for Wisconsin.

B. Requires that all local governments must have a comprehensive plan by January 1, 2010, if they engage in programs or actions that affect land use.

1. Changes existing language that counties "shall" prepare a development plan to "may" to clarify that counties are not required to have a comprehensive plan until January 1, 2010, if they engage in programs or actions that impact land use. (Very few counties followed the "shall" language since only a handful of counties have a county development plan.)

C. Provides state funding to support local planning efforts [see below].

D. After January 1, 2010, local programs and actions impacting land use must be consistent

with that local government's comprehensive plan.

E. Requires that the local governing body adopt written procedures designed to foster public participation and other significant new plan adoption requirements.

F. Requires that a comprehensive plan must be adopted in its entirety.

1. Currently master plans and county development plans can be adopted in parts and the plans are often never "complete."

G. Requires that the governing body adopt the comprehensive plan.

1. Current law only requires that the plan commission adopt master plans.

H. Changes the composition of city, village, and town plan commissions to allow greater local discretion.

1. The plan commission shall consist of 7 members, appointed by the mayor. The mayor also appoints the presiding officer. Members may consist of the mayor and other elected or appointed city officials, except the commission must have at least 3 citizen members who are not city officials.
2. Eliminates the current statutory language that the plan commission must consist of the mayor, who shall be the presiding officer, the city engineer, the president of the park board and an alderperson.
3. For towns with a population of less than 2,500, the plan commission may consist of 5 members appointed by the town chairperson, who selects the presiding officer. Requires at least one citizen member who is not a town official.

I. Requires that cities and villages, and towns with a population of at least 12,500, adopt traditional neighborhood development and conservation subdivision ordinances that are similar to ordinances developed by the University of Wisconsin Extension. The ordinances are not required to be mapped.

J. Establishes a "smart growth dividend aid program." Specifics to be developed by the Departments of Administration and Revenue. The first grants are to be distributed in fiscal year 2005-06.

III. How does a community apply for a grant?

The legislation provides 2 sources of grants to assist with local planning efforts:

A. As of July 1, 1999, \$1 million is available from the Department of Administration to help finance the costs of planning activities related to the transportation element. An additional \$1 million is available on July 1, 2000.

1. These are matching grants. Local governments may pay up to 25% of the cost.
2. Grants must be approved by the Department of Transportation (the original source of the funds).

B. As of July 1, 2000, \$1.5 million will be available for the fiscal year from the Department of Administration to help finance the cost of local planning activities.

1. Grants are only available to finance a comprehensive plan [as defined in the legislation].
2. These are matching grants. The amount of the match will be based on the number of applications and the availability of funding.
3. Grants must be approved by the Wisconsin Land Council. The Land Council may promulgate rules specifying methodology to prioritize grants.
4. The legislation gives priority to grants for planning efforts that:
 - address intergovernmental issues;
 - meet the local 14 local comprehensive planning goals identified in the legislation;
 - identify smart growth areas;
 - include development of implementing ordinances;
 - will be completed within 30 months; and f. provide opportunities for public participation.

IV. How does the legislation affect state agencies?

State agencies are encouraged to design their programs, policies, infrastructure and investments to reflect a balance between the mission of the agency and 14 local comprehensive planning goals.

V. How does the legislation impact existing plans or current planning processes?

Existing plans and current planning processes are not directly affected. HOWEVER, before January 1, 2010, local governments undertaking programs and actions that impact land use will need to have a comprehensive plan. Planning takes time. The earlier a community begins to prepare a comprehensive plan the better. The grant program and the "smart growth dividend aid program" also provide incentives for early completion of comprehensive plans.



Explore, enjoy and protect the planet

Smart Growth Makes \$ense

And Saves Tax Dollars, Parks and Farmland

With Wisconsin facing a \$1.6 billion budget crisis and community after community facing referenda for new schools, Smart Growth and comprehensive planning can save taxpayers millions of dollars with lower school, road, and other development costs. Legislators should fund Comprehensive Planning Smart Growth measures, not nix it.

Smart Growth Cuts Tax Costs

According to the UW Planning Professor Jack Huddleston, Smart Growth and efficient development can reduce the cost of new housing development by up to 10 percent, saving taxpayers \$400 million over poorly planned sprawl development.¹ Why? Smart Growth and good land use planning means we need to build fewer roads, schools and sewers to service new development.

The City of Franklin south of Milwaukee ran the numbers and found that new development costs them all. Each new home costs at least \$10,000 per year. Builders paid only \$813 in impact fees while local property taxpayers paid the rest.²

Smart Growth Saves Taxpayers and Local Governments Money

One Michigan study found that good land use planning and Smart Growth cuts money spent on roads, utilities, and housing significantly. A study of 18 Michigan communities by the Southeast Michigan Council of Governments proves that those with smarter growth cut their cost of housing, roads, and utilities by up to 18 percent.³ See chart below for specifics.

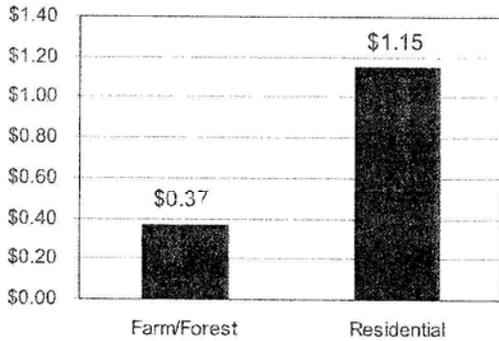
Area of Impact	Savings from Smart Growth
Roads	11.9%
Water and sewer	18.1%
Housing Costs	6.4% or \$10,000/home
Annual Revenue Impacts	3.2%

¹ Professor Jack Huddleston, "Comparative Costs of Development, Supporting Analysis," January 1996.

² Franklin Impact Fee Task Force, Impact Fee Needs Assessment, 1995, page 1.

³ Robert Burchell, et al. "Fiscal Impacts of Alternative Land Development Patterns in Michigan: The Costs of Current Development versus Compact Growth." South East Michigan Council of Governments. June 1997.

Cost of Community Service Studies



Cost per dollar of revenue raised to provide public services to different land uses.

while public services for residential land uses cost \$1.15. Why? Open spaces do not require new schools, sewers, or police protection like new development.

For more information see "Sprawl Costs Us All," www.sierraclub.org/sprawl/articles/hulseys.asp

Residential Development Costs 3 Times More than Open Space

More than 80 studies from American Farmland Trust and others show that residential land use is a net drain on municipal tax reserves. Houses don't cover the cost of schools, roads and other public costs.⁴

For every dollar of taxes paid, public services for farmland, forest and open spaces cost 37 cents to deliver

What You Can Do...

Support and fund Smart Growth planning to reduce costs on new development

Require new development to pay its fair share for schools and all costs.

Protect parkland, critical habitat, and farmland to cut development costs

Make the state provide a generic town plan to help local units of government easily complete their plans.

For more information contact: www.sierraclub.org/sprawl or call 608-256-0565.

⁴ American Farmland Trust – Farmland information Center, Cost of Community Services Studies Fact Sheet, 2001, www.farmlandinfo.org/fic/ras/ras-cocs.html

STAFF REPORT
To Lake Geneva Plan Commission

Meeting Date: March 16, 2015

Agenda Item #6A

Applicant:

Angela Durkin for KD Vape Shop
252 Center Street
Lake Geneva, WI 53147

Request:

Exterior signage for new business
Tax Key No. ZOP 00258

Description:

The applicant proposes to replace four signs at the location for their business. The size of the signs meets downtown design standards and the colors do not fall within our restricted color palette.

Staff Recommendation:

The new signs, while being bolder colors, meet all specifications for the Downtown district and Sign Ordinance. Staff's recommendation is that the signs be approved as presented with any Commission amendments.

Agenda Item #7

Applicant:

Innovative Construction Solutions for
Interra-Sky Lake Geneva, LLC
200 Edwards Blvd, Lake Geneva, WI 53147

Request:

Final design approval for a PIP Amendment that was
previously approved by the Plan Commission for property
located at 200 Edwards Blvd., Tax Key No. ZA196100001.

Description:

The applicant was previously approved for the alteration for the front façade at the subject property and was required by the Plan Commission to bring back the final design for their approval.

Staff Recommendation:

Staff has reviewed the plans for the new façade and notes that all of the concerns of the Plan Commission have been addressed. Staff recommends approval for the new façade design with any Plan Commission conditions. It will be a good addition to fill unused retail space at this location.

Agenda Item #8

Applicant:

Lake Geneva Animal Hospital Properties
801 Townline Road
Lake Geneva, WI 53147

Request:

Site Plan Review for addition and parking lot
alterations at 801 Townline Road.
Tax Key No. ZA317000001.

Description:

The applicant proposes to add on South West side of the building and enlarge the parking lot. Landscaping on the property will be relocated or replaced to meet landscaping requirements.

Staff Recommendation:

It is the staff's opinion that this proposed will no adverse effects on the overall neighborhood and will provide a better traffic flow into and out of the property. The proposed addition meets all of the zoning requirements for the Planned Business Park and there for recommends approval. Applicant must comply with the City Engineer's comments dated January 9, 2015 and any conditions from the City of Lake Geneva Fire Department.

Agenda Item #10

Applicant:

Milliette Family LP
493 Wrigley Drive
Lake Geneva, WI 53147

Request:

Conditional Use approval to install an accessory structure
(Pier) closer to the lake than the primary structure in the
Lakeshore Overlay Zoning District at 493 Wrigley Drive.

Description: The applicant would like to remove and reconstruct a pier for lake access.

Staff Recommendation: Staff has no objection to the proposed pier which is currently in for approval from the Wisconsin DNR. Proof of approval to be supplied before any construction begins.

- A. If, after the public hearing, the Commission wishes to recommend approval, then the appropriate fact finding would be:
1. In general, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. Specific to this site, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed conditional use in its proposed location, and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, 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 provisions of this Chapter, the Comprehensive Plan or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
 4. The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

5. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on any of improvements, facilities, utilities or services provided by public agencies serving the subject property.
 6. The potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.
- B. If, after the public hearing, the Commission wishes to recommend denial, then the appropriate fact finding would be:
1. In general, the proposed conditional use is not in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. Specific to this site, the proposed conditional use is not in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed conditional use in its proposed location, and as depicted on the required site plan does result in a substantial or undue adverse impact on nearby property, 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 provisions of this Chapter, the Comprehensive Plan or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
 4. The proposed conditional use does not maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
 5. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on any of improvements, facilities, utilities or services provided by public agencies serving the subject property.
 6. The potential public benefits of the proposed conditional use do not outweigh all potential adverse impacts of the proposed conditional use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Agenda Item #11

Staff is proposing to modify section 98-802 of the Sign Ordinance to include the addition of Menu Board Signs for all businesses in the city to allow for the display of daily specials and eliminate the clutter on sidewalks, entrances, and street yards.

Staff may provide additional comment on the above items and will comment on remaining agenda items at the meeting.

APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

15 copies
20 color copies of
picture of sign

SITE ADDRESS/PARCEL NO. AND FULL LEGAL DESCRIPTION REQUIRED (ATTACH SEPARATE SHEET IF NECESSARY):

252 Center St. small shop on south end.

NAME AND ADDRESS OF CURRENT OWNER:

Irene Kavanaugh 252 Center St. Lake Geneva, WI
53147

TELEPHONE NUMBER OF CURRENT OWNER:

262-903-2999

NAME AND ADDRESS OF APPLICANT:

Angela Durkin
6511-235th Ave Salem, WI 53168

TELEPHONE NUMBER OF APPLICANT:

407-697-3559

PROPOSED CONDITIONAL USE:

install 3 signs 1 in plastic in front
marquee + 2 wood signs 1 on south side
of building + 1 on west side of building

ZONING DISTRICT IN WHICH LAND IS LOCATED:

Lake Geneva

NAMES AND ADDRESSES OF ARCHITECT, PROFESSIONAL ENGINEER AND CONTRACTOR OF PROJECT:

plastic sign - ~~Wendy Wagner~~ Signature Signs
wood sign - Sue Benson

SHORT STATEMENT DESCRIBING ACTIVITIES TO BE CARRIED ON AT SITE:

install business signs.

CONDITIONAL USE FEE PAYABLE UPON FILING APPLICATION: \$400.00 [\$100 FOR APPLICATIONS UNDER SEC. 98-407(3)]

2-22-15

DATE

SIGNATURE OF APPLICANT



Grape

APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

SITE ADDRESS/PARCEL NO. AND FULL LEGAL DESCRIPTION REQUIRED (ATTACH SEPARATE SHEET IF NECESSARY):

200 Edwards Blvd, ZA196100001

NAME AND ADDRESS OF CURRENT OWNER:

Interra-Sky Lake Geneva, LLC, 2400 Augusta Drive, Suite 330
San Houston, TX 77057

TELEPHONE NUMBER OF CURRENT OWNER: _____

NAME AND ADDRESS OF APPLICANT:

Innovative Construction Solutions, Inc.
21675 Gateway Drive, Brookfield, WI 53045

TELEPHONE NUMBER OF APPLICANT: 262-790-1911

PROPOSED CONDITIONAL USE: FINAL DESIGN APPROVAL:

Final Design approval for a previously approved
PIP Ammendment.

ZONING DISTRICT IN WHICH LAND IS LOCATED: Planned Development

NAMES AND ADDRESSES OF ARCHITECT, PROFESSIONAL ENGINEER AND CONTRACTOR OF PROJECT:

Innovative Construction Solutions, Inc.
21675 Gateway Drive
Brookfield, WI 53045

SHORT STATEMENT DESCRIBING ACTIVITIES TO BE CARRIED ON AT SITE:

Altering front entrance for new Tenant.

CONDITIONAL USE FEE PAYABLE UPON FILING APPLICATION: ~~\$400.00~~ ~~[\$100 FOR APPLICATIONS UNDER SEC. 98-407(3)]~~

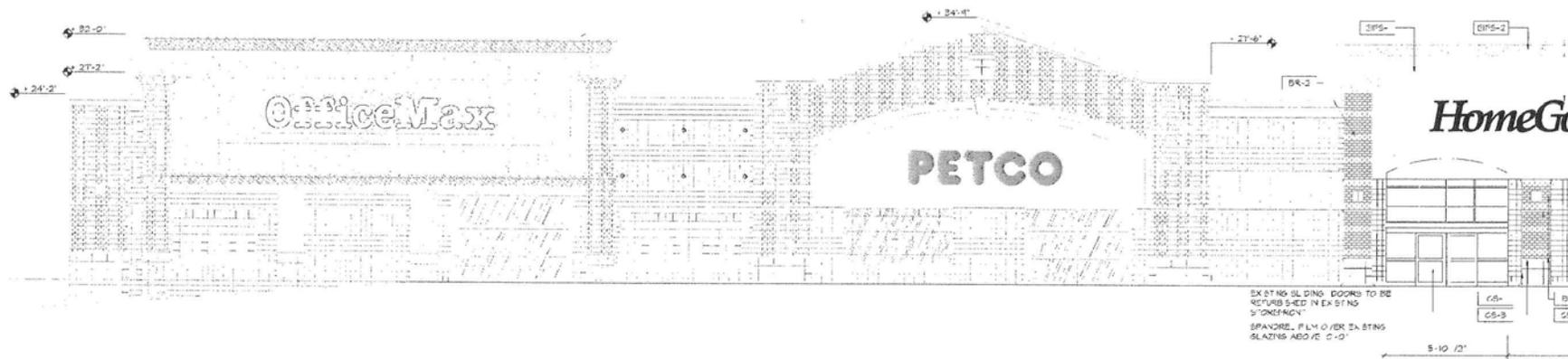
DATE

2/25/15

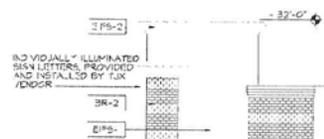
SIGNATURE OF APPLICANT

Dave Schwartz





EXTERIOR FINISH SCHEDULE	
CM-1	EXISTING CMU
CS-1	EXISTING PRE-CAST STONE
CS-2	NEW PRE-CAST STONE TO MATCH CS-1



APPLICATION FOR SITE PLAN REVIEW

City of Lake Geneva

Site Address and Parcel No. or Legal Description:

801 Townline Rd Lake Geneva

Tax Parcel ZLGBP2 00035

Name and Address of Current Owner:

Drs Scott and Mona Hedkiewicz 6428 Townline Rd Lake Geneva

Dr Christopher Welch N3708 Willow Bend Ln Lake Geneva

Telephone No. of Current Owner including area code: Scott 262-903-9663 Mona 262-909-4790
Chris 262-374-0252

Name and Address of Applicant:

Lake Geneva Animal Hospital 801 Townline Rd Lake Geneva

Drs Scott and Mona Hedkiewicz Dr Christopher Welch

Telephone No. of Applicant including area code: same

Proposed Use:

Expansion of existing Veterinary Hospital

Zoning District: _____

Names and Addresses of architect, professional engineer and contractor of project:

Brent Ryan - Merton Buildings - Building exterior

Ron Amann Amann Construction - Interior construction

Short statement describing activities to take place on site:

Proposed addition to an existing Veterinary
hospital built in 2001. We are adding
two additional exam rooms, a dental suite,
an additional surgical suite and an employee
lounge

Site Plan Review fee: \$400.00, due upon filing of Application.


Signature of Applicant

AGREEMENT FOR SERVICES

January 9, 2015

Project No. W130140.01

Mr. Ken Robers
Zoning Administrator
City of Lake Geneva
626 Geneva Street
Lake Geneva, Wisconsin 53147

Site Review
Lake Geneva Animal Hospital Addition

Dear Mr. Robers:

We have reviewed the resubmitted site development plans for the above referenced project, by Farris, Hansen & Associates, Inc. as emailed January 5, 2014.

Based on our review of the submitted information, we offer the following concerns/comments to be addressed by the builder or their representative:

1. Erosion Control:
 - a. Modify Item 2 in the construction sequence on the plans to include that erosion control shall be monitored "at least once weekly; and within 24 hours after a 0.5-inch or greater rainfall event and daily during prolonged rainfall events".
 - b. Modify the note for the anti-tracking area to state that debris shall be cleared daily.
2. The final plans shall be stamped and signed by a professional engineer registered in the state of Wisconsin.

Based on our review, the final revised plans shall be resubmitted addressing the above comments prior to issuing a building permit.

Submitted data has been reviewed for conformance with generally accepted engineering/surveying practices and City policies. Although this data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans, and supplemental data and for compliance with all state and local codes, ordinances, and procedures. Modification to the plans, etc. may be required should errors or changed conditions be found at a future date.

Should you have any questions, please feel free to call me.

Sincerely,

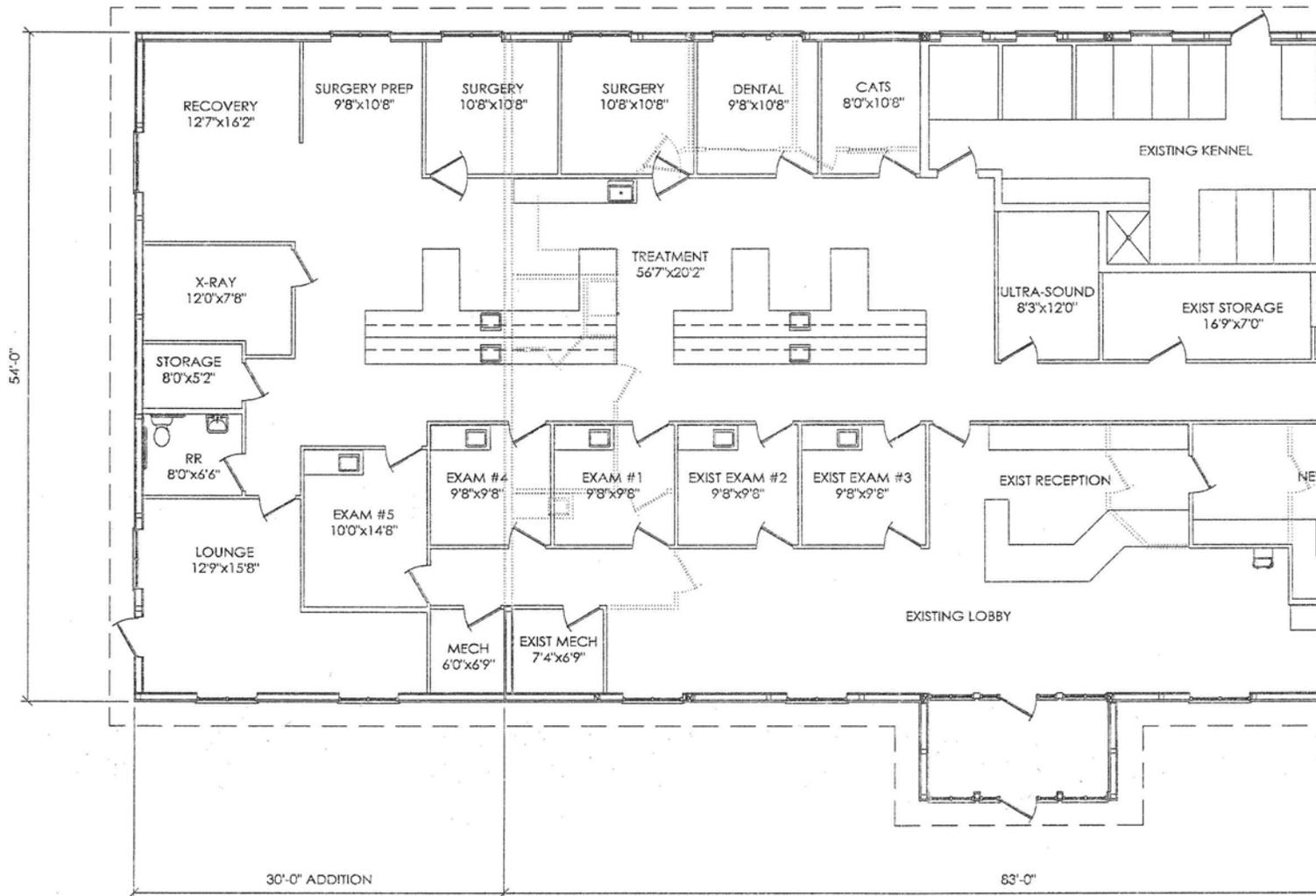
GAI Consultants, Inc.



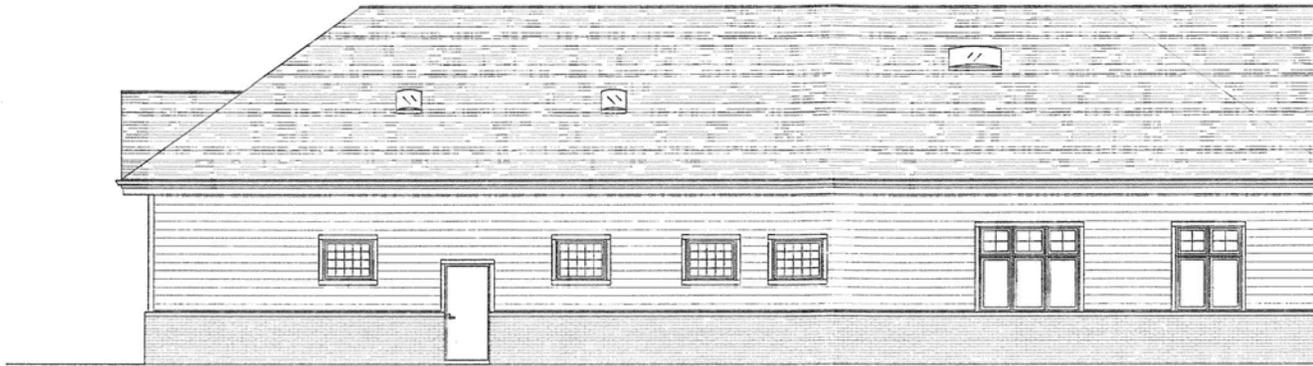
Lawrence "Tucker" Perra, P.E.
Senior Engineer

LTP/pat

cc: Dan Winkler, P.E. - Director of Public Works and Utilities *via email*
Warren E. Hansen, P.E. - Farris, Hansen & Associates, Inc. *via email*
Timothy J. Hastings - GAI Consultants, Inc. *via email*



INTERIOR LAYOUT



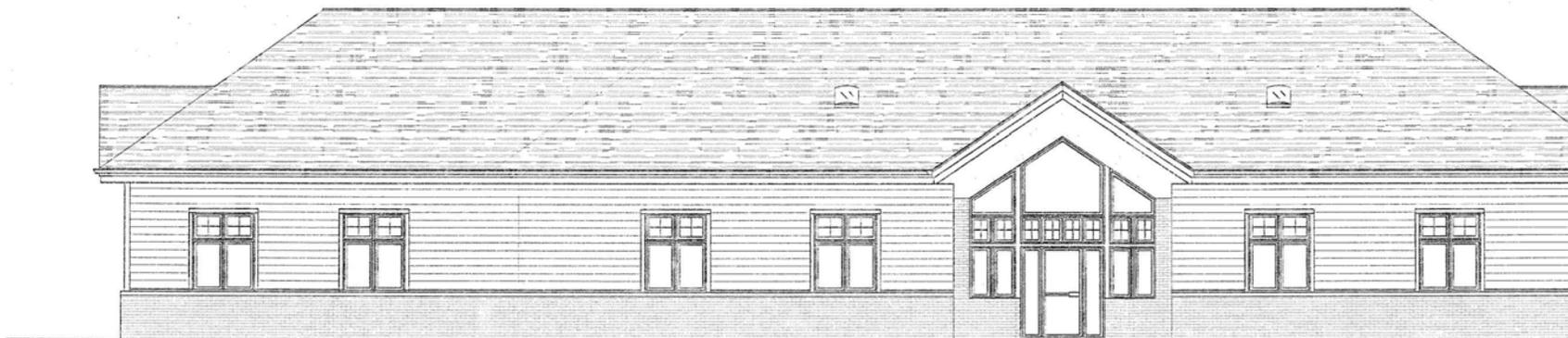
NORTHWEST ELEVATION



SOUTHWEST ELEVATION



NORTHEAST ELEVATION



SOUTHEAST ELEVATION

LAKE GENEVA ANIMAL HOSPITAL SITE, GRADING, DRAINAGE, & EROSION CONTROL PLAN LOT 1 OF CERTIFIED SURVEY MAP NO. 3170 CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN

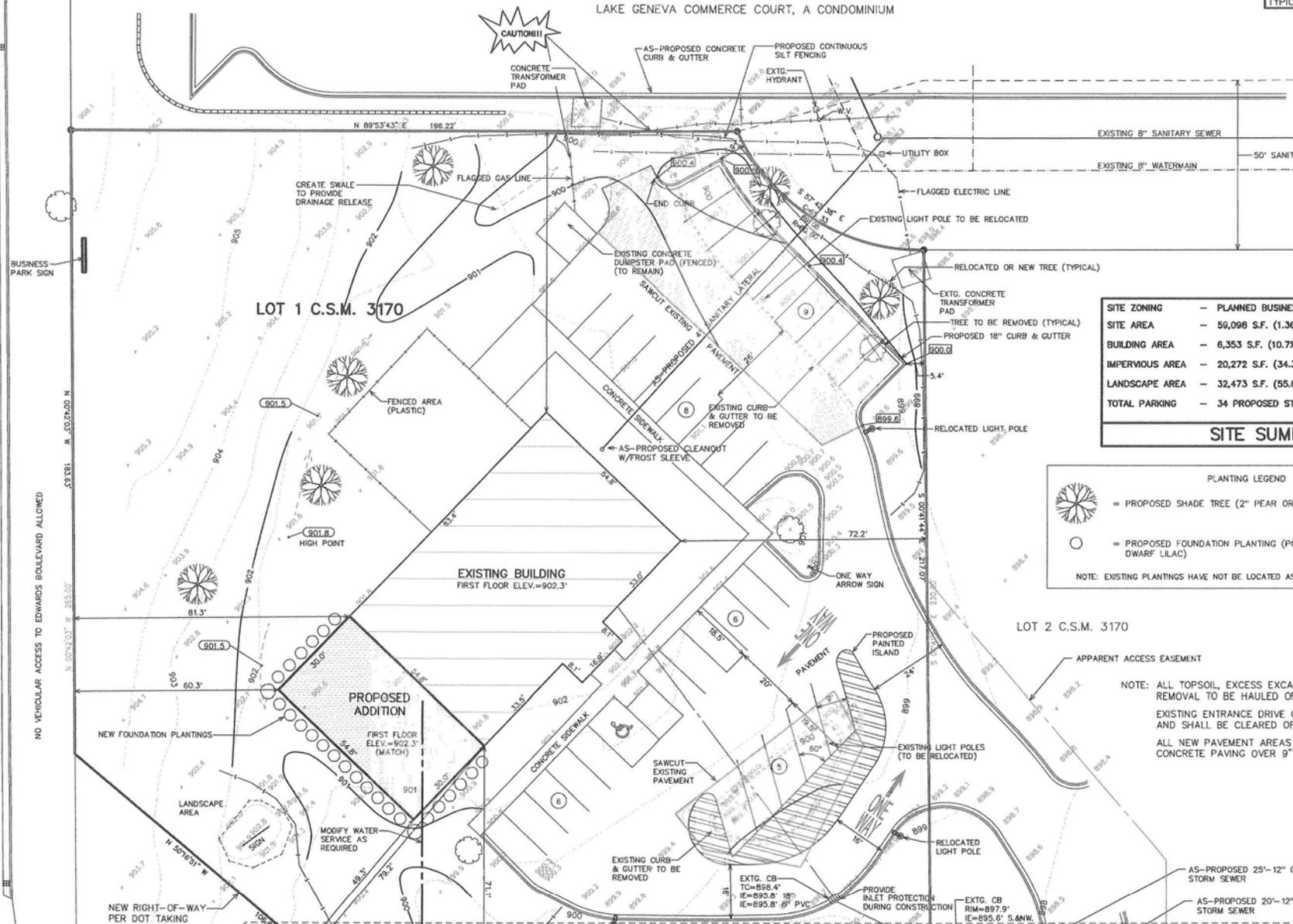
TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN, CONTACT:

DIGGERS HOTLINE

Toll Free (800) 242-8511
Milwaukee Area (414) 259-1181
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

WS STATUTE 182.0175(1974) REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

- LEGEND
- = PROPERTY CORNER
 - XXX--- = EXISTING CONTOURS
 - XXX- = PROPOSE CONTOURS
 - XXXXX = PROPOSED FINISHED GROUND GRADE
 - XXX.X = PROPOSED TOP OF CURB GRADE
 - F.F.=XXX.X = PROPOSED FINISHED FLOOR ELEVATION
 - (XXX) = RECORDED AS



SITE ZONING	
— PLANNED BUSINESS	
SITE AREA	— 59,096 S.F. (1.36 AC)
BUILDING AREA	— 6,353 S.F. (10.7%)
IMPERVIOUS AREA	— 20,272 S.F. (34.3%)
LANDSCAPE AREA	— 32,473 S.F. (55.0%)
TOTAL PARKING	— 34 PROPOSED SPACES

SITE SUMMARY

- PLANTING LEGEND
- = PROPOSED SHADE TREE (2" PEAR OR CHERRY)
 - = PROPOSED FOUNDATION PLANTING (POT DWARF LILAC)
- NOTE: EXISTING PLANTINGS HAVE NOT BE LOCATED AS OF DATE OF SURVEY

EDWARDS BOULEVARD
120' WIDE R.O.W.

NO VEHICULAR ACCESS TO EDWARDS BOULEVARD ALLOWED

NEW RIGHT-OF-WAY PER DOT TAKING DOC NO: 485737

NOTE: ALL TOPSOIL, EXCESS EXCAVATION TO BE HAULED OFF SITE AND EXISTING ENTRANCE DRIVE ON EDWARDS BOULEVARD SHALL BE CLEARED OF ALL TOPSOIL AND EXCESS EXCAVATION. ALL NEW PAVEMENT AREAS A MINIMUM OF 4" CONCRETE PAVING OVER 9" CEMENT STABILIZED SUBGRADE.



Farris, Hansen & Associates, Inc.

Engineers Architects Surveyors

February 20, 2015

Mr. Ken Robers
Zoning Administrator
City of Lake Geneva
626 Geneva Street
Lake Geneva, WI 53147

Re: Basso Builders, Inc. Conceptual Group Development Plan
Whitetail Preserve
FHA Project No. 5970.2014

Dear Mr. Robers,

As was discussed on the phone, we are enclosing four full size copies of the Conceptual Group Development Plan along with building floor and elevation plans. Also enclosed are fifteen 11"x17" reductions of said plans. These plans represent all of the requested and acknowledged revisions from previous reviews. Additionally, we have enclosed a copy of the Preliminary Stormwater Management Plan for you engineer to review, if necessary.

We had requested an exemption of the 23.1' setback for Building #5 in the project narrative dated February 5, 2015. This setback is to the side lot line of Building #5, and should be considered a side yard setback of a minimum of 10', not a rear yard setback of a minimum of 30'. This setback abuts the conservation area of undevelopable lands which is planned to be managed by the Lake Geneva Conservancy Group.

If you have any questions or need any additional copies, please let us know.

Thank you,

FARRIS, HANSEN & ASSOCIATES, INC.


Warren E. Hansen, P.E.

Enclosures

pc: Josh Basso, Basso Builders, Inc.
Michael Slavney, Vandewalle

CITY OF LAKE GENEVA

626 GENEVA STREET
LAKE GENEVA, WISCONSIN 53147
(262) 248-3673 • Fax (262) 248-4715
www.cityoflakegeneva.com



March 3, 2015

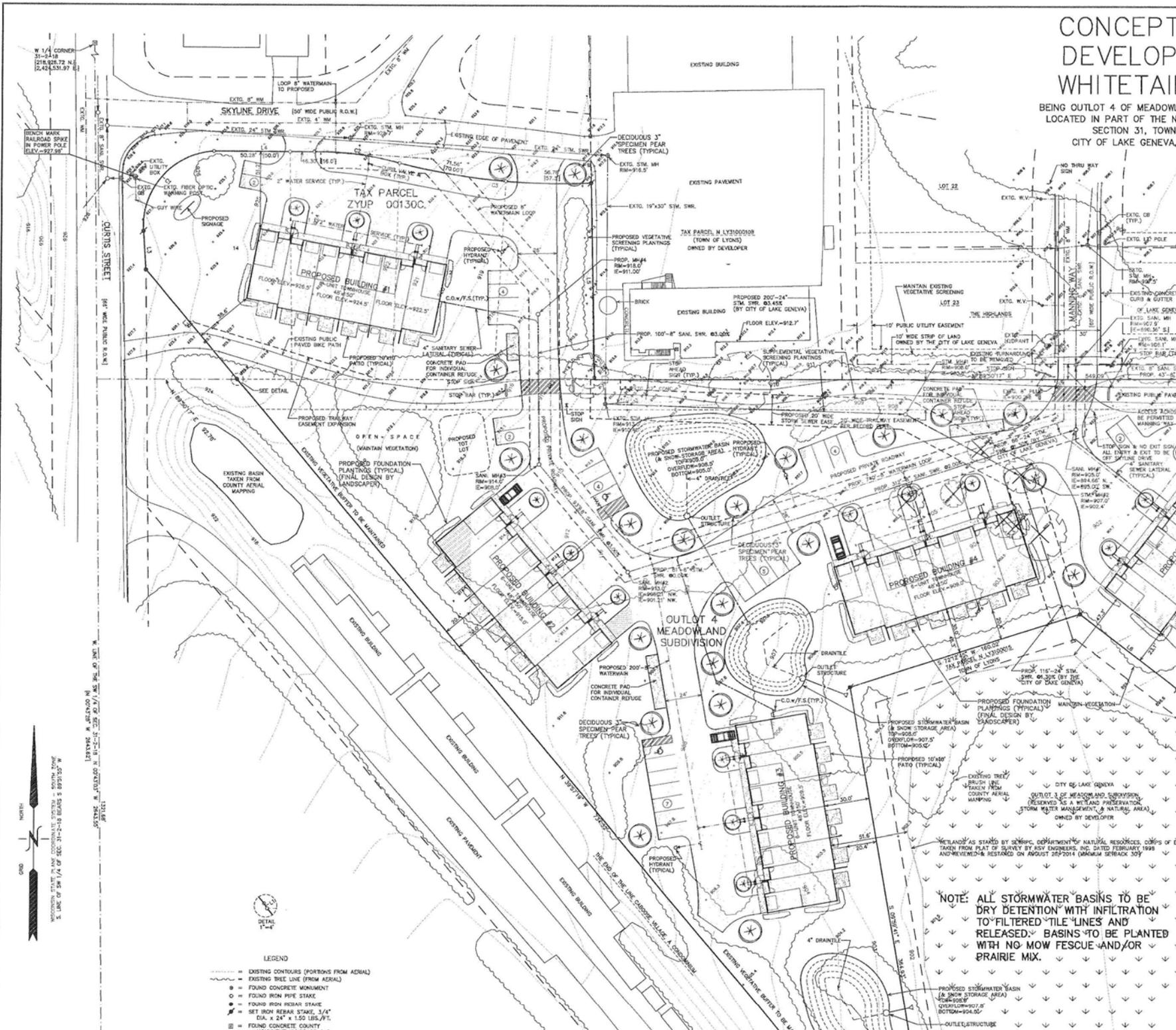
To all concerned property owners;

This letter is to inform you that Basso Builders will be presenting a Conceptual Group Development Plan to the Lake Geneva Plan Commission on Monday, March 16, 2014 at 6:30PM. The Conceptual Plan is for discussion only and a Public hearing will not be held. Interested parties may speak at the Public comments portion of the meeting for all items that do not have a Public Hearing. If a Conditional Use is requested, by Basso Builders, for a Group Development all neighboring property owners will be notified at that time. At this possible future meeting, a Public Hearing will be held and a recommendation will be forwarded to the City Council for its consideration.

Kenneth P Robers
City of Lake Geneva
Building and Zoning Administrator

CONCEPT DEVELOPMENT WHITETAIL

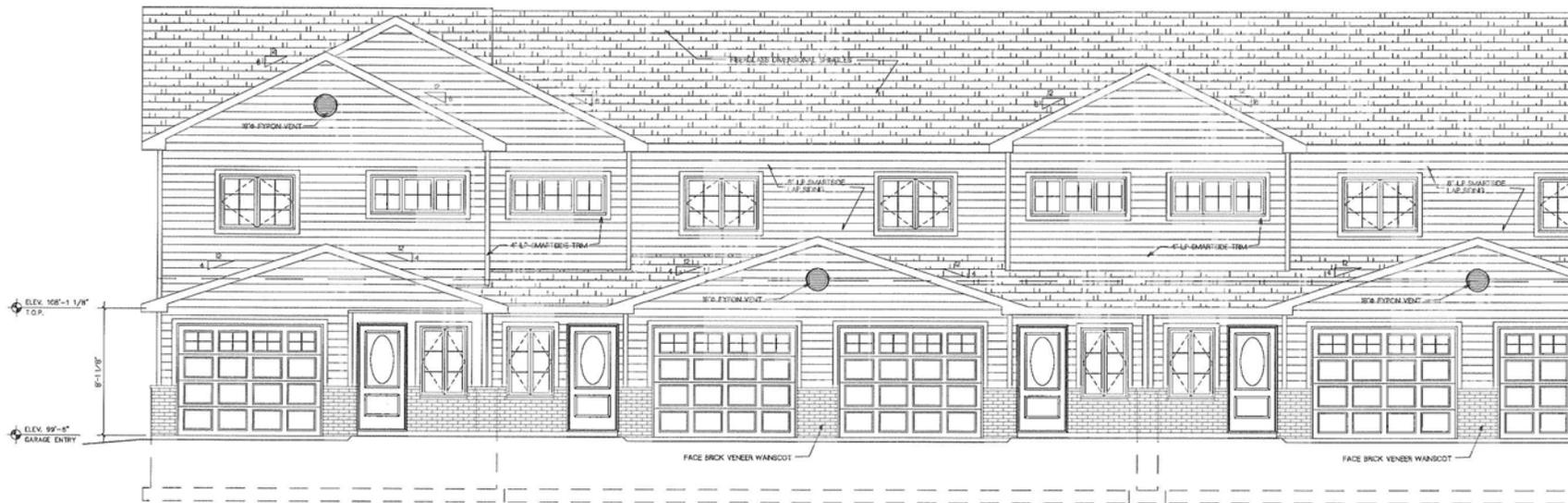
BEING OUTLOT 4 OF MEADOWLAND SUBDIVISION
LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWN OF LAKE GENEVA, CITY OF LAKE GENEVA.



- LEGEND**
- - - - - EXISTING CONTOURS (PORTIONS FROM AERIAL)
 - - - - - EXISTING TREE LINE (FROM AERIAL)
 - FOUND CONCRETE MONUMENT
 - FOUND IRON PIPE STAKE
 - FOUND IRON IRIDIAN STAKE
 - SET IRON REBAR STAKE, 1/4" DIA. x 24" x 150 LBS./FT.
 - FOUND CONCRETE COUNTY MONUMENT W/ BRASS CAP

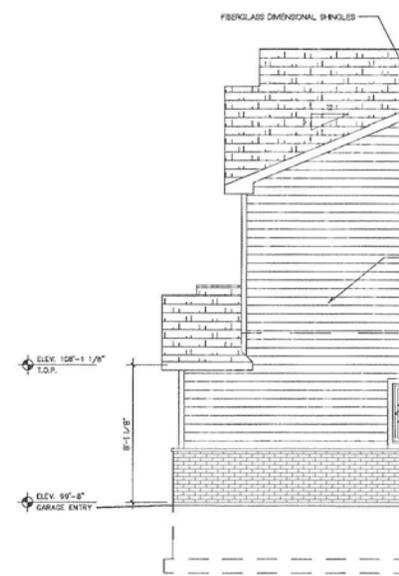
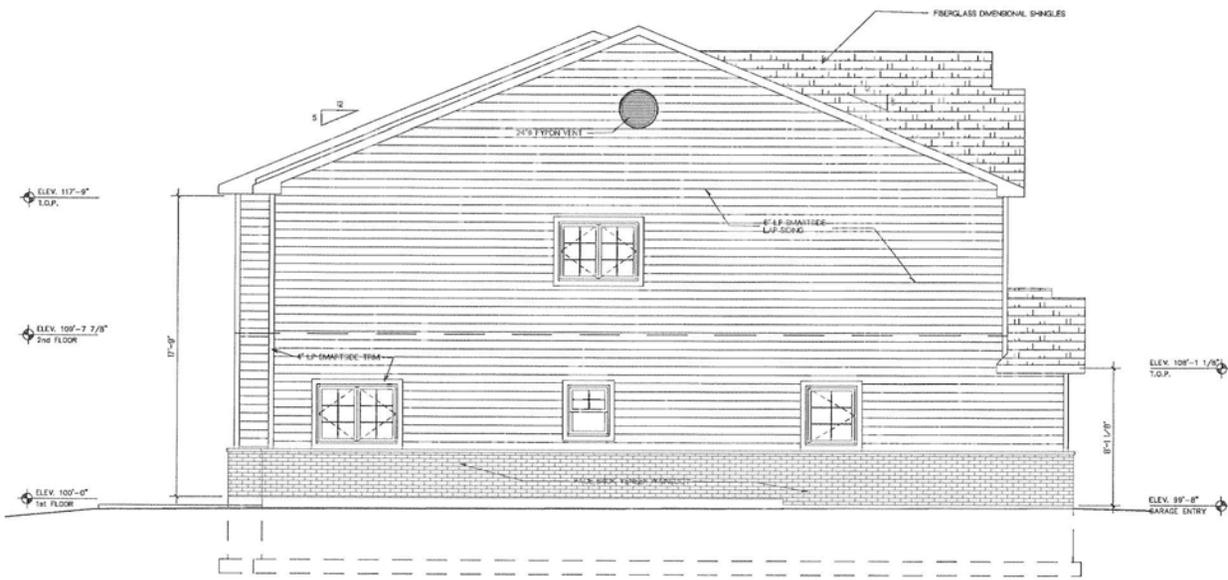
NOTE: ALL STORMWATER BASINS TO BE DRY DETENTION WITH INFILTRATION TO FILTERED TILE LINES AND RELEASED. BASINS TO BE PLANTED WITH NO-MOW FESCUE AND/OR PRAIRIE MIX.

WETLANDS AS STATED BY GENCO, DEPARTMENT OF NATURAL RESOURCES, COMPS OF LAKE GENEVA, OUTLOT 4 OF MEADOWLAND SUBDIVISION, RESERVED AS A WETLAND PRESERVATION AREA. CITY OF LAKE GENEVA, STORM WATER MANAGEMENT & NATURAL AREA, OWNED BY DEVELOPER.

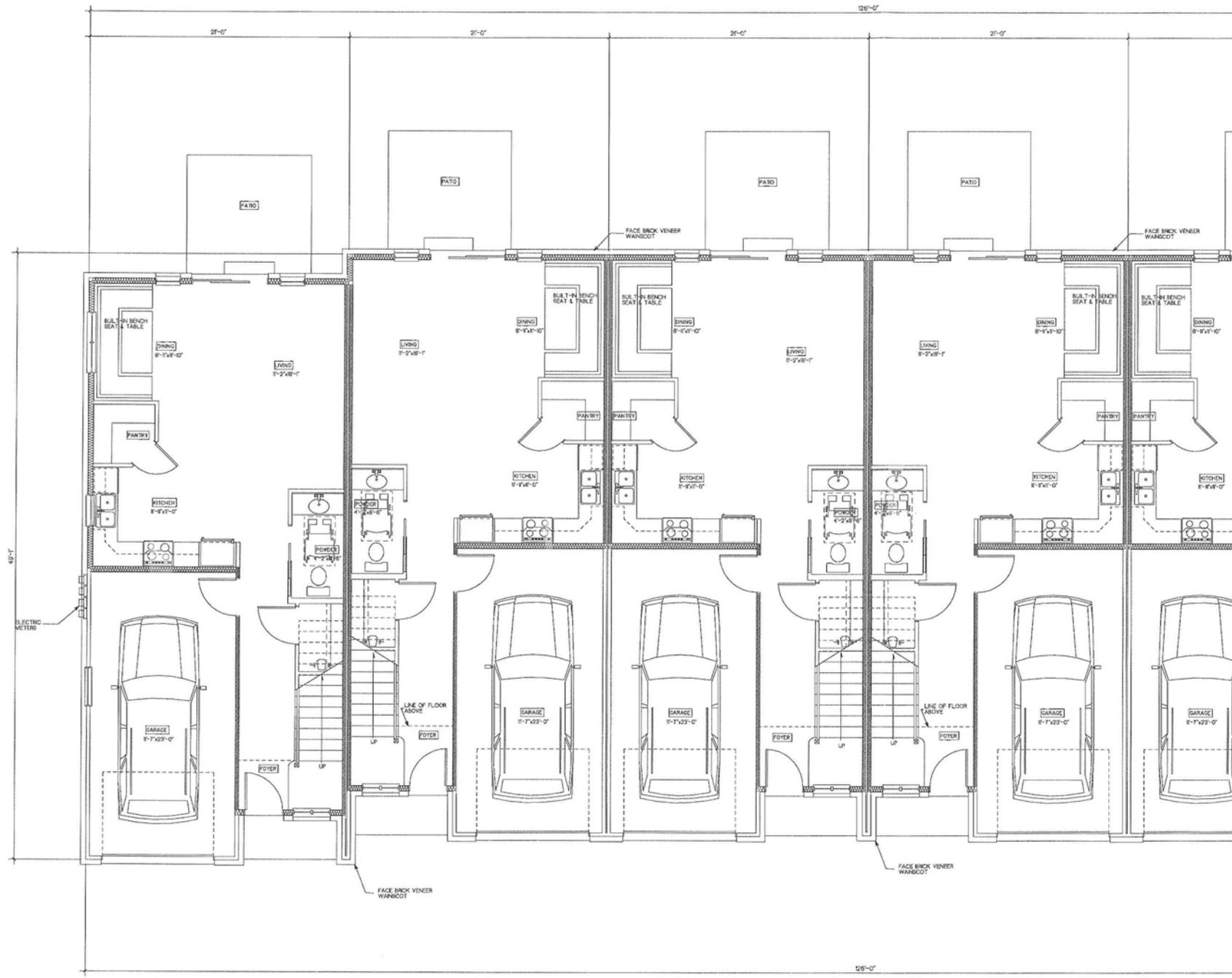


FRONT ELEVATION
SCALE 1/4"=1'-0"





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



FIRST FLOOR AREA=873 R2
 SECOND FLOOR AREA=921 R2
 TOTAL LIVING AREA=1494 R2
 GARAGE AREA=283 R2
 TOTAL UNIT AREA=1777 R2

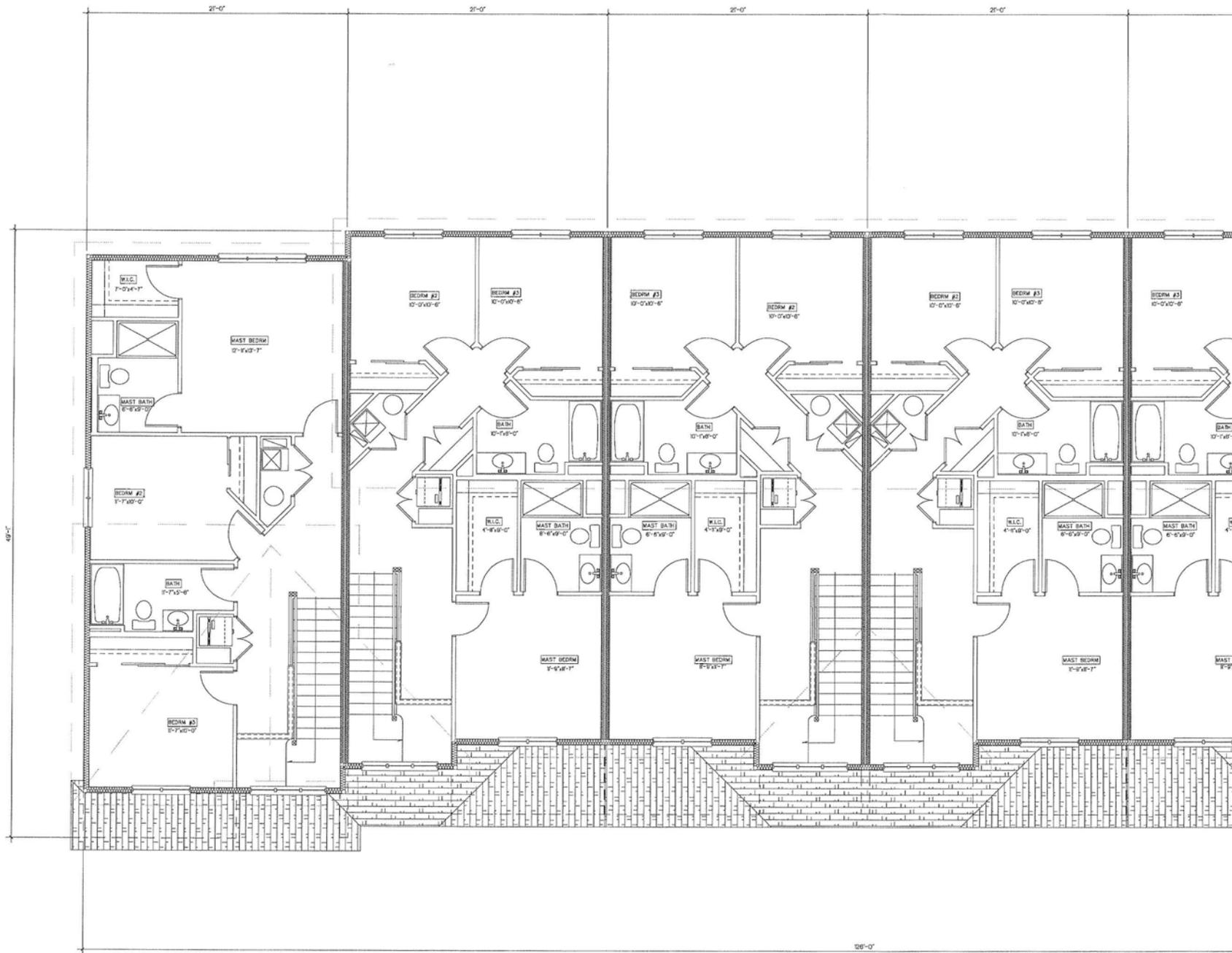
FIRST FLOOR AREA=873 R2
 SECOND FLOOR AREA=921 R2
 TOTAL LIVING AREA=1494 R2
 GARAGE AREA=283 R2
 TOTAL UNIT AREA=1777 R2

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FIRST FLOOR AREA=873 R2
 SECOND FLOOR AREA=921 R2
 TOTAL LIVING AREA=1494 R2
 GARAGE AREA=283 R2
 TOTAL UNIT AREA=1777 R2

FIRST FLOOR PLAN

SCALE 1/4"=1'-0"



APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

SITE ADDRESS/PARCEL NO. AND FULL LEGAL DESCRIPTION REQUIRED (ATTACH SEPARATE SHEET IF NECESSARY):

493 Wrigley Dr. Lake Geneva WI 53147

com 83' W of SE cor lot 11 Blk 37 op N 85' W to W LN
Blk 38 sly to SW cor Blk 38 E To Pob Original Plat city of Lake Geneva
NAME AND ADDRESS OF CURRENT OWNER:

Milliette Family LP. 493 Wrigley Dr Lake Geneva WI 53147
Gary Milliette

TELEPHONE NUMBER OF CURRENT OWNER: Gary Milliette 262-248-8393

NAME AND ADDRESS OF APPLICANT:

Reed's Construction LLC
W3199 South Lake Shore Drive Lake Geneva WI 53147

TELEPHONE NUMBER OF APPLICANT: 262-248-8393

PROPOSED CONDITIONAL USE:

Build a New 6' x 100' main pier with h on Each side 8' x 27' 6"
and walkway 4' x 27' 6" to Create 4 Boat slips
to Replace the pier that is there now.

ZONING DISTRICT IN WHICH LAND IS LOCATED: MR-8

NAMES AND ADDRESSES OF ARCHITECT, PROFESSIONAL ENGINEER AND CONTRACTOR OF PROJECT:

Reed's Construction LLC
W3199 S. Lake shore Dr.
Lake Geneva WI 53147

SHORT STATEMENT DESCRIBING ACTIVITIES TO BE CARRIED ON AT SITE:

Put 10 Crib in the water and fill with rock then building
of crib + Jack + stringer and Decking at Shop. Then haul it to
the lake put it all together

CONDITIONAL USE FEE PAYABLE UPON FILING APPLICATION: \$400.00 [\$100 FOR APPLICATIONS UNDER SEC. 98-407(3)]

2-22-15
DATE

Jeff Reed
SIGNATURE OF APPLICANT

BZP

Notice

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City Plan Commission on Monday, March 16, 2015 at 6:30 P.M. at the City Hall, Council Chambers, 626 Geneva Street, Lake Geneva, Wisconsin, on a Conditional Use Application filed by Milliette Family LP, 493 Wrigley Drive, Lake Geneva, WI 53147, to install a replacement accessory structure (Pier) closer to the lake shore than the principal structure, within Lakeshore Overlay Zoning District in accordance with Sec. 98-409(2) Lake Shore lots, at the following location:

TAX KEY NO. ZOP 00369 - 493 Wrigley DRIVE

All interested in the above matter are invited to attend. The City Plan Commission will be in session on Monday, March 16, 2015 at 6:30 P.M. at the City Hall, Council Chambers, 626 Geneva Street, Lake Geneva, Wisconsin, to consider any objections that may have been filed and to hear all persons desiring to be heard.

Dated this 27st day of February 2015.

Mayor James R. Connors
City Plan Commission
City of Lake Geneva, WI

A QUORUM OF ALDERMEN MAY BE IN ATTENDANCE

Please Publish as small Legal on March 5th & 12th.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
P.O. Box 7921
Madison, WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



February 23, 2015

IP-SE-2015-65-00597

Milliette Family LC
Gary Milliette
493 Wrigley Drive
Lake Geneva, WI 53147

Dear Mr. Milliette:

This acknowledges receipt of your application to place a pier on the bed of Geneva Lake, City of Lake Geneva in Walworth County.

Our field staff are currently evaluating your proposal. Depending on the amount of information you provided and the complexity of your project, you may be asked to provide additional information so that a complete evaluation can be made. We will notify you of the final disposition of your application as soon as we complete our review.

If you have not already done so, please contact the City of Lake Geneva zoning office to determine if a local permit is also required for your project. I have forwarded a copy of your application to the U.S. Army Corps of Engineers. They will advise you directly as to whether their regulations apply to your project.

If you have any questions, please contact your local Water Management Specialist, Travis Schroeder at (262) 574-2172 or email travis.schroeder@wi.gov.

Sincerely,

Danielle
Waterway and Wetland Permit Intake Specialist

cc: Travis Schroeder, Water Management Specialist
Stacy Marshall, U.S. Army Corps of Engineers
City of Lake Geneva Zoning
Jeff Reed, Reed's Construction

Quality Customer Service is Important to Us. Tell Us How We Are Doing.
Water Division Customer Service Survey
<https://www.surveymonkey.com/s/WDNRWater>

EXTENSIVE WILDLIFE HABITAT

Water River

State Road 100

STATEWIDE HABITAT AREAS

Lake Como

BIG FOOT BEACH STATE PARK

Geneva Lake

Milliette

WALWORTH COUNTY, WISCONSIN



Author:

Map Produced on: 22/02/15

Wisconsin State Coordinate System: South Zone
Horizontal Datum: NAD83

Walworth County Information Technology Department
Land Information Division

Map Scale: 1 inch = 2.35 feet

Map Date: 2/2/15

Map File: Milliette.mxd



Walworth County



Millette

WALWORTH COUNTY, WISCONSIN

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Author: Walworth County Information Technology Department
 Map Produced on: 02-20-15
 Wisconsin State Plane Coordinate System, South Zone
 National Grid - 4827

Walworth County Information Technology Department
 Land Information Division
 200 Appleton Street, Appleton, WI 53106
 920.833.3333
 1000 Appleton Street, Appleton, WI 53106
 920.833.3333

Scale: 1 inch = 100 feet

North Arrow

Walworth County

proposed for development OR if the proposed conditional use is a group development (per Section 98-208) a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan per Section 98-908.

(e) Written justification for the proposed conditional use:

_____ Indicating reasons why the Applicant believes the proposed conditional use is appropriate with the recommendations of the City of Lake Geneva Comprehensive Master Plan, particularly as evidenced by compliance with the standards set out in Section 98-905(4)(b)1.-6. (See below)

I. JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

1. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City?
The pier will be 13' or more off lot line
will be create 4 Boat slip for docking Boats
2. How is the proposed conditional use, in its specific location, in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City?
Go to be used as private boat docking
3. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 98-905(3)(d)), result in any substantial or undue adverse impact on nearby property, 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 provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development?
No this is all on private property is a pier
Just like all the other pier on the lake
4. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
Used for private boat dock and fishing off of and
Swimming and for storing the boat for the summer.
5. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?
Pier is down on the water + the home owner is responsible
for repair + up keep. It is made at a building and haul into be
installed.
6. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Subsections 98-905(4)(b)1.-5.), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?
Public does not benefit this is a private pier for private use only
will not cost public anything.

Notice: Pursuant to chs. 30 and 31, Wis. Stats., ch. 281, Wis. Stats., and s. 283.33, Wis. Stats., this form is used to apply for coverage under the state construction site storm water runoff general permit, and to apply for a state or federal permit or certification for waterway and wetland projects or dam projects. This form and any required attachments constitute the permit application. Failure to complete and submit this application form may result in a fine and/or imprisonment or forfeiture under the provisions of applicable laws including s. 283.91, Wis. Stats. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records Laws (ss. 19.31-19.39, Wis. Stats.).

Use this form for (check all that apply):

- Work in public waters (DNR - ch. 30, Wis. Stats.)
- Storm water NOI - New land disturbing construction activity
- Work in waters of the U.S (Corps of Engineers)
- Storm water NOI - Renewal FIN # _____
- Permit for Wetland Fill (DNR or Corps of Engineers)
- Dam projects (DNR or Corps of Engineers)

Read all instructions provided before completing. If additional space is needed, attach additional pages.

Section 1: Applicant/Permittee Information

Applicant Name (Ind., Org. or Entity) Milliette Family LP		Authorized Representative Gary Milliette		Title Owner	
Mailing Address 493 Wrigley Dr		City Lake Geneva		State WI	ZIP Code 53147
Email Address LAKEGENEVA@LIVE.COM		Phone Number (incl. area code) 262-248-8393		FAX Number (incl. area code)	

Section 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind., Org. or Entity)		Contact Person		Title	
Mailing Address		City		State	ZIP Code
Email Address		Phone Number (incl. area code)		FAX Number (incl. area code)	

Section 3: Other Contact Information (check one)

- Consultant or Plan Preparer Contractor Agent Other If Other, specify:

Name (Ind., Org. or Entity) Reed's Construction LLC		Contact Person JEFF REED		Title owner of Reeds	
Mailing Address W3199 south lake shore Dr		City Lake Geneva		State WI	ZIP Code 53147
Email Address		Phone Number (incl. area code) 262-248-2934		FAX Number (incl. area code) 262-248-3537	

Section 4: Project or Site Location

Project Name Milliette Family LP		County Walworth		<input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of	
Location Address/Description 493 Wrigley Dr. Lake Geneva WI 53147					

Section 5: Location Information

Create a map depicting the project location or the perimeter of the construction site (land disturbance) and relationship to nearby water resources using the Surface Water Data Viewer <http://dnr.wi.gov/topic/surfacewater/swdvl> or a 7.5-minute series topographic map. You can print the map and then draw the location on the map.

Provide the section, range, township information and if available, the Latitude and Longitude information.

PLSS (Public Land Survey System) Method

Quarter-Quarter	Quarter	Section	Township	Range	If this site is not wholly contained on the quarter-quarter section, more description: <input type="checkbox"/> E <input type="checkbox"/> W
			N		

Com 83' W of SE cor lot 11 Blk 37 op N 85' W to W LN
 Blk 38 sly to SW cor Blk 38 E To PoB Original Plat
 City of Lake Geneva

PLEASE COMPLETE BOTH PAGES 1 & 2 OF THIS APPLICATION. PRINT OR TYPE. The Department requires use of this form for any application filed pursuant to Chapter 30, Wis. Stats. The Department will not consider your application unless you complete and submit this application form. Personally identifiable information on this form will not be used for any other purpose, but it must be made available to requesters under Wisconsin's open records law [s. 19.31-19.39, Wis. Stats.].

1. Applicant (Individual or corporate name) <u>Milliette Family Lp</u> Address <u>493 Wrigley Dr</u> City, State, Zip Code <u>Lake Geneva WI 53147</u> Telephone No. (Include area code) <u>Gary 262 248-8393</u>	2. Agent/Contractor (firm name) <u>Reed's Construction LLC</u> Address <u>W3199 South Lake Shore Dr.</u> City, State, Zip Code <u>Lake Geneva WI 53147</u> Telephone No. (Include area code) <u>262-248-2934</u>
Fire Number <u>493</u> Tax Parcel Number <u>ZOP 00369</u>	Fire Number <u>493</u> Tax Parcel Number <u>ZOP 00369</u>

3. If applicant is not owner of the property where the proposed activity will be conducted, provide name and address of owner and include letter of authorization from owner. Owner must be the applicant or co-applicant for structure, diversion and stream realignment activities.

Owner's Name	Address	City, State, Zip Code
--------------	---------	-----------------------

4. Is the applicant a business? Yes No
 If YES, is the permit or approval you are applying for necessary for you to conduct this business in the State of Wisconsin?
 Yes No

If YES, please explain why (attach additional sheets if necessary):
Com 83' W of SE Lot 11 BLK 37
Op. N 85' W to W LN BLK 38 SLY
to SW cor Blk 83 E to Pob original Plat
City of Lake Geneva

5. Project Location
 Address 493 Wrigley Dr
 Village/City/Town Lake Geneva
 Fire Number 493 Tax Parcel Number Zop 00369
 Waterway Lake Geneva
 County Walworth
 Govt. Lot 394 OR 1/4 1/4, of Section ,
 Township North, Range (East) (West)

6. Adjoining Riparian (Neighboring Waterfront Property Owner) Information

Name of Riparian #1	Address	City, State, Zip Code
<u>Mike Lynch</u>		
Name of Riparian #2	Address	City, State, Zip Code
<u>Lina Selman</u>	<u>600 Cambet St</u>	<u>Lake Geneva WI 53147</u>

7. Project Information (Attach additional sheets if necessary)

(a) Describe proposed activity (include how this project will be constructed)
Wood construction pier with wood crib Filled with Rocks

(b) Purpose, need and intended use of project
Main pier with 4 Boat slip

(c) I have applied for or received permits from the following agencies: (Check all that apply)
 Municipal County Wis. DNR Corps of Engineers

(d) Date activity will begin if permit is issued ASAP; be completed: Dec 2016

(e) Is any portion of the requested project now complete? Yes No
 If yes, identify the completed portion on the enclosed drawings and indicate here the date activity was completed:
There is a pier there now that will be removed

I hereby certify that the information contained herein is true and accurate. I also certify that I am entitled to apply for a permit, or that I am the duly authorized representative or agent of an applicant who is entitled to apply for a permit. Any inaccurate information submitted may result in permit revocation, the imposition of a forfeiture(s) and requirement of restoration.

Signature of Applicant(s) or Duly Authorized Agent <u>Jeff Reed</u>	Date Signed <u>2-18-15</u>
--	-------------------------------

LEAVE BLANK - FOR RECEIVING AGENCY USE ONLY		
Corps of Engineers Process No.	Wisconsin DNR File No.	
Received By	Date Received	Date Application Was Complete

State / Federal Application for Water Regulatory Permits and Approvals

Form 3500-053 (R 4/01)

Page 2 of 2

Drawings of proposed activity should be prepared in accordance with sample drawing.	Location Sketch (Indicate scale) Show route to project site: include nearest main road and crossroad.
Proposed Materials 10 Rock Filled crib All wood will be Doug Fir 6x6 post + Jacks 6x6 stringer 2x8 Decking Wood Crib Filled with Field stone	N 1" = _____ ft. Fire Number <u>493</u> ▲ <p style="text-align: center;">See next page</p>

Project Plans (Include top view and typical cross sections. Clearly identify features and dimensions or indicate scale.)
Use additional sheets if necessary.

N 1" = _____ ft.

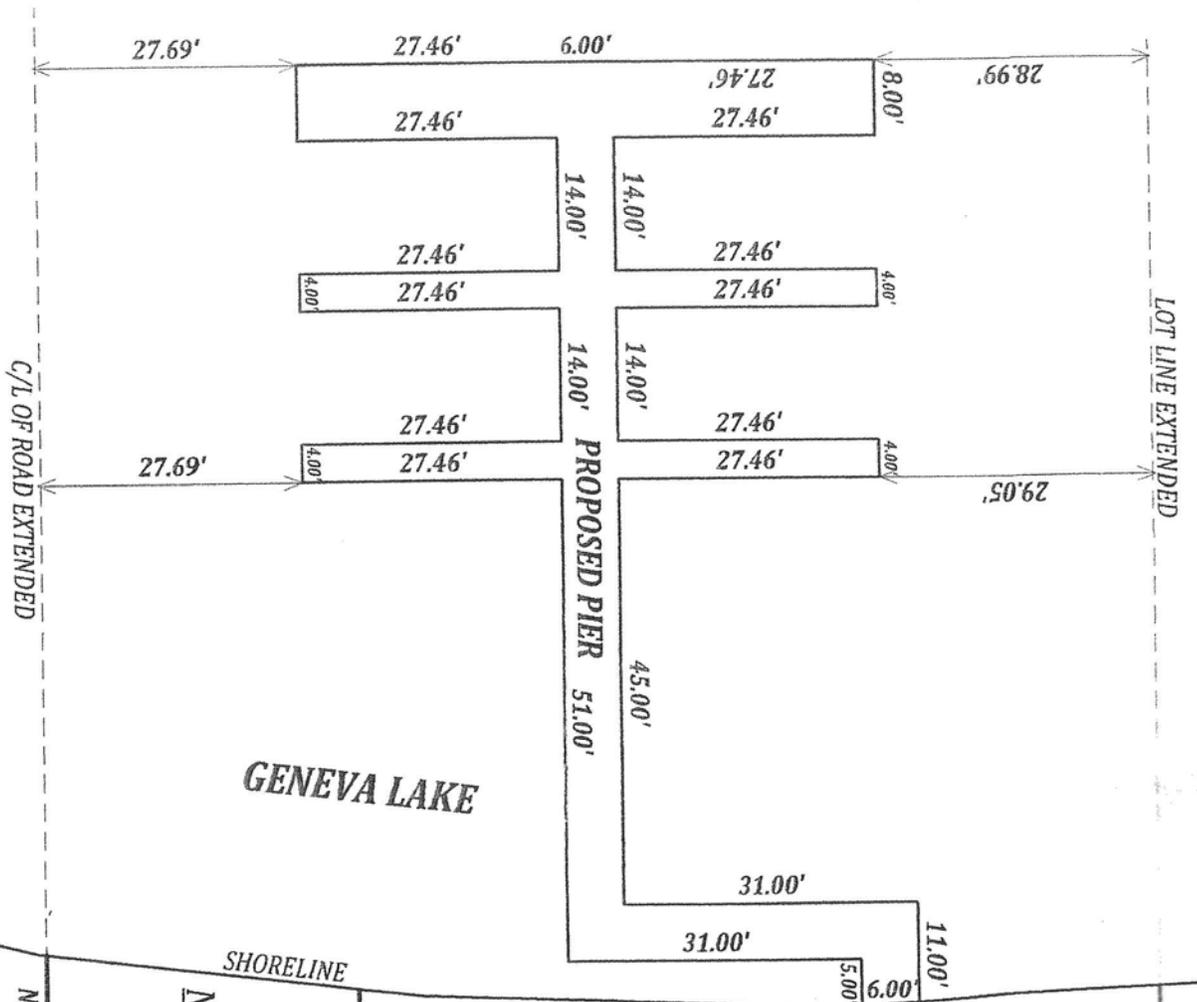


Top View

See Next pages

Cross Section

See Next pages



GENEVA LAKE

SHORELINE

PROPOSED PIER 51.00'

LOT LINE EXTENDED

C/L OF ROAD EXTENDED

TAX PARCEL:
ZOP 00369

NO TAX PARCEL
NUMBER ASSIGNED

STEPS

SIDEWALK

DRAINAGE SWALL

C/L WRIGLEY DRIVE
(50' WIDE)

N 90°00'00" E 50.20'

N 90°00'00" E 42.82'

N 89°55'32" E 33.50'

SIGN (TYP.)

S 5°48'43" E 33.17'

S 5°48'43" E 85.21'

N 89°55'32" E 50.25'

N 90°00'00" E 50.26'

25.13'

Lake Geneva City Treasurer
 626 Geneva St
 Lake Geneva, WI 53147



133515/ZOP 00369 2831
 MILLIETTE FAMILY LP
 493 WRIGLEY DR
 LAKE GENEVA WI 53147

**WALWORTH COUNTY - STATE OF WISCONSIN
 PROPERTY TAX BILL FOR 2014
 REAL ESTATE**

MILLIETTE FAMILY LP

Parcel Number: ZOP 00369
 Bill Number: 133515

Important: Be sure this description covers your property. Note that this description is for tax bill only and may not be a full legal description. See reverse side for important information.

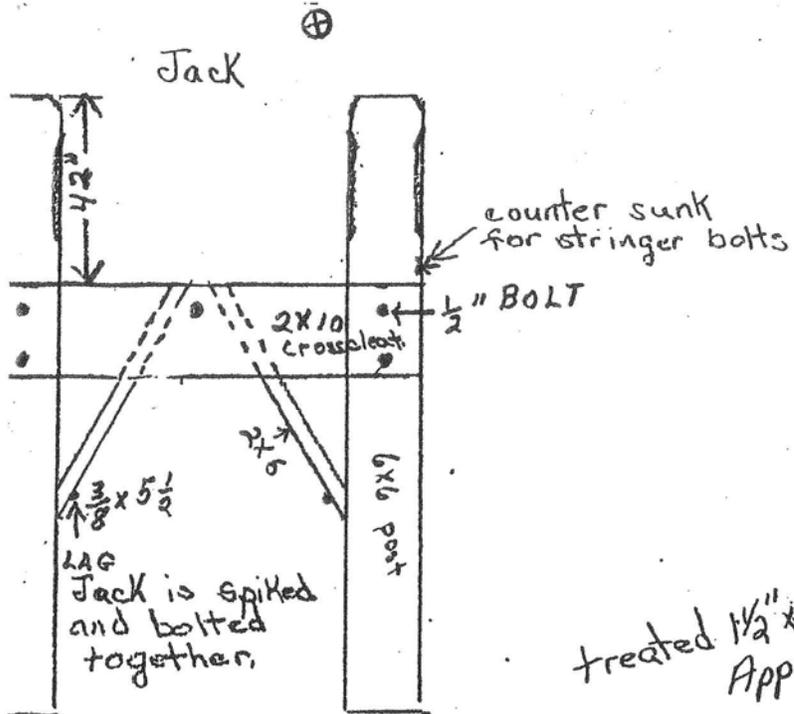
Location of Property/Legal Description
 493 WRIGLEY DR

COM 83' W OF SE COR LOT 11 BLK 37 OP, N 85', W TO W LN
 BLK 38 SLY TO SW COR BLK 38, E TO POB ORIGINAL PLAT
 CITY OF LAKE GENEVA 0.370 ACRES

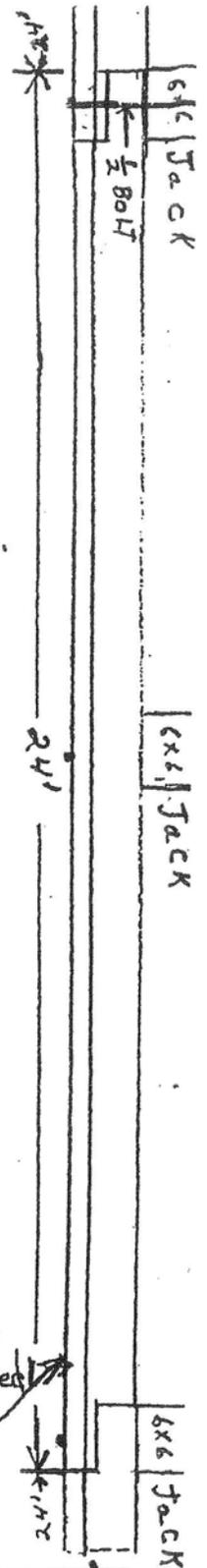
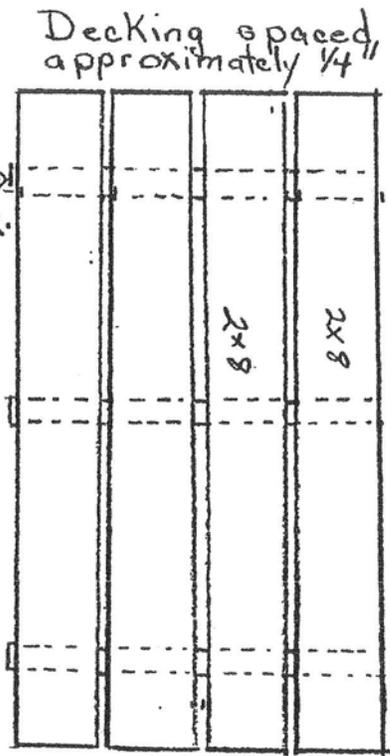
Please inform treasurer of address changes.

ASSESSED VALUE LAND	ASSESSED VALUE IMPROVEMENTS	TOTAL ASSESSED VALUE	AVERAGE ASSMT. RATIO	NET ASSESSED VALUE RATE (Does NOT reflect credits)	NET PROPERTY TAX
840,000	250,800	1,090,800	0.956436683	0.02281688	24670.80
ESTIMATED FAIR MARKET VALUE LAND	ESTIMATED FAIR MARKET VALUE IMPROVEMENTS	TOTAL ESTIMATED FAIR MARKET VALUE	<input type="checkbox"/> A star in this box means unpaid prior year taxes.		
878,300	262,200	1,140,500	School taxes also reduced by school levy tax credit 2,226.62		
TAXING JURISDICTION	2013 EST. STATE AIDS ALLOCATED TAX DIST.	2014 EST. STATE AIDS ALLOCATED TAX DIST.	2013 NET TAX	2014 NET TAX	% TAX CHANGE
STATE OF WISCONSIN	0	0	187.60	193.62	3.2%
WALWORTH COUNTY	183,438	201,319	5,098.15	5,253.10	3.0%
City of Lake Geneva	788,244	815,125	6,587.76	6,587.29	0.0%
UHS LG-Genoa City	547,884	557,354	5,149.41	5,253.77	2.0%
Sch Lake Geneva J 1	4,049,088	4,645,055	6,944.75	6,722.03	-3.2%
Gateway Technical	171,584	214,089	1,807.09	878.84	-51.4%
TOTAL	5,740,238	6,432,942	25,774.76	24,888.65	-3.4%
FIRST DOLLAR CREDIT LOTTERY AND GAMING CREDIT NET PROPERTY TAX			-82.97	-80.92	-2.5%
			-141.30	-136.93	-3.1%
			25,550.49	24,670.80	-3.4%
PAY 1ST INSTALLMENT OF: \$12,266.94			PAY 2ND INSTALLMENT OF: \$12,403.86		PAY FULL AMOUNT OF: \$24,670.80

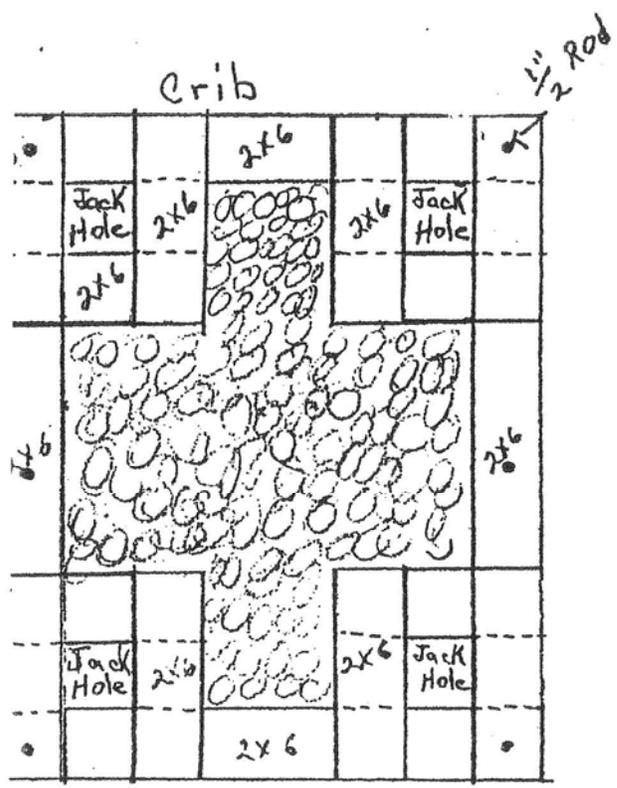
TOTAL DUE: \$24,670.80
 FOR FULL PAYMENT, PAY TO LOCAL TREASURER BY:
 JANUARY 31, 2015
 Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty.
 Failure to pay on time. See reverse.



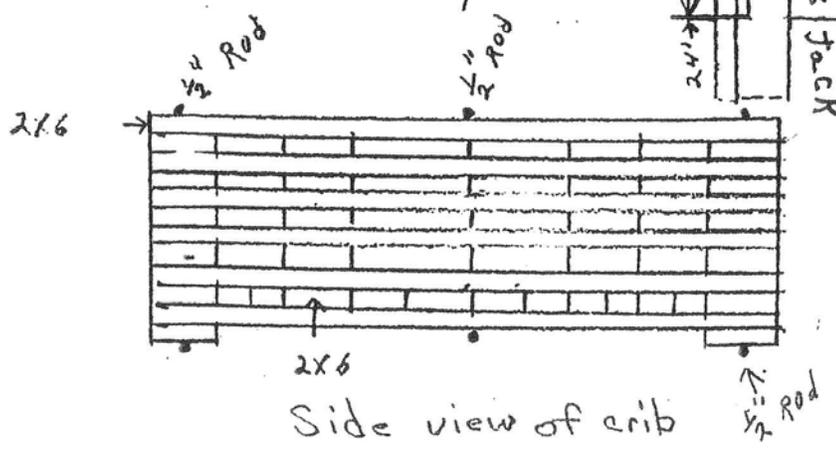
treated 1 1/2" x 3" approx.



4x6 stringer with 1/2" x 1/2" notched out for decking to lay into



Top view of crib



Side view of crib

Water Resources Application for Project Permits

Form 3500-053 (R 9/12)

Section 6: Waterways and Wetlands (see instructions about potential additional application requirements)

Name (description if unnamed) of closest waterbodies	Type <input type="radio"/> Lake <input type="radio"/> Stream	Special Status <input type="radio"/> ORW/ERW <input type="radio"/> 303(d) listed
--	---	---

Yes No Wetlands:

Wetlands will be filled, excavated, or disturbed during construction or as part of this project.

The presence of wetlands has been evaluated using: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Wisconsin Wetlands Inventory | <input type="checkbox"/> Wetland Delineation (attached report) |
| <input type="checkbox"/> Wetland Locator Tool
http://dnr.wi.gov/topic/Wetlands/locating.html | <input type="checkbox"/> Soils (NRCS maps) <input type="checkbox"/> Other: |

Applicant/Project Name:	County
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Latitude and Longitude Method (if available)

	Degrees	Minutes	Seconds	Method of Determining
Latitude				<input type="checkbox"/> GPS <input type="checkbox"/> DNR's Surface Water Data Viewer <input type="checkbox"/> Other:
Longitude				

Section 7: Project Information (attach additional sheets as necessary)

Duration:	Anticipated Project Start Date (mm/dd/yyyy)	Anticipated Project End Date (mm/dd/yyyy)
Photos: Provide photographs of the "before" condition.	Date of Photographs (mm/dd/yyyy)	

Narrative of the Project:

Provide a one to two paragraph description of the proposed project, including land and water alterations and intended use(s) of the project.

Section 8: Attachments and Permit Access (include required attachments for each proposed activity.)

The following attachments, such as the construction Erosion and Sediment Control (form 3500-052A) and the Post-Construction Storm Water Management (form 3500-052B) for a storm water construction permit application, constitute this permit application: (include all that apply)

Attachment name(s):

I have obtained a copy of the construction site storm water runoff general permit from the department's internet site: <http://dnr.wi.gov/topic/Stormwater/construction/forms.html>

Section 9: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or imprisonment or forfeiture under the provisions of applicable laws.

Permission: I hereby give the Department permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) Jeff Reed	Title Contractor	Phone Number 262-248-2934
Signature of Applicant Jeff Reed	Date Signed 2-18-15	

**Water Resources Application for
Project Permits**

Form 3500-053 (R 9/12)

LEAVE BLANK - AGENCY USE ONLY				
Date Received	Fee Received \$	Construction Site ID#	Docket #	Corps #
Initial screening: Completeness	<input type="checkbox"/> Historic checked	<input type="checkbox"/> Rare species (NHI) checked	<input type="checkbox"/> Wetlands checked	

Notice

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City Plan Commission on Monday, October 20, 2014, at 6:30 p.m. at the City Hall, Council Chambers, 626 Geneva Street, Lake Geneva, Wisconsin, on a Zoning Text Amendment to Sec. 98-802 to revise the Sign Ordinance to include "Menu Boards" in the City of Lake Geneva. The full proposed text of Sec. 98-802 is available at the City Clerk's office for review.

All interested in the above matter are invited to attend. The City Plan Commission will be in session on Monday, March 16, 2015 at 6:30 P.M. at the City Hall, Council Chambers, 626 Geneva Street, Lake Geneva, Wisconsin, to consider any objections that may have been filed and to hear all persons desiring to be heard.

Dated this 27th day of February 2015.

Mayor James Connors
City Plan Commission
City of Lake Geneva, WI

A QUORUM OF ALDERMEN MAY BE IN ATTENDANCE

Please Publish as small Legal on March 5th and 12th

ARTICLE VIII: SIGNAGE REGULATIONS

Section 98-801 Purpose

The purpose of this Article is to establish standards for the fabrication, erection, and use of signs and signage for all properties within the City of Lake Geneva. This Article regulates the location, type, size, and height of signage in order to protect and promote the public welfare, health, and safety of persons within the community; to aid in the development and promotion of business and industry; and to ensure implementation of the Comprehensive Plan of the City of Lake Geneva within the City's zoning districts. The adoption of this Article reflects the formal finding of fact on the part of the City of Lake Geneva Plan Commission and the Lake Geneva Common Council that regulation of signage furthers four compelling governmental interests:

- (1) To promote the public welfare, health, and safety of all persons using the public thoroughfares and right-of-ways within the City of Lake Geneva as to the signage displayed thereon, or overhanging, or projecting into such public spaces;
- (2) To advance the aesthetic goals of the City throughout the community, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public;
- (3) To reduce the visual clutter caused by advertising signage which the City has determined is a significant cause of unsafe traffic and visibility conditions; and
- (4) To limit the spread of unattractive strip commercial development, of which signs are a primary contributor, so as to be respectful of the reasonable rights of other advertisers and business entities whose messages are also displayed in such areas.

Furthermore, the City of Lake Geneva advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayed on such advertising signage, namely, print media, broadcast media, and point-of-purchase display, and is narrowly defined so as to limit any prohibitions on commercial speech on exterior signage.

Section 98-802 Sign Permits

- (1) Except as otherwise provided in Subsection (2) below, it shall be unlawful for any person to erect, construct, enlarge, alter, move, or convert any sign in the City, or cause the same to be done, without first obtaining a sign permit for each sign from the City of Lake Geneva Zoning Administrator as required under this Article. This Section shall apply and be construed to require a permit for a change of copy on any sign or for any conversions or changes in the sign structure for which a permit has been previously issued. This Section shall not apply for a repainting with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure. No new permit is required for signs which have permits on the date in which this Chapter was adopted and which conform with the requirements of this Article on the date of its adoption unless and until the sign is altered or relocated in any way.
- (2) The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area as regulated by Section 98-806.
 - (a) Address numerals and identification signs not exceeding four square feet in area.
 - (b) Legal notices and other signs established, or ordered, by any governmental agency.
 - (c) Memorial signs and tablets displayed in cemeteries.

- (d) On-premise directional signs which bear no advertising if under four square feet, and if limited to business site or business name or logo.
- (e) Temporary signs which conform to the requirements of Section 98-807.
- (f) Political signs and flags of government, religious, fraternal, or civic organizations.
- (g) Auxiliary signs per Subsection 98-803(1)(b), if under four square feet.
- (h) Menu Board signs per Subsection 98-803(1)(j), if under four square feet.

(3) **Community information signs** shall be permitted only as a conditional use within all zoning districts and upon any property within the jurisdiction of the City of Lake Geneva Zoning Code. As such, the review of a request for the erection of a community information sign shall comply with the requirements of Section 98-905 of the City of Lake Geneva Zoning Code. The proposed size, configuration, and design of the sign shall be described as part of the conditional use requirements. As a conditional use, the City of Lake Geneva may revoke the designation of an approved community information sign if such sign fails to comply with the requirements of this Article. Such action shall proceed per the requirements of Subsection 98-802(8). Upon revocation, the owner of said sign shall have 30 days to remove the sign at the owner's expense.

- (a) Such sign shall only display information regarding events and information of general interest to the residents of Lake Geneva. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
- (b) Such sign may be located on private or public property (except for residential properties within the ER-1, SR-3, and SR-4 zoning districts.)
- (c) Such sign shall conform to the visibility requirements of Subsection 98-804(1)(i).
- (d) Such sign shall not be counted as adding to the area of signage on the subject property for the purposes of regulating sign area per Subsection 98-806(6).

(4) **Permit Requirements:**

- (a) The sign permit fee shall be required for all new signs and any modifications of any existing sign face or sign structure (See Section 98-935).
- (b) Any sign permit fee granted hereunder may not be assigned or transferred to any other sign or modified sign face or sign structure.
- (c) Only those permanent or temporary signs which have been granted a permit from the Zoning Administrator in accordance with the provisions of this Section may be erected, installed, constructed or maintained.
- (d) For all other signs (excluding free-standing signs) the owner or tenant may include all such signs at one premise under one permit if provisions of Subsection 98-802(5) are complied with.
- (e) All signs which are located over a public right-of-way shall require the property owner or tenant to procure public liability insurance in a company licensed to transact business in Wisconsin for the principal sum of not less than \$25,000 liability to any one person or \$50,000 liability on account of any one accident. Such policy shall further have an endorsement protecting the City of Lake Geneva or its interest as the result of any accident or injury for which the City might become liable.

(5) **Application Procedure:** Each initial application for a sign permit shall be filed with the Zoning Administrator on forms to be provided by that office, prior to installation of a new sign or modification of an existing sign face or sign structure. Application shall include:

- (a) The name and address of the permit applicant.
- (b) A legible scaled drawing with description and dimensions of the sign(s) to be erected or maintained under that permit and the sign's proposed location on the building or site.
- (c) Written proof of consent from the property owner upon which the sign(s) are to be erected and maintained.
- (d) Proof of payment of the appropriate sign permit fee, when required.
- (e) Evidence of liability, insurance policy, or bond as required herein for signs located over a public right-of-way per Subsection 98-802(4), above.
- (f) Any other item of information that may be reasonably required by the Zoning Administrator or Plan Commission for the purpose of application evaluation.

(6) **Granting and Issuance:**

- (a) All sign permit applications shall be reviewed by the City staff, who shall deny or grant such applications, within ten business days of receipt of the complete application and payment of fee per (1)-(5), above. Upon granting, the Zoning Administrator shall issue the sign permit.
- (b) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

(7) **Basis for Granting:** In reviewing a sign permit application, the City staff may consider the following factors in deciding whether or not to grant the issuance of a sign permit.

- (a) Whether the sign is compatible with the surroundings, pursuant to the objectives of proper design and zoning criteria.
- (b) Whether the sign is designed, installed, and maintained to meet the sign users needs while at the same time promoting the surrounding environment desired by the general public.
- (c) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety.
- (d) Whether the sign is legible, readable, and visible in the circumstances in which it is to be used.
- (e) Whether the sign, including size, height, illumination and location, is respectful of reasonable rights of other advertisers whose messages are displayed in the area.
- (f) Whether the sign is in compliance with the provisions of this Article.
- (g) Whether the sign is in compliance with the provisions of the City of Lake Geneva General Ordinances relating to traffic safety, traffic visibility setbacks, and the Zoning Ordinance.

(8) **Revocation:**

- (a) Upon Class I notice and after a public hearing conducted by the Plan Commission, any permit may be revoked by the Plan Commission in the event that the applicant has failed to comply with the provisions of these regulations or any conditions that may have accompanied the permit at the time of granting.

- (b) Any sign permit issued by the Zoning Administrator shall be null and void and automatically revoked in the event that construction, installation, or manufacture of the sign has not been commenced within 180 days from the date of the issuance of such permit. If work authorized by such permit is suspended or abandoned for a period of 90 days any time after the work is commenced, the original permit shall become null and void. A new permit shall first be obtained to complete the work, and a new permit fee shall be required.
 - (c) Upon any revocation the sign(s) subject to such revoked permits, whether free-standing, overhanging, or projecting shall be removed by the licensee within 45 days of such revocation.
 - (d) Revocation shall not give cause to a right of total or partial reimbursement of license fees paid.
- (9) **Appeals:** Any permit application reviewed by the City staff and/or the Historic Preservation Commission, which is denied or any revocation, under (8) above, shall be subject to appeal to the Plan Commission per the requirements of the conditional use process. Charges for said appeal shall be returned if said appeal is successful.
- (10) **Signs in Historic and Special Districts:** In addition to these sign regulations, all signs within any historic or special district shall be subject to the provisions of Ordinance 96-2: City of Lake Geneva Historic Preservation Ordinance.
- (11) **Enforcement:** Any person, firm, or corporation violating any such provision of this article will be subject to issuance of a citation under this subsection without written notice or warning. (Ord. No. 01-20 4/9/01)
- (a) **Penalty:** Any person, firm, or corporation violating any provision of this Article shall be subject to a penalty, upon conviction thereof, by forfeiture under Section 98-936, together with the costs of prosecution. Each separate offense and each day a violation continues or occurs, shall constitute a separate offense.
 - (b) **Other Remedies in Law or Equity:** Nothing under this Subsection shall prevent the City of Lake Geneva from exercising any other remedies, in law or equity, and the penalties outlined herein are cumulative and in addition to any other such remedies.
 - (c) **Removal of Defective or Dangerous Signs by the City:** The Zoning Administrator shall cause to be removed any sign that endangers the public safety or health and extends or projects into any public thoroughfare or right-of-way within the City such as abandoned, dangerous, or materially defective signs or signs for which no permit has been issued. (Ord. No. 01-20 4/9/01)
 - (d) **Revocation of General Business License:** In addition to all other penalties any person, firm, or corporation violating any provision of this article for a fifteen (15) day period shall have their General Business License revoked for non-compliance with this section. (Ord. No. 01-20 4/9/04)

Section 98-803 Signage Definitions and General Signage Standards

The following definitions shall be used by this Article to assist in the establishment of clear cut signage regulations. In general, Sign Purposes refers to where or how a sign is used. Sign Types refers to the style of the sign, and Sign Measurement explains how the dimensions of a sign are determined.

Sign: Any object, device, display, structure, or part thereof, situated outdoors and in view of the general public, which is used to advertise, identify, display, direct or attract attention to an object,

person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, logos, symbols, fixtures, projected images, or in-window signs (described as signs located inside buildings and visible from and located within five (5) feet of a window). Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Building colors and outline lighting which do not convey a logo or message specific to the use (as determined by the Zoning Administrator) are not considered signs. Definitions of particular functional, locational, and structural types of signs are listed in this Section. (Traffic control and other public agency signs located within a right-of-way are not included within this definition and are not regulated by the provisions of this Article.) (Ord. No. 01-20 4/9/01)

(1) **Sign Purposes:**

- (a) **Advertising sign (Off-premise sign):** A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards. (Refer to Subsection 98-804(1)(j).) No new off-premise advertising signs shall be permitted within the City.
- (b) **Auxiliary sign:** A sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is under one square foot in area. Examples of such signs include "no trespassing" signs and signs which list prices of gasoline, up to one price listing sign per type of fuel, which must be displayed on a single structure.
- (c) **Business sign (On-premise sign):** A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located. Refer to Section 98-806.
- (d) **Community information sign:** A permanent sign approved with a conditional use permit which may have changeable copy and which is limited to the display of information of interest to the general community regarding scheduled public events and public activities. Refer to Subsection 98-802(3).
- (e) **Directional sign, Off-premise:** A sign which indicates only the name, direction, and/or distance of a governmental facility. Refer to Subsection 98-804(1)(f). This definition does not pertain to off-premise advertising signs. Refer to Subsection 98-803(1)(a).
- (f) **Directional sign, On-premise:** A sign which indicates only the name, logo (if under one square foot), and or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located.
- (g) **Group sign:** A sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving two or more non-residential tenants, and are permitted on any form of permitted business or identification signage.
- (h) **Identification sign:** A sign indicating the name and/or address of the project, property owner, tenant and/or manager of the property, address, and name and phone number of the property manger.

- (i) **Temporary sign:** A sign or advertising display (including festoons, pennants, banners, pinwheels and similar devices) intended to be displayed for a certain period of time (as permitted by Section 98-807). Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose. Refer to Section 98-807.
- (j) **Menu Board Sign:** Menu board signs are on-building signs containing information about a business's menu, daily specials, or sales. One menu board sign can be mounted to the buildings front (street) façade per business on that property. Menu board signs are considered to be Wall signs.

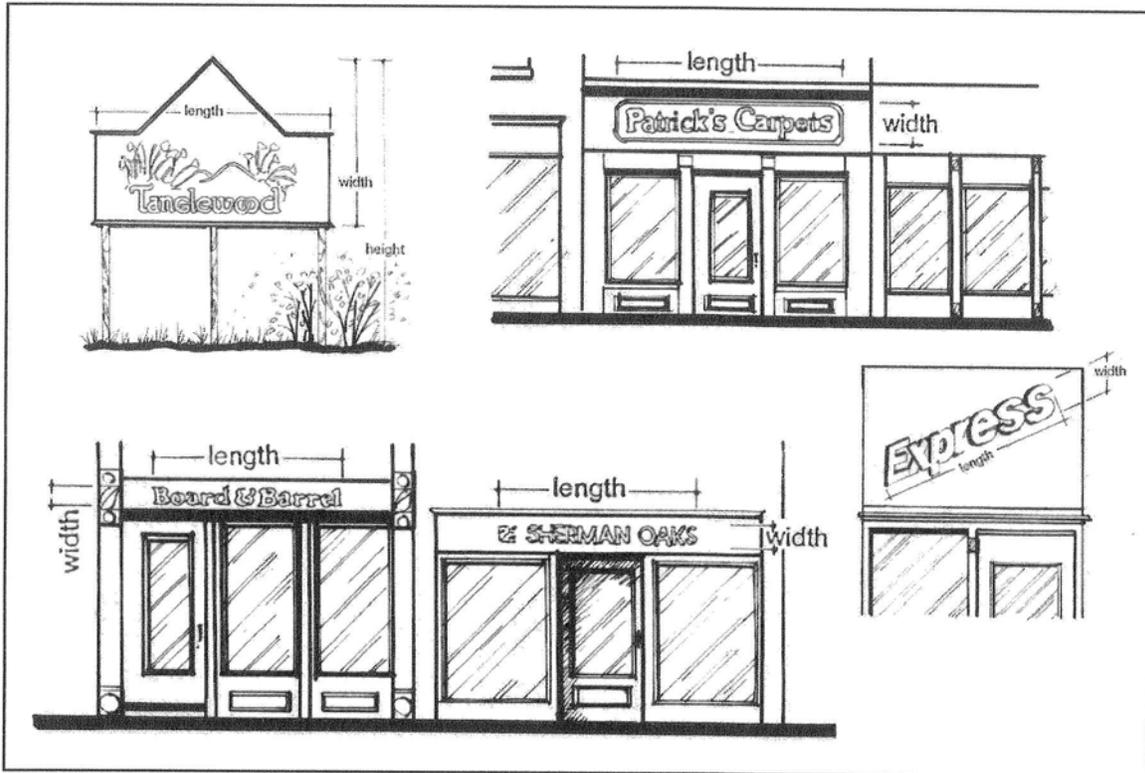
(2) **Sign Types:**

- (a) **Awning sign:** A type of projecting, on-building sign (see (f), below) consisting of a fabric or fabric-like sheathing material.
- (b) **Freestanding sign:** A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. (Refer to Subsections (e) and (g), below.) The base and support(s) of any and all freestanding signs shall be concealed and shall comply with the State Building Code. The height of a freestanding sign shall be measured per Subsection (3)(a). Refer to Subsection 98-804(3)(a).
- (c) **Marquee sign:** A type of projecting, on-building sign (see (f), below) sheltering the entrance and/or entrance approaches of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events.
- (d) **Mobile sign:** A sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage. Refer to Subsection 98-804(3)(b).
- (e) **Monument sign:** A type of freestanding sign (See (2)(b), above) whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than six feet high. Refer to Subsections 98-804(1)(i) and (2)(a).
- (f) **Projecting sign:** A type of on-building sign, other than a wall sign which is attached to and projects more than one foot, generally perpendicular from a structure or building face. Refer to Subsection 98-804(3)(b).
- (g) **Pylon sign:** A type of freestanding sign (See (2)(b), above) whose bottom edge is located more than one foot above a ground-mounted pedestal or whose top edge is located more than six feet high (see monument sign).
- (h) **Wall sign:** A type of on-building sign mounted parallel to a building facade or other vertical building surface. Refer to Subsection 98-804(3)(c).
- (i) **Personal greeting and congratulatory sign:** A temporary sign which is limited to thirty-two (32) square feet, and which is limited to a non-commercial, personal greeting or message used to announce, congratulate, or greet members of a family or work staff.
- (j) **In-Window Sign:** A sign located within a building that is located attached to the inside face of an exterior window and visible from the exterior of the building. (Ord. No. 01-20 4/9/04)
- (k) **Flags:** This section applies to Corporate Flags for Registered Corporation and decorative flags. (Ord. No. 03-04 3/24/03)

1. Flag poles shall not exceed 35' in height and shall be setback a minimum of 5 feet from any property line;
2. Any flag flown in conjunction with the United States flag shall follow Federal Flag Code established by Congress;
3. No more than one Corporate Flag or one decorative flag shall be flown on any one site;
4. A Corporate Flag shall only be permitted in the GB, PB, PBP, PI, GI, HI, and PD Zoning Districts. The maximum size of any Corporate Flag shall not exceed 60 square feet;
5. Corporate flag content is limited to the following:
 - A. Corporate logo.
 - B. Corporate colors.
 - C. Other solid color background.
 - D. Any combination of Corporate logo, Corporate colors or solid color background.
6. No corporate or decorative flag may contain a slogan, price information, product information or image, or any other message that would make the flag appear to be a banner.

(3) Sign Measurement:

- (a) **Ground level:** The average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
- (b) **Sign area** shall be measured in the following manner:
 1. In the case of a sign placed within a frame, a marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign, including the supports of monument signs not used for copy, shall not be counted as a part of the sign face area unless such structure or bracing is made a part of the sign's message. Where a freestanding on-premise sign (monument or pylon) has two or more display faces, the total area of all of the display faces which can be viewed from any single location shall be considered the sign face area.
 2. In the case of a sign whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.
 3. In the case of a sign whose message is applied to a background which provides no border or frame (such as individual letters to a building face or awning), sign face area shall be the combined areas of the smallest rectangles which can encompass each word, letter, figure, emblem, and other element of the sign message per a scaled, fully dimensioned drawing approved by the Zoning Administrator. Where such drawing is not provided, said area shall be the smallest area enclosed in a single rectangle.



4. Signs less than one square foot in area are not regulated by this Article.
5. The illustration on the following page demonstrates how sign face area is measured.

Section 98-804 General Signage Regulations

The regulations contained in this Section apply to signs in all districts.

(1) Sign Prohibitions and Limitations:

- (a) **No sign** shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.
- (b) Except for sequin-like eyecatcher devices, flags (as permitted by Subsection 98-803(2)(k)), and temporary signs (as permitted by Section 98-807), no fluttering, undulating, swinging, rotating, or otherwise moving signs or other decorations shall be permitted.
- (c) **No illuminated flashing signs** shall be permitted. Flashing signs are those which change their appearance more than once every 60 seconds. Electronic message center signs and time/temperature signs are permitted with a conditional use permit. Chasing lights shall be not be allowed.
- (d) **No illuminated sign** shall be permitted unless the illumination of the sign is so designed that the lighting element (except neon signs) is not visible from any property within a residential zoning district. All illuminated signs shall comply with the State Electrical Code.
- (e) **No mobile signs** shall be permitted.
- (f) **Off-premise directional signs** shall be permitted only for governmental uses.
- (g) **No inflatable signs** shall be permitted, except as temporary signs.

- (h) **No advertising vehicle signs** shall be permitted, except as temporary signs. Refer to Subsection 98-804(3)(d).
- (i) **No sign** shall be placed so as to obstruct or interfere with traffic visibility.
- (j) **No off-premise advertising signs** shall be permitted except for the small blue highway information signs as provided within the right-of-way of USH 12 and STHs 50 and 120 per applicable State of Wisconsin Statutes. Existing legal off-premise advertising signs made nonconforming by this Article shall be permitted to continue as legal, nonconforming structures. These signs may not be relocated, structurally modified, or replaced if damaged over 50%. These legal nonconforming signs include the following list:
1. Large single faced billboard with two off-premise businesses advertised and one on-premise business advertised located near the intersection of STH 50 and STH 12 on Tax Parcel ZYUP-168.
 2. Large two faced billboard sign adjacent to and above the building located at 721 Williams Street. Tax Parcel No. ZF-28B.
 3. Three large single face billboard signs located at the southwest corner of the intersection of Sage Street and Sheridan Springs Road. Tax Parcel No. ZGC-11.
 4. Two smaller two faced pole signs located near the west side of the intersection of Grant Street and Elkhorn Road. Tax Parcel No. ZYUP-44A.
 5. Small wall sign on south face of the building located at 264 Center Street. Tax Parcel No. ZOP-259.
 6. Large single faced billboard located on north side of STH 120 near the intersection of STH 12 on Tax Parcel No. ZYUP-137I. Currently unused for several years, in a dilapidated condition, and under orders to remove.
 7. Large single faced billboard at the south lot line near CTH H right-of-way. Tax Parcel No. ZOP-373.
 8. Large two faced billboard sign near the southwest corner of Edwards Boulevard and Townline Road. Tax Parcel No. ZA4362 00003.
- *This will include a sunset date of March 14, 2041 as depicted in the Pre-annexation agreement that was approved by the City upon the annexation of the property that occurred March 14, 2011. (Ord. No. 11-35)
- (k) **No pylon signs** shall be permitted.
- (l) **Obstructing windows** with paper covering is specifically prohibited under this section. This section applies to regulations under Section 98-806. (Ord. No. 01-20 4/9/01)
- (m) **In-Window Signs** shall be limited to a maximum area of written sign text message that does not exceed fifteen (15%) percent of the area of the window. The area of the text message shall be the smallest rectangular area that contains the entire text message. Text messages shall include letters, numerals, symbols, and product or company logos. Images, product displays, and wall boards that do not contain written text messages are not regulated by this rule. Area devoted to In-Window Signs shall not be counted as another type of sign area. There is no limit in the number of In-Window Signs and In-Window Signs shall not be subject to the design criteria of the Downtown Design District or other Overlay District regulations. All signage in the City shall come into compliance with this requirement as of May 1, 2001. (Ord. No. 01-20 4/9/01)

(2) **Sign Location Requirements:**

- (a) **No sign** shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any **authorized traffic control sign, signal or device**. Freestanding signs may not locate within vision triangles nor otherwise impede traffic or pedestrian visibility. Freestanding sign setbacks from right-of-way lines vary by zoning district -- refer to Sections 98-805 and 98-806.
- (b) **No sign** shall be located within a **required bufferyard** or within a permanently protected green space area. Refer to the City of Lake Geneva Zoning Code.
- (c) **No sign** shall be mounted or displayed on the **roof** of a structure.
- (d) **No sign**, temporary or otherwise, shall be displayed on private property without the owner's or renter's permission.
- (e) **Private signs** shall not be allowed within road **right-of-way** lines.
- (f) **Projecting signs** shall only be permitted as new signs per the rules of this Ordinance and may be maintained as legal nonconforming signs only if they exist as of the effective date of this Chapter, and are a minimum of seven feet over the elevation of a pedestrian way.
- (g) **Freestanding signs** shall be located a minimum of twelve feet from property lines or equivalent to their maximum height, whichever is lesser, except that on-premise directional signs less than 36 inches tall shall be located a minimum of one foot from a property line.
- (h) **Awnings** made of cloth are permitted. Such awnings shall be free of backlighting and only contain a lettering band with a single line of copy less than eight inches tall located on the vertical face of the awning and shall be located a minimum of seven and one-half feet for the fabric, and eight feet for the frame, over pedestrian ways.
- (i) No person shall erect, construct, or maintain any sign upon any property or building without the express consent of the owner or person entitled to possession of the property or building or their authorized representative.

(3) **Sign Configuration Requirements:**

- (a) **Freestanding sign configuration:** A freestanding sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. Refer to Subsection 98-803(2)(b).
- (b) **Projecting sign configuration:** The bottom edge of a projecting sign shall be located a minimum of seven (7) feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. In no instance shall such sign be projecting more than four (4) feet into and over a public right-of-way or private street, drive, or parking area. (Ord. No. 01-24 8/13/01)
- (c) **Wall sign configuration:** A wall sign shall not extend beyond the edge of any wall or other surface to which it is mounted, nor shall it project more than twelve (12) inches from its surface. The height of a wall sign shall be measured from the base of the building below the sign to the top of the sign face. The top of the sign shall be no higher than the nearest portion of the building to which it is mounted without a conditional use permit. Signs painted directly on a wall or other portion of a building are not permitted. Refer to Subsection 98-803(2)(h).
- (d) **Advertising vehicle sign configuration:** No persons shall park any vehicle or trailer on a public right-of-way or on private properties so as to be seen from a public right-of-way,

which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same or nearby property or any other premise. Licensed business vehicles containing typical business signage and which are actively used on a daily basis for business purposes, are exempt from this prohibition. Refer to Subsection 98-804(1)(h).

- (e) **Menu Board configuration:** Menu board sign surface area and its surrounding frame and structure shall not exceed four square feet. Menu board signs shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than three inches from the wall on which they are mounted. Moving signs such as traveling message boards, electronic message boards, and video screens are prohibited. Anything attached to a menu board sign shall not project outside the perimeter of the sign face nor project in excess of one inch from the sign face.

Section 98-805 Regulations for the CR-5ac, ER-1, SR-3, SR-4, TR-6, and MR-8 Districts

(1) Rules for all Signs:

- (a) Signs shall comply with all provisions of this Article, including Section 98-803 and Section 98-804 for general signage definitions and regulations.
- (b) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (2), below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.

(2) Rules for Particular Sign Purposes:

(a) Identification Sign

1. For one-family, two-family, three-family or four-family dwelling:
 - a. Permitted Sign Type: Wall Sign
 - b. Maximum Permitted Number per Lot: One
 - c. Maximum Permitted Area per Sign: Two square feet
2. For multi-family dwelling of five or more units, or institutional use:
 - a. Permitted Sign Type: Wall Sign, Canopy Sign or Monument Sign
 - b. Maximum Permitted Number per Lot: One monument, plus one wall or canopy
 - c. Maximum Permitted Area per Sign: Twenty-Four square feet
3. For group development or subdivision:
 - a. Permitted Sign Type: Wall Sign, Canopy Sign or Monument Sign
 - b. Maximum Permitted Number per Development: Per Plat or Conditional Use
 - c. Maximum Permitted Area per Sign: Thirty-Two square feet
 - d. Maximum Combined Permitted Area of All Signs: Per Plat or Conditional Use

- (b) **Auxiliary Sign** (such as "Beware of Dog" or "No Trespassing" for all land uses):

1. Permitted Sign Type: Wall Sign
 2. Maximum Permitted Number per Lot: Two
 3. Maximum Permitted Area per Sign: Two square feet
- (c) **On-Premise Directional Sign** (for multi-family, group development or institutional use):
1. Permitted Sign Type: Wall Sign or Monument Sign
 2. Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, one sign for each parking area conditions list. Institutional uses may use any additional number of signs as needed.
 3. Maximum Permitted Area per Sign: Nine square feet
- (d) **Temporary Sign** (per Section 98-807)
- (e) **On-Premise Business Sign** (for legal, non-conforming business only): Shall comply with provisions of Section 98-806.
- (f) **Off-Premise Directional Sign** (for governmental facility only):
1. Permitted Sign Type: Wall Sign or Monument Sign
 2. Maximum Permitted Number per Development: Per Conditional Use Permit
 3. Maximum Permitted Area per Sign: Four square feet
 4. Maximum Permitted Area of All Signs: Per Conditional Use Permit
- (g) **Community Information Sign** (per Section 98-802(3))
- (h) **Menu Board Signs**
1. Permitted Sign Type: Wall Sign
 2. Maximum Permitted Number per Parcel: One per Business
 3. Maximum Permitted Area per Sign: Four square feet

Section 98-806 Regulations for the RH, NO, PO, NB, PB, GB, CB, PI, GI and UI Districts

(1) Rules for all Signs:

- (a) Signs shall comply with all provisions of this Article, including Section 98-803 and Section 98-804 for general signage definitions and regulations.
- (b) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (3), below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.

- (2) Rules for Particular Sign Purposes (All Residential and Institutional Land Uses):** Shall comply with provisions of Section 98-805.

(3) Rules for Particular Sign Purposes (All Office, Commercial and Industrial Land Uses):
(Ord. No. 01-21 4/9/01)

(a) For RH, PO, NB, PB, and PI Zoning Districts

1. Permitted Sign Type: On-Building (Wall or Awning) Sign:

- a. Maximum Permitted Number per Lot: Two On-Building Signs per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 200 square feet for all combined sign faces may be used for any single business on a wall.

2. Permitted Sign Type: Monument Sign or Projecting Sign:

- a. Maximum Permitted Number per Lot: One Monument Sign per lot, for any lot containing more than four public parking space or One Projecting Sign per each business entrance for each exposed side of the principal building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
- c. Maximum Permitted Monument Sign Height: 8 feet
- d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height
- e. Maximum Permitted Area per Projecting Sign: 3 square feet

3. Permitted Sign Type: Menu Board:

- a. Menu board signs are permitted in all zoning districts.
- b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
- c. Menu board signs shall be securely affixed to the exterior wall of the building containing the use.
- d. Menu board signs may be made of any material and must be in an approved locking case.
- e. Menu board signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.

(b) For CB Zoning District

1. Permitted Sign Type: On-Building (Wall, Awning, or Marquee) Sign:

- a. Maximum Permitted Number per Lot: One On-Building Sign per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 25 feet may be used for any single business on a wall.

2. Permitted Sign Type: Monument Sign or Projecting Sign:
 - a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
 - b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
 - c. Maximum Permitted Monument Sign Height: 8 feet
 - d. Maximum Permitted Monument Sign Setback: equivalent of greater to sign height
 - e. Maximum Permitted Area per Projecting Sign: 3 square feet

3. Permitted Sign Type: Menu Board:

- a. Menu board signs are permitted in all zoning districts.
- b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
- c. Menu board signs shall be securely affixed to the exterior wall of the building containing the use.
- d. Menu board signs may be made of any material and must be in an approved locking case.
- e. Menu board signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.
- f. Menu boards in the designated Downtown Design District are subject to the requirements and approval of the Downtown Design District.

- (c) For NO Zoning District:

1. Permitted Sign Type: On-Building (Wall, Awning, or Marquee) Sign:
 - a. Maximum Permitted Number per Lot: One On-Building Sign per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
 - b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 25 feet may be used for any single business on a wall.
2. Permitted Sign Type: Monument Sign or Projecting Sign:
 - a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
 - b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
 - c. Maximum Permitted Monument Sign Height: 8 feet
 - d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height

e. Maximum Permitted Area per Projecting Sign: 3 square feet

3. Permitted Sign Type: Menu Board:

a. Menu board signs are permitted in all zoning districts.

b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)

c. Menu board signs shall be securely affixed to the exterior wall of the building containing the use.

d. Menu board signs may be made of any material and must be in an approved locking case.

e. Menu board signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.

(d) For GB, BI, and HI Zoning Districts:

1. Permitted Sign Type: On-Building (Wall or Awning) Sign:

a. Maximum Permitted Number per Lot: Two On-Building Signs per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.

b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 250 feet may be used for any single business on a wall.

2. Permitted Sign Type: Monument Sign or Projecting Sign:

a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.

b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.

c. Maximum Permitted Monument Sign Height: 8 feet

d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height

e. Maximum Permitted Area per Projecting Sign: 3 square feet

3. Permitted Sign Type: Menu Board:

a. Menu board signs are permitted in all zoning districts.

b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)

c. Menu board signs shall be securely affixed to the exterior wall of the building containing the use.

d. Menu board signs may be made of any material and must be in an approved locking case.

- e. Menu board signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.

(e) **Auxiliary Sign** (such as required Gas Price Signs or "No Trespassing" sign):

1. Permitted Sign Type: Wall Sign or Freestanding sign
2. Maximum Permitted Number per Lot: Per approved site plan.
3. Maximum Permitted Area per Sign: Combined area of all auxiliary signs shall not exceed an area equivalent to 50% of the permitted freestanding or on-building sign area, whichever is greater.

(f) **On-Premise Directional Sign:**

1. Permitted Sign Type: Wall Sign or Monument Sign
2. Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, one sign for each parking area conditions list.
3. Maximum Permitted Area per Sign: Nine square feet

(g) **Temporary Sign** (per Section 98-807)

(h) **Off-Premise Directional Sign** (for governmental facility only):

1. Permitted Sign Type: Wall Sign or Monument Sign
2. Maximum Permitted Number per Development: Per Conditional Use Permit
3. Maximum Permitted Area per Sign: Four square feet
4. Maximum Permitted Area of All Signs: Per Conditional Use Permit

(i) **Community Information Sign** (per Section 98-802(3))

Section 98-807 Temporary Signs

For all temporary signs, the owner or tenant must contact the Zoning Administrator and provide the name and address of the applicant, and the description and location of the sign to be erected prior to actual installation. Only one temporary sign may be displayed on a property at any one time. Except as provided by (1) through (5) below, any one lot is permitted to display a temporary sign for a maximum of thirty (30) days within any twelve (12) month period. Furthermore, any one lot is limited to a maximum of two temporary signs in any twelve (12) month period (political signs are exempt from this restriction). A portable sign is not a temporary sign.

- (1) For each lot: one "For Sale," "For Rent," or "Garage Sale" sign, not more than six (6) square feet in area, up to thirty-two (32) square feet for vacant commercial and industrial properties.
- (2) For construction on or development of a lot, one sign not more than thirty-two (32) square feet in area, indicating the name of the contractors, engineers or architect, or products being used in the construction of a building but only during the time that construction or development is actively under way.
- (3) For a temporary event of public interest such as a neighborhood garage sale or church fair, one sign, not over thirty-two (32) square feet in area located upon the site of the event. Such sign shall not be erected more than 30 days before the event and shall be removed immediately after the event.

- (4) Temporary political signs are permitted without restriction so long as they locate per the requirements of 98-804 (2)(d) and (e), do not impair vision, or do not otherwise create a public nuisance. Such sign shall not be erected more than 30 days before the election and shall be removed within 48 hours after the election.
- (5) For each real estate subdivision that has been approved in accordance with the City of Lake Geneva Land Division Regulations, two temporary development project identification signs are permitted to be located on some portion of the subject subdivision. Each such sign shall be not more than thirty-two (32) square feet in area. These signs shall comply with the visibility standards of Subsection 98-804(1)(i). These signs shall be permitted to remain within the subject subdivision until a time at which building permits have been issued for 80 percent or more of the lots in the subdivision.
- (6) One personal greeting/congratulatory sign per premises shall be permitted for up to seven days, which is limited to eight feet in height and thirty-two (32) square feet in dimension and which is not intended for commercial purposes.

Section 98-808 Appearance, Construction, and Maintenance of Signage

- (1) All signage within the jurisdiction of this Article shall remain in a state of proper maintenance. Refer to Subsection 98-808(2), below.
- (2) Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.
- (3) The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Article, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
- (4) The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- (5) Any signs which may be, or may hereafter become rotted, unsafe, or in a state which is not properly maintained shall be repaired or removed by the licensee or owner of the sign, or owner of the property upon which the sign stands upon notice of the Zoning Administrator.
- (6) All signs shall be constructed and mounted so as to comply with State Building Codes.
- (7) All signs shall be constructed and maintained to conform with State Electrical Codes.
- (8) The base of signs shall be landscaped so as to conceal footings, mountings, brackets, and related structural elements.
- (9) All signs shall in no instance create a traffic visibility or other safety hazard.
- (10) Signage found to be in violation of the provisions of this Article shall be subject to the provisions of the City of Lake Geneva Building Code.

Section 98-809 Nonconforming Signs

- (1) Nonconforming Signs
 - (a) Signs legally existing as of the effective date of this Chapter which do not conform to the provisions of this Article, shall be nonconforming signs and shall be subject to the

provisions of Subsection 98-809(2). Nonconforming signs may be maintained. No nonconforming on-premise sign shall be altered or moved to a new location without being brought into compliance with the requirements of this Article. Refer to Subsection 98-809(2)(a), below.

- (b) Business signs on the premises of a nonconforming use or building may be continued per Subsection 98-809(2), but new signs for such uses shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of adoption of this Article.
- (c) Closing businesses must remove their signs within 60 days of closing. (Ord. No. 99-14 10/11/99)
- (d) Signage not in compliance with the provisions of this Section shall be subject to the provisions of Subsection 98-809(2).
- (e) Whenever there is a change in the sign user (excluding off-premise signs), owner, or owner of the property on which the sign is located, the new sign user, owner, or new property owner shall forthwith notify the Zoning Administrator of the change. No new sign permit is required unless there is modification of the sign face or sign structure.

(2) Removal of Nonconforming Signs

(a) Alteration of Signs

1. For the purpose of this Article, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign, its frame, its supporting structure, or its lighting including: changing the message (except for marquee or off-premise advertising signs), symbols, color, material, height, location, or any other alterations as determined by the Zoning Administrator. With the granting of a Conditional Use Permit, nonconforming signs may be altered in sign face appearance in any manner, and may be altered in sign frame, supporting structure and lighting in any manner that does not increase the degree for non-conformance. The consideration of said permit shall evaluate the quality and character of the proposed non-conforming sign with the character of nearby development and community objectives. This conditional use shall expire ten (10) years after date of issuance. (Ord. No. 99-14 10/11/99) The ten year expiration period shall not be extended by subsequent conditional use approvals for modification of the same non-conforming sign unless specifically stated in the subsequent conditional use approval. (Ord. No. 08-12 08/11/08)
2. Altering a sign does not include maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a marquee sign; or changing the face of an off-premise advertising sign.
3. For a period extending ten years from the Effective Date of this Ordinance, a tenant sign which comprises part of a group Sign may be replaced to accommodate a new tenant sign without triggering the need to bring the entire Group Sign, or any of its parts, into compliance with the provisions of this Ordinance.

- (b) The penalties of the City of Lake Geneva Building Code shall be applicable to violations of the provisions of this Article.

(3) Exemptions for Historic Signs

- (a) The following historic signs shall be exempt from this Section and may be maintained with altered messages: the Pillsbury sign on the south wall of Dunn Lumber and True Value Hardware, 826 North Street.