

**PLAN COMMISSION MEETING
MONDAY, NOVEMBER 18, 2019 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Hartz called the meeting to order 6:00 p.m.

Roll Call. Present: Mayor Hartz, Alderman Doug Skates, John Gibbs, Brett Stanczak, Ann Esarco, Michael Krajovic. Absent (Excused) William Catlin. Also Present: City Planner Slavney, City Attorney Draper, City Administrator Nord, Building and Zoning Administrator Walling, Building & Zoning Administrative Assistant Follensbee.

Approve Minutes of the October 21st, 2019 Plan Commission meeting as distributed.

Gibbs/Esarco motion to approve. Motion carried unanimously.

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 5 minutes.

None.

Acknowledgement of Correspondence.

Correspondence was received from Gerald Somers, 930 Maytag Road, opposing the amendment of the Precise Implementation Plan at 940 Maytag Road. Correspondence was received from Ruth Hackman, 538 Fremont Avenue, opposing any changes to Hillmoor and to keep everything the same. Correspondence was received from Hank & Mary Sibbing, urging the land use designation to remain the same for the Hillmoor property. Correspondence was received from Jim Good, Golfview, opposing any zoning change for Hillmoor. All correspondence has been distributed to the Plan Commission and the City Council.

Public Hearing and Recommendation of a Conditional Use Permit filed by Bohdan & Patricia Kachur 968 S. Lake Shore Dr., for a request to allow the renovations to the exterior of the property located in the Estate Residential (ER-1) zoning district and to utilize the Single Family – 4 (SR-4) setbacks, Tax Key No. ZYUP00106A.

Patricia Kachur, 968 S Lake Shore Drive, presented her request. Zoning Administrator Walling said this project meets our SR-4 setbacks with no substantial expansion to the home.

Krajovic/Skates motion to close the Public Hearing. Motion carried unanimously.

Skates/Esarco motion to recommend the Conditional Use Permit to allow the renovations to the exterior of the property and utilize the SR-4 setbacks and include all staff recommendations and fact finding in the affirmative.

Roll Call: Hartz, Skates, Gibbs, Stanczak, Esarco, Krajovic “yes.” Motion carried unanimously.

Public Hearing and Recommendation to amend an existing Conditional Use Permit filed by Patrick & Rachel Lynch 940 Maytag Rd., for a request to allow the reduction to the lake shore setback of the property located in the Estate Residential (ER-1) zoning district, Tax Key No. ZCE00005.

Tim Lynch, Lynch & Associates, clarified the location of the foundation as seen by Lynch & Associates Engineering, which differs from the drawing provided by the architect and confirmed the previously approved PIP. Walling said the PIP approval was based on the original submittal, with the General Development Plan showing a line from the corner of the two neighboring homes in which the proposed structure could not go past. Planner Slavney stated the Plan Commission did not approve of a distance from the shoreline, but did approve of the line created from the corner of each neighboring home. Slavney referenced the importance of the lake view to all owners and suggested adhering to the line approved in the original submittal. Mayor Hartz read the correspondence from the neighbor at 930 Maytag Road. Commissioner Stanczak asked if any other structures are past this line. Walling said no, the stairs come up to the lower level terrace. Commissioner Gibbs asked for clarification of the line which was approved. Discussion followed.

Speaker #1: Dick Malmin, N1991 S Lake Shore Drive, agreed with Planner Slavney and shared his thoughts on this project.

Speaker #2: Frank Guido, 5625 Cranberry Road, Burlington, builder for the Lynch family, shared his thoughts on the house placement and believes the house is in compliance with the lake front setback and numerical dimension.

Speaker #3: Theresa Giese, 528 Sage Street, shared her opposition to this PIP amendment and would like the excess to be torn down.

Skates/Gibbs motion to close the Public Hearing. Motion carried unanimously.

Hartz addressed a clerical error on the agenda. 940 Maytag Road received a GDP and PIP earlier this year, not a Conditional Use so the applicant is asking for an amendment to a Precise Implementation Plan. Hartz said it was an honest mistake but we have to adhere to the standards and build what is approved.

Hartz/Skates motion to denial to amend the existing GDP & PIP to allow the reduction to the lake shore setback of the property.

Slavney stated the principal of staying behind the line was the guiding force to establish approval for the GDP & PIP and there was a misinterpretation of what the approval was. Slavney said because of the mistake, it is a violation, and the Plan Commission should not approve the amendment and stick to the rule as it was approved.

Voting clarification: yes = deny, no = not approving the motion

Roll Call: Hartz, Skates, Stanczak, Esarco, Krajovic voting "yes." Gibbs voting "no." Motion carried 5-1.

Continuation of the Public Hearing and Recommendation for a request to amend an existing Conditional Use Permit filed by Daniel Schuld, 281 Keyes Ave. Hampshire IL, 60140 to renovate the exterior of the property located at 727 Geneva Street, in the Central Business (CB) zoning district, Tax Key No. ZOP00157.

Applicant has requested to continue the Public Hearing.

Hartz/Skates motion to continue the Public Hearing to the next Plan Commission meeting at the request of the owner. Motion carried unanimously.

Public Hearing and Recommendation for an amendment of the Zoning Ordinance section 98-704 restricting off street parking to paved surfaces only.

Walling said not-for-profit organizations have requested permission for off-street parking for events in the City Lake Geneva for years. The request to amend the Ordinance would enable these organizations to continue their service to the community. Slavney explained this request would allow off-street parking for organizations with legal registration as a not-for-profit with the State. Hartz asked for clarification on length of the permit and what constitutes an event. Walling explained the temporary use permit and the time frame. Attorney Draper said standards and clarifications can be added to the Ordinance.

Hartz/Skates motion to continue the Public Hearing and Recommendations for an amendment of the Zoning Ordinance section 98-704 and direct staff to clarify what constitutes not-for-profit organization and length of time for event permit. Roll Call: Hartz, Skates, Gibbs, Stanczak, Esarco, Krajovic "yes." Motion carried unanimously.

Public Hearing and Recommendation to amend the existing wording of the Tourist Rooming House ordinance to identify to Short Term Rental ordinance.

Attorney Draper said the proposed word changes were requested to differentiate the City's Tourist Rooming House from the Tourist Rooming House regulated by the State. Draper is also working with staff to address concerns from citizens regarding our Tourist Rooming House Inspections, the Guest Log, the Knox Boxes and the License Fees. Draper will create report after the research and present to the Plan Commission. More changes may occur.

Speaker #1: Theresa Giese, 528 Sage Street, asked for an explanation of Bed & Breakfast, Short Term Rental & Tourist Rooming House.

Draper discussed the differences between the three categories. Slavney said the State has different laws for each category and the City needs to be consistent to minimize confusion. Krajovic asked for further clarification between TRH & STR.

Slavney stated Tourist Rooming House is a full time commercial use which can be rented out for any length of time; Short Term Rental is an accessory use in which the State allows any property owner to rent out their home. Hartz said the home must be rented for a minimum of 6 days and only in a period of 180 continuous days.

Skates/Esarco motion to close the Public Hearing. Motion carried unanimously.

Skates/Gibbs motion to approve the amendment to the existing wording of the Tourist Rooming House Ordinance to identify as Short Term Rental Ordinance.

Roll Call: Hartz, Skates, Gibbs, Stanczak, Esarco, Krajovic “yes.” Motion carried unanimously.

Skates/Stanczak motion to direct the staff, including attorney Draper, to review the current structure for Short Term Rentals, review with the plaintiffs attorneys and report back with results to the Plan Commission.

Roll Call: Hartz, Skates, Gibbs, Stanczak, Esarco, Krajovic “yes.” Motion carried unanimously.

Adjournment. Gibbs/Skates motion to adjourn at 7:09 p.m. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

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