

**CITY OF LAKE GENEVA
626 GENEVA STREET
LAKE GENEVA, WI**

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

Agenda

1. Meeting called to order by Tom Hartz.
2. Roll Call.
3. Approve Minutes of the October 21, 2019 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. 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.
7. 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.
8. 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.
9. Public Hearing and Recommendation for an amendment of the Zoning Ordinance section 98-704 restricting off street parking to paved surfaces only.
10. Public Hearing and Recommendation to amend the existing wording of the Tourist Rooming House ordinance to identify to Short Term Rental ordinance.
11. 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 11/14/2019

**PLAN COMMISSION MEETING
MONDAY, OCTOBER 21, 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, William Catlin, Brett Stanczak. Absent (Excused) Michael Krajovic, Ann Esarco. 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 September 16th 2019 Plan Commission meeting as distributed.

Skates/Catlin 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.

Speaker #1: Mary Jo Fesenmaier, 1085 S Lake Shore Drive, shared her comments on item #9, amended agenda items, and the Comprehensive Plan process & timeline.

Speaker #2: Ruth Marks, 834 Dodge Street, shared her general statements on items 7, 8, and 9. She also shared discussion points for Short Term Rentals.

Acknowledgement of Correspondence.

Correspondence was received from Sally Edelman, N2312 W Main Road, Lake Geneva, sharing her views concerning the Hillmoor property. Correspondence was also received by Maureen Marks, 834 Dodge Street, regarding discussion items for Short Term Rentals. All correspondence has been distributed to the Plan Commission and the City Council.

Downtown Design Review:

Application by Barbara & Gene Rosin, W3101 Maclean Road, Elkhorn, request to install an on building sign to the exterior of the property, located at 510 Broad St., in the Business Central (BC) zoning district, Tax Key No. ZGD00005.

Barbara Rosin, W3101 Maclean Road, Elkhorn, presented her request. Zoning Administrator Walling stated the sign meets all the city requirements and also received an email from owner in acceptance of the sign.

Skates/ Catlin motion to approve the exterior on building sign request and include all staff recommendations.

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

Application by Jenny Moussis, 194 Vernon St. Williams Bay request to install an on Building Sign to the exterior of the property, located at 647 W. Main St., in the Business Central (BC) zoning district, Tax Key No. ZOP00287.

Jenny Moussis, 194 Vernon Street, Williams Bay, presented her request. Walling said the sign meets all the city requirements and also received an email with the owner’s approval of the sign.

Hartz/Gibbs motion to approve the exterior on building sign request and include all staff recommendations.

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

Application by Ann Esarco, request to install an on building sign to the exterior of the property, located at 234 Broad St., in the Business Central (BC) zoning district, Tax Key No. ZOP00257.

Brian Esarco, presented the request. Mayor Hartz asked about the new logo. Walling said it meets our color and size requirements. Planner Slavney said he liked the logo. Commissioner Gibbs asked if the sign would be painted or if the whole sign would be replaced. Walling stated it would be painted.

Skates/Catlin motion to approve the exterior on building sign request and include all staff recommendations.

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

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

Walling shared the request by the Masons of Wisconsin and the American Legion, to be exempt from the requirement of having paved, off street parking, for special events. Walling, with attorney Draper's help, suggested the ordinance could be modified to identify that not-for-profit organizations could be exempt from the paved, off-street parking restrictions; asked for suggestions from Plan Commission; and recommended the Plan Commission set a Public Hearing to modify the zoning ordinance. Alderman Skates asked Slavney how the city can keep the parking under control. Slavney stated the applicants will always need a site plan approval with their temporary use permit.

Hartz/Skates motion to set a Public Hearing at the November 18th Plan Commission Meeting to review and recommend for an amendment of the zoning ordinance, 98-704, restricting off street parking to paved surfaces only.

Roll Call: Hartz, Skates, Gibbs, Catlin, Stanczak "yes." Motion carried unanimously.

Review and Recommendation to amend the existing wording of the Short Term Rental ordinance.

Walling met with the State of Wisconsin Tourist Rooming House division and they asked the City of Lake Geneva to change the existing wording of "Tourist Rooming House" in the Tourist Rooming House ordinance to Short Term Rental to eliminate confusion of the applicants. Slavney declared that before the State pre-empted local municipalities from regulating Short Term Rentals, the City of Lake Geneva had very strict rules which limited them only to areas zoned for business purposes. In 2017, the State Legislature and Governor, prompted by the Wisconsin Realtors Association, blocked all local legislations and forced the requirement to allow any home to be used for Short Term Rental. Hartz stated the school district has seen a decrease in student population, in part, due to the increase of short term rental homes which accommodates visitors instead of families. Slavney said he works with some municipalities who are concerned they will lose their affordable housing for families to short term rentals, which in turn, lowers the student population with the possibility of schools closing.

Skates/Stanczak motion to set a Public Hearing at the November 18th Plan Commission Meeting to discuss amending the existing wording of the Short Term Rental ordinance.

Roll Call: Hartz, Skates, Gibbs, Catlin, Stanczak "yes." Motion carried unanimously.

Review and Recommendation regarding working schedule and incorporating additional Public Participation for the Comprehensive Plan Schedule.

Slavney said his colleague, Jackie Mich, is overseeing the Comprehensive Plan Amendment Process. He explained the proposed Comprehensive Plan Schedule has been extended to incorporate the review of the Hillmoor design concepts by the City into the planned scope. Slavney also clarified the proposed Comprehensive Plan schedule. Hartz asked about the implications of going past December 31st. Slavney recommends that after January 1st, 2020, the City cannot make changes to the zoning ordinance or zoning map until the new Comprehensive Plan is adopted. The state law affirms that zoning decisions have to be consistent with the Comprehensive Plan. Attorney Draper concurs with Planner Slavney.

Hartz/Skates motion to adopt the City of Lake Geneva Comprehensive Plan Public Meeting and Plan Update Schedule revised October 18, 2019 to include the Public Participation dates.

Roll Call: Hartz, Skates, Gibbs, Catlin, Stanczak "yes." Motion carried unanimously.

Adjournment. Skates/Gibbs motion to adjourn at 6:45 p.m. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE PLAN COMMISSION

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: November 18, 2019

Agenda Item: 6

Applicant:

Bohdan & Patricia Kachur
968 S. Lake Shore Dr.
Lake Geneva

Request:

968 Lake Shore Dr.
Conditional Use Permit
SR-4 Setbacks in ER-1 Zoning District
Tax Key No. ZYUP00006A

Description:

The applicant is submitting a proposal for a Conditional Use Permit (CUP) for a remodel to the existing side footprint of the dwelling.

The roof height & design will not be altered.

Project Details from CUP Submittal

The proposed project submittal meets or exceeds all requirements of the Zoning Ordinance.

Action by the Plan Commission:

Recommendation to the Common Council on the proposed Conditional Use Permit (CUP):

As part of the consideration of the requested CUP, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed CUP;
- Include *findings* required by the Zoning Ordinance for CUPs; and,
- Provide specific suggested *requirements* to modify the project as submitted.

Staff Review Comments:

The proposed conditional use includes modest increases in the setbacks provided on all four sides of the proposed home.

Required Plan Commission Findings on the CUP for Recommendation to the Common Council:

A proposed CUP must be reviewed by the standards, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be all of the following:
 - a. 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.

- b. 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.
 - c. 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 the Zoning Ordinance, 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.
 - d. 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.
 - e. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on any improvements, facilities, utilities or services provided by public agencies serving the subject property.
 - f. 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 one or more of the following:
- a. 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.
 - b. 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.
 - c. 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 the Zoning Ordinance, 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.

- d. 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.
- e. The proposed conditional use is not located in an area that will be adequately served by, and will impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
- f. 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.

Staff Recommendation on the proposed Conditional Use Permit:

1. Staff recommends that the Plan Commission recommend approval of the proposed conditional use as submitted, with the findings under A.1-6., above.
2. Staff recommends the Plan Commission adopt the *affirmative set of findings* provided above, noting that the proposal is a fully consistent with the setback requirements of the SR-4 zoning district, and results in compliance to the setbacks on all four sides of the building over the current home.

APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

968 S LAKE SHORE DR. LAKE GENEVA, WI 53147
(see attached legal description)

Name and Address of Current Owner:

Bohdan & Patricia Kachur, 968 S Lake Shore Dr.
Lake Geneva, WI 53147

Telephone No. with area code & Email of Current Owner: 262-729-4533

pat.kachur@sbcglobal.net

Name and Address of Applicant:

Bohdan & Patricia Kachur, 968 S Lake Shore Dr.
Lake Geneva, WI 53147

Telephone No. with area code & Email of Applicant: 262-729-4533

pat.kachur@sbcglobal.net

Proposed Conditional Use: Tear down of 3 season porch in

ER1, requesting SR-4 zoning to rebuild 4 season
room as allowed for SR-4 setback addtl 5 feet to be
added to current width

Zoning District in which land is located: ER-1

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

Architect Tom Stelling, 181 West Chestnut St.,
Burlington, WI 53105. Still waiting for bids from

Short statement describing activities to take place on site:

Tear down 3 season porch & joining original
1869 gate house to 2014 addition of master
bedroom & office and build a 4 season room
with an additional 5 feet in width

Conditional Use Fee payable upon filing application: \$400.00-[\$100.00 for Application Under Sec. 98-407(3)]

10/10/19
Date

Patricia Kachur
Signature of Applicant

**CITY OF LAKE GENEVA PROCEDURAL CHECKLIST FOR:
CONDITIONAL USE REVIEW AND APPROVAL (Requirements per Section 98-905)**

This form should be used by the Applicant as a guide to submitting a complete application for a conditional use and by the City to process said application. Parts II and III should be used by the Applicant to submit a complete application; Parts I - IV should be used by the City as a guide when processing said application.

I. RECORDATION OF ADMINISTRATIVE PROCEDURES

___ Pre-submittal staff meeting scheduled:

Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

Follow-up pre-submittal staff meetings scheduled for:

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Application form filed with Zoning Administrator: Date: _____ by: _____

___ Application fee of \$ ___ received by Zoning Administrator: Date: _____ by: _____

___ Reimbursement of professional consultant costs agreement executed: Date: _____ by: _____

II. APPLICATION SUBMITTAL PACKET REQUIREMENTS

Prior to submitting the 20 final complete applications as certified by the Zoning Administrator, the Applicant shall submit 5 initial draft application packets for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (5 Copies to Zoning Administrator)

Date: _____ by: _____

⇓ *Draft Final Packet (1 Copy to Zoning Administrator)*

Date: _____ by: _____

⇓

___ (a) A map of the proposed conditional use:

- ___ Showing all lands for which the conditional use is proposed;
- ___ Showing all other lands within 300 feet of the boundaries of the subject property;
- ___ Referenced to a list of the names and addresses of the owners of said lands as they appear on the current records of the Register of Deeds of Walworth County (as provided by the City of Lake Geneva);
- ___ Clearly indicating the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control;
- ___ Map and all its parts are clearly reproducible with a photocopier;
- ___ Map size of 11" by 17" and map scale not less than one inch equals 800 ft;
- ___ All lot dimensions of the subject property provided;
- ___ Graphic scale and north arrow provided.

___ (b) A map, such as the Land Use Plan Map, of the generalized location of the subject property in relation to the City as a whole:

- _____ (c) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations;
- _____ (d) A site plan (conforming to the requirements of Section 98-908(3)) of the subject property as 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)

III. 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 tear down of the 3 season porch and rebuild of a 4 season deck will provide access to the 2014 addition in the winter porch is unheatable in winter
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?

The tear down of the 3 season porch & rebuild will provide year round access to the 2014 addition and will model the design of the 1869 gate house.
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?

There is no conflict with neighborhood homes and the rebuild setback is more than the 2014 addition. It will allow comfortable access to the previous addition all winter.
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?

The tear down & rebuild has no conflict with the neighborhood and will provide year round access to our primary year round home

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?

There is police and fire protection also garbage pick up. There would be no conflict due to the construction to the rear of the home

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?

The new rebuild will better resemble the original structure and will improve the look to neighbors on Pine tree lane

IV. FINAL APPLICATION PACKET INFORMATION

____ Receipt of 5 full scale copies in blue/line or black/line of complete Final Application Packet by Zoning Administrator: Date: _____ by: _____

____ Receipt of 20 reduced (8.5" by 11" text and 11" x 17" graphics) copies of complete Final Application Packet by Zoning Administrator: Date: _____ by: _____

____ A digital copy of Final Application Packet shall be emailed to the Building and Zoning Department upon submittal deadline. Date: _____ by: _____

____ Certification of complete Final Application Packet and required copies to the Zoning Administrator by City Clerk: Date: _____ by: _____

____ Class 2 Legal Notice sent to official newspaper by City Clerk: Date: _____ by: _____

____ Class 2 Legal Notice published on _____ and _____ by: _____

____ Conditional Use recorded with the County Register of Deeds Office: Date: _____ by: _____

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

OWNER'S POLICY

SCHEDULE A

File No.: 918070525

Policy No.: OX-12445882

Date of Policy: October 30, 2018 at 01:55 PM

Amount of Insurance: \$705,000.00

1. Name of Insured:
Bohdan Kachur and Patricia Kachur, as husband and wife
2. The estate or interest in the land, which is covered by this Policy is:
fee simple
3. Title to the estate or interest in the land is vested in:
Bohdan Kachur and Patricia Kachur, as husband and wife
4. The land referred to in this Policy is described as follows:

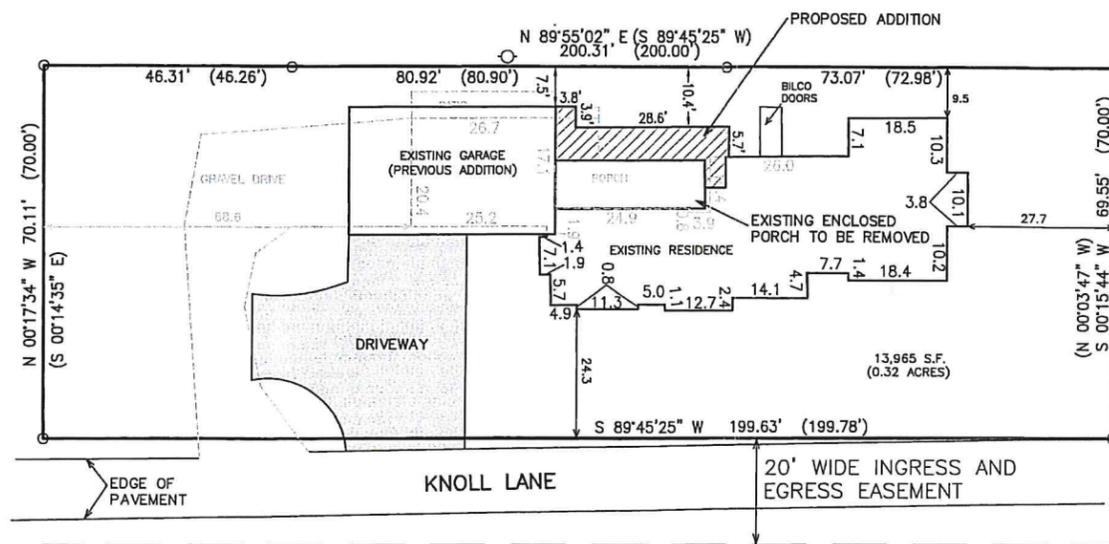
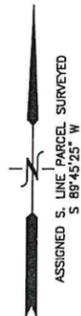
Part of the Northwest 1/4 and the Northeast 1/4 of Section 1, Town 1 North, Range 17 East, described as follows: Commencing at the North 1/4 corner of Section 1; run thence South on the North and South 1/4 Section line, 1192.62 feet to a concrete monument; thence North 89 degrees 48' 27" East 42.40 feet to a point; thence North 0 degrees 03' 47" West, 439.25 feet to a stone monument, said stone monument marks the place of beginning of parcel of land hereinafter described; run thence South 89 degrees 45' 25" West, 200.00 feet to a point; thence South 0 degrees 14' 35" East, 70.00 feet to a point; thence North 89 degrees 45' 25" East, 199.78 feet to a point; thence North 0 degrees 03' 47" West, 70.00 feet to a stone monument and the place of beginning. Said land being in the City of Lake Geneva, County of Walworth, State of Wisconsin.

TOGETHER with an easement in common with other users for ingress and egress described as follows: Begin at the North 1/4 corner of Section 1, Town 1 North, Range 17 East, City of Lake Geneva, Walworth County, Wisconsin. Run thence South on the North and South 1/4 Section 1196.62 feet to a concrete monument; thence North 89° 48' 27" East 42.40 feet to a point; thence North 0° 03' 47" West 349.25 feet to a point, said point marks the place of beginning of easement hereinafter described, run thence North 0° 03' 47" West 20.00 feet to a point; thence South 89° 45' 25" West 531.68 feet to an iron stake; thence South 88° 45' 25" West 138.80 feet to a point; thence on an arc the chord of which is North 45° 37' 18" West 29.81 feet (radius 20.85 feet) to a point; thence South 69° 20' 43" West 64.11 feet to a stone monument; thence South 89° 11' 12" West 100.60 feet to a stone monument; thence North 66° 25' 18" West 235.25 feet to the shore line of Geneva Lake; thence South 31° 46' West 8.24 feet to a point; thence South 66° 25' 18" East 233.90 feet to a point; thence South 0° 49' East 15.37 feet to a point; thence North 89° 11' 12" East 100.90 feet to a point; thence North 88° 45' 25" East 222.28 feet to a point; thence North 89° 45' 25" East to the place of beginning. Said easement is located in the Northwest 1/4 and the Northeast 1/4 of Section 1, Town 1 North, Range 17 East, City of Lake Geneva, Walworth County, Wisconsin.

This policy is invalid unless the insuring provisions and Schedules A and B are attached.

PLAT OF SURVEY - PERMIT

LOCATED IN PART OF THE NE 1/4 OF THE NW 1/4 &
 IN PART OF THE NW 1/4 OF THE NE 1/4
 OF SECTION 1, TOWN 1 NORTH, RANGE 17 EAST,
 CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN



WILLOW STREET
 66' WIDE ROW

LEGEND

- = FOUND IRON PIPE STAKE
- = FOUND STONE MONUMENT
- (xxx) = RECORDED AS
- = POWER POLE

CURRENT IMPERVIOUS SURFACE 4,043 sq.ft. - 29%
 PROPOSED IMPERVIOUS SURFACE 4,404 sq.ft. - 31.5%



X:\PROJECTS\5136\5136_19\CAD\5136-19.DWG



NOTE: COPIES OF THIS MAP TO WHICH THE FOLLOWING CERTIFICATE WILL APPLY SHOW THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK. COPIES BY ANY OTHER MEANS MAY HAVE ALTERATIONS WHICH DO NOT REPRESENT THE SURVEYOR'S WORK PRODUCT.

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY AND ITS EXTERIOR BOUNDARIES. THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE YEAR FROM THE DATE HEREOF.

DATED: 08/13/2019

B.M. Carlson
 BRIAN M. CARLSON P.L.S. 2039



PERMIT PLAT
 968 S. LAKE SHORE DRIVE
 LAKE GENEVA, WI 53147

WORK ORDERED BY -
 PAT KACHUR
 968 S. LAKE SHORE DRIVE
 LAKE GENEVA, WI 53147

FARRIS, HANSEN & ASSOCIATES, INC.
 ENGINEERING - ARCHITECTURE - SURVEYING
 7 RIDGWAY COURT P.O. BOX 437
 ELKHORN, WISCONSIN 53121
 OFFICE: (262) 723-2088 FAX: (262) 723-5886

REVISIONS
 08/13/2019 - LB
 PERMIT

10/10/19 B.M.C.
 ADD DIM. AND
 IMPERVIOUS

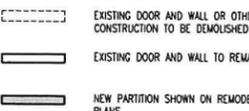
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 5136.19

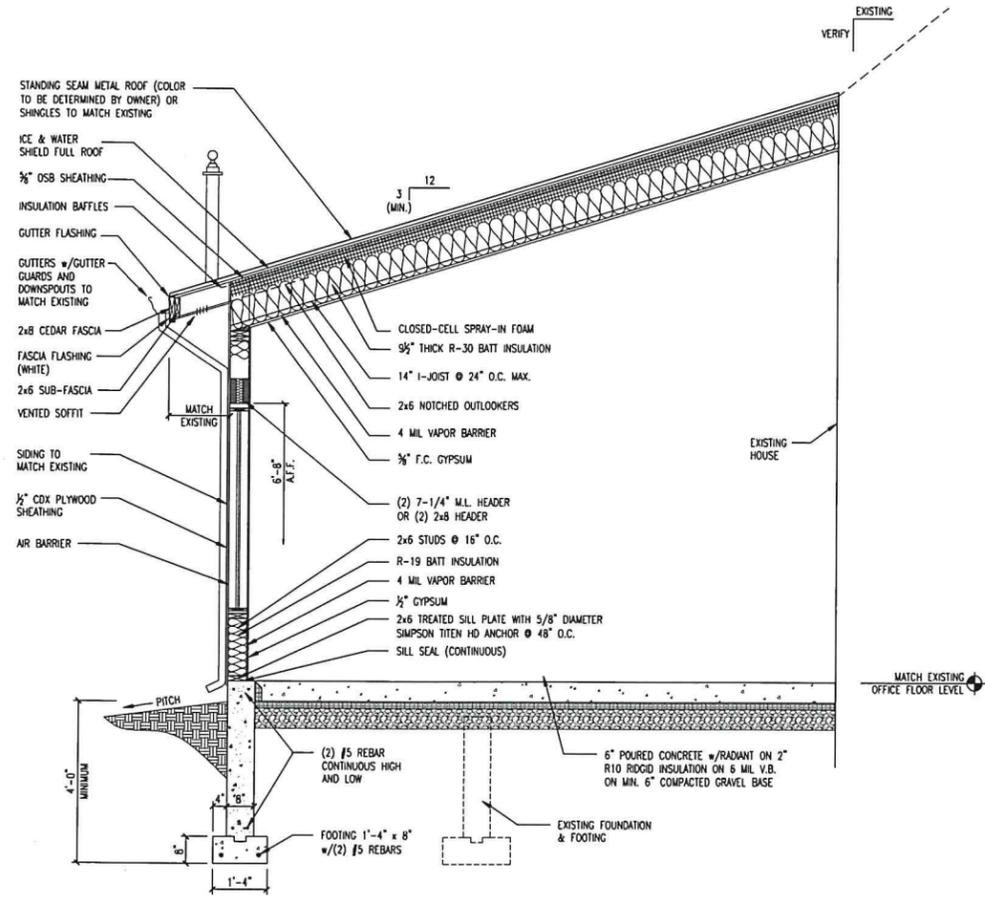
DATE:
 10/20/1998

SHEET NO.
 1 OF 1

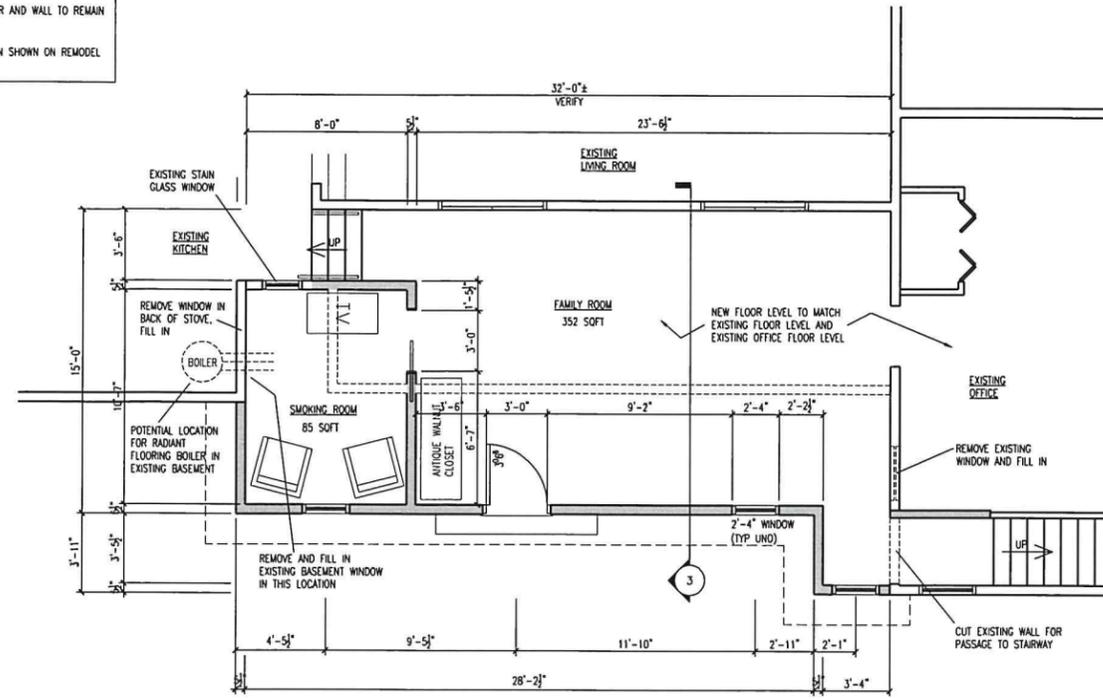
NOTE
GENERAL CONTRACTOR TO CONFIRM ALL EXISTING CONDITIONS AND REVIEW RESIDENCE. IF QUESTIONS ARISE, CONTACT ARCHITECT/OWNER PRIOR TO CONSTRUCTION

NOTE
CONTRACTOR TO VERIFY WINDOW SIZES WITH OWNER AND UDC EGRESS AND LIGHT REQUIREMENTS

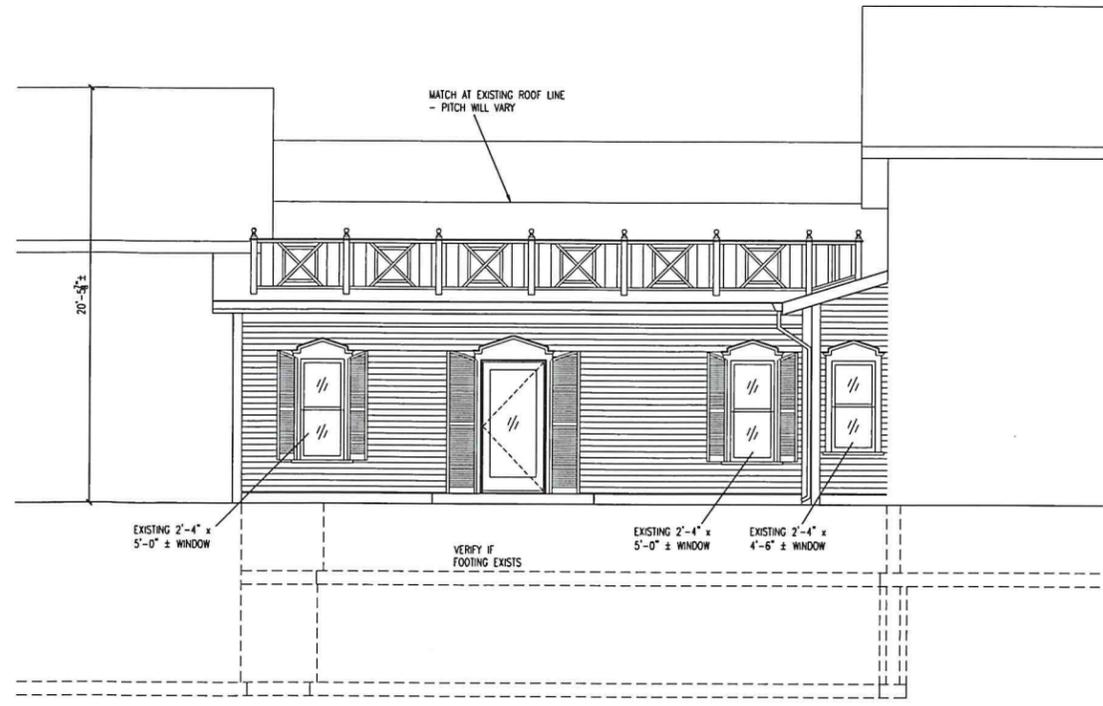
WALL KEY:

 - - - - - EXISTING DOOR AND WALL OR OTHER CONSTRUCTION TO BE DEMOLISHED
 _____ EXISTING DOOR AND WALL TO REMAIN
 _____ NEW PARTITION SHOWN ON REMODEL PLANS



3 SECTION
1/2" = 1'-0"



1 FIRST FLOOR PLAN
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE ALL SHEETS IN SET TO SUBCONTRACTORS! DO NOT DISTRIBUTE PARTIAL SETS

ALL DIMENSIONS MEASURED TO AND FROM FACE OF STUD
 ALL ANGLES TO BE AS DEGREES UNLESS OTHERWISE NOTED ON DRAWINGS
 DO NOT SCALE FROM DRAWINGS
 IF ANY QUESTIONS ARISE NOTIFY ARCHITECT IMMEDIATELY

STELLING & ASSOCIATES ARCHITECTS, LTD.
 181 W. CHESTNUT STREET P.O. BOX 506
 BURLINGTON, WI 53105
 TELEPHONE: (262) 783-8725 FAX: (262) 783-1971

BOHDAN & PAT KACHUR
 988 SOUTH LAKE SHORE DRIVE
 LAKE GENEVA, WI 53147

FIRST FLOOR PLAN, NORTH ELEVATION AND SECTION

OWNERSHIP OF DOCUMENTS:
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REVISIONS:
 APPROVED:
 DRAWN BY: JB
 DATE: 10-7-19
 ARCHITECTS PROJECT NUMBER: 19015
 SHEET NUMBER:

A100

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: November 18, 2019

Agenda Item: 7

Applicant:
Patrick & Rachel Lynch
30715 Cedar Dr.
Burlington, WI 53105

Request:
Amend - Precise Implementation Plan (PIP)
Home closer than previously approved to the
lakeshore at 940 Maytag Rd.
Tax Key No. ZCE00005

Description:

The applicant is submitting a request to amend Precise Implementation Plan (PIP) that would allow for the candidate to rebuild the home closer to the lake.

The original dwelling location was to be in-line with the neighboring properties, however the current foundation location exceeds the May 27, 2019 approval.

Action by the Plan Commission:

Recommendation to the Common Council on the proposed Precise Implementation Plan (PIP):

As part of the consideration of the requested PIP, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed PIP;
- Include *findings* required by the Zoning Ordinance for PIP; and,
- Provide specific suggested *requirements* to modify the project as submitted.

Required Plan Commission Findings on the PIP for Recommendation to the Common Council:

A proposed PIP must be reviewed by the standards, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be all of the following:
1. In general, the proposed Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) 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 the Zoning Ordinance, 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 Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) is located in an area that will be adequately served by, and will not impose an undue burden on any improvements, facilities, utilities or services provided by public agencies serving the subject property.
 6. The potential public benefits of the proposed Precise Implementation Plan (PIP) 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 one or more of the following:
1. In general, the proposed Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) 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 the Zoning Ordinance, 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 Precise Implementation Plan (PIP) 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 Precise Implementation Plan (PIP) is not located in an area that will be adequately served by, and will impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
 6. The potential public benefits of the proposed Precise Implementation Plan (PIP) 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.

Staff Recommendation on the Proposed Precise Implementation Plan (PIP):

If the Plan Commission members feel the submittal is acceptable -

1. Staff recommends that the Plan Commission recommend *approval* of the proposed Precise Implementation Plan (PIP) as submitted, with the findings under A.1-6., above.
2. Staff recommends the Plan Commission adopt the *affirmative set of findings* provided above.

AMENDMENT

ZCE00005

9

APPLICATION FOR GENERAL DEVELOPMENT PLAN OR AMENDMENT

City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):

940 Maytag Rd.
(see attached survey for full legal description.)

Name and Address of Current Owner:

Patrick and Rachel Lynch
30715 cedar drive. Burlington, WI. 53105

Telephone No. with area code & Email of Current Owner: _____

Name and Address of Applicant:

Jason R. Bernard. Lake Geneva Architects.
201 Broad St. Lake Geneva, WI. 53147

Telephone No. with area code & Email of Applicant: Jason@lakegenevaarchitects.com

262. 248. 1400 x11

Proposed Use: Single family residence.

Zoning District in which land is located: ER1

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

Lake Geneva Architects.

Short statement describing activities to take place on site:

Raze existing house. construct new house using SR4
sideyard setbacks and averaging lake shore setback.

GDP fee \$400.00, payable upon filing application

3/8/19
Date

Jason R. Bernard
Signature of Applicant



Date: October 24, 2019
To: City of Lake Geneva -Building and Community Development
From: Timothy C. Lynch, P.E.
Copy: Jason Bernard, Frank Guido, Patrick & Rachel Lynch
Subject: 940 Maytag Road
Precise Implementation Plan (PIP) Amendment

Dear City Plan Commission Members:

Lynch & Associates is working with Patrick and Rachel Lynch on their new primary residence at 940 Maytag Road and a question from staff regarding the location of a building setback line has arisen. As you may be aware, this project has been before the plan commission previously for a General Development Plan (GPD) on April 15, 2019 and for a Precise Implementation Plan (PIP) on May 20, 2019. Both of these items were approved and construction has commenced.

The PIP request dated April 1st, 2019 requested to use the shore-yard averaging, and more specifically “to use SR-4 side-yard setbacks, average adjacent residence shore-yard setbacks...” When Lake Geneva Architects submitted the request, they included a General Development plan and some hand sketches. The setback line on the General Development plan was drawn to the near corner of the neighboring residence to the southeast. When the property was surveyed, the document showed that the southwest corner of the foundation of the southeast residence was not the closest to the shoreline. The closest corner of this house was used to determine the setback line, which is consistent with the approved “average residence shore-yard setbacks” and established in current zoning practices.

The request is consistent with our meeting with City staff, where we discussed the location of the newly built Patrick and Rachel Lynch foundation in proximity to the setback line. Staff requested that we draw the setback line from the near foundation corners of the adjacent residences, which results in the foundation of the Lynch residence being beyond the setback line by 1.04 feet. Given the inconsistencies of the PIP text and exhibit, the City of Lake Geneva staff has suggested two possible remedies:

1. Remove the foundation from the line extending from the outside corners of the adjacent residences.
2. Request approval from Plan Commission for an amendment of the PIP to meet the definition of shore-yard averaging.

We are requesting that you review the matter and confirm that the use of the average shore-yard setbacks as written and as shown on the attached exhibit.

Additionally, the second story of the residence southeast of the subject property has a 2' cantilevered upper story that encroaches further towards the lake than the foundation. The use of the cantilevered corner would be consistent with the average the average adjacent shore-yard setback methods. The exhibit includes both the first floor and second floor locations of the house southeast of the subject property. The foundation is within the front yard setback in both of these scenarios. The more conservative line (further from the lake) was utilized. The neighboring house is shown below for reference:



For Reference from the approved PIP:

1. Section 98-404 Yard Setback Adjustments: (1) b Averaging of the front yard setbacks is allowed if greater than 50% of the adjacent principal structures on the same block or street face do not follow the required front setback. In a similar spirit to this rule, as the existing neighboring properties do not meet the 100 foot setback allowing setback averaging between the adjacent properties would allow a larger front setback and would help unify the appearance of the buildings along the lake at this area. included in the next submittal.

Request:

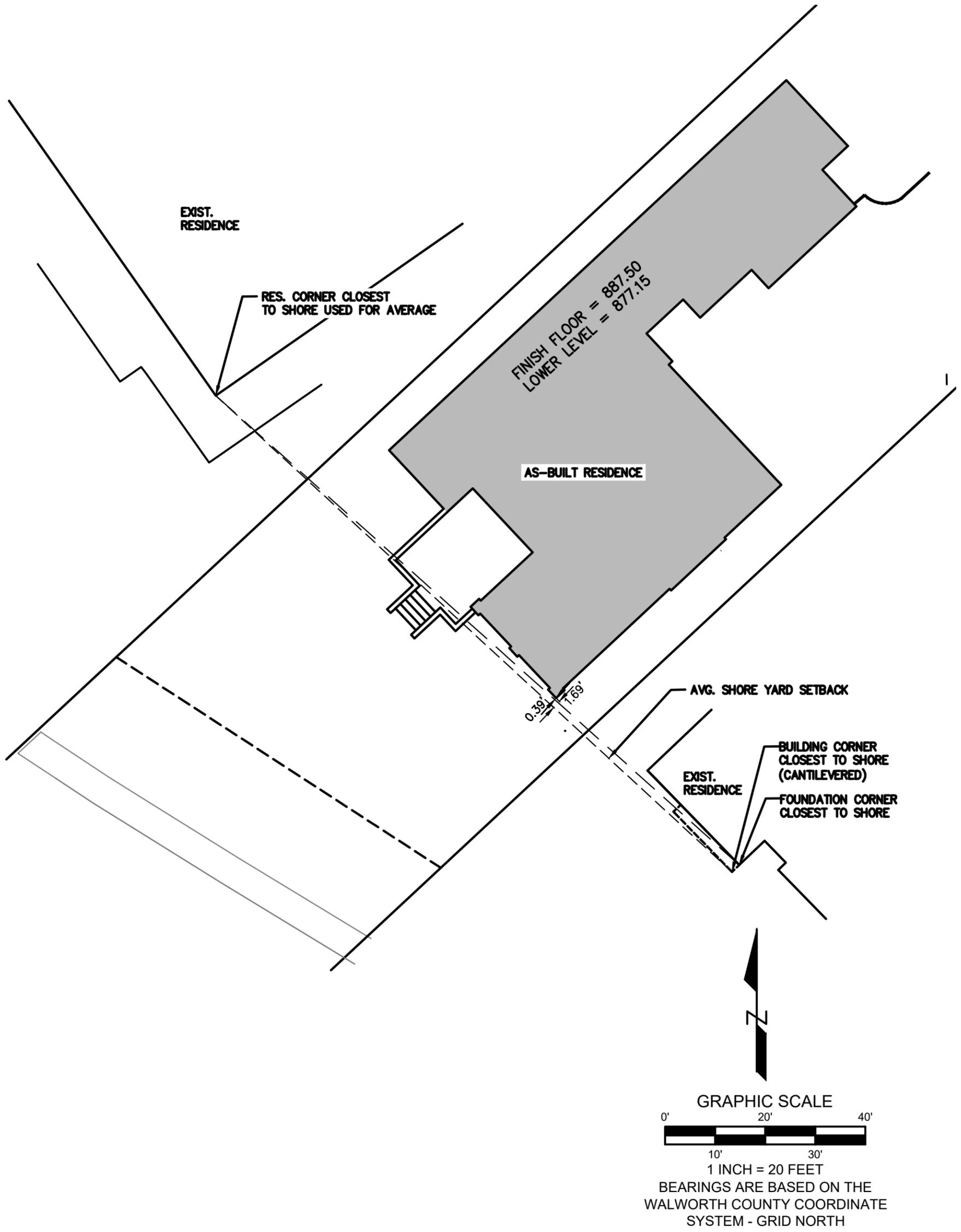
In our professional opinion the location of the foundation meets shore-yard average setback and the intent of the PIP. We are requesting approval of the PIP amendment at staff direction in order to continue construction of the residence in the current location.

AVERAGE SHORE YARD SETBACK EXHIBIT

Survey No. 18.5057

October 25, 2019

LOCATION: 940 Maytag Road, Lake Geneva, Wisconsin
PREPARED FOR: Patrick & Rachel Lynch



P:\Shared\1 - Projects\2018\18.5057 Patrick Lynch - 940 Maytag Road\CAD\18.5057_50-Permit_Plot_Temp.dwg



5482 S. WESTRIDGE DRIVE
NEW BERLIN, WI 53151
(262) 402-5040

440 MILWAUKEE AVENUE
BURLINGTON, WI 53185
(262) 248-3697

GENERAL DEVELOPMENT PLAN

REAR OR SIDE-YARD INTRUSIONS

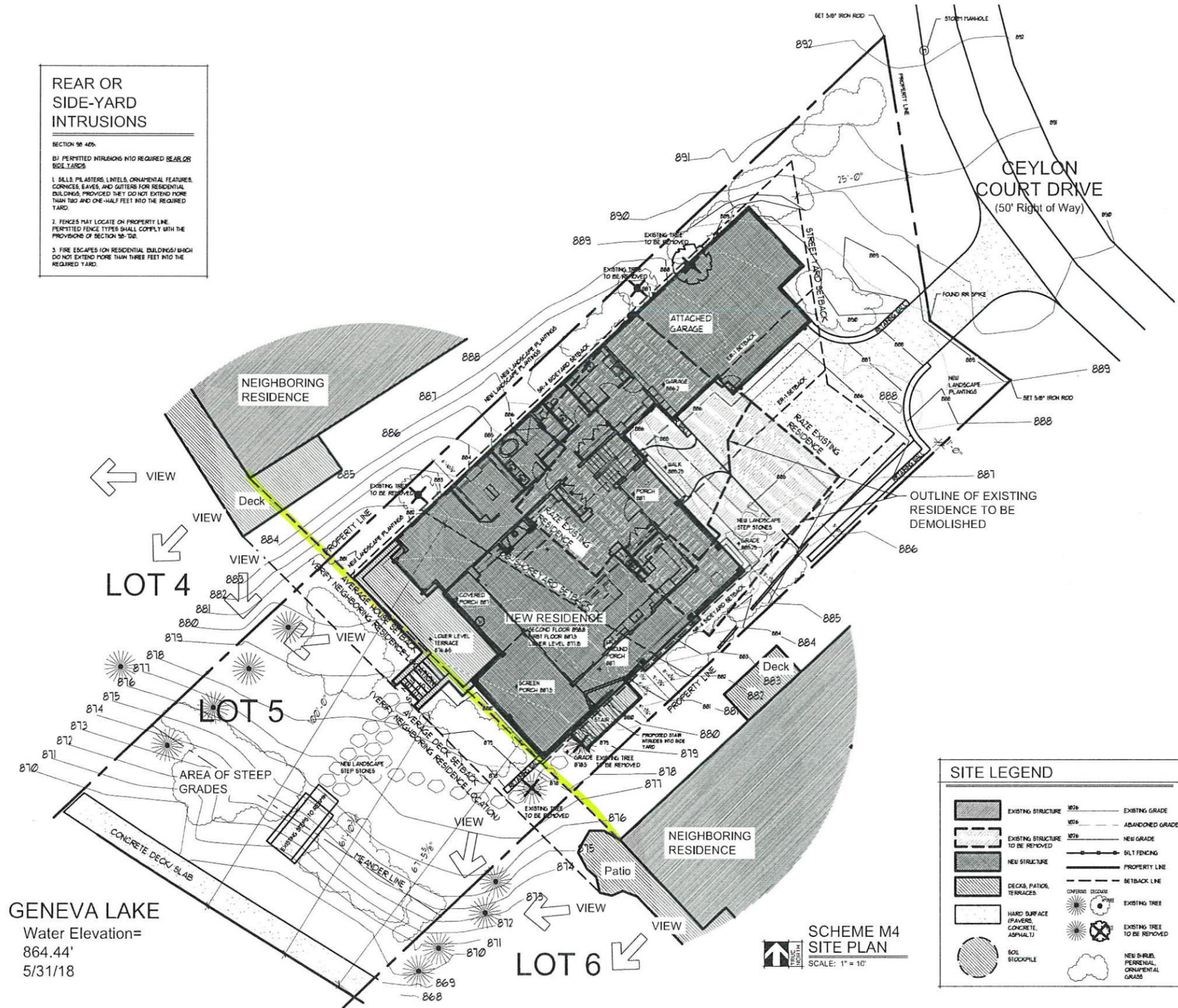
SECTION 58-405.

B) PERMITTED INTRUSIONS INTO REQUIRED REAR OR SIDE YARDS

1. SILLS, PLASTERS, LINTELS, ORNAMENTAL FEATURES, CORNICES, EAVES, AND GUTTERS FOR RESIDENTIAL BUILDINGS, PROVIDED THEY DO NOT EXTEND MORE THAN TWO AND ONE-HALF FEET INTO THE REQUIRED YARD.

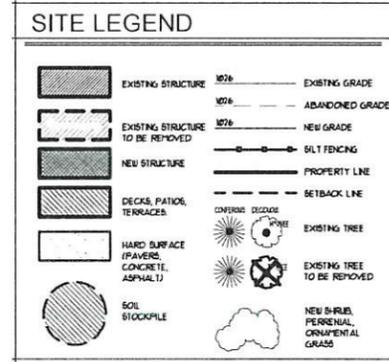
2. FENCES MAY LOCATE ON PROPERTY LINE. PERMITTED FENCE TYPES SHALL COMPLY WITH THE PROVISIONS OF SECTION 58-50.

3. FIRE ESCAPES (ON RESIDENTIAL BUILDINGS) WHICH DO NOT EXTEND MORE THAN THREE FEET INTO THE REQUIRED YARD.



GENEVA LAKE
 Water Elevation=
 864.44'
 5/31/18

**SCHEME M4
 SITE PLAN**
 SCALE: 1" = 10'



ZONING RESEARCH

CURRENT ZONING: SR-4 (LAKESHORE OVERLAY) IN WASHINGTON COUNTY, CITY OF LAKE GENEVA. THIS PROPERTY IS NON-CONFORMING DUE TO LOT WIDTH.

AREA / HEIGHT / YARD REQUIREMENTS

LOT AREA: MIN 40,000 SF (16,532 SF ACTUAL)
 LOT WIDTH: MIN 50'-0" (32'-0" AVERAGE)
 HEIGHT (DWELLING): 35'-0"
 HEIGHT (ACCESSORY): 15'-0"
 MAX BUILDING COVERAGE: 30%

RETRICKS

STREET: 15'-0"
 SIDE: 30'-0" OR 40'-0" TOTAL
 REAR: 30'-0"
 PAVEMENT: 5'-0"

THIS PROPERTY MEETS REQUIREMENTS SET FORTH IN SEC. 58-405 FOR EXISTING NON-CONFORMING LOTS.

CONDITIONAL USE:
 PER SEC. 58-401 SUBSTANDARD LOT REGULATIONS

ZONING: SR-4 (LAKESHORE OVERLAY) IN WASHINGTON COUNTY, CITY OF LAKE GENEVA

AREA / HEIGHT / YARD REQUIREMENTS

LOT WIDTH: MIN 15'-0" (15'-0" AVERAGE ACTUAL)
 HEIGHT (DWELLING): 35'-0"
 HEIGHT (ACCESSORY): 15'-0"
 MIN ZONING DISTRICT AREA: 9,000 SF.
 MIN LOT AREA: 3,000 SF.
 MAX BUILDING COVERAGE: 40%
 MAX ACCESSORY BUILDING COVERAGE: 10%
 MIN LANDSCAPE SURFACE RATIO (LSR): 30%
 MIN STREET FRONTAGE: 50 FEET
 MIN # OF OFF STREET PARKING SPACES: 3 (GARAGE)

RETRICKS

STREET YARD: 75'-0"
 SIDE YARD: 8'-0" LEAST SIDE (15'-0" SUM OF BOTH)
 LAKE FRONT: 100'-0"
 PAVEMENT: 5'-0" FROM SIDE OR REAR, 10' FROM STREET
 ACCESSORY: REAR: 3'-0"
 SIDE: 5'-0"

ER-1 TO SR-4 ZONING

SECTION 58-401

(1) EXISTING LEGAL LOTS OF RECORD THAT ARE NOW SUBSTANDARD IN ANY WAY, AND THAT ARE ZONED ER-1 SHALL BE CONSIDERED AS LEGAL SUBSTANDARD LOTS FOR NEW DWELLINGS OR BUILDING ADDITIONS ON SUCH LOTS. A CONDITIONAL USE PERMIT MAY BE SOUGHT TO ENABLE THE GRANTING OF PERMISSION TO USE THE LOT WIDTH, LOT FRONTAGE, LOT AREA AND SETBACK REQUIREMENTS OF THE ER-4 DISTRICT (SECTION 58-505 FOR CONDITIONAL USE PROCEDURES) FOR THIS PARTICULAR TYPE OF CONDITIONAL USE PERMIT REQUEST. A FEE OF 100.00 SHALL BE IMPOSED. (ORD. NO. 58-17598)

IMPERVIOUS CALCULATIONS

TOTAL LOT AREA: 16,521 SF.

DRIVEWAY / WALKS: 1754 SF.
 RESIDENCE / COVERED PORCHES AND DECKS: 4884 SF.
 NEW TERRACE/RETI WALLS/PAVED STAIRS: 485 SF.
 EXISTING LAWN/DECK STAIRS AND WALK: 05 + 354 SF.

TOTAL IMPERVIOUS: 1371 SF. (45.5%) OK IS LESS THAN 50%
 PROPOSED LSR: 54.5% OK, PER GRM IS GREATER THAN 50%
 BUILDING AREA UNDER ROOFS: 4664 SF.
 TOTAL BUILDING COVERAGE: 28.2% OK IS LESS THAN 40%

SURVEYOR

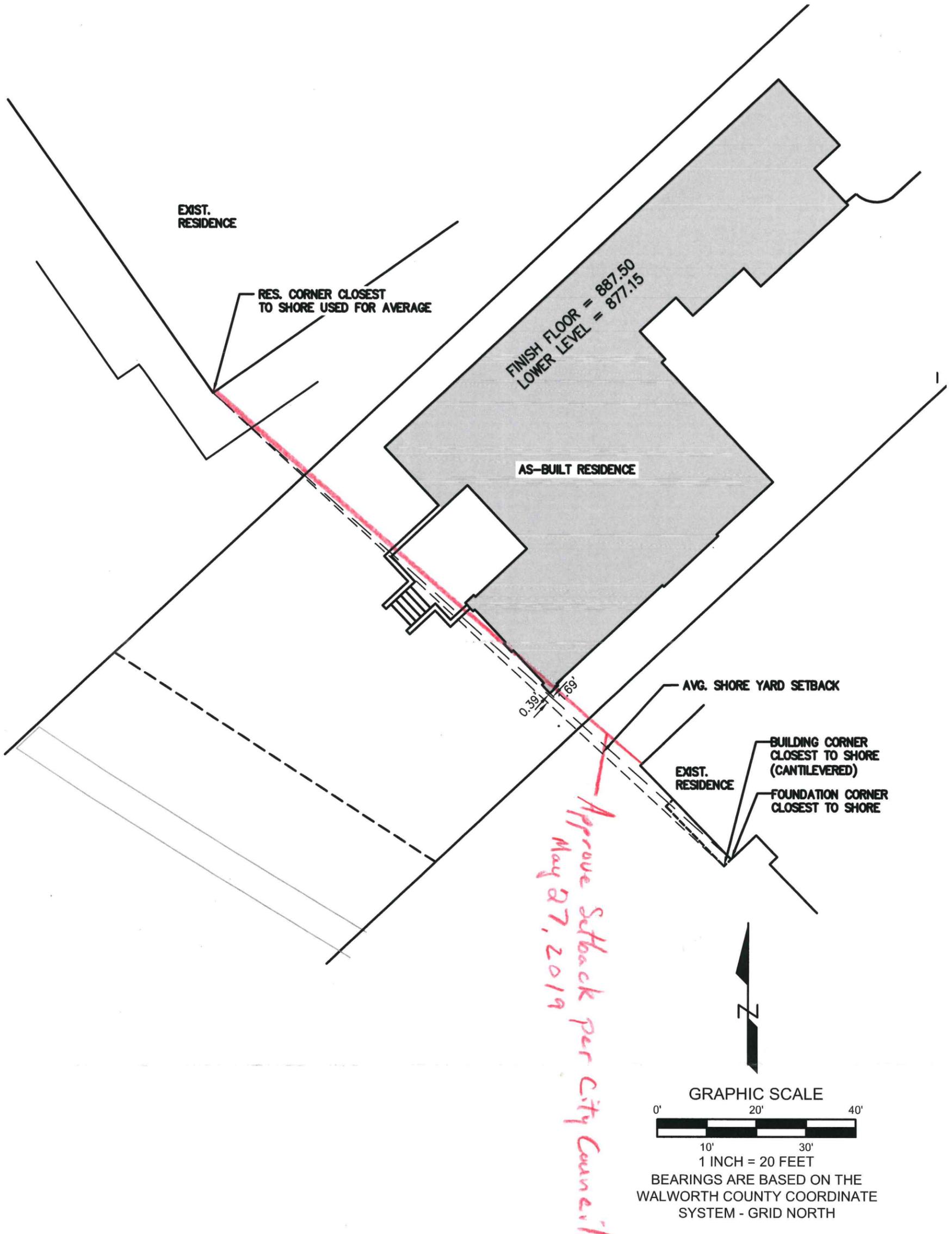
LYNCH & ASSOCIATES
 ENGINEERING CONSULTANTS, LLC
 5482 S. WESTRIDGE DR.
 NEW BERLIN, WI 53151
 PHONE (262) 248-3697

AVERAGE SHORE YARD SETBACK EXHIBIT

Survey No. 18.5057

October 25, 2019

LOCATION: 940 Maytag Road, Lake Geneva, Wisconsin
PREPARED FOR: Patrick & Rachel Lynch



LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

5482 S. WESTRIDGE DRIVE
NEW BERLIN, WI 53151
(262) 402-5040

440 MILWAUKEE AVENUE
BURLINGTON, WI 53185
(262) 248-3697

Project: 18.5057 - Average Shore Yard Setback Exhibit - 940 Maytag Road, Lake Geneva, WI 53151 - 10/25/19





STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: November 18, 2019

Agenda Item: 8

Applicant:

Daniel Schuld
281 Keys Ave.
Hampshire, IL 60140

Request:

Continuation Request by the Applicant to
amend the existing Precise Implementation
Plan (PIP) at 727 Geneva Street
Tax Key No. ZOP00157

Description:

The applicant is submitting a request for a Continuation of the hearings for the Precise Implementation Plan (PIP).

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: November 18, 2019

Agenda Item: 9

Applicant:
City of Lake Geneva

Request:
Request to amend the Zoning Ordinance
98-704 that regulates Off-Street Parking

Description:
Staff has been asked to generate an amendment the zoning ordinance 98-704 that would allow parking on the unpaved portions of lots for not for profit organizations.

Currently the ordinance reads all off-street parking shall be paved surface.

Section 98-704 Off-Street Parking and Traffic Circulation Standards

(6) Off-Street Parking and Traffic Circulation Design Standards

(a) **Surfacing and Marking:** All off-street parking and traffic circulation areas (including all residential driveways -- except those within the RH District) shall be paved with a hard all-weather surface, to the satisfaction of the Director of Public Works. Said surfaces intended for 6 or more parking stalls shall be marked in a manner which clearly indicates required parking spaces.

(b) Exceptions. The prohibitions of Section (a) above shall not apply to the following:

Not for profit organizations may utilize their unpaved lots for parking (regardless of zoning classification) after applying for and obtaining a temporary permit from the Building and Zoning Department City. Application must be made at least 4 weeks in advance of the event. A separate permit application must be filled out for each event and would need to be received at least 4 weeks prior to the event for proper approval.

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STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: November 18, 2019

Agenda Item: 10

Applicant:
City of Lake Geneva

Request:
Request to amend the Tourist Rooming House
Ordinance verbiage

Description:
Staff has been asked by the State of Wisconsin to amend the wording in our ordinance that currently reads "Tourist Rooming House" to Short Term Rental.

ORDINANCE 19-XX

AN ORDINANCE AMENDING SUB-SUB-SUBSECTION 1a, LAND USE REQUIREMENT OF SUB-SUBSECTION (Y), TOURIST ROOMING HOUSE, OF SUBSECTION (8) ACCESSORY LAND USES, OF SECTION 98-206, DETAILED LAND USE DESCRIPTIONS AND REGULATIONS OF CHAPTER 98: ZONING ORDINANCE, OF THE CITY OF LAKE GENEVA ZONING ORDINANCE TO CLARIFY TERMINOLOGY FOR SHORT TERM RENTALS

The Common Council of the City of Lake Geneva, Wisconsin, does hereby ordain as follows:

1. Sub-subsection (y) ~~Tourist Rooming House~~ Short-Term Rental, of Subsection (8) **Accessory Land Uses** of Section 98-206 Detailed Land Use Descriptions and Regulations of Chapter 98: Zoning Ordinance of the City of Lake Geneva Zoning Ordinance is amended to read as follows:

(y) ~~Tourist Rooming House~~ Short-Term Rental

Description: Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients for more than 6 but fewer than 29 consecutive days. It does not include private boarding houses or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under ACTP 73.

1. Permitted by Right: All zoning districts where “residential dwellings” are permitted as that term is defined in Section 66.1014, Wis. Stats.

a. Land Use Requirement:

~~Tourist Rooming House~~ A Short-Term Rental shall only be located as an Accessory Land Use zoning in districts that allow “residential dwellings” as that term is defined in Section 66.1014 Wis. Stats

b. Annual City License Required:

~~Each Tourist Rooming House~~ Short-Term Rental shall operate only during the valid period of an Annual City of Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental License (hereinafter “annual license”) for each consecutive 365-day period. If the ~~Tourist Rooming House~~ Short-Term Rental is transferred or there is any change of ownership of the ~~Tourist Rooming House~~ Short-Term Rental during the valid period of an annual license, the license may only be assumed by the Transferee for the remaining period of the license. Operating a ~~Tourist Rooming House~~ Short-Term Rental without a current version of a valid annual license shall be considered a violation of this Zoning Ordinance, and subject to the penalties of Section 98-936. The following information shall be provided on an annual basis, prior to issuance of said annual license.

- i. Completed City of Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental Application, which includes the property owner name, address, and phone number; the designated operator's name, address, and phone number; the period of operation of up to 180 days in a 365-day period, which must be consecutive;
- ii. A current floor plan for the ~~Tourist Rooming House~~ Short-Term Rental at a minimum scale of one-inch equals 4 feet, and Site Plan of the property at a minimum scale of one inch equals ten feet showing on-site parking spaces and trash storage areas;
- iii. General Building Code Inspection by City, and submittal of Official Building Code Inspection Report with no outstanding compliance orders remaining;
- iv. Fire Code Inspection by City, and submittal of Official Fire Code Inspection Report with no outstanding violations.
- v. Proof of valid property and liability insurance for the dwelling unit;
- vi. State of Wisconsin Tourist Rental House License;
- vii. Seller's Permit issued by the Wisconsin Department of Revenue;
- viii. City of Lake Geneva Room Tax Permit;
- ix. City of Lake Geneva General Business License;
- ~~ix.~~ x. Payment of an Administrative Fee, set by City Council resolution, to cover the costs to the City of administering the above.

The City of Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental License shall be issued with the completion of the above requirements and compliance with the City's Room Tax Ordinance.

c. Property Management Requirements:

Each ~~Tourist Rooming House~~ Short-Term Rental shall be managed consistent with the following requirements:

- i. The total number of days of operation within any 365-day period of an annual license shall not exceed 180 consecutive days. This period of ~~Tourist Rooming House~~ Short-Term Rental Operation shall be specified by the property owner in the required Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental Application.
- ii. The Minimum Rental Period shall be a minimum of seven consecutive days by anyone party.

- iii. The Maximum Rental Period within a 365-day period of an annual license shall be no more than 180 consecutive days.
- iv. Similar facilities in which single-family detached homes are available for less than seven days, more than 180 days, or throughout the year, are a different land use that falls within the Indoor Commercial Lodging land use category.
- v. The Maximum Number of Occupants shall not exceed the total number licensed by the State of Wisconsin or two per bedroom plus two additional occupants, whichever is less.
- vi. The ~~Tourist Rooming House~~ s Short-Term Rental shall be operated by the property owner or by a property manager explicitly designated in the valid Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental Application as the "Designated Operator".
- vii. The property owner's and the Designated Operator's names, addresses, and 24-hour phone numbers shall be provided in the City of Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental Application and shall be updated within 24 hours upon any change in the property manager or the property manager contact information.
- viii. The Designated Operator must reside within, or have their business located within, 25 miles of the ~~Tourist Rooming House~~ Short-Term Rental parcel.
- ix. The Designated Operator must be available by phone 24 hours, seven days a week, during the period of operation designated in the Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental Application.
- x. Each ~~tourist rooming house~~ Short-Term Rental shall provide and maintain a Guest Register and shall require all guests to register their true names and addresses before allowing occupancy. The Guest Register shall be kept intact and available by the Designated Operator for inspection by representatives of the City for at least one year from the day of the conclusion of the period of operation.
- xi. Each ~~tourist rooming house~~ Short-Term Rental shall maintain the following written Business Record for each rental of the ~~tourist rooming house~~ Short-Term Rental: the true names and addresses of any person renting the property, the dates of the rental period (which must be a minimum of seven consecutive days), and the monetary amount or consideration paid for the rental. The Business Record shall be kept intact and available by the Designated Operator for inspection by representatives of the City for at least one year from the day of the conclusion of the period of operation.

- xii. ~~Tourist Rooming House~~ Short-Term Rental License and emergency contact information must be posted in a conspicuous area within the property at all time.

d. Property Operational Requirements:

Each ~~Tourist Rooming House~~ Short-Term Rental shall be operated per the following requirements:

- i. The "Requirements for ~~Tourist Rooming House Guests~~ Short-Term Rental " form provided by the City of Lake Geneva to summarize City requirements for ~~Tourist Rooming Houses~~ Short-Term Rental, and the Site Plan for the subject property clearly depicting guest parking spaces and the rear yard, shall be posted on the inside of the front door of each ~~tourist rooming house~~ Short-Term Rental throughout its period of operation.
- ii. Parking Requirements:
 - [a] A minimum of two off-street parking spaces shall be provided on the subject property for each ~~Tourist Rooming House~~ Short-Term Rental. If the ~~Tourist Rooming House~~ Short-Term Rental provides three or more bedrooms, an additional on-site parking space is required for each additional bedroom over two, plus one space for each employee on the largest shift if applicable.
 - [b] All guest parking for vehicles and trailers shall be within a parking space designated on the Site Plan, on an area paved with concrete or asphalt.
 - [c] All guest vehicles and trailers may only park on-site. Street parking for guests is not permitted.
 - [d] No parking is permitted on gravel, lawn, or planter bed areas.
- iii. Site Appearance Requirements:
 - [a] Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as a ~~Tourist Rooming House~~ Short-Term Rental visible on the exterior of the subject property.
 - [b] No exterior sign age related to the ~~Tourist Rooming House~~ Short-Term Rental is permitted, other than the property address.
 - [c] No outdoor storage related to the ~~Tourist Rooming House~~ Short-Term Rental land use is permitted, except for typical residential recreational equipment, seating, and outdoor cooking facilities which are permitted only within the rear yard.
 - [d] No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted to accommodate guests.

iv. Neighborhood Impact Requirements:

- [a] No outdoor activity shall occur between the hours of 10:00 p.m. and 7:00 a.m.
- [b] At all times, no noise, lighting, odor or other impacts from the subject property shall be detectable at the property line at levels exceeding the requirements of Article VII of the Lake Geneva Zoning Ordinance.
- [c] No vehicular traffic shall be generated by the ~~Tourist Rooming House~~ Short-Term Rental at levels exceeding those typical for a detached single-family dwelling unit.

v. ~~Tourist Rooming House~~ Short-Term Rental Advertising:

- [a] No outdoor advertising is allowed on the subject property.
- [b] The ~~Tourist Rooming House~~ Short-Term Rental shall not be advertised for availability in any form of media unless the required City of Lake Geneva ~~Tourist Rooming House~~ Short-Term Rental License has been issued.

e. Access and Inspections

- i. The City shall be authorized at all reasonable times upon reasonable notice to the owner to enter and examine any building, structure, or premises, for the purpose of ensuring compliance with this ordinance. The owner, agent or occupant of any such premises who refuses to permit, or prevents or interferes with any entry into or upon the premises by any such inspector shall be in violation of this section.
- ii. The City has adopted the Knox Box key box system requiring the installation of miniature vaults be placed upon the exterior buildings, gateposts or other applicable locations. Contained within the vault are the keys that will allow access to the ~~Tourist Rooming House~~ Short-Term Rental in emergency situations.
- iii. Knox boxes shall be placed on the building for emergency entry into the building. The City may require more boxes dependent on the size of the structure or facility.

f. Penalties and License Revocation

- i. Violations of the requirements for ~~Tourist Rooming Houses~~ Short-Term Rental, the provisions of the ~~Tourist Rooming House~~ Short-Term Rental License, and all other of this subsection (y) are subject to separate daily fines per Section 98-936. Citations for violations of this ordinance will be issued to, and will be the responsibility of, the property owner.

ii. The Annual ~~Tourist Rooming House License~~ Short-Term Rental may be revoked for more than two violations of the requirements specific to ~~Tourist Rooming Houses~~ Short-Term Rental, the License, or the remainder of this Zoning Code. ~~Tourist Rooming House~~ Short-Term Rental operators found non-compliant with the terms of this subsection (y) shall be considered in violation and shall be subject to all applicable penalties up to and including revocation of their ~~Tourist Rooming House~~ Short-Term Rental License.

2. That this ordinance shall take effect upon passage and publication, as provided by law.

Adopted, passed, and approved by the Common Council of the City of Lake Geneva, Walworth County, Wisconsin, this ____ day of _____, 2019.

TOM HARTZ, Mayor

Attest:

LANA KROPF, City Clerk

First Reading:
Second Reading:
Adoption:
Published: