

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

**PLAN COMMISSION MEETING
MONDAY, APRIL 18, 2022 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

CITY HALL WILL BE OPEN TO THE PUBLIC DURING ALL MEETINGS.

THE CITY OF LAKE GENEVA IS HOLDING ALL MEETINGS VIRTUALLY AS WELL AS IN PERSON. IF YOU WISH TO LISTEN OR WATCH THE MEETING YOU MAY DO SO BY USING THE FOLLOWING:

1. Links to the City of Lake Geneva's live video stream can be found at www.cityoflakegeneva.com/video
2. Television: Watch live broadcast of the meeting on Spectrum Cable Channel 25
3. Listen to audio via phone: (602) 333-2017 (Long distance rates may apply) (888) 204-5987 (Toll Free)
Access Code: 9746153

Agenda

1. Meeting called to order by Charlene Klein.
2. Roll Call.
3. Approve Minutes of the March 21, 2022 Plan Commission meetings 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 Veronica Anagnos, 1001 Wisconsin St. Lake Geneva, WI 53147, and requesting review for the proposed exterior color change to the builds for the property located at 811 Wrigley Dr. in the downtown overlay zoning district, Tax Key Nos. ZA48330001, ZA483300002, & ZA483300003.
 - b. Application by Roger Wolff of Venture Investments Partners, LLP 775 Southwind Dr. Lake Geneva, requesting review for the proposed exterior signage, for the property located at 703 W. Main St. in the downtown overlay zoning district, Tax Key No. ZA276000001.

- c. Application by Michael Seick, N3240 Violet Rd, Lake Geneva, and requesting review for the proposed Pylon Signage for the property located at 500 Broad St. in the downtown overlay zoning district, Tax Key No. ZGD00006.
7. Review and Recommendation of a proposed Certified Survey Map (CSM) for Kwik Trip, Inc. 1626 Oak St. La Crosse, WI 54602 to create a Single lot combining 4 existing lots at 896 & 898 Wells St. as identified on certified survey Project order #33621 prepared by Batterman for Tax Key Nos. ZBL00006, ZBL00006A, ZBL00008, ZBL00058.
8. Public Hearing and Recommendation of a Conditional Use Permit filed by Bjorn Schweinsberg, 5117 N. Palisades Rd. Whitefish Bay, WI 53217 for a request that would allow for Commercial Indoor Lodging land use in the General Business (GB) zoning district for the property located at 831 Dodge St., Tax Key No. ZGD00013.
9. Public Hearing and Recommendation of a Precise Implementation Plan for Covenant Harbor Bible Camp and Retreat Center, 1724 W. Main St., Lake Geneva, to allow for the construction of the proposed Twins Lodging units, for the property located in the Planned Development (PD) zoning district, Tax Key No. ZYUP00096 & ZYUP00096A.
10. Public Hearing and Recommendation on Ordinance Amendments regarding conditional use permit procedures and allowances in the zoning code, specifically to repeal and recreate Section 98-905, Conditional Use Review and Approval, repeal and recreate Section 98-203 Tables of Land Uses, and creating Section 98-105(j) regarding a new Extraction/Disposal Zoning District and related amendments to Chapter 98 including renumbering of amended sections as necessary.
11. Findings from the Zoning Board of Appeals hearing on March 1, 2022 denying the request for 1815 Conant St.
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 4/13/2022

PLAN COMMISSION MEETING
MONDAY, MARCH 21, 2022 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL – VIRTUAL MEETING VIA ZOOM/IN PERSON

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

Roll Call. Present: Mayor Klein, Alderman Tim Dunn, John Gibbs, Kyle Cary, Joel Hoiland, Cindy Forster Fueredi, Absent (Excused) James Marquardt. Also Present: City Planner Mich, City Planner Kruesel, City Attorney Draper, City Administrator Nord, Building & Zoning Administrator Walling, Building & Zoning Administrative Assistant Follensbee.

Approve Minutes of the January 17, 2022 Plan Commission Meeting as distributed.

Hoiland/Cary motion to approve. Motion carried unanimously.

6:02pm Commissioner Fueredi joined the meeting via Zoom.

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.

Acknowledgement of Correspondence. None.

Downtown Design Review:

Application by Anthony Silvestri, 1017 Geneva St. #9, Lake Geneva, WI 53147, requesting review for the proposed build addition, pergola, commercial entertainment remodel, and Signage for the property located at 642 W. Main St. in the downtown overlay zoning district, Tax Key No. ZOP00305.

Anthony Silvestri, owner of Magpies Den & Pen, presented his request for the proposed changes. Commissioner Hoiland congratulated the applicant on the significant changes to the property. Commissioner Cary asked if the bar in the back would be U-shaped & asked about the old pergola. Silvestri said the bar in the back will be expanded into a U-shape and the old pergola will be replaced by a larger pergola. Hoiland asked if the capacity would change in the outside area. Silvestri said it shouldn't change but the Fire Department is coming out to check the area with the new changes for capacity. Zoning Administrator Walling shared a request from the Fire Department to verify the clearance from the new bar to the side gate which should be a 36" clear space opening. Silvestri said there is a 52" from the bar face to the actual opening and the opening of the fence is 4 feet wide.

Hoiland/Cary motion to approve the proposed building addition, pergola, Commercial entertainment remodel and signage and include all staff recommendations.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi "yes." Motion carried unanimously. 6-0

Application by Stephanie Horne, 1009 W Glen Oaks Lane #101, Mequon, WI 53149, requesting review for the proposed exterior façade, awning which will include signage, and lighting for the property located at 717 W. Main St. in the downtown overlay zoning district, Tax Key No. ZOP00278.

Stephanie Horne, 717 W Main Street, presented her request to update the exterior color from brown to light gray, add awning with signage & gooseneck lights above it. Hoiland asked if the lighting would illuminate the top of the awning and penetrate the awning. Horne said it would illuminate the awning but should not shine through the awning. Cary asked if the awning will be smaller than the previous. Horne said the original awning was too big so they are putting in a smaller awning. Mayor Klein asked Walling if the proposed colors comply with the Downtown Design standards. Fred said the colors meet the historic colors standard.

Hoiland/Cary motion to approve the proposed exterior façade, awning, signage and lighting and include all staff recommendations.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi "yes." Motion carried unanimously. 6-0

Application by Unique Surface, LLC, 500 Nathan Ln., Elkhorn, WI 53121, requesting review for the proposed Signage for the property located at 726 Geneva St. in the downtown overlay zoning district, Tax Key No. ZOP00262.

Claire Scheithe, representing the applicant, presented the request to replace an existing sign with a proposed sign. Cary asked if proposed sign is the same size as the existing sign. Scheithe said yes, it is the same size. Commissioner Gibbs asked about the colors of the sign. Scheithe said the colors are black and white.

Hoiland/ Cary motion to approve the proposed signage and include all staff recommendations.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi “yes.” Motion carried unanimously. 6-0

Public Hearing and Recommendation of a Conditional Use Permit for Leigh Gignilliat, 3 N. Walworth Ave., Williams Bay, WI 53191, for a proposed pier addition for the property located at 978 N Knoll Ln., in the Estate Residential - 1(ER-1) zoning district, Tax Key No. ZYUP00106J.

Leigh Gignilliat, owner, presented his request to extend the existing pier he shares with his neighbor and runs on the common property line. Walling said the application meets the City and DNR requirements for a pier.

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

Hoiland/Gibbs motion to approve the Conditional Use Permit to allow for a proposed pier addition and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi “yes.” Motion carried unanimously. 6-0

Public Hearing and Recommendation of a Conditional Use Permit filed by Justin W. Lanasa, 723 Williams St., Lake Geneva, for a request that would allow for Commercial Indoor Lodging land use and Group Development in the Central Business (CB) zoning district for the property located at 723 Williams St., Tax Key No. ZF00028.

Attorney, Tim Brovold, representing the applicant, presented the request to allow Commercial Indoor Lodging on the 2nd floor of house with 2 bedrooms, 2 parking spaces, and a kitchen. Cary asked if it would be an Airbnb. Brovold said yes. Planner Mich explained the application is for a change in land use, from a commercial apartment to a Commercial Indoor Lodging on the 2nd floor. Mich stated the 2 parking spaces are sufficient for this land use in Central Business zoning district. Mich said because there are 2 non-residential principle uses in a single building, it requires a Group Development Conditional Use Permit as recommended in the staff report.

Klein/Hoiland motion to close the Public Hearing. Motion carried unanimously.

Hoiland/Cary motion to approve the Limited Conditional Use Permit to allow for Commercial Indoor Lodging and a Conditional Use Permit for a Group Development and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi “yes.” Motion carried unanimously. 6-0

Public Hearing and Recommendation of a Precise Implementation Plan for Fairwyn SB, Inc., 875 Townline Rd. Suite 103, Lake Geneva, to allow for the construction of the proposed Clubhouse at 301 Harmony Dr. for the property located in the Planned Development (PD) zoning district, Tax Key No. ZSB00334.

Rick Zirk, representing Symphony Bay, 875 Townline Road, Unit 103, presented the request for a Clubhouse in the Symphony Bay Subdivision. Brian Pollard, owner of Fairwyn Development & developer of Symphony Bay, was also present for any questions. Zirk said Sonata Way is the main entrance to the subdivision and is designed to go right to the Clubhouse which is a gated facility for the subdivision residents. Zirk explained all the rooms & areas in the Clubhouse, the pool area, bocce ball & pickle ball courts and parking. Zirk said there is plenty of green space for additional parking or extra courts if expansion is needed. Zirk said the plan includes interconnecting walkways throughout the Symphony Bay community but also connects to Veterans Park, the High School, the Big Foot Beach State Park and eventually the Buttons Bay facility. Cary asked when the facility would be open. Zirk said the goal is to have a grand opening in the Spring of 2023. Hoiland asked about construction in the subdivision separate from the Clubhouse. Zirk gave an overview of the various phases in Symphony Bay. Klein asked for any staff input. Mich emphasized many people would be walking to the Clubhouse so the City asked the developer to put in a crosswalk on Harmony Drive to ensure safety for those individuals walking to the facility. Mich said staff has worked with the developer to make the facility site more pedestrian friendly and to install the pedestrian path of the east side of the site which runs north & south for bike and pedestrian

connectivity throughout the city. Mich stated the site has generous landscaping, more green space and less impervious surface than proposed in the GDP which is aesthetically pleasing when driving through the Symphony Bay to the Clubhouse. Mich also said the parking provided is sufficient for the Clubhouse. Hoiland asked if special events at the Clubhouse with outside guests attending would prompt the need for overflow parking. Zirk said the developer has the ability to expand parking on the southeast side of the Clubhouse, if needed.

Klein/Hoiland motion to close the Public Hearing. Motion carried unanimously.

7:00pm Commissioner Fueredi left meeting via Zoom.

Gibbs/Hoiland motion to approve the Precise Implementation Plan for a proposed Clubhouse and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Dunn, Gibbs, Cary, and Hoiland “yes.” Motion carried unanimously. 5-0

7:05pm Commissioner Fueredi joined meeting via Zoom.

Public Hearing and Recommendation to repeal and recreate Floodplain Zoning Ordinance Section 98-503 in accordance with WI DNR standards and guidelines.

Sonja Kruesel, Planner from Vandewalle & Associates, stated the public hearing is a proposed action to repeal and recreate the City of Lake Geneva’s Floodplain Zoning Ordinance Section 98-503 which is required by the DNR and FEMA. Kruesel said all updates must be completed and adopted in a format acceptable to the DNR by April 6th, which allows time for the Ordinance to be recommended by the Plan Commission and for the action to be approved by the Common Council to meet that schedule. If the Ordinance is not approved the City of Lake Geneva would be suspended from the National Flood Insurance Program which allows residents to obtain flood insurance. Kruesel said the big changes include the updated official maps of the local Floodplain Ordinance; updates from the DNR for the City of Lake Geneva; and incorporation of language to be included from new legislation - 2019 WI Act 175.

Klein/Hoiland motion to close the Public Hearing. Motion carried unanimously.

Attorney Draper noted some language in the Ordinance needs minor modifications: **Planning Commission** should be changed to the **Plan Commission** and **Board of Appeals** should be the **Zoning Board of Appeals**. Draper also suggested the Plan Commission should ask the Council to wave the second reading of this Ordinance at the next Council meeting so the City can meet the DNR deadline.

Hoiland/Cary motion to repeal and recreate the Floodplain Zoning Ordinance Section 98-503 in accordance with WI DNR standards and guidelines; modify the Ordinance replacing Planning Commission with **Plan Commission** and replacing Board of Appeals with **Zoning Board of Appeals**; ask the City Council to wave the second reading of the Ordinance to meet the DNR deadline and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Dunn, Gibbs, Cary, Hoiland, and Fueredi “yes.” Motion carried unanimously. 6-0

Update and discussion of potential zoning ordinance amendments in response to 2017 Wisconsin Act 67 regarding Conditional Use Permit requirements.

Planner Kruesel said this item is for discussion only, no action will be taken tonight. Kruesel said Act 67 legislation was passed in 2017 regarding how Conditional Use Permits are reviewed and approved. Prior to Act 67, communities were able to apply considerable discretion when reviewing Conditional Use Permits, but Act 67 changed the process so it is more difficult to deny the CUP Applications. Kruesel explained under the new law, the City must site substantial evidence in order to apply any condition or to deny a CUP. Cities are now asked to review and make amendments to the zoning code to better respond to the changes in the state law. Additional conditions can be built into the zoning code and the Plan Commission can attach other conditions when reviewing the use. Conditional Uses cannot grant flexibility from other zoning code standards but instead would be handled through a Planned Development Zoning or Variance procedures. The new legislation transfers the onus or burden of proof to the City on whether any condition could be imposed or denied. Any actions must be based on substantial evidence which means it is based on facts and information, not personal preference or speculation; it must directly pertain to the requirements and conditions which the applicant must meet to obtain the CUP; it must be what reasonable persons would accept and support as a conclusion.

In response to Act 67 and the need for zoning code updates, Vandewalle suggests the City of Lake Geneva should: 1.) Shorten the list of Conditional Uses that could be considered and 2.) Create new high impact zoning districts for certain uses which have the potential for high impact. The benefit of creating a new zoning district is that it would have to be mapped. When the City is considering a re-zoning decision or zoning map amendment, the City has a lot of discretion in approving or denying the Conditional Use Permit applications.

Proposed zoning code amendments: Procedures – clarifying & implementing substantial evidence language and how it is incorporated into the decisions. **Appeals** – clarifying appeals processes – If a CUP is denied, the Ordinance will explain what an applicant can do to appeal a decision. Vandewalle suggests the City follow the state statutes for this type of process which would go to the circuit court. Hoiland asked if adopting these amendments would change the process used by the Plan Commission. Kruesel referred to Section 5 – Review, Public Hearing and Recommendation by the Plan Commission – stating the entire procedure still takes place in the Plan Commission Meeting but the Ordinance simply conveys the separate steps inside the meeting. Commissioner Gibbs asked if the staff report would come from the Zoning Administrator. Kruesel said it would be a report from staff which contains a recommendation, also known as a report of preliminary recommended findings. This report would provide substantial evidence and a recommendation. Hoiland asked if the public notification would change. Draper said it would stay the same, meaning the publication would be a Class 2 Notice. Draper said the whole process is a good path for the Conditional Use Permits to follow. Draper said the burden is placed on the Plan Commission because public comments are heard and discussion takes place at the meetings so the best information can be gathered for the City Council which has the final vote.

Next, Kruesel went through the proposed changes to shorten the list of Conditional Uses with modifications to the Land Use Table to 4 Land Use categories and divided into 2 different scales.

- 1.) Indoor Commercial Entertainment: Small Scale CUP would be permitted by right with the requirements that the establishment would not have an alcohol license and would be under 2000 square feet. Large Scale CUP would follow the Conditional Use process and be subject to substantial evidence.
- 2.) Personal or Professional Service involving tattoos & permanent cosmetics above the clavicle would be permitted by right.
- 3.) Indoor Storage or Wholesaling would be prohibited in the Planned Business (PB) and General Business (GB) Zoning Districts due to proximity to Residential land uses. This land use would be permitted in all Industrial Zoning Districts.
- 4.) Personal Storage Facility would be prohibited in the Planned Business (PB) and General Business (GB) Zoning Districts due to proximity to Residential land uses. This land use would remain a Conditional Use in the Industrial Zoning Districts.

Another suggestion is to modify the Land Use Table for Piers to be a permitted use since if it regulated by the DNR and would be difficult for the City to deny the Conditional Use Permit. Draper stated the applicants installing piers are still required to apply to the DNR and follow the zoning standards: pier location must have a 12.5 foot setback from the riparian line, the pier length can be no longer than 100 feet and the parcel must have a primary structure to construct a pier.

Kruesel also asked for consideration of a New High Impact Zoning District by creating a legislative process first so there is discretion on where it is mapped. Suggested name: Extraction and Disposal Zoning District – heavy uses like quarrying & gravel extraction. The next step for the Conditional Use Permit Regulations would be to go into a redline format, holding a public hearing, take action as a recommendation, go to City Council for approval and finally become codified as a new ordinance. Draper said feedback is helpful now so changes can be made before it goes into the Ordinance form. Draper said this is the route to go based on legislative changes for Conditional Use statute.

Adjournment. Dunn/Klein motion to adjourn at 7:38 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: April 18, 2022

Agenda Item: 6a

Applicant:

Veronica Anagnos
1001 Wisconsin St
Lake Geneva

Request:

811 Wrigley Dr.
Downtown Design Review Building Color
Change in the Central Business (CB) zoning
district
Tax Key Nos. ZA483300001, ZA483300002,
& ZA483300003

Description:

The applicant is submitting an application for Downtown Design Review on the request to allow the painting and color change to the exterior of the property located at 811 Wrigley Dr. in the Central Business (CB) zoning district, Tax Key Nos. ZA483300001, ZA483300002, & ZA483300003.

The City reviews all exterior alteration in the CB zoning district to confirm that they conform to the Downtown Design standards, particularly quantity, size, and color requirements.

Staff Recommendations:

Staff recommends *approval* of the Alteration and installation request as submitted.



City of Lake Geneva
Building and Zoning
626 Geneva Street
Lake Geneva, WI 53147

APPLICATION FOR DOWNTOWN DESIGN REVIEW

2448330003
02
01

Site Address & Parcel No.:

811 WRIGHTWAY DRIVE

Name & Address of Current Building Owner:

VERONICA ANAGNOS

1001 WISCONSIN ST

LAKE GENEVA, WI 53147

Telephone Number of Current Building Owner:

262-248-1580

Email Address:

Owner Signature:

Veronica Anagnos

Name & Address of Applicant:

Dimitrios Anagnos

148 CASS ST

LKG, WI 53147

Telephone Number of Applicant:

262-745-3902

Email Address:

DimitriePopayes1kg.com

Proposed Design Change:

Building colors

(HALE NAVY)

DARK NAVY BLUE & CRAMA (currently there)

Zoning District:

Names & Address of Architect, Engineer, and/or Contractor of Project:

RON Mc Cormick

Certa Pro Painters

Description of Project:

Paint exterior of Building

Date:

3/14/22

Signature of Applicant:

[Signature]



WEST ELEVATION

SIDING COLOR: BENJAMIN MOORE "HALE NAVY"
 TRIM COLOR: BENJAMIN MOORE "CHANTILLY LACE"

ALTERATIONS TO
POPEYES GALLEY & GROG RESTAURANT
 811 WRIGLEY DRIVE
 LAKE GENEVA, WI 53147

 **McCormack + Etten / Architects** TM, LLP
 400 Broad Street Lake Geneva, WI 53147
 Ph (262) 248-8391 Fax (262) 248-8392
 contact@mccormacketten.com www.mccormacketten.com

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item: 6b

Applicant:

Roger Wolff d/b/a/
Venture Investments Partners LLP
775 Southwind Dr.
Lake Geneva

Request:

703 W. Main St.
Downtown Design Review Signage in the
Central Business (CB) zoning district
Tax Key No. ZA276000001

Description:

The applicant is submitting an application for Downtown Design Review on the request to allow the installation for signage to the exterior of the property located at 703 W. Main St. in the Central Business (CB) zoning district, Tax Key No. ZA276000001.

The City reviews all exterior alteration in the CB zoning district to confirm that they conform to the Downtown Design standards, particularly quantity, size, and color requirements.

Staff Recommendations:

Staff recommends *approval* of the Alteration and installation request as submitted.



City of Lake Geneva
Building and Zoning
626 Geneva Street
Lake Geneva, WI 53147

APPLICATION FOR DOWNTOWN DESIGN REVIEW

Site Address & Parcel No.:
703 WEST MAIN STREET, LAKE GENEVA, WI 53147

2A 276000001

Name & Address of Current Building Owner:
ROGER WOLFF OF VENTURE INVESTMENT PARTNERS, LLP
775 SOUTHWIND DRIVE
LAKE GENEVA, WI 53147

Telephone Number of Current Building Owner: 262-903-3222

Email Address: roger@rogerwolff.com

Owner Signature: _____

Name & Address of Applicant:
POBLOCKI SIGN COMPANY

922 SOUTH 70TH STREET
MILWAUKEE, WI 53214

Telephone Number of Applicant: 708-299-9026

Email Address: dvillarreal@poblocki.com

Proposed Design Change:

Zoning District: CENTRAL BUSINESS

Names & Address of Architect, Engineer, and/or Contractor of Project:

POBLOCKI SIGN COMPANY
922 SOUTH 70TH STREET
MILWAUKEE, WI 53214

Description of Project:

REMOVE AND DISPOSE OF ALL EXISTING SIGNS READING "KEEFE REAL ESTATE" FABRICATE AND INSTALL (2) SETS OF 8" 4'-11" NON-ILLUMINATED FLAT OUT OUT ALUMINUM LETTERS READING "COMPASS" PAINTED WHITE, (1) 1'-6" X 2'-0" FLAT ALUMINUM PANEL READING "YOUR HOME. OUR MISSION.", AND (2) 1'-6" X 2'-2" ALUMINUM PAN PANELS READING "COMPASS YOUR HOME. OUR MISSION." ALL PANELS PAINTED BLACK WITH OPAQUE WHITE VINYL COPY.

Date: 3/17/22

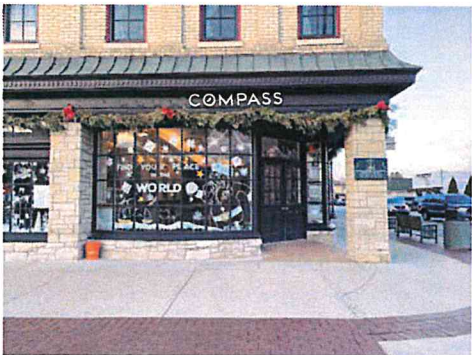
Signature of Applicant: *Dalia Villanar*

SIGN SPECIFICATIONS

[A] - NON-ILLUMINATED LETTERS
Description: FCO
Material: Aluminum
Depth: 1/4"
Face Color: White
Returns: White
Installation: Flush to wall



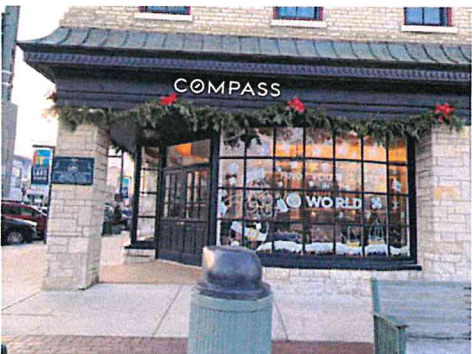
existing layout - location A



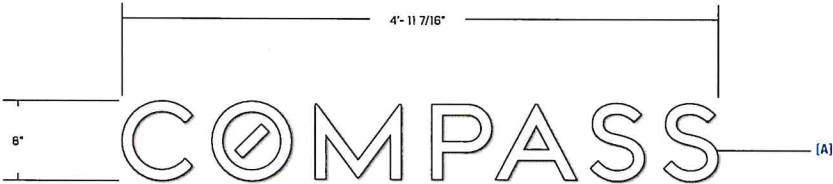
proposed layout - location A



existing layout - location B



proposed layout - location B



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Project

COMPASS

Lake Geneva, Wisconsin

Scale: 1"=1'

Original Page Size: 11" x 17"

Notes

Revisions

REV	DESCRIPTION	BY	DATE
-----	-------------	----	------

Rep.: Katie Conroy

Drawn By: Sarah Biagioni Orig. Date: 01/17/22

Sign Loc. No. various

NL-01

Non-Lit Letters

Sign Type

93056

OPP - Project - Job No.

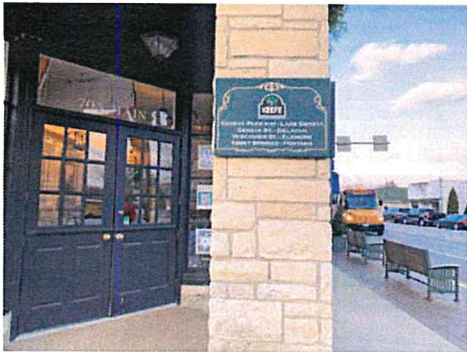
C01

Design

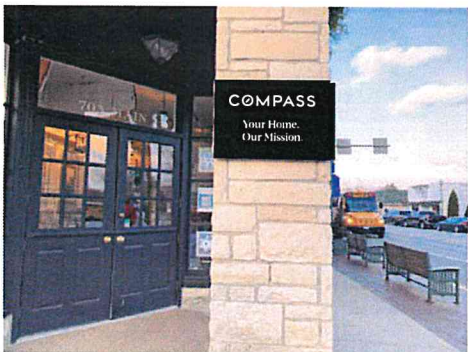
SIGN SPECIFICATIONS

[A] - PAN
Material: Aluminum
Depth: 2"
Face Color: Black
Return Color: Black
Installation: Flush to wall

[B] - GRAPHICS
Material: Vinyl
Color: Opaque White 7725-20



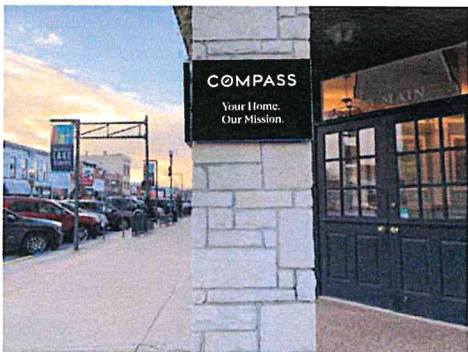
existing layout - location A



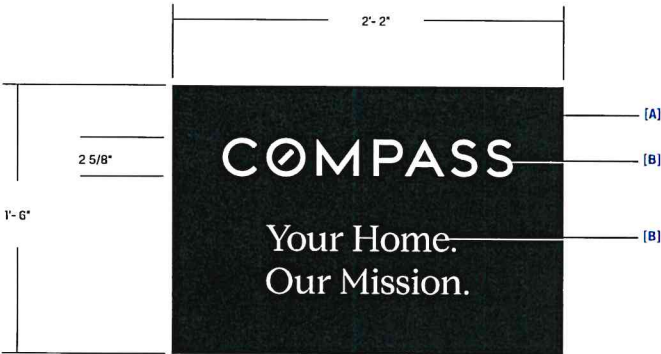
proposed layout - location A



existing layout - location B



proposed layout - location B



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Project

COMPASS
Lake Geneva, Wisconsin

Scale: 1 1/2"=1'
Original Page Size: 11" x 17"

Notes
COMPASS SERIF FONT REQUIRED

Revisions			
REV	DESCRIPTION	BY	DATE
01	font updated	seb	02.07.22

Requ: Katie Conroy
Drawn By: Sarah Diagoni Date: 01/17/22

Sign Loc. No. various
PAN-01
S/F Pan Sign
Sign type
93056 **C01**
OPP - Project - Job No. Design

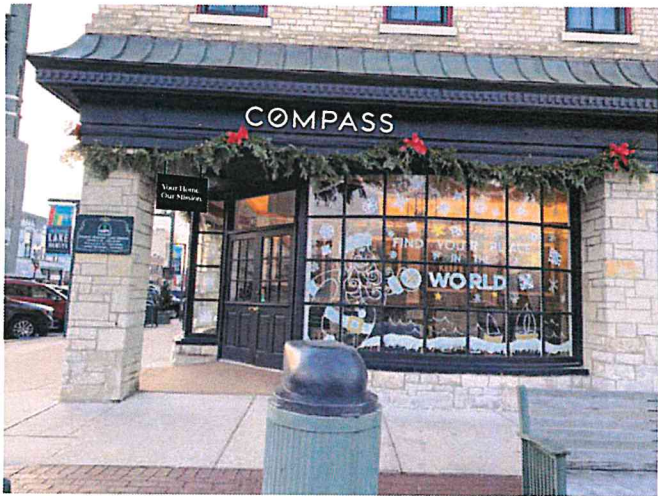
SIGN SPECIFICATIONS

[A] - FLAT PANEL
Material: Aluminum
Depth: .080"
Face Color: Black
Backside Color: Black
Installation: Mount under existing awning
[TBD] SURVEY REQUIRED

[B] - GRAPHICS
Material: Vinyl
Color: Opaque White 7725-20



existing layout



proposed layout approx. size & location



7022 W. 70th St., Milwaukee, WI 53224
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Project

COMPASS

Lake Geneva, Wisconsin

Scale: 1 1/2"=1'

Original Page Size: 11" x 17"

Notes

SURVEY REQUIRED

Revisions

REV	DESCRIPTION	BY	DATE
1			

Revised By: Katie Conroy
Designed By: Sarah Biagioni
Orig. Date: 02/04/22

Sign Loc. No. :

FP-01

D/F Flat Panel

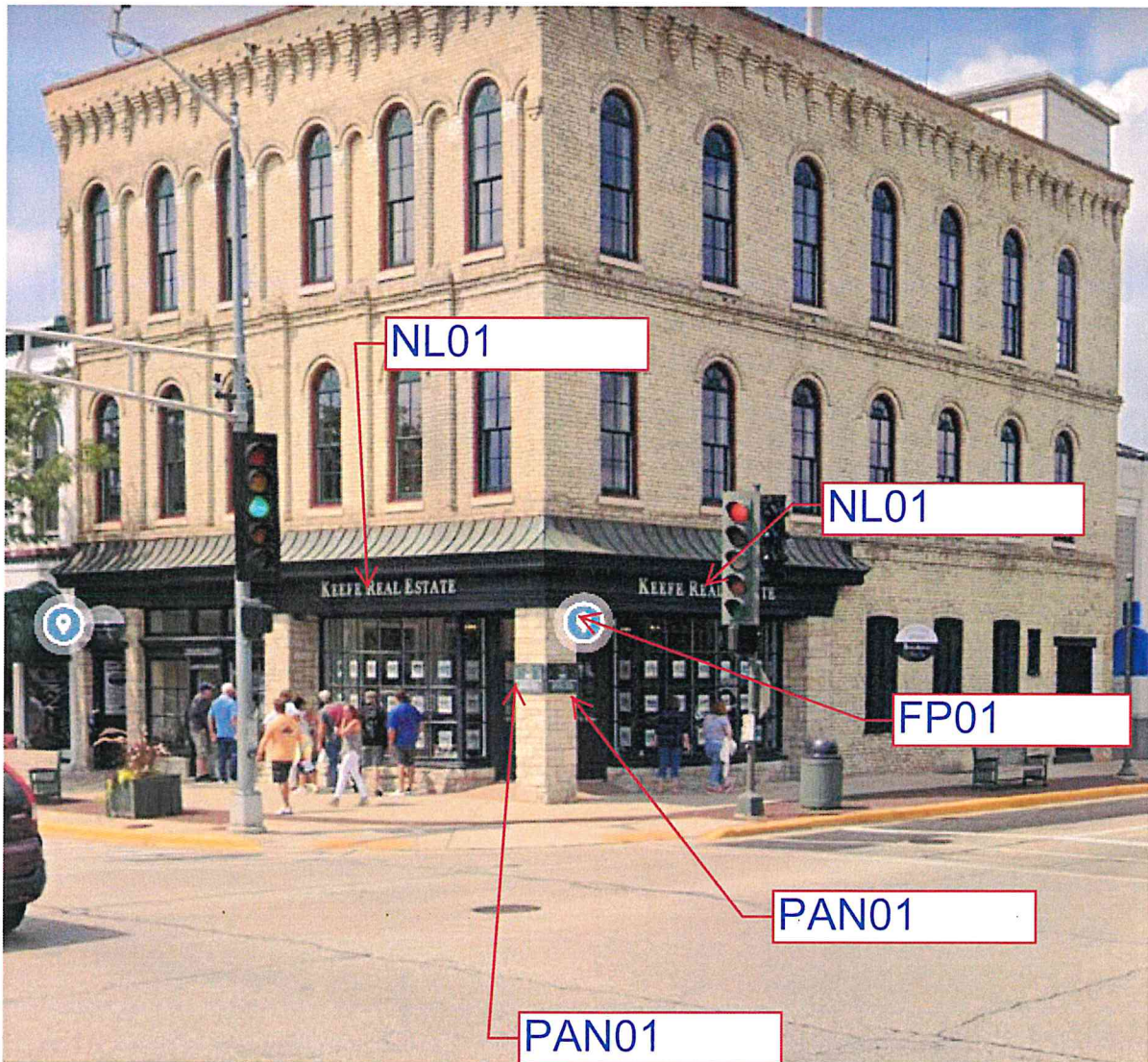
Sign Type

93056

OPP - Project - Job No.

C01

Design



COMPASS
703 WEST MAIN STREET
LAKE GENEVA, WI 53147



POBLOCKI SIGN COMPANY
922 SOUTH 70TH STREET
MILWAUKEE, WI 53214

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item: 6c

Applicant:

Michael Seick
N3240 Violet Rd.
Lake Geneva

Request:

500 Broad St.
Downtown Design Review Signage in the
Central Business (CB) zoning district
Tax Key No. ZGD00006

Description:

The applicant is submitting an application for Downtown Design Review on the request to allow the installation for signage to the existing pylon sign for the property located at 500 Broad St. in the Central Business (CB) zoning district, Tax Key No. ZGD00006.

The City reviews all exterior alteration in the CB zoning district to confirm that they conform to the Downtown Design standards, particularly quantity, size, and color requirements.

Staff Recommendations:

Staff recommends *approval* of the Alteration and installation request as submitted.



City of Lake Geneva
Building and Zoning
626 Geneva Street
Lake Geneva, WI 53147

APPLICATION FOR DOWNTOWN DESIGN REVIEW

Site Address & Parcel No.:

500 Broad St. ZGD 00000
Lake Geneva, WI 53147

Name & Address of Current Building Owner:

Michael Seick
N3240 Violet Rd
Lake Geneva, WI 53147

Telephone Number of Current Building Owner: 262-607-0080

Email Address:

Owner Signature:

Name & Address of Applicant:

Cody Doane
500 Broad St.
Lake Geneva, WI 53147

Telephone Number of Applicant: 262-758-1491

Email Address: mikesautolg2@gmail.com

Proposed Design Change:

The face of the existing sign. Main structure
is staying.

Zoning District:

Names & Address of Architect, Engineer, and/or Contractor of Project:

Lake Geneva Media Print
is designing and making the sign.

Mike's Auto is installing the sign.

Description of Project:

Removing both sides of existing sign and replacing
it with a new sign on both sides.

Date: 3-23-22

Signature of Applicant:



99"

WHITE METAL
FRAME
(EXISTING)

58"



REMOVING OLD SIGN AND
REPLACING IT WITH THIS SIGN

- SIGN WILL BE DOUBLE SIDED SO IT CAN BE SEEN FROM THE NORTH AND THE SOUTH DIRECTIONS, BUT NOT SEEN FROM THE EAST AND WEST DIRECTIONS.
- BOTH SIDES OF THE SIGN WILL BE THE SAME AS SHOWN.

WHITE METAL
ROUND POLE
(EXISTING)

145.5"

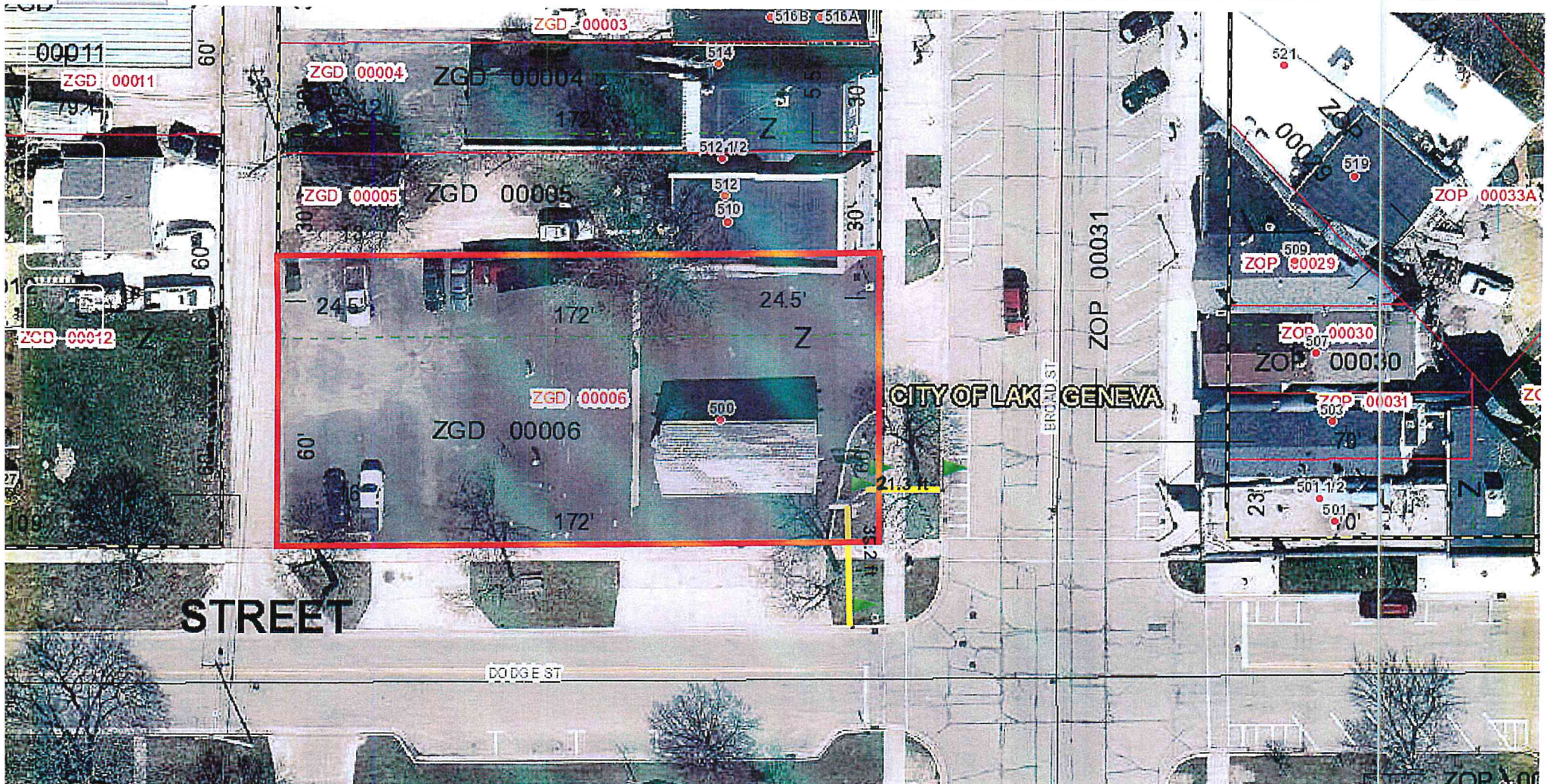
8" Diameter

203.5"



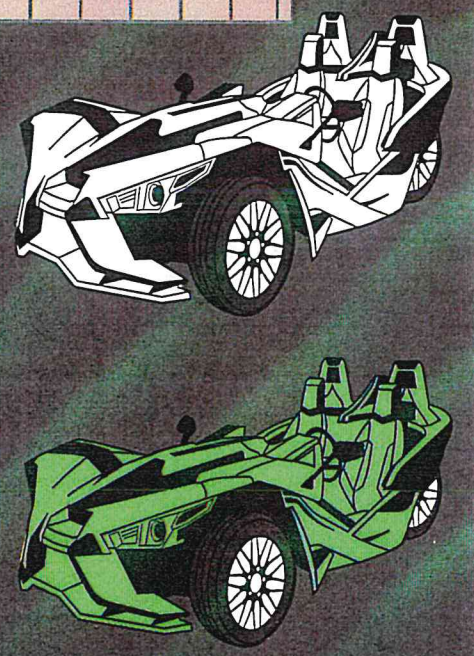
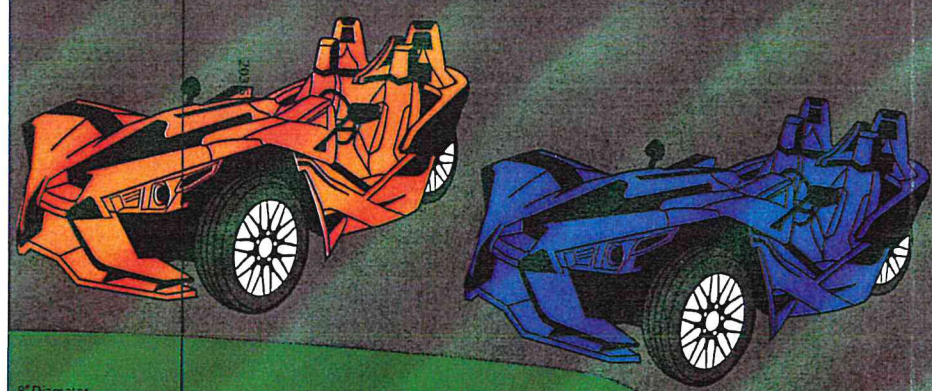
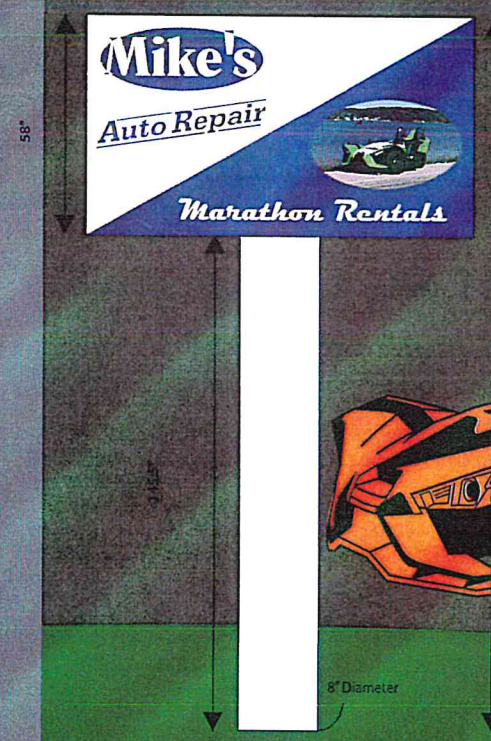
Employee Login

Search for a Parcel or Address



A horizontal beam of length 40 ft is shown. A coordinate system is defined with the origin (0) at the left end and the end point (40 ft) at the right end. A tick mark is placed at the midpoint, labeled 20.

 $\wedge$



STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item #7

Applicant:

Kwik Trip, Inc.

Represented by:

Seth Waddell
1813 Kramer Street
La Crosse, WI 54602

Request:

896 S Wells Street, Lake Geneva, WI 53147
Proposed Certified Survey Map Lot Combination
to create a single parcel for Kwik Trip of 2.11 acres

Description:

The applicant is submitting a Certified Survey Map (CSM) to combine existing platted lots in the Boulevard Subdivision including portions of a vacated alley way, all of which are located between South Wells Street and Lake Geneva Boulevard. The result will be a single parcel of 2.11 acres.

The proposed parcel complies with the lot requirements of the city, and with the minimum standards of the Planned Business (PB) zoning district.

The proposed CSM depicts the existing utility easements located within the CSM as well as parking and access easements recorded as separate documents.

The City Engineer reviewed the CSM for compliance with technical standards of State Statute Chapter 236 and identified no concerns.

Action by the Plan Commission:

Recommendation to the Common Council on the proposed Certified Survey Map (CSM):

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

- Provide the Common Council with a *recommendation* regarding the proposed CSM.

Staff Recommendation on the proposed Certified Survey Map (CSM):

Staff recommends that the Plan Commission recommend *approval* of the CSM as submitted.

Sonja Kruesel, AICP
City Planning Consultant
Vandewalle & Associates

Memo to the City of Lake Geneva

To: Fred Walling, Zoning Administrator **Date:** March 4, 2022

From: Gary R. Splinter
Naomi Rauch

CC: Seth Waddell – Kwik Trip
Dave Nord – City Administrator
Brenda Follensbee – Building and Zoning Administrative Assistant
Tom Earle – Director of Public Works
Josh Gajewski – Utility Director
Greg Governatori P.E. – Kapur & Associates, Inc.
Kristin Belongia – Batterman Engineering

Subject: Kwik Trip Certified Survey Map

BACKGROUND AND REQUEST: We have completed a review of a Certified Survey Map prepared by Kristin J. Belongia of Batterman Engineering. Our review was conducted to determine compliance with Chapter 236 of the Wisconsin State Statutes, Chapter 66 of the City of Lake Geneva Municipal Code and good surveying practices. A Certified Survey Map that is not dated and field work was completed on December 13, 2021, was reviewed.

CSM COMMENTS:

- As per 236.34 (1) May want to add "All" of lots in the designation at the top of the sheets.
- As per 236.34(2) Line 3 of the Surveyor's Certificate states: "Section 36, T. 2 N." should be "Section 1, T. 1 N."
- The CSM includes a 6-ft wide Utility Easement that appears to extend through the proposed new convenience store. It appears that this easement may not longer been needed and could be abandon.

We recommend approval of the Certified Survey Map subject to above surveyor's comments. Although the material has been reviewed, the surveyor is ultimately responsible for the thoroughness and accuracy of the Certified Survey Map with state statutes and municipal city code.

Please contact me if you have any questions or comments pertaining to this project at (262) 758-6011 or gsplinter@kapurinc.com.



City of Lake Geneva

APPLICATION FOR LAND DIVISION REVIEW



CERTIFIED SURVEY MAP or



SUBDIVISION PLAT

NAME AND ADDRESS OF CURRENT OWNER:

Kwik Trp, Inc

1626 Oak Street

La Crosse, WI 54602

TELEPHONE NUMBER OF CURRENT OWNER: (608) 793-4933

OWNER SIGNATURE: Seth Waddell

Digitally signed by Seth Waddell
DN: CN=Seth Waddell
Date: 2021.12.07 11:07:22-06'00'

EMAIL ADDRESS: swaddell@kwiktrip.com

PROJECT ADDRESS 896 S. Wells St.

TAX KEY NUMBER: ZBL00006

ZBL00006A

ZBL00008

ZBL00058

NAME AND ADDRESS OF APPLICANT:

Seth Waddell

1813 Kramer Street

La Crosse, WI 54602

TELEPHONE NUMBER OF APPLICANT: (608) 793-4933

EMAIL ADDRESS: swaddell@kwiktrip.com

NAME AND ADDRESS OF SURVEYOR:

Batterman

2857 Bartells Drive

Beloit, WI 53511

TELEPHONE NUMBER OF SURVEYOR: (608) 365-4464

SHORT STATEMENT DESCRIBING PURPOSE OF APPLICATION:

To combine all the parcels listed above into one lot for the development of a Kwik Trip Store.

SUBMITTAL CHECKLIST

- _____ LOCATION MAP SHOWING LOCATION OF PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED WITH TOWN OR TOWNS, AND PARCELS WITHIN 1,000-FT OF BOUNDARY OF SUBJECT PROPERTY.
- _____ SKETCH MAP TO APPROXIMATE SCALE SHOWING ENTIRE PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED, AND SHOWING THE APPROXIMATE CONFIGURATION OF PROPOSED LOTS AND ROADS WITHIN THOSE PARCELS.
- _____ CITY OF LAKE GENEVA SIGNATURE BLOCK ON FACE OF CSM OR PLAT, PER STATE STATUTES.
- _____ PROVIDE 5 FULL SETS AND 20 - 11" X 17" COPIES OF CSM OR PLAT PRIOR TO PLACEMENT ON PLAN COMMISSION AGENDA.
- _____ PROVIDE AN ELECTRONIC COPY OF THE FULL APPLICATION PACKET TO THE LAKE GENEVA BUILDING AND ZONING DEPARTMENT AT BZADMIN@CITYOFLAKEGENEVA.COM OR BZCLERK@CITYOFLAKEGENEVA.COM

I AM AWARE THAT THE CITY OF LAKE GENEVA IS ACTIVELY ENGAGED IN THE REVIEW, APPROVAL OR DENIAL OF LAND DIVISIONS WITHIN ITS EXTRATERRITORIAL LAND DIVISION REVIEW AREA.

I UNDERSTAND THAT THE CITY OF LAKE GENEVA LAND DIVISION ORDINANCE REQUIRES THE CITY TO DENY LAND DIVISIONS WHICH CREATE NEW, BUILDABLE PARCELS OR LOTS WITHIN THE EXTRATERRITORIAL AREA WITH OVERALL DENSITY THAT EXCEEDS MORE THAN ONE DWELLING UNIT PER THIRTY-FIVE ACRES UNLESS THE CITY DETERMINES THAT THE LAND DIVISION CONSTITUTES INFILL DEVELOPMENT.

Seth Waddell

Digitally signed by Seth Waddell
DN: CN=Seth Waddell
Date: 2021.12.07 11:14:23-06'00'

DATE

SIGNATURE OF APPLICANT

OF LOTS 1, 2, 3, 100, 101, 102, PART OF LOT B, AND PART OF
VACATED ALLEY, OF BOULEVARD SUBDIVISION, ALL LOCATED IN
PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 1,
T. 1 N., R. 17 E., OF THE 4TH P.M.,
CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

DISTANCE UNITS BASED ON THE
UNITED STATES SURVEY FOOT

●	Iron Rebar Set 3/4" x 24"(1.5 Lbs./Ft.)
●	3/4" Iron Rebar Found
✕	Cut Cross Found
◡	Section Corner Monument Found
◎	1" Iron Pipe Found
△	Railroad Spike Found
(XXX.XX)	Record Information



CERTIFIED SURVEY MAP NO. _____

OF LOTS 1, 2, 3, 100, 101, 102, PART OF LOT B, AND PART OF VACATED ALLEY,
OF BOULEVARD SUBDIVISION, ALL LOCATED IN PART OF THE NE 1/4 OF THE
NE 1/4 OF SECTION 1, T. 1 N., R. 17 E., OF THE 4TH P.M.,
CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin }
County of Walworth } ss. I, Kristin J. Belongia, a Professional Land Surveyor, do hereby certify that I have surveyed and mapped Lots 1, 2, 3, 100, 101, 102, part of Lot B, and part of Vacated Alley, of Boulevard Subdivision, all located in part of the Northeast 1/4 of the Northeast 1/4 of Section 36, T. 2 N., R. 17 E., of the 4th P.M., City of Lake Geneva, Walworth County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at a concrete county monument with brass cap at the Northeast corner of Section 1 (T. 1 N, R. 17 E); thence South 0° 33'45" East along the East line of the Northeast 1/4 of aforesaid Section 1 a distance of 333.31 feet; thence South 89°26'15" West a distance of 51.75 feet to a cut cross at the Southeast corner of Lot 3 of Boulevard Subdivision at the southerly right-of-way line of South Wells Street (County Trunk Highway "H") and the point of beginning; thence South 89°57'07" West a distance of 216.00 feet to a found 1" iron pipe. ; thence North 89°00'32" West a distance of 10.12 feet to a found 1" iron pipe at the southeast corner of Lot 100 of aforesaid Boulevard Subdivision; thence South 89°50'14" West a distance of 216.01 feet to a found 3/4" rebar at the Southwest corner of aforesaid Lot 100 at the Easterly right-of-way of Lake Geneva Boulevard; thence North 0°24'27" West along the aforesaid Easterly right-of-way a distance of 150.00 feet to a found 1" iron pipe found at Northwest corner of Lot 102 of aforesaid Boulevard Subdivision;; thence North 0°25'37" West along the Easterly right-of-way of Lake Geneva Boulevard a distance of 100.14 feet to a found 1" iron pipe; thence South 89°54'34" East a distance of 100.04 feet to a found 3/4" rebar; thence South 89°52'39" East a distance of 26.69 feet to a found rail road spike; thence North 52°47'10" East a distance of 107.10 feet to a found 3/4" rebar at the southwesterly right-of-way line of aforesaid South Wells Street (County Trunk Highway "H"); thence South 36°28'24" East along aforesaid Southwesterly right-of-way a distance of 192.43 feet to a found 1" iron pipe; thence South 36°24'47" East along aforesaid Southwesterly right-of-way a distance of 197.99 feet to the point of beginning.

Containing 91,934 square feet (2.111 acres) of land, more or less.

Subject to any easements, agreements, covenants and restrictions, recorded or unrecorded.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey, division and map by the direction of the Owner(s) of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying, dividing and mapping the same.

Given under my hand and seal this ____ day of _____, 2021 at Elkhorn, Wisconsin.

Last day of field work: December 13, 2021.

ORDER NO: 33621

BOOK: SEE FILE
FIELD CREW: DJE
DRAWN BY: KRS
SHEET 2 OF 4

FOR THE EXCLUSIVE USE OF:

KWIK TRIP, INC.
PO BOX 2107
LACROSSE, WI 54602

Batterman
engineers surveyors planners

2857 Bartells Drive
608.365.4464

Beloit, Wisconsin 53511
www.rhbatterman.com



CERTIFIED SURVEY MAP NO. _____

OF LOTS 1, 2, 3, 100, 101, 102, PART OF LOT B, AND PART OF VACATED ALLEY,
OF BOULEVARD SUBDIVISION, ALL LOCATED IN PART OF THE NE 1/4 OF THE
NE 1/4 OF SECTION 1, T. 1 N., R. 17 E., OF THE 4TH P.M.,
CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Kwik Trip, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner of the land described in the foregoing description, does hereby certify that said corporation caused the land described on this map to be surveyed, divided, and mapped as represented on the map. Also certifies that this map is required to be submitted to the following for approval or objection: City of Lake Geneva.

IN WITNESS WHEREOF, Kwik Trip, Inc. has caused these presents to be signed by _____,

its _____, this _____ day of _____, 20____.

State of Wisconsin } Personally came before me, this _____ day of _____, 20____, the
County of _____ } ss. above-named _____, to me known to be the person who
executed the foregoing certificate and acknowledged the same.

Notary Public, _____ County, Wisconsin

My Commission Expires

ORDER NO: 33621

BOOK: SEE FILE
FIELD CREW: DJE
DRAWN BY: KRS
SHEET 3 OF 4

FOR THE EXCLUSIVE USE OF:

KWIK TRIP, INC.
PO BOX 2107
LACROSSE, WI 54602

Batterman
engineers surveyors planners

2857 Bartells Drive
608.365.4464

Beloit, Wisconsin 53511
www.rhbatterman.com



CERTIFIED SURVEY MAP NO. _____

OF LOTS 1, 2, 3, 100, 101, 102, PART OF LOT B, AND PART OF VACATED ALLEY,
OF BOULEVARD SUBDIVISION, ALL LOCATED IN PART OF THE NE 1/4 OF THE
NE 1/4 OF SECTION 1, T. 1 N., R. 17 E., OF THE 4TH P.M.,
CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

CERTIFICATE OF PLAN COMMISSION APPROVAL:

Approved by the Plan Commission of the City of Lake Geneva

on this _____ day of _____, 20____.

Mayor Charlene Klein
Chairperson

Lana Kropf
Secretary

CERTIFICATE OF CITY COUNCIL RESOLUTION:

Resolved, that this Certificate Survey Map, in the City of Lake Geneva, Wisconsin, owner be and the same, is hereby

approved by the City Council on this _____ day of _____, 20____.

Mayor Charlene Klein
Chairperson

Lana Kropf
City Clerk

ORDER NO: 33621

BOOK: SEE FILE
FIELD CREW: DJE
DRAWN BY: KRS
SHEET 4 OF 4

FOR THE EXCLUSIVE USE OF:

KWIK TRIP, INC.
PO BOX 2107
LACROSSE, WI 54602

Batterman
engineers surveyors planners

2857 Bartells Drive
608.365.4464

Beloit, Wisconsin 53511
www.rhbatterman.com



STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item #8

Applicant:

Bjorn Schweinsberg
5117 N. Palisades Rd
Whitefish Bay, WI 53217

Request:

831 Dodge Street
Proposed Limited Conditional Use Permit for
Commercial Indoor Lodging

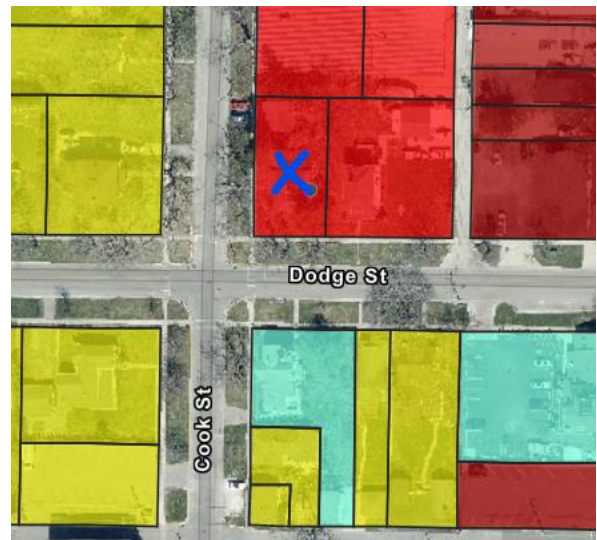
Description:

The applicant is submitting a proposal for a “Limited” Conditional Use Permit (CUP) for a Commercial Indoor Lodging land use for the property located at 831 Dodge Street. The proposed use is subject to the requirements of Section 98-206(4)(k) pertaining to Commercial Indoor Lodging land uses.

The subject property is zoned General Business (GB). Adjacent properties to the north and east are also zoned GB. Properties to the west, across Cook Street, are zoned Single Family Residential – 4 (SR-4). The property to the south, across Dodge Street, is zoned Planned Development.

The property contains two-story residence and garage, which will be converted to accommodate a Commercial Indoor Lodging use containing four bedrooms. No changes are proposed to the building exterior or parking.

Commercial Indoor Lodging land uses require one parking space per bedroom, which amounts to four parking spaces required. The site currently provides two garage spaces onsite. The garage is accessed from Cook Street. The Applicant has a signed agreement with the owner of 827 Dodge Street to provide two additional *offsite* parking spaces, bring the total available parking to four spaces, meeting the minimum requirement.



Staff Review:

The proposed use complies with all applicable requirements of Section 98-206(4)(k) pertaining to Commercial Indoor Lodging land uses. Between the two onsite garage parking spaces and the two offside surface parking spaces, sufficient parking is provided.

Action by the Plan Commission:

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 Limited CUP;
- Include *findings* required by the Zoning Ordinance for Limited CUP; and,
- Provide specific suggested *requirements/conditions* to modify the project as submitted.

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:
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 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 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 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 one or more of the following:
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 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 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 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 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:

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.
3. Staff recommends the following *additional condition of approval* be attached:
 - a. As a Limited Conditional Use, this approval shall be limited to the current property owner. The CUP shall automatically terminate in the event the property is sold.

Suggested Motions:

- *Approve:* I recommend approval of the proposed *Limited Conditional Use Permit for Bjorn Schweinsberg, 5117 N. Palisades Rd. Whitefish Bay, WI 53217 for a proposed Commercial Indoor Lodging land use for the property located at 831 Dodge St., in the General Business (GB) zoning district, Tax Key No. ZDG00013*, including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the proposed *Limited Conditional Use Permit for Bjorn Schweinsberg, 5117 N. Palisades Rd. Whitefish Bay, WI 53217 for a proposed Commercial Indoor Lodging land use for the property located at 831 Dodge St., in the General Business (GB) zoning district, Tax Key No. ZDG00013*, because *[provide rationale for denial, based on substantial evidence]*.

Jackie Mich, AICP
City Planning Consultant
Vandewalle & Associates

APPLICATION FOR CONDITIONAL USE

City of Lake Geneva

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

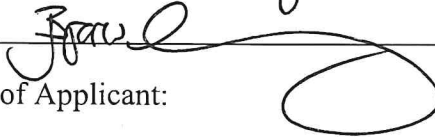
831 Dodge St., Lake Geneva, WI 53147
ZGD 00013

Name and Address of Current Owner: Bjorn Schweinsberg

5117 N Palisades Rd, Whitefish Bay, WI 53217

Telephone No. with area code & Email of Current Owner: 414-897-4856

BandCCapitalLLC@gmail.com

Owner Signature: 

Name and Address of Applicant:

Same as Above

Telephone No. with area code & Email of Applicant: _____

Proposed Conditional Use: Unrestricted Short-Term Rental use,

Commercial Indoor lodging - 4 Bdr Room,
2 Bathroom housing for tourism

Zoning District in which land is located: General Business (GB)

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

N/A

Short statement describing activities to take place on site:

Accommodations for visitors/tourists seeking lodging
in Lake Geneva. Provide access to recreational,
cultural & business opportunities in the region.

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

1/22/2022
Date


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 8 final complete applications as certified by the Zoning Administrator, the Applicant shall submit 1 initial draft application packet and 1 digital copy for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (1 Copy and 1 Digital Copy to Zoning Administrator)

Date: _____ by: _____

↓

Draft Final Packet (8 Copies and 1 Digital Copy to Zoning Administrator)

Date: _____ by: _____

↓

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

____ Showing all lands for which the conditional use is proposed;

____ 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?

CLGCP states the goal to support small business & to help preserve historic housing
Operating a tourist rooming house is a local small business & proceeds will help
support ongoing maintenance of the historic house which will enhance the identity of
Lake Geneva & sustain its future

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?

CLGCP states on pg 146 that the objective is to accommodate visitor lodging. On
pg 144 the objective also states to direct tourist rooming houses to
commercial areas

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. It may actually improve public parking pressure as visitors can
park on-site and the visitors can walk to main attractions given
locations proximity to central business district & downtown

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?

There should be no impact on the environs of the property. Proceeds
for from visitors of the tourist rooming house will support on-going
maintenance & reinvest to preserve historic housing within
the Maple park historic district

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?

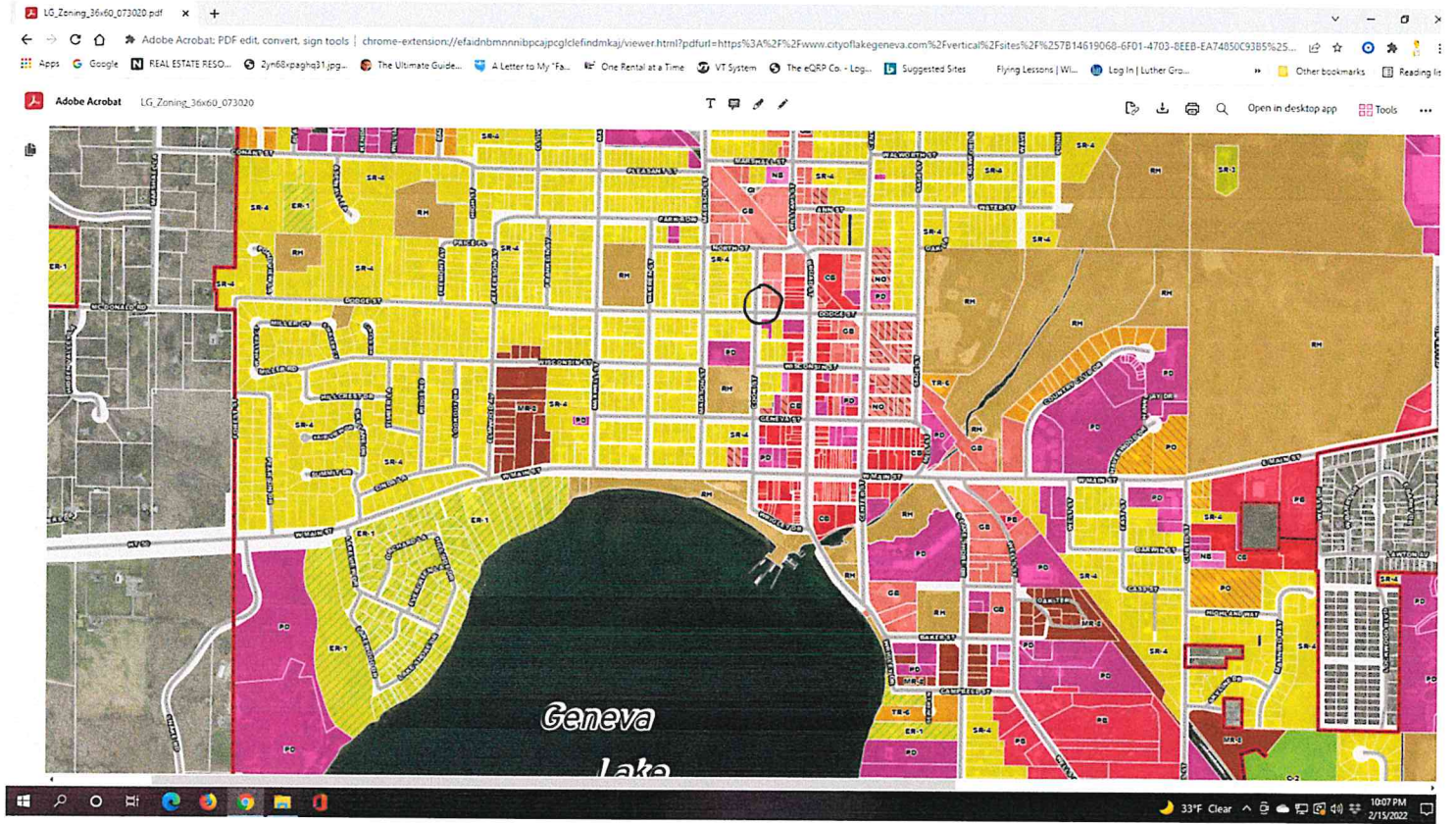
No, I do not see any undue burden on any of the above
serving the subject property

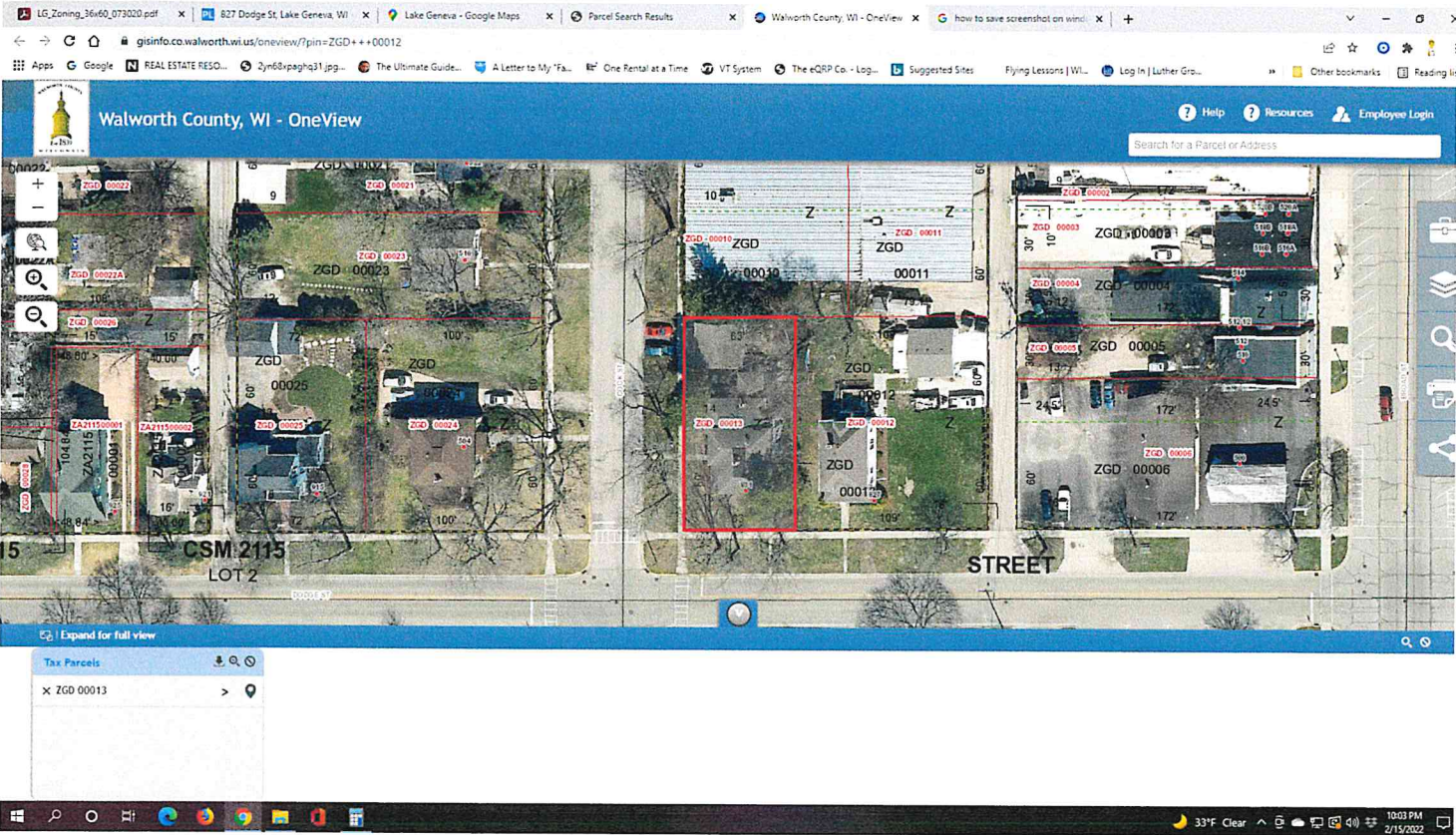
6. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Subsections 98-905(4)(b)1.-5.), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?

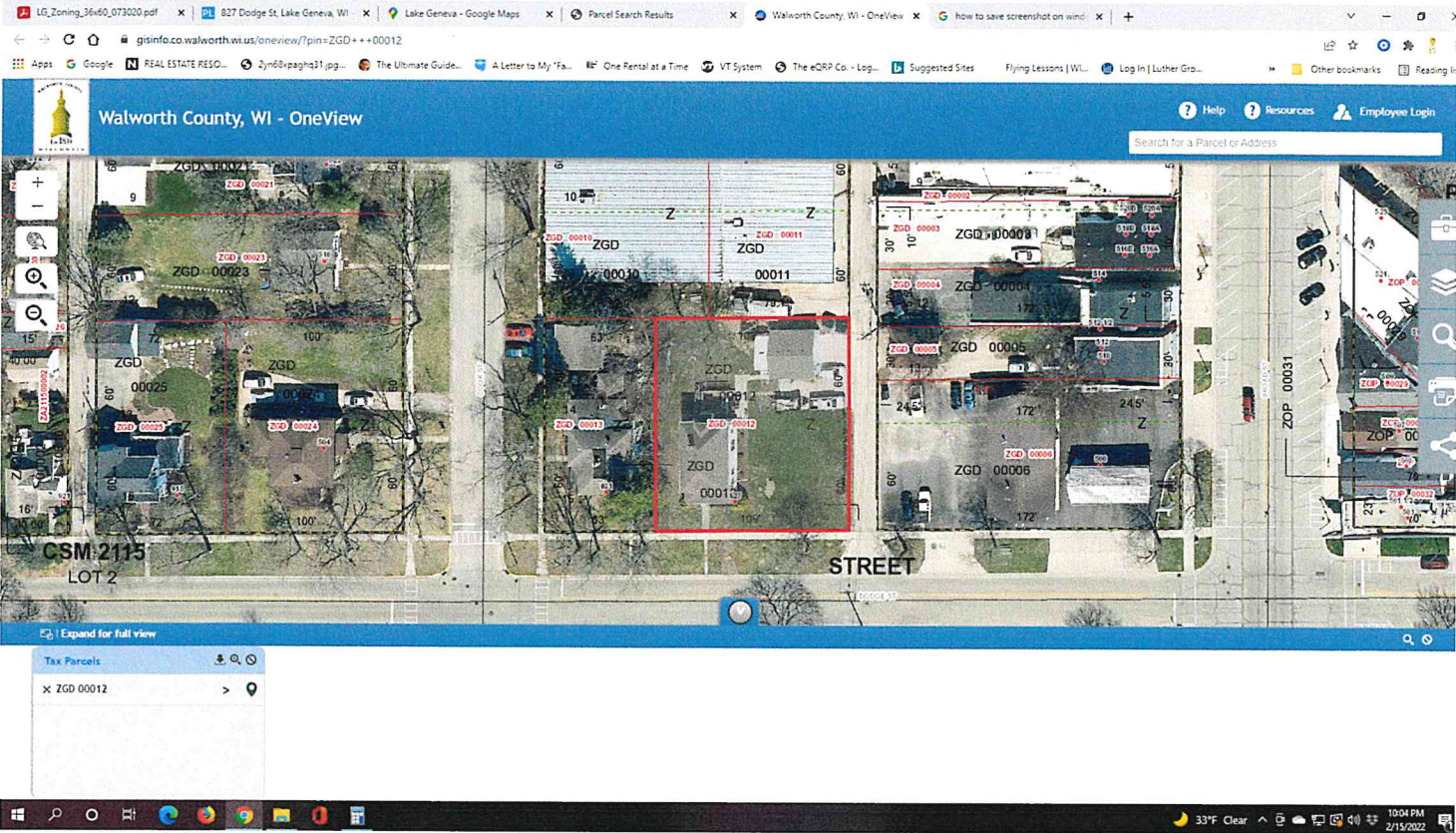
The proposed conditional use aligns on multiple levels with the City of Lake Geneva Comprehensive Plan. It creates additional visitor lodging directed to a commercial area, supports ongoing maintenance & reinvestment in existing historical neighborhood & helps to enhance Lake Geneva's cultural & business identity, helping to sustain it in the future.

IV. FINAL APPLICATION PACKET INFORMATION

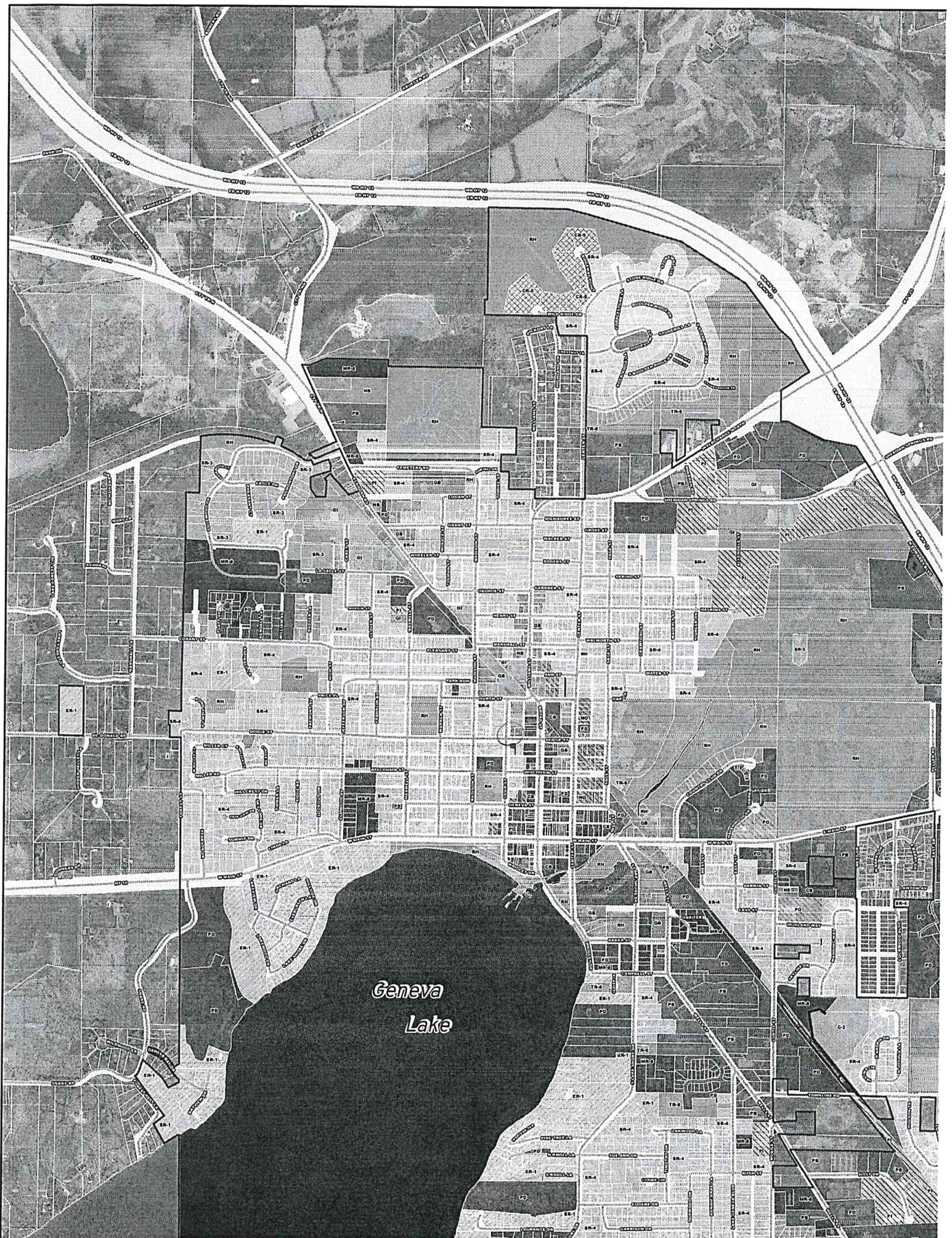
- ____ Receipt of 1 full scale copy in blue/line or black/line of complete Final Application Packet by Zoning Administrator: Date: _____ by: _____
- ____ Receipt of 8 reduced (8.5" by 11" text and 11" x 17" graphics) copies of complete Final Application Packet by Zoning Administrator: Date: _____ by: _____
- ____ 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: _____

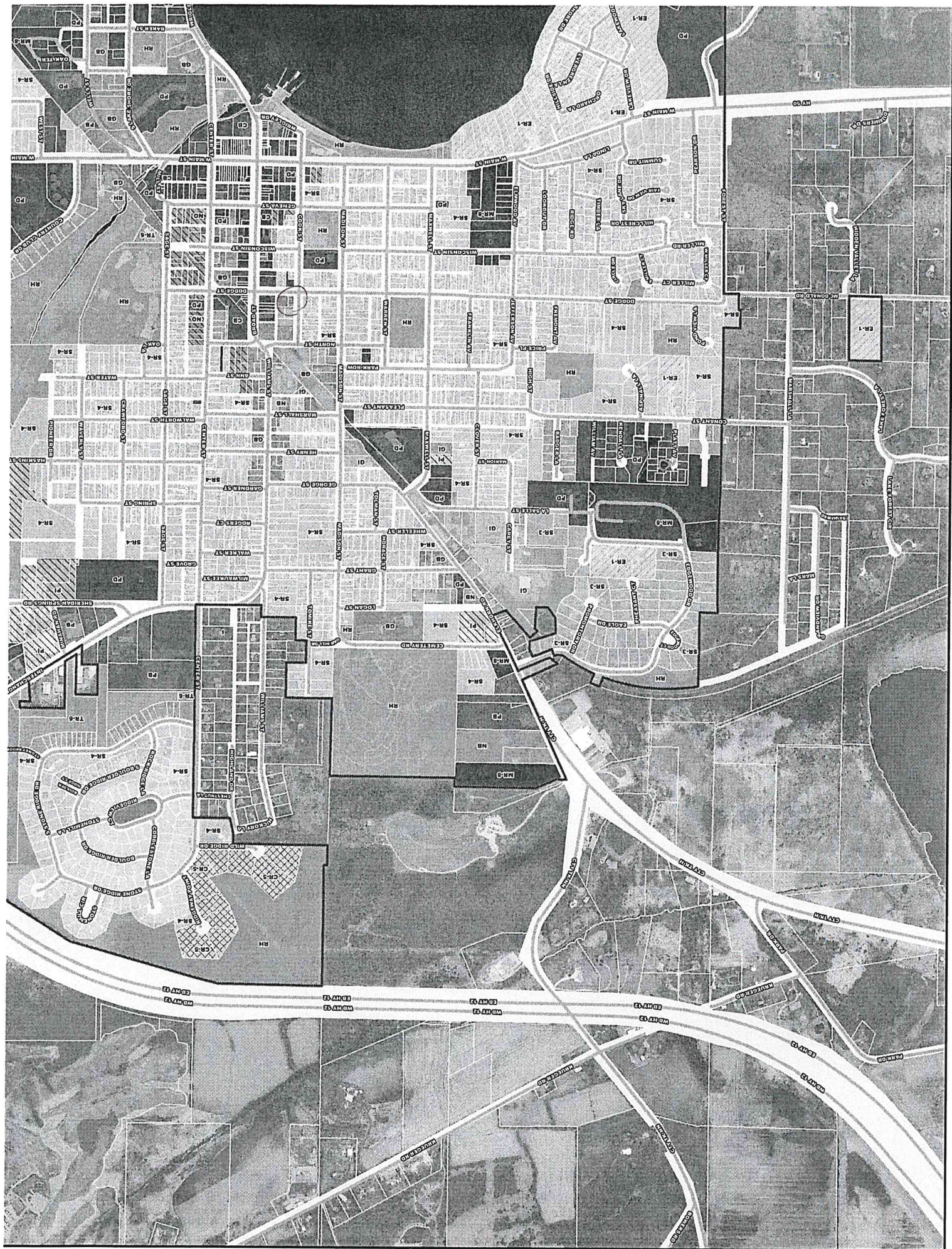






Geneva
Lake





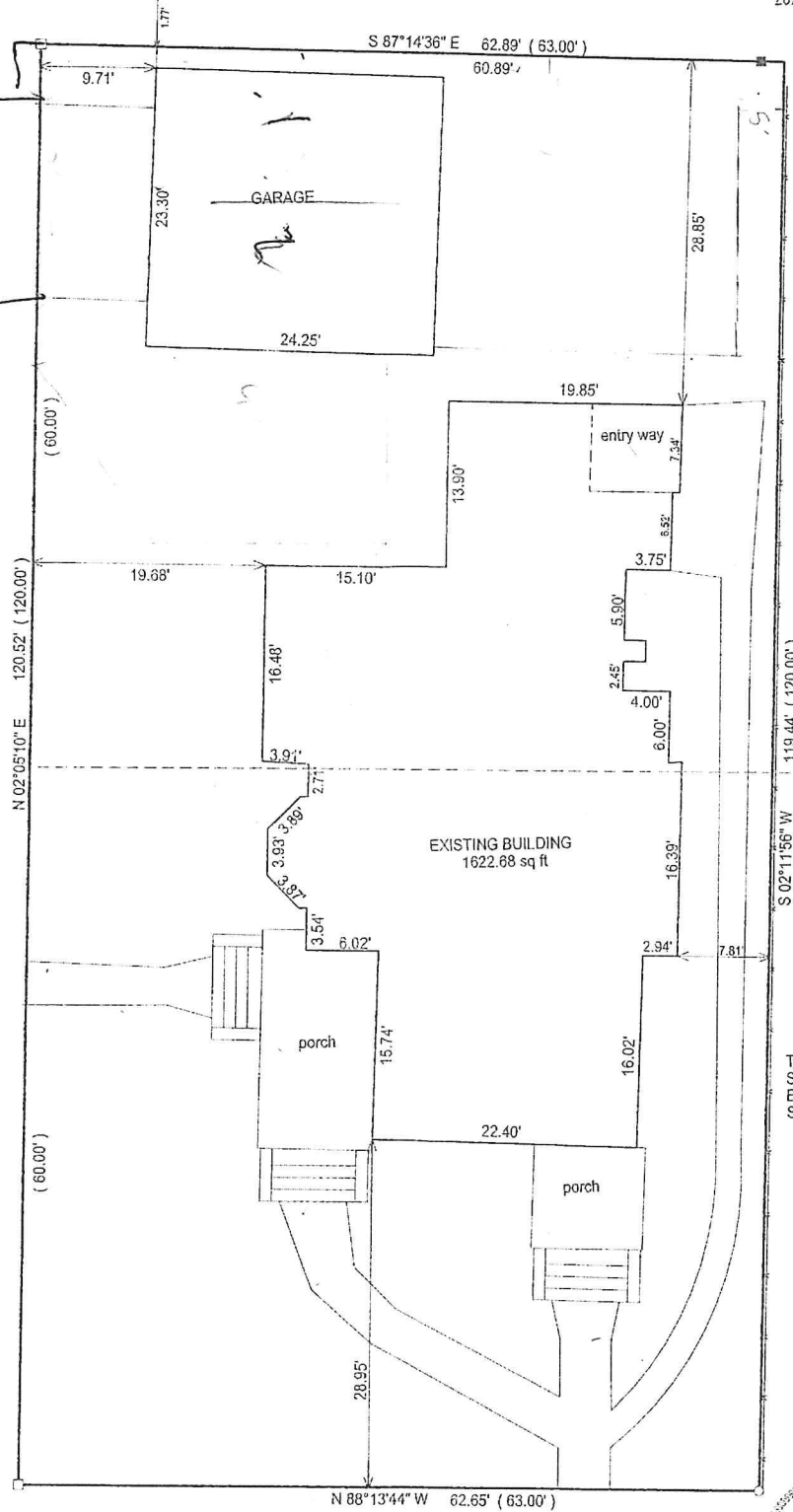
PREPARED FOR
RODNEY WHETLOW
KEEFE REAL ESTATE
LAKE GENEVA WI.

PLAT OF SURVEY

- OF -
THE WEST 63 FEET OF LOTS 14 AND 15, BLOCK 3 OF GOODSSELL'S SUBDIVISION,
OF BLOCK 3 ORIGINAL PLAT VILLAGE OF LAKE GENEVA NOW CITY OF LAKE
GENEVA, WALWORTH COUNTY, WISCONSIN

PATHFINDER SURVEYING INC.
(formerly)
J.K. SURVEYING INC.
P.O. BOX 322
LAKE GENEVA, WI. 53147
WWW.PATHFINDERSURVEYING.NET
262-248-8303

COOK STREET

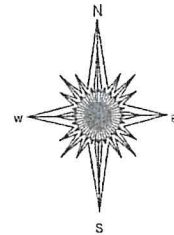


TREE AT CORNER
SET IRON BAR
2' WEST OF CORNER

LOT 14

LOT 15

THIS IS A RESURVEY OF A 1987
SURVEY BY THOMAS JENSEN.
BASIS OF BEARING OF THIS
SURVEY WAS ASSUMED.



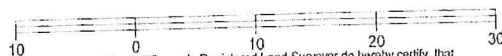
- () = recorded as
- = found iron bar
- = found iron pipe
- = set iron pipe
- = set iron bar

SCALE 1" = 10'

JOB # 12-147

TAX ID # ZGD 00013

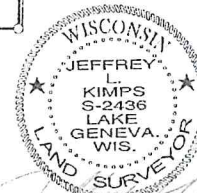
DODGE STREET



"I, Jeffrey L. Kimps, Wisconsin Registered Land Surveyor do hereby certify that this survey was performed by me and is in full compliance with chapter AE-7 of the Wisconsin Administrative Code "Minimum Standards for Property Surveys" and this map is an accurate representation thereof to the best of my knowledge and belief.

This survey is made for the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof.

DATED THIS 2ND DAY OF OCTOBER, 2012.



JEFFREY L. KIMPS S-2436
Wisconsin Registered Land Surveyor
(original if signed in red)

007-2896

Project 1

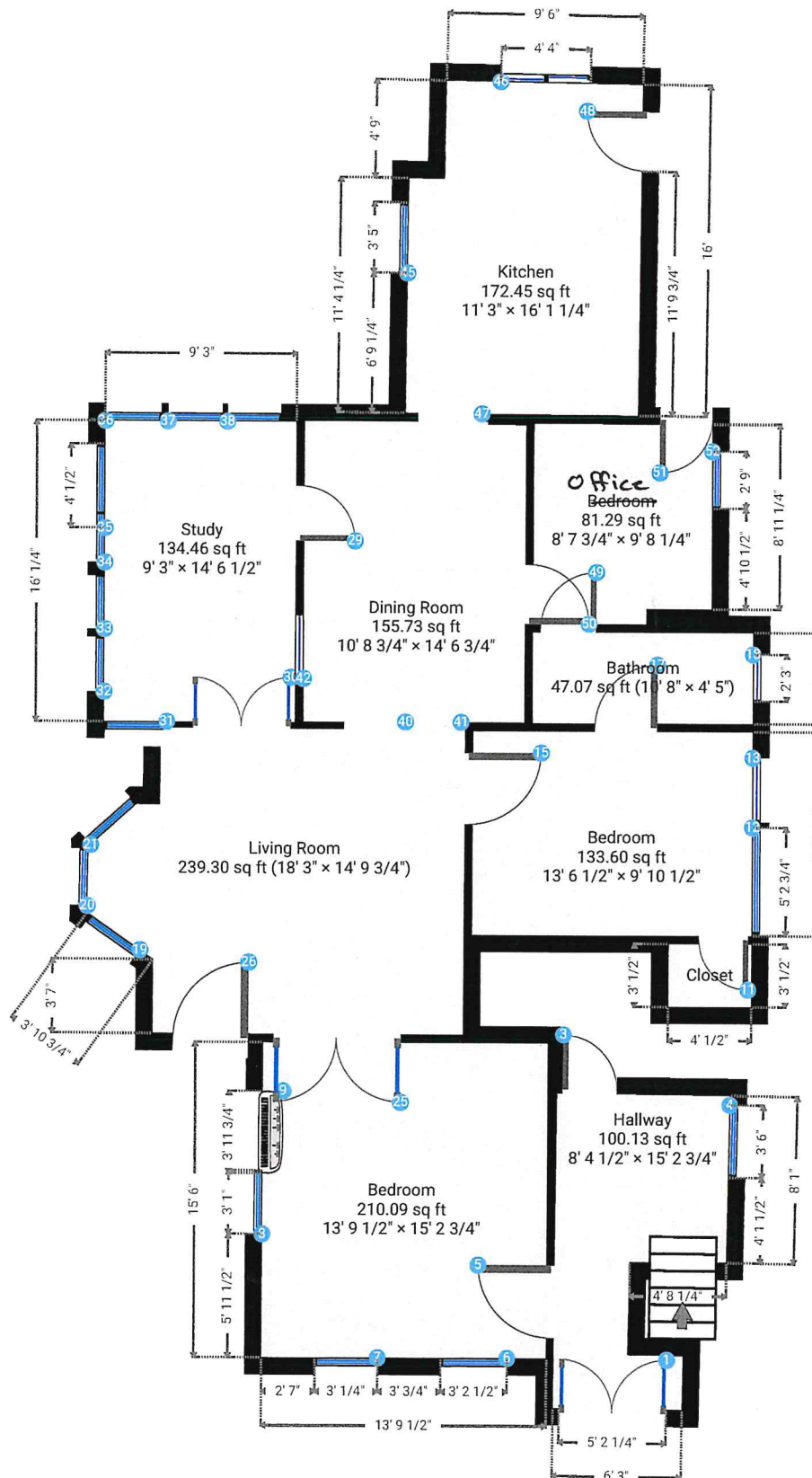
831 Dodge st, 53147 lake Geneva, Wisconsin , USA

TOTAL AREA: 2852.07 sq ft • LIVING AREA: 2676.94 sq ft • FLOORS: 2 • ROOMS: 12



▼ 1st Floor

TOTAL AREA: 1526.07 sq ft • LIVING AREA: 1526.07 sq ft • ROOMS: 7



THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

0' 4' 8' 12'

1:100
Page 2/31

Project 1

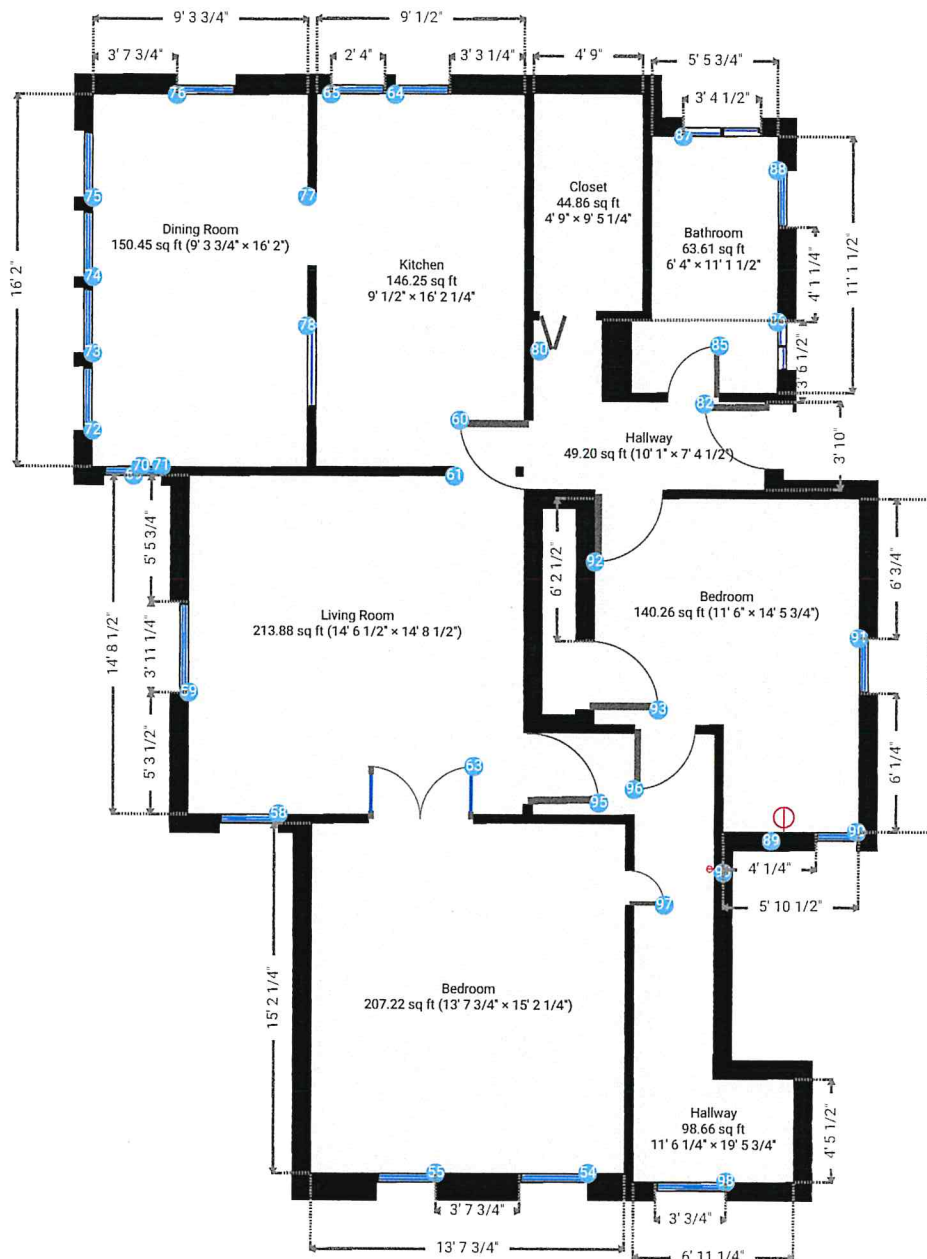
831 Dodge st, 53147 lake Geneva, Wisconsin , USA

TOTAL AREA: 2852.07 sq ft • LIVING AREA: 2676.94 sq ft • FLOORS: 2 • ROOMS: 12



▼ 2nd Floor

TOTAL AREA: 1325.99 sq ft • LIVING AREA: 1150.87 sq ft • ROOMS: 5



THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

0' 4' 8' 12'

1:100

Page 18/31

PARKING SPACE LEASE

THIS PARKING SPACE LEASE (this "Lease") is made this 3 day of February, 2022 by and between B&C Capital LLC (the "Tenant") and Michael Dunn (the "Landlord").

I. Premises

Landlord hereby rents to Tenant TWO parking stalls designated as Space ("Parking Stalls") located East of the property located at 827 Dodge Street, Lake Geneva, Wisconsin 53147. Each space is 9x18ft. Each space is in tandem on the South side of the parking surface. (See addendum for graphic)

II. Term and Possession

The term of this Lease is 2/2022 to 2/2023. Cancellation of this agreement shall be given in writing no later than 60 days in prior to the termination of the contract agreement.

III. Rent

Tenant must pay rent to Landlord in the monthly amount of \$100 by the first day of each month.

IV. Use

Tenant has the right to use the Parking Stall for parking only. No storage of vehicles, boats or any other items are allowed. Parking in the garage on the premises is prohibited. Parking on the surface in front of the garage is prohibited. Parking is in tandem, and shall not obstruct entrance or exit of the northern parking surface by any vehicles.

V. Notice

Any notice or other communication given pursuant to this Lease shall be in writing and shall be given by personal delivery or mailed to the address designated below, or such other address as they may designate in writing with postage prepaid. Notices shall be deemed effective when personally delivered or when deposited in the United States mail in the manner described above.

Landlord:

_____EF Dunn LLC_____

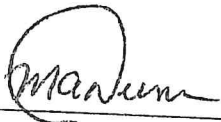
_____PO BOX 1030_____

_____Lake Geneva, WI 53147_____

Tenant:

_____Bjorn Schweinsberg_____
B&C Capital LLC
5117 N Palisades Rd
Whitefish Bay, WI 53217

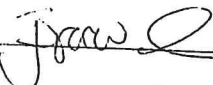
LANDLORD:

Landlord Signature: 

Printed Name: MICHAEL A. DUNN

Date: 2/22/22

TENANT:

Tenant Signature: 

Printed Name: Bjorn Schweinsberg

Date: 2/22/22

PLAT OF SURVEY

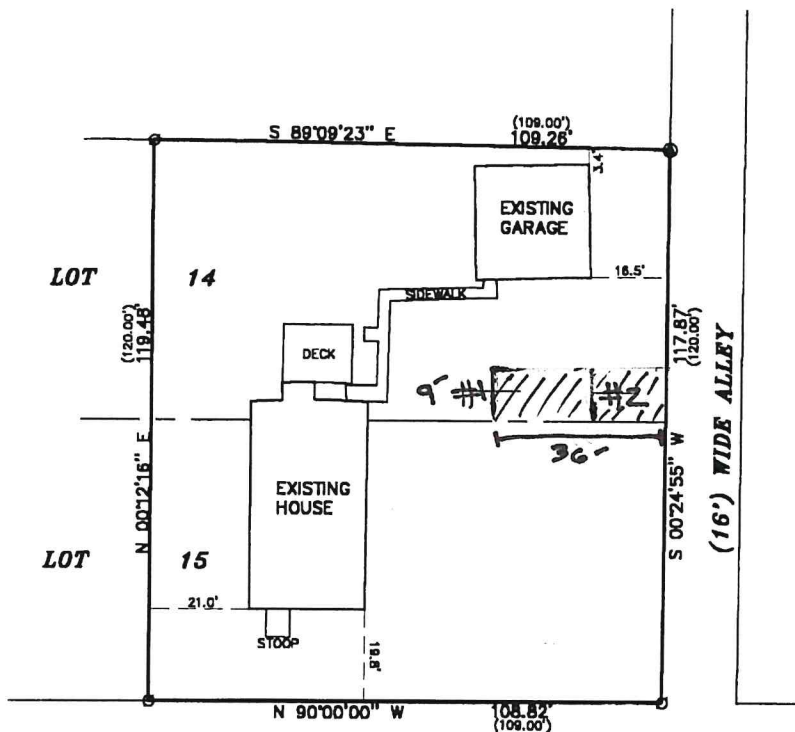
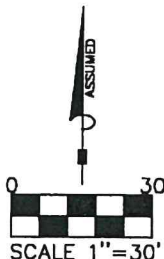
PATHFINDER SURVEYING
FORMERLY KOLB LAND CONSULTING
929 WILLIAMS ST. LAKE GENEVA, WI.
(262) 248-3697

ORDERED BY : ORION PARTNERS
P.O. BOX 1030
LAKE GENEVA, WI. 53147

DATE: 3-24-2000

DESCRIPTION: THE EAST 44.00 FEET OF LOTS 14 AND 15 OF BLOCK 3 OF GOODSSELL'S SUBDIVISION OF BLOCK 3 OF THE VILLAGE OF GENEVA, NOW CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

THE WEST 65.00 FEET OF THE EAST 109.00' OF LOTS 14 AND 15 OF BLOCK 3 OF GOODSSELL'S SUBDIVISION OF BLOCK 3 OF THE VILLAGE, NOW CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.



C.L. DODGE STREET

LEGEND

- FOUND IRON PIPE
- ⊙ SET P.K. NAIL
- (XXXX) RECORDRD
- X— FENCE

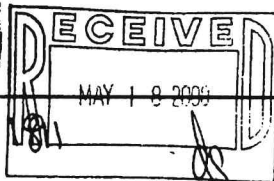
THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF ALL THE PROPERTY, EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HERETO.

John P. Krott
JOHN P. KROTT, R.L.S. 2258



NOTE: THIS IS NOT A CERTIFIED COPY
UNLESS SEAL IS IN RED.
JOB NUMBER 00056 ZGD 12



ZGD-12

007-

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item #9

Applicant:

Covenant Harbor Bible Camp and Retreat Center
1724 W. Main Street Lake Geneva

Request:

Covenant Harbor Bible Camp and Retreat Center
1724 W. Main Street
Tax Key No. ZYUP00096 & Zyup00096A
Precise Implementation Plan Amendment

Description:

The applicant is submitting a Precise Implementation Plan (PIP) to amend an existing Planned Development for Covenant Harbor Bible Camp, on the western shore of Geneva Lake. Specifically, the requested amendment is to amend the existing PIP to demolish three older cabins and construct two new cabins in their place. The proposed PIP amendment also includes concrete paths connecting the cabins from at the front and back, a patio located between the two main cabins, a studio cabin, and a parking space.

The two cabins would be built into the hill with a lower-story walkout and elevated decks. Exterior building materials include a mix of cement board shake and lap siding with cast concrete stone accents.

The cabins are partially located within the Steep Slope Overlay Zoning District, which applies to areas that contain a gradient of 12% or greater. If steep slopes are to be disturbed by development, they must be removed or stabilized through site grading, retaining walls, and other methods approved by the City Engineer. The Applicant has been working with the City Engineer on grading plans to minimize soil erosion, and the proposed cabins will be built into the slope, providing a retaining wall function. Site plans depict also boulder walls to protect the slope.

The cabins are near the edge of a woodland area. Environmental impacts are minimal; some trees will be removed as part of the grading and construction work.

Landscaping Plans shows ample plantings around the patio area, cabin foundations, and shed.

No lighting, fencing, or signage is proposed.

No changes to access or loading areas are proposed, and no parking impacts are anticipated.

The proposed PIP amendment applies only to the area shown in the submitted site plan. No other changes are proposed to the remainder of the Covenant Harbor Planned Development.

Relation to Base Zoning Standards:

All Planned Developments must explicitly identify any flexibilities being requested from base zoning standards in the most comparable regular zoning district. This project is not requesting any flexibilities from base zoning standards.

Staff Review:

The proposed land use is consistent with what was approved as part of the GDP. As three cabins will be replaced with two cabins, the proposed project will result in less development. The concrete paths provide handicap accessible route to the cabins and patio. The building materials, pavers, and landscaping proposed are all of high quality.

Action by the Plan Commission:

As part of the consideration of a requested Planned Development / Precise Implementation Plan (PIP) step, the Plan Commission is required to:

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

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

A proposed PIP must undergo the review standards for all Conditional Use Permits, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be in agreement with Factors 1-6 of the following.
1. The proposed PIP (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. The proposed PIP (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed PIP, in its proposed location and as depicted on the required site plan (see (3)(d), above), 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 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 PIP is 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.
 6. The potential public benefits of the proposed PIP outweigh all potential adverse impacts of the proposed PIP (as identified in Items 1. through 5., above), 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 in disagreement with at least one of Factors 1-6 of the following:
1. The proposed PIP (the use in general, independent of its location) is not in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. The proposed PIP (in its specific location) is not in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed PIP, in its proposed location and as depicted on the required site plan (see (3)(d), above), 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 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 PIP is located in an area that will not be adequately served by, and/or 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 PIP do not outweigh all potential adverse impacts of the proposed PIP (as identified in Items 1. through 5., above), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the amendment to the PIP as submitted. No further conditions of approval are suggested.

PIP Suggested Motions:

- *Approve: I recommend approval of the proposed amendment to the Precise Implementation Plan (PIP) for Covenant Harbor Bible Camp and Retreat Center, 1724 W. Main St. to allow for a for the construction of the proposed Twins Lodging units in the Planned Development zoning district. Tax Key Nos. ZYUP00096 & Zyup00096A, including the affirmative set of findings, and any additional conditions of approval recommended by staff or Plan Commission.*
- *Deny: I recommend denial of proposed amendment to the Precise Implementation Plan (PIP) for Covenant Harbor Bible Camp and Retreat Center, 1724 W. Main St. to allow for a for the construction of the proposed Twins Lodging units in the Planned Development zoning district. Tax Key Nos. ZYUP00096 & Zyup00096A, based on the following finding of fact, because [provide rationale for denial, based on disagreement with at least one of Items 1, 2, or 3, above]*

*Jackie Mich, AICP
City Planning Consultant
Vandewalle & Associates*

Memo to City of Lake Geneva

To: Fred Walling, Zoning Administrator **Date:** April 11, 2022

From: Naomi Rauch, P.E.
262-758-6032

CC: Brad Auguston – Project Coordinator
Dave Nord – City Administrator
Brenda Follensbee – Building and Zoning Administrative Assistant
Tom Earle – Director of Public Works
Josh Gajewski – Utility Director
Greg Governatori P.E. – Kapur & Associates, Inc.

Subject: Precise Implementation Plan Amendment – Covenant Harbor Triplets Demo/ Twins
Kapur Project #21.0178 Phase 26

BACKGROUND AND REQUEST:

A **Precise Implementation Plan** application was submitted by **Covenant Harbor** to discuss proposed improvements at the project site including demolition of 3 buildings with construction of two new buildings in the same location. Improvements include two new structures, pedestrian paths, 500 SF parking space, patio and new utility connections.

The following plan and calculations were submitted for review:

- **Site Improvement Plans for Covenant Harbor Bible Camp**, prepared by Lynch & Associates, sheets C000, C001, C100-C103, C500-C501, dated November 16, 2021 last revised 1/17/2022 (revision date not updated). Sheet C103 dated 1/27/2022, Sheet C501 revision date not provided; plotted 3/10/2022.

Comments:

Based on the information reviewed above, we offer the following comments.

1. The proposed redevelopment will increase impervious surface by 2,250 SF within the 19,400 SF project limits.
 - a. The applicant has demonstrated that stormwater runoff from the redevelopment area drains on-site directly to Geneva Lake. Based on Section 78-247(h)b.9.a of the municipal code “A post-construction site where the discharge is directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles” is exempt from peak discharge requirements.





- b. A buffer strip has been designed to remove a minimum of 40% of TSS from the redevelopment parking area. The redevelopment proposes approximately 500-sq.ft of parking that sheet drains across vegetated area.
 2. Per our February 28, 2022 correspondence, state review of the private water supply, indoor plumbing, and waste management on the site is required.
 - a. Calculations provided to demonstrate the existing 4" sanitary sewer can accommodate total flows from the development and other existing uses did not include invert or slope verification of existing pipes from the improvements to the downstream lift station.
 - b. It is understood that the forcemain will be serviced via a prefabricated grinder package "manhole" with two grinder pumps. A copy of the manufacturer detail/specifications shall be provided to the City. It is unclear if Sanitary Manhole 1 detail is consistent with the manufacturer detail/specifications.
 - c. Coordination with the Director of Utility Commission is ongoing with respect to metering of the proposed development. Changes to the private utility plans shall be provided to the City and/or DSPS to ensure consistency.
 - d. Sheet C501 does not address Comment #4 and #5 of our February 28, 2022 correspondence. The details for Sanitary Manhole 1 and Existing Sanitary Manhole #2 do not show all influent and effluent pipes in the plan and profile views. The plan views for each structure have been removed.
 3. Final construction plans, after all approvals are obtained, shall be issued with one date.

The plans have been reviewed for conformance with generally accepted engineering practices and City of Lake Geneva policies. Although the material has been reviewed, the applicant is ultimately responsible for the thoroughness and accuracy of the plans and supplemental data and for compliance with state, county, and other local ordinances and procedures.

Please contact me if you have any questions or comments pertaining to this project.

APPLICATION FOR PRECISE IMPLEMENTATION PLAN OR AMENDMENT

City of Lake Geneva

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

Attached

Name and Address of Current Owner: Covenant Harbor Bible Camp and Retreat Center

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

262-248-3600 eanderson@covenantharbor.org

Eric Anderson

Owner Signature: _____

Name and Address of Applicant:

Covenant Harbor Bible Camp, 1724 West Main st. Lake Geneva, WI

Telephone No. with area code & Email of Applicant: Brad Augustson

262-745-4395, aug@covenantharbor.org

Proposed Use:

The Twins are an upgrade to our current buildings we are replacing. The

current buildings were built for 1 season use 50 years ago by volunteers. We are upgrading to

4 cabin 1 building design, complete with Air Conditioning and Tankless Water Heaters.

Zoning District in which land is located: City of Lake Geneva

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

See Attached Construction Contacts:

Short statement describing activities to take place on site:

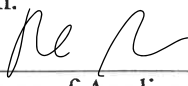
Covenant Harbor draws people from their routines into opportunities to enjoy creation,

recreation and relationships, so that all will experience God through Jesus Christ.

PIP fee \$400.00, payable upon filing application.

3/10/2022

Date


Signature of Applicant

Covenant Harbor

Construction Contacts:

Architects:

Station 19 Architects, Inc
Nicole L. Thompson, ALA
President
2001 University Avenue SE
Suite 100
Minneapolis, MN 55414
612.623.1800

Tom Peterson
Project Manager
2001 University Avenue SE
Suite 100
Minneapolis, MN 55414
612.623.1800

Tim Lynch
Site Engineer
Lynch and Associates
440 Milwaukee Avenue
Burlington, WI 53105
262.402.5034

Contractor:
Brad Augustson DC
Covenant Harbor Bible Camp
1724 West Main St
Lake Geneva, WI 53147
262.248.3600

APPLICATION SUBMITTAL REQUIREMENTS

PD STEP 4: PRECISE IMPLEMENTATION PLAN (PIP)

Prior to submitting the 20 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: _____

↓

_____ x A. After the effective date of the rezoning to PD/GDP, the Applicant may file an application for the proposed PIP with the Plan Commission. This submittal packet shall contain the following items, prior to its acceptance by the Zoning Administrator and placing the item on the Plan Commission agenda for PIP review.

 x (1) A location map of the subject property and its vicinity at 11" x 17", as depicted on a copy of the City of Lake Geneva Land Use Plan Map;

 x (2) A map of the subject property for which the PD is proposed:

 na Showing all lands within 300 feet of the boundaries of the subject property;

 na Referenced to a list of the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Walworth County (as provided by the City of Lake Geneva);

 x Clearly indicating the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control;

 x Map and all its parts clearly reproducible with a photocopier;

 x Map size of 11" by 17" and map scale not less than one inch equals 800 feet;

 x All lot dimensions of the subject property provided;

 x Graphic scale and north arrow provided.

 x (3) A general written description of proposed PIP including:

 na Specific project themes and images;

 x The specific mix of dwelling unit types and/or land uses;

 x Specific residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio;

 x The specific treatment of natural features;

 x The specific relationship to nearby properties and public streets.

 x A Statement of Rationale as to why PD zoning is proposed identifying perceived barriers in the form of requirements of standard zoning districts and opportunities for community betterment through the proposed PD zoning.

 x A complete list of zoning standards which will not be met by the proposed PIP and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PIP and the location(s) in which they apply shall be identified. Essentially, the purpose of this listing shall

be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.

 x (4) A Precise Implementation Plan Drawing at a minimum scale of 1"=100' (and reduced to 11" x 17") of the proposed project showing at least the following information in sufficient detail: *(See following page)*

 x A PIP site plan conforming to all requirements of Section 98-908(3). If the proposed PD is a group development (per Section 98-208) also provide a proposed preliminary plat or conceptual plat;

 na Location of recreational and open space areas and facilities specifically describing those that are to be reserved or dedicated for public acquisition and use;

 x Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or City Council; and

 na Notations relating the written information (3), above to specific areas on the GDP Drawing.

 x (5) A Property Site Plan drawing which includes:

 x A title block which indicates the name, address and phone/fax number(s) of the current property owner and/or agent(s) (developer, architect, engineer, planner) for project;

 x The date of the original plan and the latest date of revision to the plan;

 x A north arrow and a graphic scale (not smaller than one inch equals 100 feet);

 x A reduction of the drawing at 11" x 17";

 x A legal description of the subject property;

 x All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;

 x All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;

 na All required building setback lines;

 na All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;

 na The location and dimension (cross-section and entry throat) of all access points onto public streets;

 na The location and dimension of all on-site parking (and off-site parking provisions if they are to be employed), including a summary of the number of parking stalls provided versus required by the Ordinance;

- na The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas;
- na The location of all outdoor storage areas and the design of all screening devices;
- na The location, type, height, size and lighting of all signage on the subject property to include a photometric plan;
- na The location, height, design/type, illumination power and orientation of all exterior lighting on the subject property – including the clear demonstration of compliance with Section 98-707;
- x All engineering requirements for utilities, site designs, etc;
- x The location and type of any permanently protected green space areas;
- x The location of existing and proposed drainage facilities for storm water;
- x In the legend, data for the subject property on:
 - x Lot Area;
 - x Floor Area;
 - x Floor Area Ratio (b/a);
 - x Impervious Surface Area;
 - x Impervious Surface Ratio (d/a);
 - x Building Height.
- x (6) A landscaping plan for subject property, specifying the location, species, and installed size of all trees and shrubs. Include a chart which provides a cumulative total for each species, type and required location (foundation, yard, street, paved area ~~or~~ ^{Text} bufferyard) of all trees and shrubs.
- x (7) A series of building elevations for the entire exterior of all buildings in the PD, including detailed notes as to the materials and colors proposed.
- na (8) A general signage plan including all project identification signs, concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles), and group development signage themes which are proposed to vary from City standards or common practices.
- na (9) A general outline of the intended organizational structure for a property owners association, if any; deed restrictions and provisions for private provision of common services, if any.
- x (10) A written description which demonstrates the full consistency of the proposed PIP with the approved GDP.
- x (11) A written description of any and all variations between the requirements of the applicable PD/GDP zoning district and the proposed PIP development; and,

- na (12) Proof of financing capability pertaining to construction and maintenance and operation of public works elements of the proposed development.

FINAL APPLICATION PACKET INFORMATION
PD STEP 4: PRECISE IMPLEMENTATION PLAN (PIP)

The process for review and approval of the PD shall be identical to that for conditional use permits per Section 98-905 of the Zoning Ordinance and (if land is to be divided) to that for preliminary and final plats of subdivision per the Municipal Code. All portions of an approved PD/PIP not fully developed within five years of final City Council approval shall expire, and no additional PD-based development shall be permitted. The City Council may extend this five years period by up to five additional years via a majority vote following a public hearing.

- ____ Receipt of 5 full scale copies in blueline or blackline
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: _____



COMMENT RESPONSE

Date: March 10, 2022
To: Fred Walling, Naomi Raunch, P.E.
From: Tim Lynch, P.E.
Copy: Brad Auguston, Dave Nord, Brenda Follensbee, Tom Earle, Josh Gajewski, Greg Governatori
Subject: Covenant Harbor – Precise Implementation Plan

Note: Please see Lynch Responses in [blue](#).

1. The proposed redevelopment will increase impervious surface by 2,250 SF within the 19,400 SF project limits.
 - a. The applicant has demonstrated that stormwater runoff from the redevelopment area drains on-site directly to Geneva Lake. Based on Section 78-247(h)b.9.a of the municipal code “A post-construction site where the discharge is directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles” is exempt from peak discharge requirements.
 - b. A buffer strip has been designed to remove a minimum of 40% of TSS from the redevelopment parking area. The redevelopment proposes approximately 500-sq.ft of parking that sheet drains across vegetated area.

[All drainage from the proposed improvement will be retained within the site and have a vegetative buffer between the property and the existing lakefront.](#)

2. We are currently unable to verify if the proposed indoor plumbing and outdoor water utilities will provide adequate services for private fire demand and the private commercial development. State review of the water supply, indoor plumbing, and waste management on the site is required. The comments below are contingent on SPS approval of the construction plans.

[Plans will be submitted to the State for compliance for both drinking water and wastewater.](#)
3. The construction plans have been sent to a Kapur process design engineer for review of the private utilities. Any comments resulting from that review will be provided under separate cover.

[Understood.](#)
4. The detail for Sanitary Manhole 1 shall show the influent pipes and force main locations in the plan / profile views. It is unclear where the control panel, alarm light, and horn will be attached.

Detail for force main manhole has been replaced with manufacturer detail/specification. The design of force main manhole and detail will be submitted separately.

5. Sanitary Manhole 2 is the receiving manhole downstream of the force main. The detail on C501 shall show all inflow and outflow structures in both the plan and profile views. The detail shows waste flowing to the lift station from this manhole which is inconsistent with the construction plans. It is unclear how the weir within Sanitary Manhole 2 will function. This configuration will be reviewed by Kapur process design engineer.

Manhole 2 is an existing manhole on-site. Proposed force main connection will be cored into existing manhole.

6. Calculations shall be provided to demonstrate the existing 4" sanitary sewer can accommodate total flows from the development and other existing uses. The analysis shall include from the tie in for the development to the downstream lift station.

The proposed new building will add an additional 56 fixtures to the existing 49 fixtures already on-site. A total of 105 fixtures should be well within the existing 4" sanitary sewer @0.40% maximum capacity in the Wisconsin state sanitary plumbing code.

^f Sizing based on design criteria.

Table 382.30-3

Building Drains, Building Subdrains, Building Sewers and Private Interceptor Main Sewers^a

Pipe Diameter (inches)	Maximum Number of Drainage Fixture Units Which May Drain Through Any Portion of a Building Drain, Building Subdrain, Building Sewer or Private Interceptor Main Sewer			
	Pitch (inch per foot)			
	1/16	1/8	1/4	1/2
1 ¼	NP ^b	NP	1	1
1 ½	NP	NP	3	3
2	NP	NP	6	9
3	NP	36	42	50
4	NP	180	216	250
5	NP	390	480	575
6	NP	700	840	1,000
8	1,400	1,600	1,920	2,300
10	2,500	2,900	3,500	4,200
12	3,900	4,600	5,600	6,700
15	7,000	8,300	10,000	12,000

^a Private interceptor main sewers 6 inches or less in diameter, see s. NR 110.13 for private interceptor main sewers 8 inches or larger in diameter.

^b NP means Not Permitted.

Note: For further explanatory material see ch. SPS 382 Appendix A-382.30 (4).

(5) PITCH OF HORIZONTAL DRAIN PIPING. All horizontal drain piping 4" or larger in diameter shall be installed at a pitch which

2. a. The minimum pitch of building sewers 10" or less in diameter shall be in accordance with Table 382.30-3.

7. An interior plumbing schematic shall be provided for the connection(s) within the Carriage House (Barn).
Interior plumbing schematic to be included in building/structural submittal by others.
8. The proposed 90-degree bend shall be replaced with 2 x 45-degree bends to reduce head loss.
Proposed 90° bend has been replaced with 2-45° bends.
9. The 4" curb stop on the service to the west structure shall be called out as a 4" gate valve with valve box. A gate valve shall be provided east of the service to the east structure and west of the 4"x 1" reducer.



LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

4" curb stop has been replaced with 4" gate valve & box. Gate valve has been added to east structure and west of the 4"x1" reducer.

10. A detail on the proposed pump shall be provided. The forcemain pump assembly appears to be part of the private sanitary system. Only one pump is proposed eliminating any redundancy in the system.

Force main will be serviced via a prefabricated grinder package "manhole" with two grinder pumps to provide failsafe and redundancy.

11. A note shall be added to plans to clarify minimum spacing requirements for the 4-in water service from the east structure crossing the existing sanitary.

Minimum spacing notes have been added to the utility plan.

12. **A request has been made by the applicant for an "early start" on foundations and footings. Please note that based on our remaining comments and the necessity of state utility review, the planned utility service locations could change resulting in modifications to the current architecture plans.**

Understood.



Addendum to the PIP application for Covenant Harbor

Flow tests

A flow test has been completed by Mared Mechanical, a company previously contracted by the City of Lake Geneva, at the fire hydrant approximately 70 feet south of the location of the proposed buildings. Dennis Detkowski and Jeff Ecklund have both indicated these tests will be sufficient for submission with the application. Initial flow rates indicate sufficient water flow for the needed sprinkler systems as verified by a representative of Blair Fire Protection (see attached email).

Water and sewer utilities

Covenant Harbor is not seeking a change of responsibility for water and sewer at this time. Covenant Harbor will continue to manage and handle the expense for its private lines. Based on the best information available, any new water or sewer lines required for this project will be the sole responsibility of Covenant Harbor. If at some point in the future, it is deemed by the city and or Covenant Harbor that water and sewer upgrades are required for other projects, such as a future dining hall, Covenant Harbor is willing to enter into negotiations and come up with the solutions needed at that time.

Easements

It is Covenant Harbor's understanding that water and sewer requirements are satisfied (or can be satisfied at Covenant Harbor's expense) for this project without the need for new easements. Further, because Covenant Harbor is expecting to continue the management of private utilities for this project, we consider the easement discussions to not be pertinent to the approval of this PIP application.

However, Covenant Harbor is aware that some clarification regarding all easements pertaining to Covenant Harbor's property will be beneficial to both the City and Covenant Harbor. It is our understanding that some of the rationale for some of the easement agreements are no longer relevant, and therefore, are possibly no longer needed. In one example, one of the easements along the southwest edge of the property near Geneva Bay Estates was most likely put into effect when Covenant Harbor was considering selling that parcel of land in the late 1990s. The selling of this parcel is no longer possible due to constraints placed by the Covenant Harbor board of directors.

To this end, initial discussions have already begun between Matthew Kinney, Facilities Director at Covenant Harbor, and Josh Gajewski on reconciling existing easement records with updated planning and goals of both the city and Covenant Harbor. The intent is to continue to work on this as a separate pursuit, disconnected from the initial PIP project, while still satisfying the city's request.

Covenant Harbor legal description:

A tract of land situated in the County of Walworth, and State of Wisconsin, described as follows: Beginning at a point in the North and South $\frac{1}{4}$ line of Section 35, Township 2 North, Range 17 East of the Fourth Principal Meridian which is 11 chains and 34 links North of the South line of said Section measuring on said $\frac{1}{4}$ line, marked by a stone monument, octagonal at the top, with lead in its center and situated at the North East corner of a tract of land conveyed to Nathaniel K. Fairbank by Mary D. Sturges by deed bearing the date the 18th day of December, 1891; running thence South $4\frac{1}{2}$ degrees East 5 chains and 60 links to a second stone monument like the one aforesaid; thence running South $22\frac{3}{4}$ degrees East 2 chains and 30 links, to a third like stone monument, thence running South 78 degrees East 2 chains and 31 links to a fourth like stone monument; thence running South $80\frac{1}{4}$ degrees East 5 chains and 65 links more or less to the waters of Geneva Lake, which last mentioned course passes also through a like fifth stone monument placed in said course at a point therein 360 feet more or less eastward from the fourth stone monument aforesaid; thence North Easterly along the shore of Lake Geneva to the South West corner of a tract of land heretofore conveyed by Shelton Sturges to Levi Z. Leiter by deed bearing date the 28th day of September A.D. 1878 and recorded in the office of the Register of Deeds in and for Walworth County aforesaid, on the 28th day of October 1878 in Volume 63 of Deeds at page 43; running thence North $54\frac{1}{2}$ degrees West to a point at the South East corner of a tract of land conveyed to Mary D. Sturges by Levi Z. Leiter by deed bearing date the 6th day of September A.D. 1892 and recorded in the office of the Register of Deeds in and for said Walworth County on the 8th day of December 1892 in Volume 84 of Deeds at page 626; running thence North Westerly along the Easterly boundary of said tract of land to the North Westerly corner thereof; running thence by an arc (convex towards the West) with a radius of 575 feet, whose chord bears North $27\frac{1}{4}$ degrees West 95 feet to a like stone monument; running thence North $17\frac{3}{4}$ degrees West 265 feet to a like stone monument; running thence by an arc (convex towards the west) with a radius of 904 feet whose chord bears North $\frac{3}{4}$ of a degree West, 366 feet to a like stone monument; running thence by an arc (convex towards the East) with a radius of 387 feet, whose chord bears north $7\frac{1}{4}$ degrees West 263 feet to a like stone monument; running thence North $28\frac{1}{2}$ degrees West 107 feet to a like stone monument; running thence by an arc (convex towards the West) with a radius of 598 feet whose chord bears North 5 degrees West 222 feet to a like stone monument; running thence by an arc (convex towards the West) with a radius of 598 feet whose chord bears North $16\frac{3}{4}$ degrees East 259 feet to a point in the center line of Main Street (heretofore known as the "Geneva and Delavan Road") in the City of Lake Geneva in said Walworth County which last mentioned arc extends over a like stone monument placed in the south line of said Main Street; running thence Westerly in the center line of said Main Street 553 feet more or less to the point of intersection of said centerline with the center line of road, running Southerly through the South $\frac{1}{2}$ of section 35 aforesaid; running thence Southerly and Westerly along the centerline of said road to a point in said center line due West of the place of beginning, running thence East 439 feet more or less to the place of beginning.

Flow test

Mark Bossenbroek <m.bossenbroek@blairfireprotection.com>
To: Brad Augustson <baugustson@covenantharbor.org>

Brad,

Based on the information provided for the available municipal pressure(s) and flow for the automatic sprinkler system, the available supply will be sufficient to provide NFPA-13R system protection. As a side note, if

Let me know if you have any additional questions or concerns.

Thank you,

Mark Bossenbroek
Sales / Project Manager

13111 W. Silver Spring Drive
Butler, WI 53007
Phone: (414) 460-4006
Cell: (414) 299-9915
Fax: (888) 460-8844
<http://www.blairfireprotection.com>

From: Brad Augustson <baugustson@covenantharbor.org>
Sent: Friday, January 7, 2022 8:17 AM
To: Mark Bossenbroek <m.bossenbroek@blairfireprotection.com>
Subject: Flow test



VICINITY MAP
NTS

SITE IMPROVEMENT PLANS
FOR
COVENANT HARBOR BIBLE CAMP
LAKE GENEVA, WI

SHEET INDEX	
C000	TITLE SHEET & VICINITY MAP
C001	GENERAL NOTES
C100	EXISTING CONDITIONS PLAN
C101	SITE PLAN
C102	GRADING & EROSION CONTROL PLAN
C103	SANITARY & WATERMAIN PLAN
C500	CONSTRUCTION DETAILS
C501	CONSTRUCTION DETAILS

SITE IMPROVEMENT PLANS FOR
COVENANT HARBOR BIBLE CAMP
LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC



TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
CALL DIGGERS HOTLINE
TOLL FREE
800-242-8511
(414-259-1181 MILWAUKEE METRO)
(TDD: 800-542-2289)
www.diggershotline.com
WIS. STATUTE 182.0175 (1974)
REQUIRES MIN. OF 3 WORK DAYS
NOTICE BEFORE YOU EXCAVATE.

BENCHMARKS

CONTACT INFORMATION

COMPANY NAME	ADDRESS	CONTACT	PHONE	EMAIL
LYNCH & ASSOCIATES	5482 S. WESTRIDGE DR. NEW BERLIN, WI 53151	TIM LYNCH, P.E.	262.402.5040	TLYNCH@LYNCH-ENGINEERING.COM

REVISIONS

NO.	REVISION	DATE
1	PLAN UPDATES PER ENGINEERS COMMENTS	1/7/2022
2	SITE PLAN UPDATES PER ENGINEERS COMMENTS	1/17/2022

ISSUED FOR
REVIEW

PLAN DATE 11.16.21

PROJECT NO.
21.0048

SHEET NO.

C000

A. GENERAL

1. THE CONTRACTOR SHALL NOTIFY THE OWNER, THE ENGINEER, AND THE MUNICIPALITY SEVENTY-TWO (72) HOURS IN ADVANCE OF COMMENCING WORK FOR PROPER CONSTRUCTION COORDINATION.
2. THE CONTRACTOR IS REQUIRED TO NOTIFY THE CITY OF LAKE GENEVA SEWER AND WATER UTILITY AND ENGINEERING DEPARTMENT A MINIMUM OF SEVEN DAYS IN ADVANCE OF WATER MAIN FILLING, WATER MAIN FLUSHING, WATER MAIN TESTING, AND WATER MAIN CONNECTIONS. NO CONNECTION SHALL BE MADE TO THE EXISTING WATER SYSTEM UNTIL SAFE SAMPLES FROM THE NEW MAIN HAVE BEEN OBTAINED. THE CITY OF LAKE GENEVA WILL REQUIRE A METER WHEN FLUSHING THE WATER MAIN AFTER THE PRESSURE TEST AND SAFE WATER SAMPLE IS TAKEN.
3. THE CONTRACTOR SHALL INDEMNIFY THE OWNER, THE ENGINEER, AND THE MUNICIPALITY, THEIR AGENTS, ETC, FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.
4. SITE SAFETY SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
5. THE BIDDER WILL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES AND SHALL STATE SUCH QUANTITIES IN HIS PROPOSAL. HE SHALL BASE HIS BID ON HIS OWN ESTIMATE OF THE WORK REQUIRED AND SHALL NOT RELY ON THE ENGINEER'S ESTIMATE.
6. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING SOIL CONDITIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION. A GEOTECHNICAL REPORT IS AVAILABLE FROM THE OWNER. THE CONTRACTOR SHALL ABIDE BY THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
7. THE CONTRACTOR IS RESPONSIBLE FOR EXAMINING ALL SITE CONDITIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND SHALL COMPARE FIELD CONDITIONS WITH DRAWINGS.
8. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS REQUIRED FOR EXECUTION OF THE WORK. THE CONTRACTOR SHALL CONDUCT HIS WORK ACCORDING TO THE REQUIREMENTS OF THE PERMITS.
9. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL UTILITY INFORMATION SHOWN ON THE PLANS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL CALL DIGGER'S HOTLINE AT 1-800-242-8511 TO NOTIFY THE UTILITIES OF HIS INTENTIONS, AND TO REQUEST FIELD STAKING OF EXISTING UTILITIES.
10. CONTRACTOR IS ADVISED THAT ALL MUD AND DEBRIS MUST NOT BE DEPOSITED ONTO THE ADJACENT ROADWAYS PER THE REQUIREMENT OF THE MUNICIPALITY OR OTHER APPROPRIATE GOVERNMENT AGENCIES.
11. ANY ADJACENT PROPERTIES OR ROAD RIGHT-OF-WAYS WHICH ARE DAMAGED DURING CONSTRUCTION MUST BE RESTORED BY THE CONTRACTOR. THE COST OF THE RESTORATION IS CONSIDERED INCIDENTAL, AND SHOULD BE INCLUDED IN THE BID PRICES.

B. EROSION CONTROL

1. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING COPIES OF ALL PERMITS, INCLUDING WPDES DISCHARGE PERMITS (IF APPLICABLE), AND CITY OF LAKE GENEVA EROSION CONTROL PERMIT. CONTRACTOR IS RESPONSIBLE FOR ABIDING BY ALL PERMIT REQUIREMENTS AND RESTRICTIONS.
2. ALL INSTALLATION AND MAINTENANCE OF EROSION CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE APPLICABLE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARD.
3. ALL EROSION CONTROL FACILITIES SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT AND WARRANTY PERIOD IN CONFORMANCE WITH THE DNR WPDES GENERAL PERMIT.
4. ALL DISTURBED GROUND LEFT INACTIVE FOR THIRTY DAYS OR MORE SHALL BE STABILIZED WITH TOPSOIL, SEED, AND MULCH IN ACCORDANCE WITH THE WDNR TECHNICAL STANDARDS 1059 AND 1058.
5. TEMPORARY SEED MIXTURE SHALL CONFORM TO 630.21.5.1.4 OF THE WISDOT STANDARD SPECIFICATIONS. USE WINTER WHEAT OR RYE FOR FALL PLANTINGS STARED AFTER SEPTEMBER 1.
6. DISTURBED AREAS THAT CANNOT BE STABIUZED WITH A DENSE GROWTH OF VEGETATION BY SEEDING AND MULCHING DUE TO TEMPERATURE OR TIMING OF CONSTRUCTION, SHALL BE STABILIZED BY APPLYING ANIONIC POLYACRYLAMIDE (PAM) IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1050.
7. SEDIMENT SHALL BE REMOVED FROM THE SEDIMENT BASINS TO MAINTAIN A THREE FOOT DEPTH OF TREATMENT, MEASURED BELOW THE NORMAL WATER ELEVATION. SEDIMENT WILL BE REMOVED FROM THE DIVERSION DITCHES WHEN IT REACHES HALF THE HEIGHT OF THE DITCH. SEDIMENT WILL BE REMOVED FROM BEHIND THE SILT FENCE AND DITCH CHECKS WHEN IT REACHES HALF THE HEIGHT OR THE FENCE/BALE. THE SILT FENCE AND DITCH CHECKS SHALL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER.
8. ALL WATER FROM CONSTRUCTION DEWATERING SHALL BE TREATED IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1061 PRIOR TO DISCHARGE TO WATERS OF THE STATE, WETLANDS, OR OFFSITE.
9. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION. ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED. DEPENDING ON HOW THE CONTRACTOR GRADES THE SITE, IT MAY BE NECESSARY TO INSTALL TEMPORARY SEDIMENT TRAPS IN VARIOUS LOCATIONS THROUGHOUT THE PROJECT. TEMPORARY SEDIMENT TRAPS SHALL BE DESIGNED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1063.
10. ANY SEDIMENT TRACKED ONTO A PUBLIC OR PRIVATE ROAD SHOULD BE REMOVED BY STREET CLEANING, NOT FLUSHING, BEFORE THE END OF EACH WORKING DAY.
11. DUST CONTROL SHALL BE PROVIDED AS NECESSARY IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 106B.
12. FINAL STABILIZATION OF LANDSCAPED AREAS SHALL BE IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN.
13. ALL SEEDED AREAS WILL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE APPROVED LANDSCAPE PLAN TO MAINTAIN A VIGOROUS DENSE VEGETATIVE COVER.
14. THE PERMANENT SEED MIXTURE FOR RIHT-OF-WAY AND LOTS SHALL BE WISDOT SEED MIXTURE NO. 40 AND SOWN AT A RATE OF 4LBS/100 SQ. FT. SEED MIXTURE NO. 40 CONSISTS OF 35% KENTUCKY BLUEGRASS, 20% RED FESCUE, 20% HARD FESCUE AND 25% IMPROVED FINE PERENNIAL RYEGRASS.
15. APPROVED EROSION CONTROL PLAN SHALL BE KEPT ON SITE AT ALL TIMES.

C. GRADING

1. THE PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED ACCORDING TO THE WISCONSIN D.O.T. STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, LATEST EDITION AND THE CITY OF LAKE GENEVA STANDARDS AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL MAINTAIN SITE DRAINAGE THROUGHOUT CONSTRUCTION. THIS MAY INCLUDE THE EXCAVATION OF TEMPORARY DITCHES OR PUMPING TO ALLEVATE WATER PONDING.
3. SILT FENCE AND OTHER EROSION CONTROL FACILITIES MUST BE INSTALLED PRIOR TO CONSTRUCTION OR ANY OTHER LAND DISTURBING ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL EROSION CONTROL FACILITIES ONCE THE THREAT OF EROSION HAS PASSED WITH THE APPROVAL OF THE GOVERNING AGENCY.
4. THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATIONS OF ALL GRADING AND FOR ACTUAL LAND BALANCE, INCLUDING UTILITY TRENCH SPOIL. THE CONTRACTOR SHALL IMPORT OR EXPORT MATERIAL AS NECESSARY TO COMPLETE THE PROJECT. HOWEVER, ADDITIONAL CUT MATERIAL MAY BE MINED FROM THE POND AREA AND EXCESS FILL MATERIAL MAY BE DEPOSITED ONSITE AT LOCATIONS APPROVED BY THE OWNER.
5. GRADING SHALL CONSIST OF CLEARING AND GRUBBING EXISTING VEGETATION, STRIPPING TOPSOIL, REMOVAL OF EXISTING PAVEMENT OR FOUNDATIONS, IMPORTING OR EXPORTING MATERIAL TO ACHIEVE AN ON-SITE EARTHWORK BALANCE, GRADING THE PROPOSED BUILDING PADS AND PAVEMENT AREAS, SCARIFYING AND FINAL COMPACTION OF THE PAVEMENT SUBGRADE, AND PLACEMENT OF TOPSOIL.
6. NO FILL SHALL BE PLACED ON WET OR SOFT SUBGRADE. THE SUBGRADE SHALL BE PROOF-ROLLED AND INSPECTED BY THE GEOTECHNICAL ENGINEER BEFORE AND MATERIAL IS PLACED.
7. ALL FILL SHALL BE CONSIDERED STRUCTURAL FILL AND SHALL BE PLACED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.
8. RETENTION PONDS SHALL BE SEEDED WITH WET PRAIRIE MIX. SEE CITY'S PRAIRIE MIX ESTABLISHMENT SPECIFICATIONS. CONTRACTOR SHALL SUBMIT PRAIRIE SEED MIX TO TOM ZAGAR, CITY FORESTER (262-679-9617), FOR REVIEW AND APPROVAL PRIOR TO COMMENCING WORK. CONTRACTOR SHALL PLANT PRAIRIE SEED MIX IMMEDIATELY AFTER FINE GRADING AT ALL LOCATIONS WHERE PRAIRIE SEED MIX WILL BE PLANTED.
9. NO TEMPORARY SEED MIX SHALL BE INSTALLED AT LOCATIONS WHERE PRAIRIE SEED MIX WILL BE PLANTED.

LEGEND

EXISTING		PROPOSED
	CITY-VILLAGE LIMITS	
	BENCHMARK	
	CHISELED CROSS	
	CONTROL POINT	
	FOUND 5/8" IRON BAR	
	FOUND 1" IRON PIPE	
	MONUMENT - CONCRETE W/ BRASS CAP	
	PK NAIL - FOUND SPIKE	
	RECORD AS	
	SET 5/8"x18" IRON 1.13#/L.F.	
	SET IRON PIPE	
	WITNESS MONUMENT	
	TREELINE	
	BUSH	
	TREE - CONIFEROUS	
	TREE - DECIDUOUS	
	TREE- GENERAL	
	FLOODPLAIN LINE	
	WETLAND BOUNDARY	
	WETLAND SYMBOL	
	SOIL BORING	
	TEST PIT	
	ROAD CENTER LINE	
	DITCH CENTER LINE	
	FENCE - BARBED WIRE	
	FENCE - CHAIN LINK	
	GUARDRAIL	
	RETAINING WALL	
	BOLLARD	
	DETECTABLE WARNING FIELD	
	HANDICAP SYMBOL	
	FLAG POLE	
	MAILBOX	
	SIGN	
	STORM SEWER	
	MANHOLE - STORM	
	STORM INLET - CURB	
	STORM INLET - BEEHIVE	
	STORM INLET - SQUARE	
	END SECTION	
	SANITARY	
	SANITARY FORCE MAIN	
	MANHOLE - SANITARY	
	CLEAN OUT	
	SEPTIC TANK COVER	
	SEPTIC VENT	
	WATER MAIN	
	MANHOLE - WATER MAIN	
	CURB STOP	
	HYDRANT	
	WATER MAIN VALVE	
	WELL	
	WATER MAIN BACK FLOW PREVENTER	
	GAS LINE	
	MANHOLE - GAS	
	GAS VALVE	
	GAS LINE MARKER	
	ELECTRIC	
	MANHOLE - ELECTRIC	
	ELECTRICAL TRANSFORMER	
	POWER POLE	
	GUY WIRE	
	LIGHT POLE	
	PULL BOX	
	OVERHEAD UTILITY	
	UTILITY PEDESTAL	
	CABLE TELEVISION	
	CABLE TV BOX	
	TELEPHONE	
	TELEPHONE PEDESTAL	
	FIBER OPTIC	
	MANHOLE	
	CONSTRUCTION LIMITS	
	INLET PROTECTION	
	SILT FENCE	

CONSTRUCTION SEQUENCE

1. INSTALL SILT FENCE AT THE LOCATIONS NOTED ON THE PLANS. THIS MUST BE DONE BEFORE ANY GRADING ACTIVITIES TAKE PLACE.
2. TOPSOIL IS TO BE STRIPPED AND STOCKPILED. THE STOCKPILE IS TO BE PROTECTED WITH SILT FENCE WITHIN 7 DAYS AND SEEDED WITHIN 30 DAYS OF LAYUP.
3. ROUGH GRADING MAY TAKE PLACE AFTER TOPSOIL STRIPPING.
4. PERMANENT SEEDING TO BE COMPLETED BY OCTOBER 15TH OF THE YEAR GRADING WORK IS COMPLETED OR BY JUNE 1ST OF THE FOLLOWING YEAR.

SITE IMPROVEMENTS FOR
COVENANT HARBOR BIBLE CAMP

LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

GENERAL NOTES

NO. 1
REVISIONS
PLAN UPDATES PER ENGINEERS COMMENTS
DATE BY
01/07/22 SB

ISSUED FOR
REVIEW

PLAN DATE 11.16.21
DESIGNED BY NJO

0 NTS
SCALE

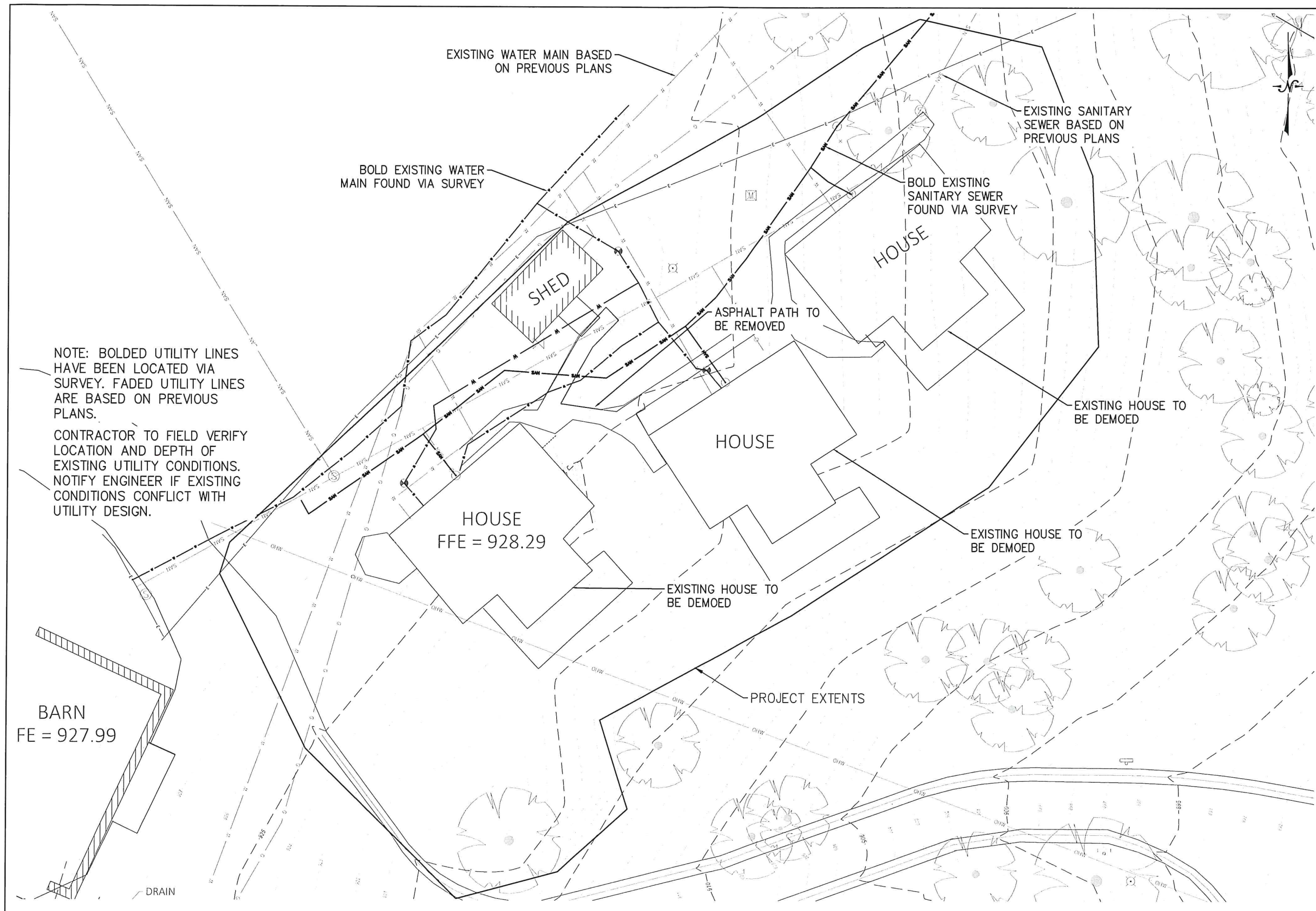
PROJECT NO.
21-0048

SHEET NO.

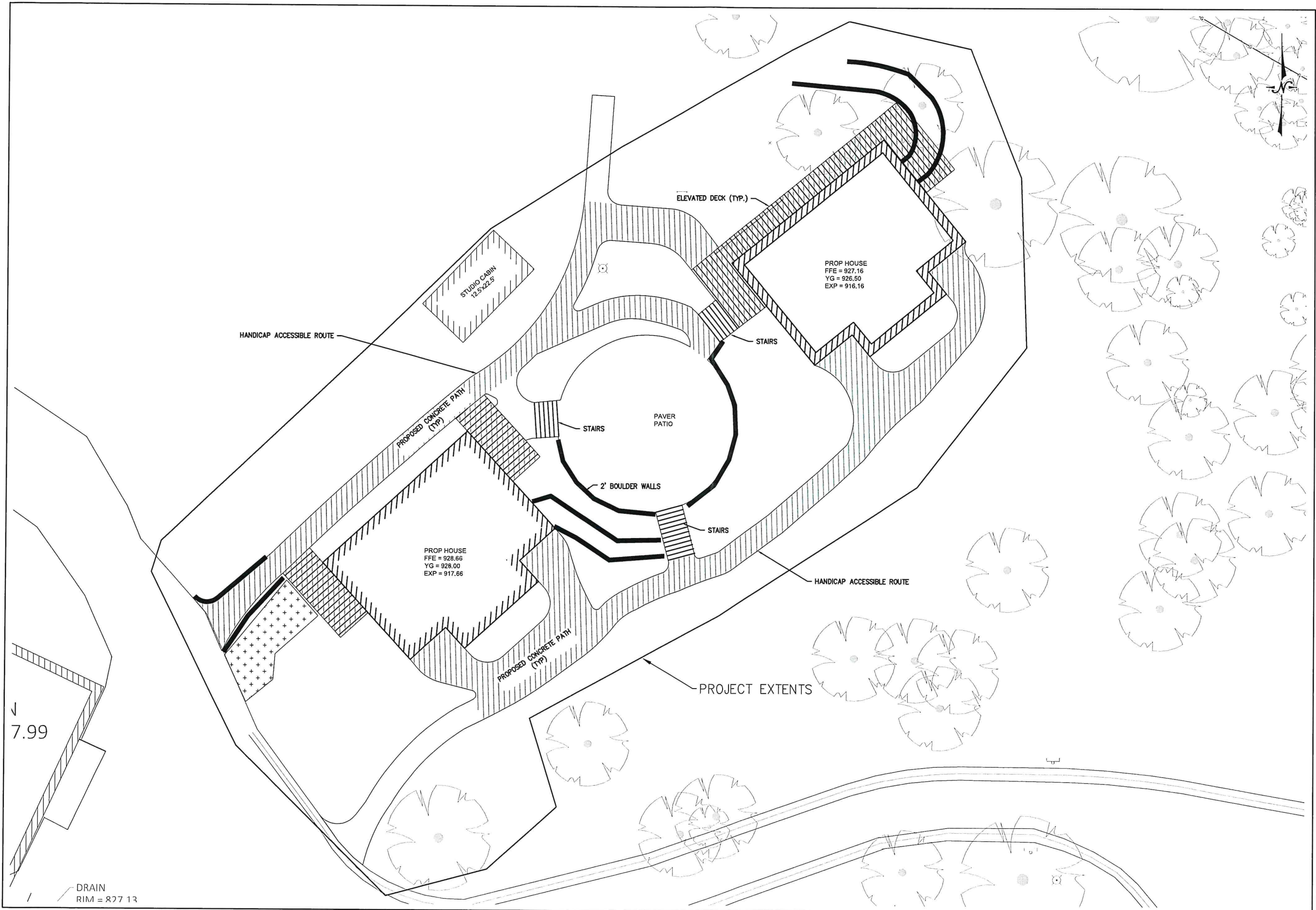
C001



TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
CALL DIGGERS HOTLINE
TOLL FREE
800-242-8511
(414-259-1181 MILWAUKEE METRO)
(TDD: 800-542-2289)
www.diggershotline.com
WIS. STATUTE 182.0175 (1974)
REQUIRES MIN. OF 3 WORK DAYS
NOTICE BEFORE YOU EXCAVATE.



SITE IMPROVEMENT PLANS FOR		COVENANT HARBOR BIBLE CAMP		LAKESHORE, WI	
EX. CONDITIONS		NO. 1		PLAN UPDATES PER ENGINEERS COMMENTS	
REVISIONS		BY SB		DATE 01/07/22	
ISSUED FOR REVIEW		PLAN DATE 11.16.21		DESIGNED BY NJO	
0 10'		SCALE		PROJECT NO. 21.0048	
SHEET NO.		C100		Lynch & Associates Engineering Consultants, LLC	



SITE IMPROVEMENT PLANS FOR
COVENANT HARBOR BIBLE CAMP

LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

SITE PLAN

NO.	REVISIONS	DATE
1	PLAN UPDATES PER ENGINEERS COMMENTS	01/07/22
2	PLAN UPDATES PER ENGINEERS COMMENTS	01/17/22

ISSUED FOR
REVIEW

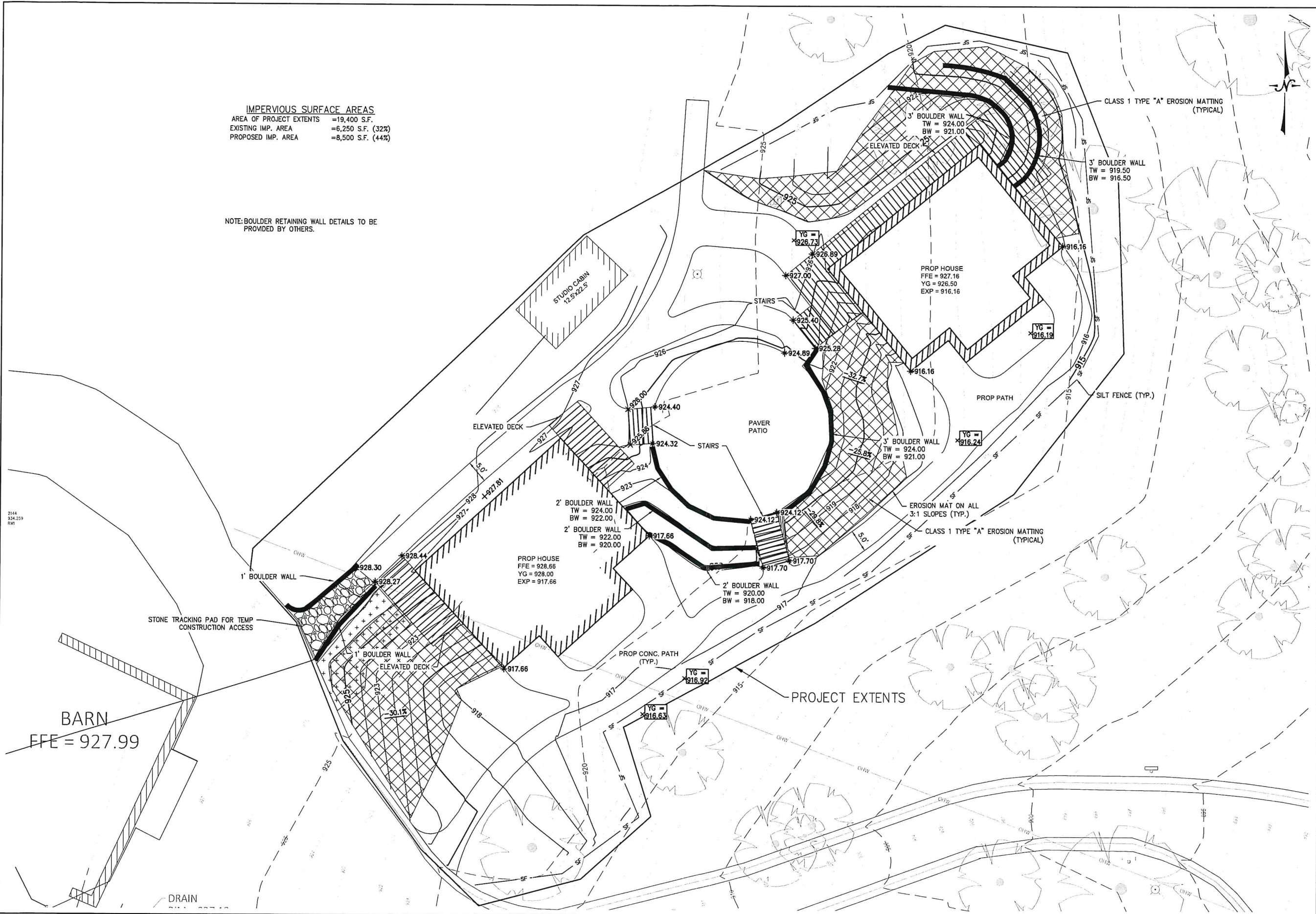
PLAN DATE 11.16.21
DESIGNED BY NJO

0 10'
SCALE

PROJECT NO.
21.0048

SHEET NO.

C101



IMPERVIOUS SURFACE AREAS
AREA OF PROJECT EXTENTS =19,400 S.F.
EXISTING IMP. AREA =6,250 S.F. (32%)
PROPOSED IMP. AREA =8,500 S.F. (44%)

NOTE: BOULDER RETAINING WALL DETAILS TO BE PROVIDED BY OTHERS.

SITE IMPROVEMENT PLANS FOR
COVENANT HARBOR BIBLE CAMP

LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

GRADING & EROSION CONTROL PLAN

NO.	REVISIONS	DATE
1	PLAN UPDATES PER ENGINEERS COMMENTS	01/07/22
2	SITE PLAN UPDATES PER ENGINEERS COMMENTS	01/17/22

ISSUED FOR REVIEW

PLAN DATE 11.16.21
DESIGNED BY NJO

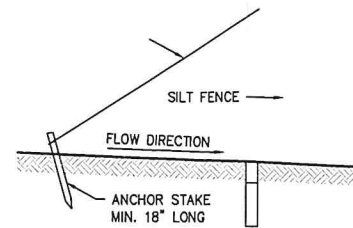
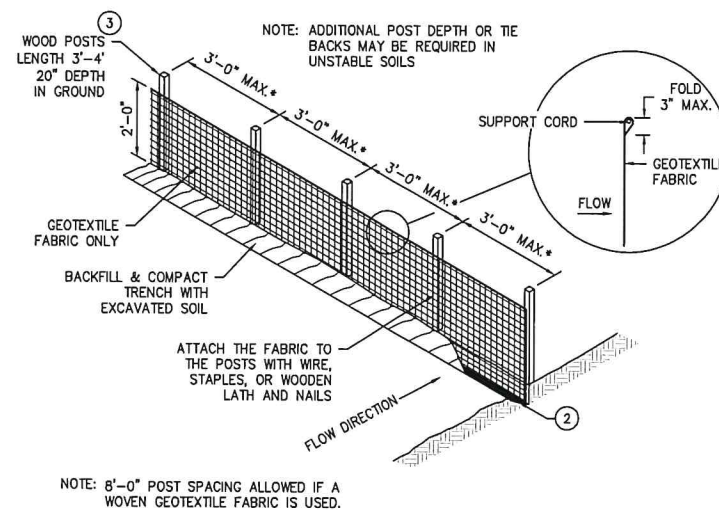
0 10'
SCALE

PROJECT NO.
21.0048

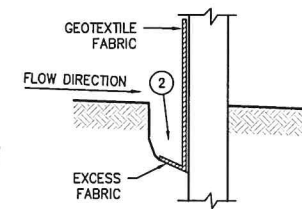
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C102

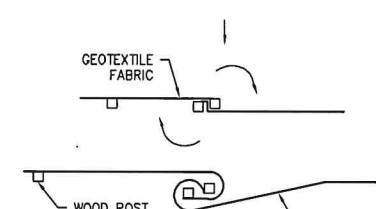
This drawing based on Wisconsin
Department of Transportation
Standard Detail Drawing B E 9-6.



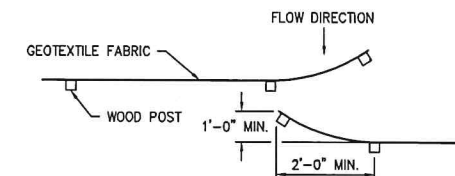
SILT FENCE TIE BACK
(WHEN ADDITIONAL SUPPORT REQUIRED)



TRENCH DETAIL



TWIST METHOD



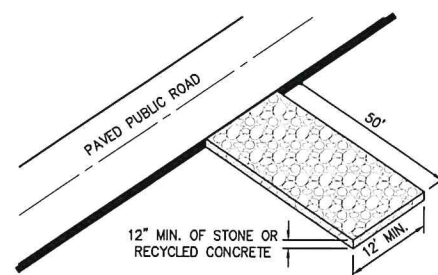
HOOK METHOD

JOINING TWO LENGTHS OF SILT FENCE

GENERAL NOTES:

1. HORIZONTAL BRACE REQUIRED WITH 2" x 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS.
2. TRENCH SHALL BE A MINIMUM OF 4" WIDE AND 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.
3. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1-1/8" x 1-1/8" OF OAK OR HICKORY.
4. SILT FENCE TO EXTEND ACROSS THE TOP OF THE PIPE.
5. CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS:
 - A) OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180°
 - B) HOOK THE END OF EACH SILT FENCE LENGTH.
6. SILT FENCE SHALL BE INSTALLED USING CURRENT WisDOT STANDARDS AT THE TIME OF CONSTRUCTION.

SILT FENCE

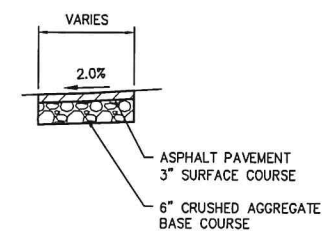


NOTE:
PLACE WSDOT TYPE R GEOTEXTILE FABRIC UNDER
STONE, IF SATURATED CONDITIONS ARE EXPECTED.

STONE TRACKING PAD

STONE GRADATION	
SIEVE SIZE	PERCENT BY WEIGHT PASSING
3"	100
2 1/2"	90-100
1 1/2"	25-60
3/4"	0-20
3/8"	0-5

ALTERNATE - MEET GRADATION FOR WISDOT
SELECT CRUSHED MATERIAL, SECTION 312
OF STANDARD SPECIFICATIONS FOR ROAD
AND STRUCTURE CONSTRUCTION.



ASPHALT TRAIL

SITE IMPROVEMENT PLANS FOR
COVENANT HARBOR BIBLE CAMP
LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

CONSTRUCTION DETAILS

NO.	REVISIONS	BY	DATE
1	PLAN UPDATES PER ENGINEERS COMMENTS	SB	01/07/22

ISSUED FOR
REVIEW

PLAN DATE	11.16.21
DESIGNED BY	NJO

0 NTS
SCALE

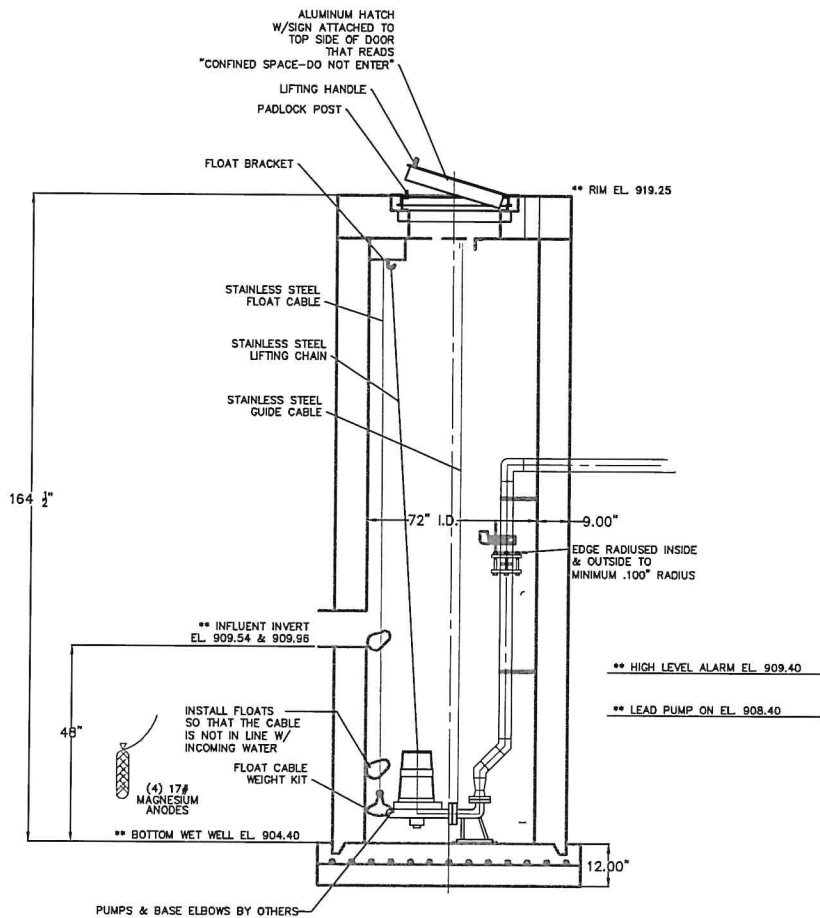
PROJECT NO.
21.0048

SHEET NO.

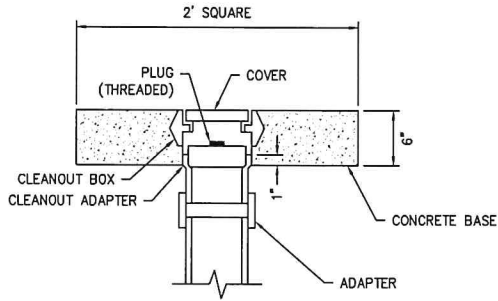
C500

- SANITARY MH 1 NOTES:**
- PREFABRICATED GRINDER PUMP PACKAGE
 - WILL NOT EXCEED 35.0 GPM TO EXISTING SANITARY SYSTEM (BASED ON MAXIMUM CAPACITY OF 4" SANITARY SEWER @ 0.40% SLOPE)
 - WILL HAVE 1,000 GALLON STORAGE CAPACITY
 - TWO GRINDER PUMPS HOUSED WITHIN 6' DIA BASIN
 - FLOAT LEVEL SENSOR AND PANEL TO BE MOUNTED TO POLE ADJACENT TO MH

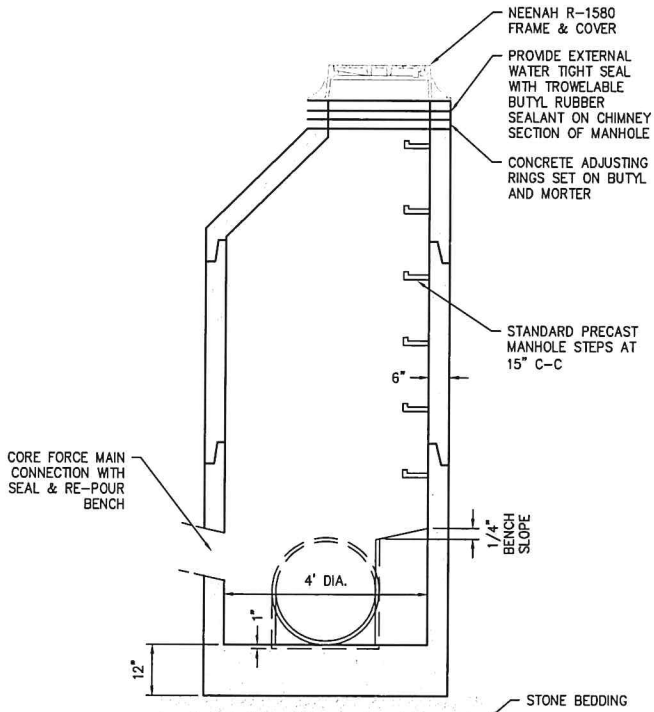
NOTES:
1. PIPING, EXTERNAL TO THE STATION
MUST BE INDEPENDENTLY SUPPORTED.
** VERIFY ELEVATIONS.



**SANITARY MANHOLE 1
W/ EJECTOR PUMP**



SANITARY CLEANOUT



EXISTING MANHOLE 2

**SITE IMPROVEMENT PLANS FOR
COVENANT HARBOR BIBLE CAMP**

LAKE GENEVA, WI

LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

CONSTRUCTION DETAILS

NO. REVISIONS BY DATE

**ISSUED FOR
REVIEW**

PLAN DATE 11.16.21
DESIGNED BY NJO

0 NTS
SCALE

PROJECT NO.
21.0048

SHEET NO.

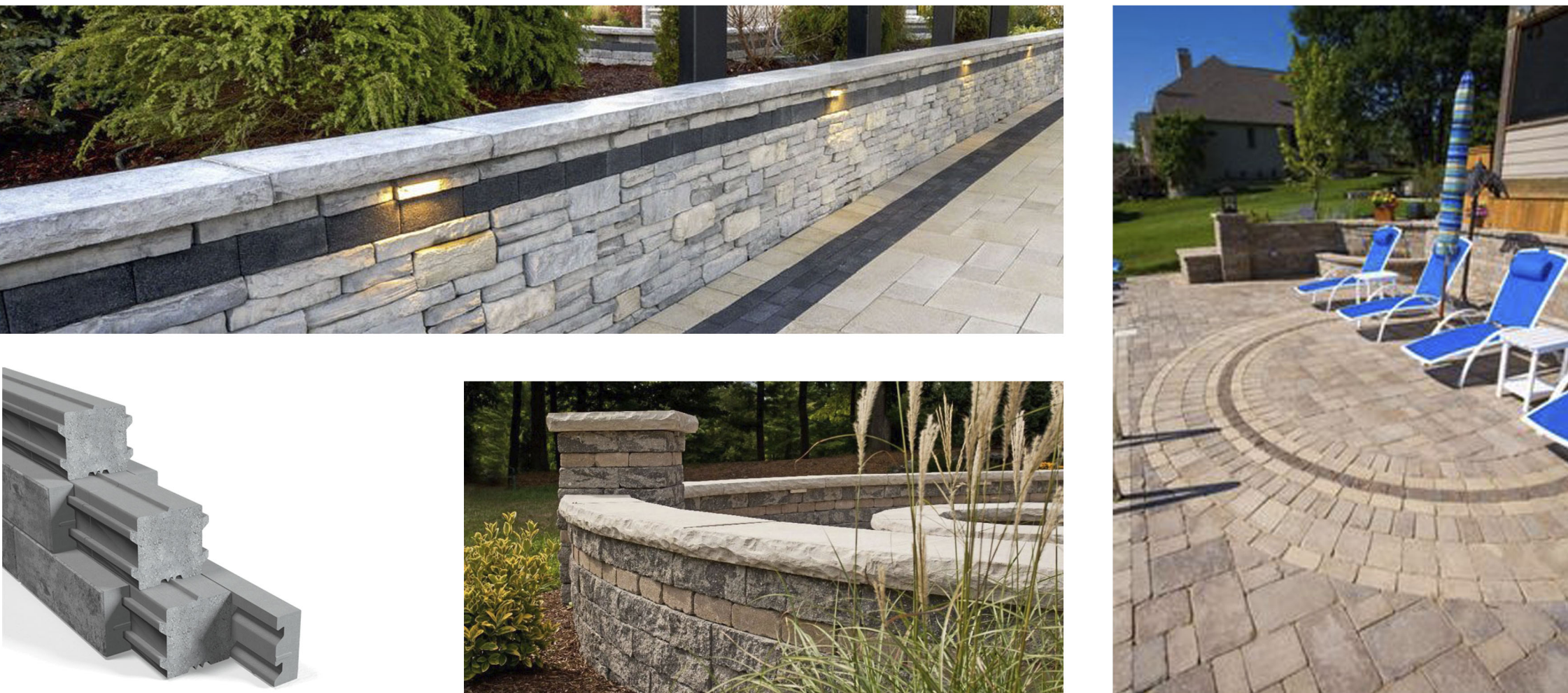
C501

STYLING IMAGES

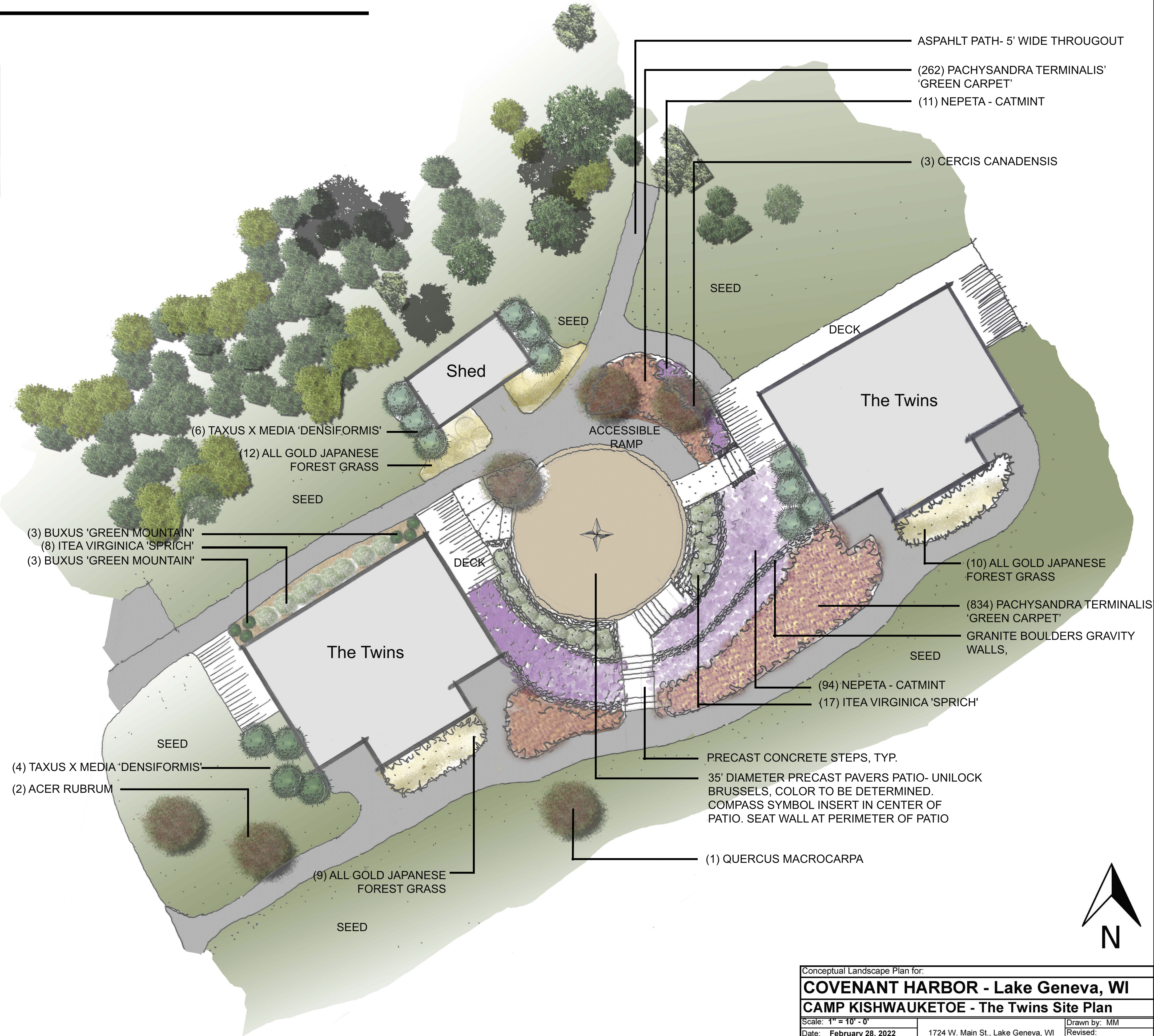
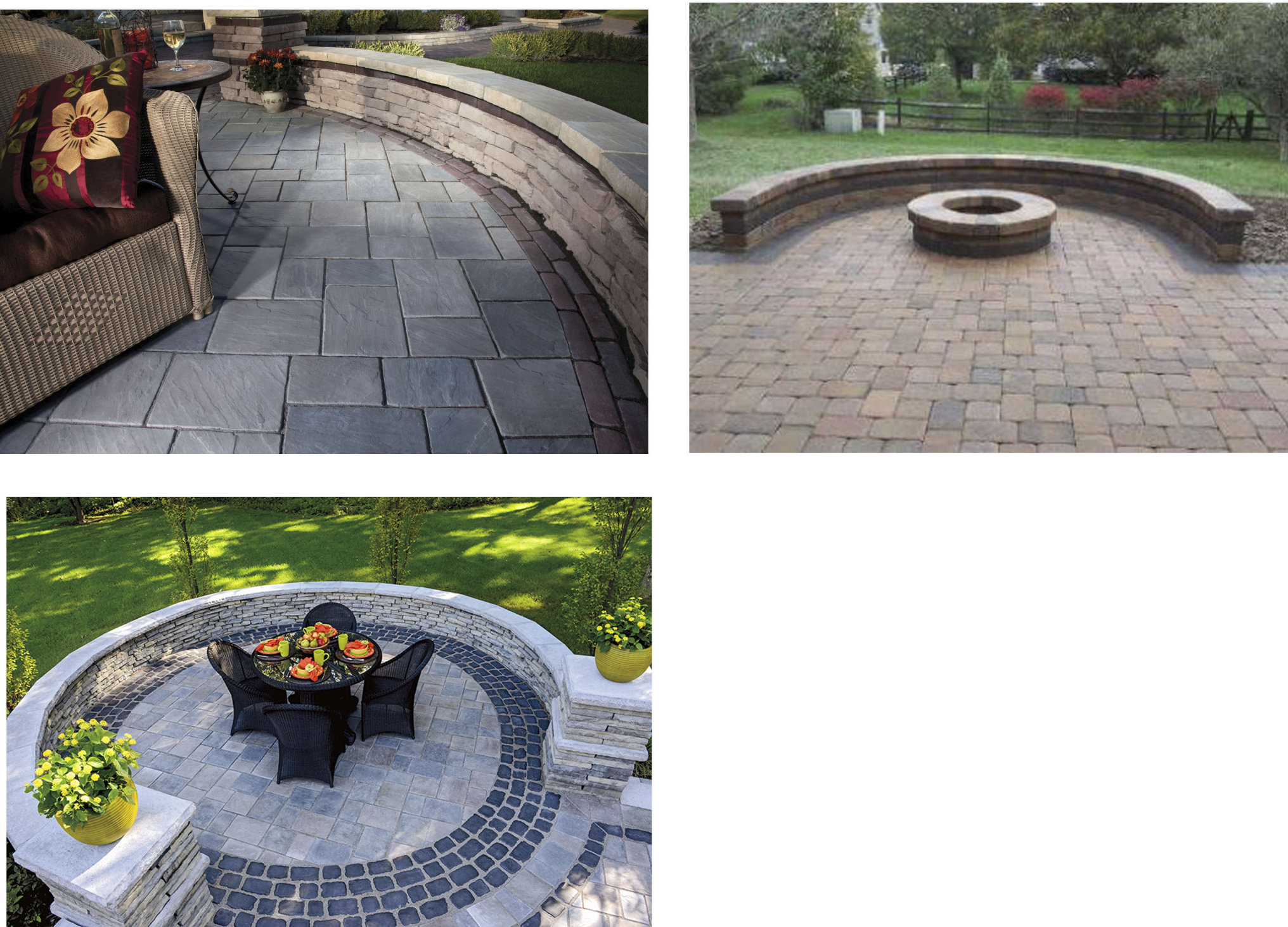
BOULDER GRAVITY WALLS



WALLS



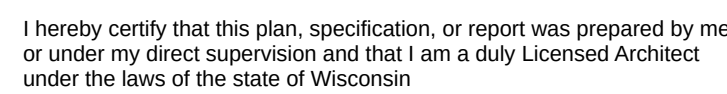
PRECAST PAVERS



LANDSCAPE PLAN

SCALE: 1"=10'-0

Conceptual Landscape Plan for:		
COVENANT HARBOR - Lake Geneva, WI		
CAMP KISHWAUKETOE - The Twins Site Plan		
Scale: 1" = 10' - 0"	1724 W. Main St., Lake Geneva, WI	Drawn by: MM
Date: February 28, 2022		Revised:
	BALANCED ENVIRONMENTS, INC. 17950 WEST ROUTE 173, SUITE B OLD MILL CREEK, IL 60083 office: 847-395-7120 fax: 847-838-6750	
	Branch Office: 951 North Ridge Avenue, Lombard, IL 60148 off: 630-916-8830 fax: 630-916-8055	
The Twins Patio and Landscape Plan		PLAN # 2020 - 001



DATE: 1/10/2022

1724 WEST MAIN STREET, LAKE GENEVA,
WI 53147

1724 WEST MAIN STREET, LAKE GENEVA,
WI 53147

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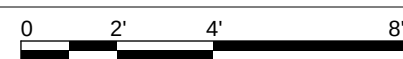
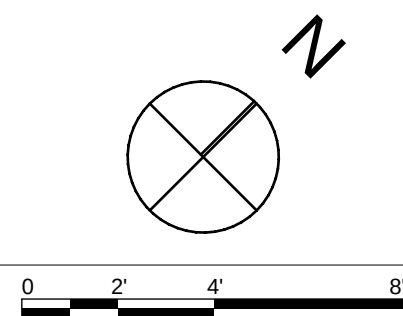
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[illegible]

CONSTRUCTION DOCUMENTS

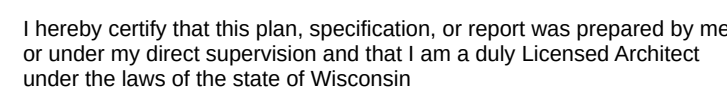
FLOOR PLAN & ELEVATION -
NORTH CABIN

A3.2





1. CEMENT BOARD SHAP SIDING OR EQ
2. CEMENT BOARD LAP SIDING OR EQ (5")
3. 1"x5-1/2" CEMENT BOARD TRIM OR EQ
4. 1"x9-1/4" CEMENT BOARD TRIM OR EQ
5. DECORATIVE LOUVER (NO VENTING)
6. VINYL WINDOW
7. FIBERGLASS EXTERIOR DOOR
8. 1" CEMENT BOARD TRIM OR EQ - RIP TO FIT
9. STONE WITH CAST CONCRETE SILL
10. 6X6 W/D POST WRAPPED WITH 1" CEMENT BOARD TRIM OR EQ
11. COMPOSITE RAILING SYSTEM 4" MAX BETWEEN SPINDLES
12. EXTEND DECK & RAILING AS REQ'D TO MEET GRADE - VIF
13. ARCHITECTURAL ASPHALT SHINGLES
14. 1"x3-1/2" CEMENT BOARD TRIM OVER 1"x11 1/2" CEMENT BOARD TRIM OR EQ
15. 1"x7-1/4" CEMENT BOARD TRIM OR EQ
16. 1"x3-1/2" CEMENT BOARD TRIM OR EQ



DATE: 1/10/2022

1724 WEST MAIN STREET, LAKE GENEVA,
WI 53147

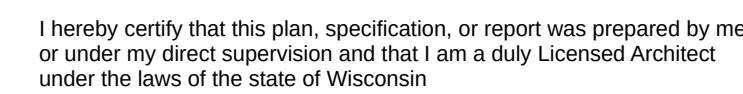
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[illegible]

CONSTRUCTION DOCUMENTS

BUILDING ELEVATIONS



DATE: 1/10/2022

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WI 53147

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[illegible]

BUILDING ELEVATIONS



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CONSTRUCTION DOCUMENTS

BUILDING SECTIONS

MEMORANDUM

To: City of Lake Geneva Plan Commission
From: Sonja Kruesel, AICP; Village Planner, VANDEWALLE & ASSOCIATES
Date: April 11, 2022
Re: Conditional Use Permit Regulations in Response to 2017 WI Act 67

2017 Wisconsin Act 67 limits local government discretion related to the issuance of conditional use permits and establishes a stricter standard for denial. This memo summarizes recent changes to Wisconsin Statutes regulating conditional uses and provides potential amendments to the Lake Geneva Ordinance in response to the legislation.

The Plan Commission discussed this topic at their March 2022 meeting. Information provided for the April 2022 meeting is scheduled for a public hearing and potential action to adopt recommended changes.

Statutory Changes and Implications¹

In 2017, Wisconsin Act 67 added new sections to Wisconsin Statutes governing the issuance of conditional use permits. Prior to these changes, the statutes did not include the term “conditional use permit” nor provide any guidance for issuances of conditional use permits. Rather, the law was based on court decisions. Act 67 codifies some of the case law related to conditional use permits.

First, a critical addition to Statutes was the added definition of “substantial evidence”. Substantial evidence means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.”

Second, Act 67 requires that if an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified by the city, then the city shall grant the conditional use permit.

Finally, Act 67 also provides that conditions imposed “must be related to the purpose of the ordinance and be based on substantial evidence,” and “must be reasonable and to the extent practicable, measurable”. The applicant must present evidence “that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied”.

In summary, local governments have less discretion in conditional use permit decisions, and the standard for denial is higher under Act 67 than previously recognized. Without clearly defined substantial evidence, the local government could be obligated to approve certain conditional use permits. The local government, on the other hand, retains discretionary authority in whether to list a conditional use in a zoning district, whether or not to impose a condition, and whether or not to deny a permit if the applicant cannot meet the conditions imposed.

¹ Summarized from the following document: <https://dpla.wisc.edu/wp-content/uploads/sites/1021/2017/06/2018OhmKeepingUpWithChangesin-WisPZLaws.pdf>

In response to Act 67, local governments are advised to review and possibly amend zoning ordinances to consider shortening the list of conditional uses that could be considered, and / or to require a rezoning to a different district for certain uses. Any conditional use will need to be reviewed against the purpose of the ordinance. Also, any conditions imposed on a specific application will need to be supported with substantial evidence. A multi-step process is also advised, which would allow the city to inform applicants of the conditions the Plan Commission will impose prior to the final decision so the applicant can prove that they can comply with the conditions.

Proposed Ordinance Amendments

Procedures

Section 98-905 of the Lake Geneva Zoning Code contains regulations for “Conditional Use Review and Approval” procedures. Proposed amendments to this section are shown in redline format to track changes. A “clean” version of the proposed ordinance is also provided for ease of review. Many changes are “clean-up” items, which clarify language or update language to match current application requirements, etc. The more substantive changes to this section deal with Act 67. These changes mainly include reference to requirements for substantial evidence. This also includes how substantial evidence and findings are to be recorded in Plan Commission and Council actions. For ease of reference, the sequential steps in the proposed CUP review process are summarized below:

1. Initiation of request (*Sec. 98-905(2)*)
2. Application submitted per requirements (*Sec. 98-905(3)*)
3. Review by zoning administrator for completeness and evaluation for compliance with findings in Section 4(d). (*Sec. 98-905(4)*)
4. Plan Commission Review, Public Hearing, Recommendation (*Sec. 98-905(5)*)
 - a. Public hearing preceded by Class II notice
 - b. Staff provides a Report of Preliminary Recommended Findings
 - c. Plan Commission discusses the Report of Preliminary Recommended Findings, evidence presented during the public hearing, and any changes or conditions with the applicant.
 - d. Plan Commission deliberates and acts on a final recommendation via Resolution that they will send to the Common Council.
5. Council Review and Action (*Sec. 98-905(6)*)
 - a. Final action may be taken

Appeals

Section 98-905 covers application procedures, as summarized above. Part of the proposed procedures is also what to do in case of an appeal. The current ordinance is silent on the process to appeal a CUP decision. Since the code is silent, the city would currently defer to state statute (62.23(7)(e)10), which would send the appeal to circuit court. We recommend continuing to follow the same process, which sends appeals to circuit court, but to clarify this in the ordinance by stating it explicitly. An appeal must be filed within 30 days. A new section was added to the ordinance, Sec. 98-905(7), to address this recommendation.

Land Use Table Amendments

The Lake Geneva zoning ordinance contains a “Table of Land Uses” which summarizes land uses that are permitted versus those that are conditional by zoning district. We present the following changes.

- **Indoor Commercial Entertainment** is a type of land use which provides entertainment services entirely within an enclosed building. These activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, bowling alleys, arcades, roller rinks, and pool halls.

Restaurants are a common land use that are frequently approved without issue, and often include even smaller type operators like gelato shops or coffee shops. This type of land use could be considered fairly distinct from a larger scale indoor commercial entertainment use, such as a bowling alley, which might carry more land use impacts such as heavy peak traffic, parking, and noise.

To reduce the number of conditional use permit requests under this category, we suggest splitting this category into two different scales: small scale indoor commercial and large scale indoor commercial. Small scale indoor commercial uses would be permitted by-right and would include any use not serving alcohol and under 2,000 square feet in floor area. Large scale indoor commercial uses would be conditional and would include any use that serves alcohol and/or that has a floor area over 2,000 square feet, including restaurants, bars, theaters, bowling alleys, pool halls. Any outdoor commercial entertainment would remain as a conditional use as currently codified.

- **Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle** would allow uses that serve for placement of tattoos, permanent make-up or cosmetics on parts of the human body above the clavicle. This use is currently allowed as a conditional use in a handful of zoning districts. We suggest changing this to permitted in all of the same zoning districts. It is our opinion that it would be very difficult to find substantial evidence to deny one of these uses and therefore it should not be listed as a conditional use. Note that other tattoos below the clavicle are categorized in the zoning code as a “sexually oriented land use”, which are handled in the Heavy Industrial (HI) zoning district.
- **Indoor Storage or Wholesaling** land uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities. We suggest changing this from a conditional use to a prohibited use in the Planned Business (PB) and General Business (GB) Zoning Districts due to proximity to residential land uses. The use is currently prohibited in all other business zoning districts. The use would remain as a permitted use in the Planned Industrial (PI), General Industrial (GI) and Heavy Industrial (HI) Zoning Districts.
- **Personal Storage Facility** are land uses oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis. Also known as mini warehouses. We suggest changing this from a conditional use to a prohibited use in the General Business (GB) Zoning District due to proximity to residential land uses. The use is currently prohibited in all other business zoning districts. It would remain a conditional use in the Planned Industrial (PI) and General Industrial (GI) Zoning Districts.

Creation of New “High Impact Zoning Districts”

There are certain uses that are associated with very high impacts and potential to generate nuisances and land use conflict with adjacent properties. Because the standard for reviewing and denying conditional uses has become stricter, if the City would like to maintain a more discretionary authority over these land uses, we suggest the creation of new and completely separate zoning districts that would allow these uses to be considered. We call these “high impact zoning districts”. If the City chooses to establish these new districts, amendments entail developing language for each zoning district, identifying permitted and conditional uses, and adding this information to the Table of Land Uses. If adopted, the new process would be to first pursue a legislative rezoning change, followed by review of a conditional use permit request. In this way, the city maintains discretionary control of where and when the use might be appropriate to establish.

- **Extraction / Disposal Zoning District.** This potential district would provide for quarrying, sand and gravel extraction, and landfill uses, which if sited properly, could be located within the City. Principal permitted uses might include land uses like office, indoor maintenance, outdoor maintenance service, etc. Principal conditional uses could include, extraction, composting, recycling and waste disposal, salvage, or junkyard, etc. If a potential applicant approached the city with a quarry pit for example, it would first require a rezone to the Extraction / Disposal Zoning District, and then a conditional use permit for the use.

Attachments

- **Redline section 98-905 Conditional Use Review and Approval** (Procedures – repeal and replace in entirety)
- **Redline Section 98-203 Table of Land Uses** (repeal and replace in entirety)
- **Redline section 98-206 Detailed Land Use Descriptions and Regulations** including **section 98-205 (m) Piers and Wharfs** (select sections modified)
- **Redline section 98-102 Standard Zoning Districts and Standard Zoning District Categories** including **section 98-105 Purpose and Intent of Standard Zoning Districts** (select sections modified; includes new Extraction / Disposal district at the end)

Section 98-906 Temporary Use Review
and Approval

through

Section 98-906 Temporary Use Review
and Approval**Section 98-905 Conditional Use Review and Approval****(1) Purpose**

- (a) The purpose of this Section is to provide regulations which govern the procedures and requirements for the review and approval, or denial, of proposed conditional uses.
- (b) Certain uses in situations which are of such a special nature, or are so dependent upon actual contemporary circumstances, as to make impractical the predetermination of permissibility, or the detailing in this ordinance of specific standards, regulation, or conditions which would permit such determination in each individual situation, may be permitted as conditional uses.
- (c) ~~Under this Chapter, a proposed conditional use shall be denied unless the Applicant can demonstrate, to the satisfaction of the city, that the proposed Conditional Use will not create undesirable impacts on nearby properties, the environment, nor the community as a whole.~~

(2) Initiation of Request for Approval of a Conditional Use: Proceedings for approval of a conditional use may be initiated by an application of the owner(s) of the subject property or authorized agent of the owner(s) of the subject property.**(3) Application Requirements:** All applications for proposed conditional uses shall be certified as complete by the Zoning Administrator prior to the initiation of this procedure. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred. The item may be placed on any agenda as a discussion-only item, with the permission of the Zoning Administrator, without an application. Prior to the submittal of the Official Notice regarding the application to the newspaper by the City Clerk, the Applicant shall provide 8 copies and 1 digital copy of the complete application as certified by the Zoning Administrator. Said complete application shall be comprised of all of the following:

- (a) A map of the subject property showing all lands for which the conditional use is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Walworth County (as provided by the City of Lake Geneva). Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
- (b) A map, such as the Future 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, as well as the number of employees and the hours of operation;
- (d) A site plan of the subject property as proposed for development. Said site plan shall conform to the requirements of Section 98-908(3). If the proposed conditional use is a cluster development (per Section 98-206(1)(b) through (f)) or 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) ~~As an optional requirement, the Applicant may wish to provide written justification for the~~

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~~proposed conditional use consisting of the reasons why the Applicant believes the proposed conditional use is appropriate, particularly as evidence by compliance with the standards set forth in Subsection (4)(b)1.-6., below. Written justification for the proposed conditional use demonstrating evidence that the application conforms to the findings described in Subsection (4)(d), and meets any additional standards required in the applicable zoning district;~~

- (f) Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic. A Traffic Impact Analysis (TIA) meeting Wisconsin Department of Transportation requirements for content and format may be required by the City if deemed necessary by the Zoning Administrator.
 - (g) Compliance with stormwater and erosion control standards.
 - (h) Anticipated noise, odors, dust, soot, runoff, pollution, exterior storage, vibration, glare, or lighting, and measures taken to mitigate impacts to neighboring properties. Refer to Article VII for all performance standards.
 - (i) A listing of hazardous, toxic, or explosive materials stored on site, and any spill containment, safety, or pollution prevention measures taken.
 - (j) Written description of how the proposed conditional use and all requirements established by the City relating to the conditional use are or shall be satisfied.
- (4) **Review by The Zoning Administrator:** The proposed conditional use shall be reviewed by the Zoning Administrator as follows:
- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not complete or does not fulfill the requirements of this Chapter, he/she shall return the application to the Applicant. If the Zoning Administrator determines that the application is complete, he/she shall so notify Applicant.
 - (b) The Zoning Administrator may coordinate review with other City Departments.
 - (c) The Zoning Administrator shall review the complete application and evaluate the proposed conditional use against the findings listed in Subsection (d), below.
 - (d) 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 conditional use provided in the application and for compliance with the standards of Subsection (4)(d)1.-6. below: ~~The zoning administrator shall also evaluate the application to determine whether the requested is in harmony with the recommendations of the city's comprehensive plan;~~
 - 1. The proposed conditional use (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 - 2. The proposed conditional use (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, 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

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- 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 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 the 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 (as identified in Subsections 1. through 5., above), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.
- (e) The Zoning Administrator shall forward the report per (4)(d) 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 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 approve a conditional use 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. A public hearing may be held more than 45 days from the filing of the complete application when requested by the applicant in writing. The Applicant may appear in person, by agent, and/or by attorney. Notice of the proposed conditional use and the public hearing shall conform to the requirements of Section 62.23(7)(de) of the Wisconsin Statutes. Said notice shall contain a description of the proposed conditional use. 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.
1. Statements of personal preferences or speculation not based on substantial evidence must be disregarded by the Plan Commission. Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.
 2. The Plan Commission may request further information and/or additional reports from the Zoning Administrator, applicant, and/or from any other source. If such necessary expertise is not available from City Staff, public academic institutions, or from appropriate regional, state, or federal agencies, the committee may consult with a third party to effectively evaluate a conditional use permit application. The application for the conditional use permit shall bear all reasonable costs and expenses associated with such

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- consultation. Applicants retain the right to withdraw a pending conditional use permit application if they choose not to pay consultant fees.
3. The Plan Commission shall hear all substantial evidence regarding the proposed Conditional Use Permit from staff, the applicant, and the public during the public hearing. Any evidence not deemed substantial evidence as defined in Section 5(a)(1), above, shall not be admissible.
 - (b) At the public hearing, the Zoning Administrator shall provide a written Report of Preliminary Recommended Findings. The report shall contain, at minimum, all substantial evidence presented in the public hearing, evaluation of compliance with the standards of Subsection (4)(d)1.-6., the recommended findings, and the recommended motion to either approve the use as originally proposed, approve the proposed conditional use with modifications and/or conditions, or deny approval of the proposed conditional use.
 - (c) The Plan Commission shall consider the report and may take final action by resolution on the application to either approve the use as originally proposed, approve the proposed conditional use with modifications and/or conditions, or deny approval of the proposed conditional use. Final action by the Plan Commission action shall consist of all of the following:
 1. The formal finding of facts concerning the requirements of (4)(b d)1. through 6.
 2. The City's decision to approve or deny the permit must be supported by substantial evidence. Any condition imposed by the City must be related to the purpose of the ordinance and be based on "substantial evidence" as defined in Wis. Stat. 62.23((7)(de)1.b.
 - (a) Conditions, if based on substantial evidence, may include, and are not limited to the following, as well as other conditions necessary to meet the findings above: (1) Expiration dates on conditional use permits, except for permits for communication towers under Section 98-206(7)(c). Continuation or extension of an expired conditional use requires re-application and approval by the Plan Commission and Common Council. (2) Limits on hours or days of operation, or number of events each year. (3) Limits on numbers of employees. (4) Limits on numbers of total people, vehicles, or animals on the premises at any one time. (5) Limits on total quantity or volume of product on the premises at any one time. (6) Limits on square footage of buildings or outdoor areas devoted to the proposed use.
 3. The conditions described under Subsection a., above, must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.
 4. The applicant must demonstrate whether the application and all requirements and conditions established by the City related to the conditional use are or will be satisfied, both of which must be supported by substantial evidence per Subsection (6)(a)(1).
 5. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this Title, or those imposed by the Plan Commission and the Common Council, the City shall grant the conditional use permit.
 - (d) If the Plan Commission fails to make a report within 60 days after the filing of said complete application (and in the absence of an 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

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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)(de).

- (6) **Review and Action by Common Council:** Common Council shall consider the Plan Commission's recommendation regarding the proposed conditional use. 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 conditional use as originally proposed, may approve the proposed conditional use 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 conditional use. The Common Council's approval of the requested conditional use shall be considered the approval of a unique request and shall not be construed as precedent for any other proposed conditional use.
- (a) Final action by the Common Council shall consist of all items listed in Section (5)(C)1.-5., above, and any modifications or additions as determined by the Common Council.
- (7) **Appeals of a Common Council Decision of a Conditional Use Permit:** Any persons aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the offices of the City Clerk.
- (8) **Effect of Denial:** No application which has been denied (either wholly or in part) shall be resubmitted for a period of 365 days from the date of said order of denial, except on grounds of new evidence, or proof of change of factors, is found to be valid by the Zoning Administrator.
- (9) **Revocation of an Approved Conditional Use:** Upon approval by Common Council, the Applicant must demonstrate that the proposed conditional use meets all conditional use requirements in the site plan required for initiation of development activity on the subject property per Section 98-908. Once a conditional use is granted, no Erosion Control Permit, Site Plan approval (per Section 98-908), Certificate of Occupancy (per Section 98-909), or Building Permit shall be issued for any development which does not comply with all requirements of this Chapter. Any conditional use found not to be in compliance with the terms of this Chapter shall be considered in violation of this Chapter and shall be subject to all applicable procedures and penalties. A conditional use may be revoked for such a violation by majority vote of the Common Council, following the procedures outlined in Subsections (2) through (7), above. The City shall provide the property owner with appropriate served notice to consider revocation.
- (10) **Time Limits on the Development of Conditional Use:** The start of construction of any conditional use shall be initiated within 365 days of their approval by Common Council and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use. For the purposes of this Section, "operational" shall be defined as the granting of a Certificate of Occupancy for the conditional use. Prior to such a revocation, the Applicant may request an extension of this period. Said request shall require formal approval by Common Council and shall be based upon a showing of acceptable justification (as determined by Common Council). However, as a

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condition of approval, the 365-day and/or 730-day time limits may be extended for any specific period to accommodate phased or multi-stage development.

- (11) **Discontinuing an Approved Conditional Use:** Any conditional use which have been discontinued for a period exceeding 365 days shall have their conditional use invalidated automatically. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this period.
- (12) **Modification, Alteration, or Expansion.** Modification, alteration, or expansion of any conditional use in violation as approved per (6), above, without approval by Common Council, shall be grounds for revocation of said conditional use approval per (9), above.
- (13) **Change of Ownership:** All requirements of the approved conditional use shall be continued regardless of ownership of the subject property, except where limited explicitly by the Common Council.
- (14) **Limited Conditional Uses:** A limited conditional use is any development, activity, or operation for which a conditional use permit has been approved that is limited to a specific operator or property owner, or to a specific date or event upon which the conditional use permit either expires or is required to be reviewed and reapproved. The Plan Commission may require any proposed conditional use request to be a limited conditional use. The Plan Commission shall specify which of the following characteristics, based on substantial evidence, are present that create the need for the limited conditional use:
- (a) A particular aspect of the specific land use.
 - (b) A particular aspect of the proposed operation (including, but not limited to, operating hours).
 - (c) A particular aspect of the proposed location.
 - (d) A particular aspect of the proposed site design.
 - (e) A particular aspect of the adjacent property or of the surrounding environs.
 - (f) Any other reason(s) the Plan Commission deems specifically relevant and material.
- (15) **Successor Conditional Uses.** A successor conditional use is a land use which has been granted a conditional use permit by the City, which is proposed to undergo one or more of the following changes:
- (a) Changing from the specific use originally permitted by the conditional use to another operation of the same use within 365 days of the ending of the original use. For example, changing from one restaurant to another is permitted. However, changing from a restaurant to a tavern is not permitted even though both are considered Indoor Commercial Entertainment land uses. Likewise, changing from a drive-through restaurant to a drive-through bank is not permitted, even though both are considered a Drive-Through under In-Vehicle Sales and Service.
 - (b) A change in the ownership of the subject property.
 - (c) A change in the ownership of the business or other operator of the land use.
 - (d) Other changes explicitly identified in a previously issued conditional use permit that are identified as acceptable successor conditional uses.
 - (e) Purpose: The purpose of these provisions is to create a process that: (1) reduces the costs and time needed to approve a successor conditional use. (2) Verifies that the proposed

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- change is a valid successor conditional use. (3) Creates a record that the proposed change is approved. (4) Provides the land use and City with a list of all applicable requirements.
- (f) Proposed Expansions Are Not Eligible. Any physical enlargement of a previously approved conditional use in terms of buildings, structures, activity areas, and/or any expansion to the conditions of operation beyond the limits of site plans, floor plans and conditions of operation (i.e. peak traffic) approved through the conditional use process shall not be eligible for treatment as a successor conditional use and must seek an amendment to its conditional use permit through the conditional use process.
- (g) Limited Conditional Uses shall not be eligible for treatment as a successor conditional use.
- (16) ~~Notice to the DNR: The Plan Commission shall transmit a copy of each application for a conditional use for conservancy regulations in the Shoreland-Wetland, Floodway, Floodplain, or Floodfringe Overlay Zoning Districts to the Wisconsin Department of Natural Resources (DNR) for review and comment at least 10 days prior to any public hearings. Final action on the application shall not be taken for 30 days or until the DNR has made its recommendation, whichever comes first. A copy of all decisions relating to conditional uses for shoreland-wetland conservancy regulations or to floodland regulations shall be transmitted to the DNR within 10 days of the date of such decision.~~
- (17) **Recording of Conditional Use Requirements:** Except for conditional use approvals for temporary uses, a certified copy of the authorizing resolution, containing identifiable description and any specific requirements of approval, shall be recorded by the City with the County Register of Deeds office. The City shall record modifications, alterations, and expansions as well as expired or revoked conditional use permits.
- (18) **Uses Now Regulated as Conditional Uses which were Approved as Legal Land Uses -- Permitted by Right or as Conditional Uses -- Prior to the Effective Date of this Chapter:** A use now regulated as a conditional use which was approved as a legal land use -- either permitted by right or as a conditional use -- prior to the Effective Date of this Chapter shall be considered as a legal conforming land use so long as the previously approved conditions of use and site plan are followed. Any modification of the previously approved conditions of use or site plan shall require application and City consideration under this Section.
- (19) **Fee:** One or more fees are required for this procedure. Refer to Section 98-935(1)(d).

Section 98-203 Tables of Land Uses

This Chapter regulates the location of land uses to specific zoning districts through the use of the Tables of Land Uses contained in this Section (See the following pages for Tables).

Table 98-203(1) Tables of Land Uses

P	=	Permitted by Right in a Conventional Development (See 98-206(1)(a).)
C	=	Permitted as a Conditional Use (See Section 98-905)
CI	=	Permitted as a Conditional Use in a Cluster Development (See Section 98-206(1)(b))
I	=	Permitted as a Conditional Use in an Institutional Residential Development (See 98-206(1)(c))
M	=	Permitted as a Conditional Use within a Mobile Home Development or Park (See 98-206 (1)(d) or (e))
+	=	Permitted as a Conditional Use until 365 days after the Effective Date of this Zoning Ordinance

Zoning District Abbreviations

RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		DWELLING UNIT TYPES (SEE 98-034)
P	P	P	P	P	P	P	P		P									(1) Single-Family Detached 35 acre lot
	P	P	P	P	P	P	P		P									(2) Single-Family Detached 5 acre lot
	CI	P	P	P	P	P	P		P									(3) Single-Family Detached 40,000 sf lot
			P	P	P	P	P		P									(4) Single-Family Detached 15,000 sf lot
				P	P	P	P		P									(5) Single-Family Detached 9,000 sf lot
				+	P	P	C		C									(6) Twin Homes/Duplex 6,000 sf per du
				+	C	P	C		C									(7) Two-Flat 9,000 sf lot
						P	C		C									(8) Townhouse 4,500 sf lot
						P	C		C									(9) Multiplex 4,500 sf per du
						P	C		C									(10) Apartment 4,500 sf per du
						I	I	I	I	I	I	I						(11) Institutional Residential 9,000 sf lot
					M													(12) Mobile Home 9,000 sf lot
RH Rural Holding							TR Two-family Res					NB Neighborhood Business					PI Planned Industrial	
CR Countryside Res							MR Multi-family Res					PB Planned Business					GI General Industrial	
ER Estate Residential							NO Neighborhood Office					GB General Business					HI Heavy Industrial	
SR Single-family Res							PO Planned Office					CB Central Business					PBP Planned Business Park	

Table 98-203(2) and (3) Tables of Land Uses

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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Zoning District Abbreviations	
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RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		NONRESIDENTIAL LAND USES
																		AGRICULTURAL USES (98-206(2)(L))
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(a) Cultivation
C																		(b) Husbandry
C																		(c) Intensive Agriculture
C															C			(d) Agricultural Services
P																		(e) On-Site Agricultural Retail
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(f) Selective Cutting
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			(g) Clear Cutting
																		INSTITUTIONAL USES (98-206(3)(L))
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(a) Passive Outdoor Public Recreational
P	P	P	P	P	P	P	P	P	P	P	P	P	P					(b) Active Outdoor Public Recreational
C	C	C	C	C	C	C	P	P	P	P	P	P	P					(c) Indoor Institutional
C	C	C	C	C	C	C	C	C	C	C	C	C	C					(d) Outdoor Institutional
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(e) Public Services and Utilities
						C	C	C	C	C	C	C						(f) Institutional Residential
P	P	P	P	P	P	P	C		C									(g) Community Living Arrangement (1-8 res.)
	C	C	C	C	P	P	C	C	C									(h) Community Living Arrangement (9-15)
						C	C	C	C									(i) Community Living Arrangement (16+)

RH Rural Holding	TR Two-family Res	NB Neighborhood Business	PI Planned Industrial
CR Countryside Res	MR Multi-family Res	PB Planned Business	GI General Industrial
ER Estate Residential	NO Neighborhood Office	GB General Business	HI Heavy Industrial
SR Single-family Res	PO Planned Office	CB Central Business	PBP Planned Business Park

Table 98-203(4) Tables of Land Uses

P = Permitted by Right (98-202(2))

C = Permitted as a Conditional Use (98-202(4))

Zoning District Abbreviations

RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		COMMERCIAL USES (98-206(4)(L))
							P	P	P	P	P	P	P	P	P	P	P	(a) Office
							P	P	P	P	P	P	P			P		(b) Personal or Professional Services
							C	C	P	P	P	P	C					(c) Indoor Sales or Services
										C	C	C						(d) Outdoor Display (Ord. No. 01-19 2/12/01)
									P	P	P	P	P	P	P		P	(e) Indoor Maintenance Service
															C	C	P	(f) Outdoor Maintenance Service
								C	C	C	C	C						(g) In-Vehicle Sales or Service
							P	P	P	P	P	P	P					(h) Indoor Commercial Entertainment, <i>Small Scale</i>
							C	C	C	C	C	C	C					(i) Indoor Commercial Entertainment, <i>Large Scale</i>
C							C	C	C	C	C	C	C					(j) Outdoor Commercial Entertainment
C										C	C		C	C		C		(k) Commercial Animal Boarding
								C		C	C	C						(l) Commercial Indoor <i>Entertainment</i> <i>Lodging</i>
C	C	C	C	C	C	C	C		C	C	C	C						(m) Bed and Breakfast Establishments
					C	C	C	C	C	C	C	C	C	C		C		(n) Group Day Care Center (9+children)
C																		(o) Campground
						C	C		C		C	C						(p) Boarding House
															C			(q) Sexually-Oriented Land Use
										C	C			C	C			(r) Vehicle Repair and Maintenance
C										C								(s) Intensive Outdoor Recreation
							C	C	C	C	C	C	C			C		(t) Physical Activity Studio
							P	P	P	P	P	P	P					(u) <i>Personal or Professional Service</i> <i>involving tattoos and permanent</i> <i>cosmetics above the clavicle.</i>
RH Rural Holding							TR Two-family Res					NB Neighborhood Business					PI Planned Industrial	
CR Countryside Res							MR Multi-family Res					PB Planned Business					GI General Industrial	
ER Estate Residential							NO Neighborhood Office					GB General Business					HI Heavy Industrial	
SR Single-family Res							PO Planned Office					CB Central Business					PBP Planned Business Park	

Table 98-203(5), (6) and (7) Tables of Land Uses

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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Zoning District Abbreviations	
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																	Type of Land Use					
RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX					
																		STORAGE/DISPOSAL (98-206(5)(L))				
													P	P	P		P	(a) Indoor Storage or Wholesaling (Ord. No. 01-19 2/12/01)				
														C	P		P	(b) Outdoor Storage or Wholesaling				
													C	C				(c) Personal Storage Facility				
																	C	(d) Junkyard or Salvage Yard				
																	C	(e) Waste Disposal Facility				
																	C	(f) Composting Operation				
																		TRANSPORTATION USES (98-206(6)(L))				
											P	P		P	P			(a) Off-Site Parking Lot				
C								C					C	C	C			(b) Airport/Heliport				
														C	C			(c) Freight Terminal				
													C	P	P			(d) Distribution Center				
																		TRANSPORTATION USES (98-206(7)(L))				
													P	P	P			(a) Light Industrial				
															P			(b) Heavy Industrial				
C													C	C	C			(c) Communication Tower				
C																	C	(d) Extraction Use				
RH Rural Holding						TR Two-family Res						NB Neighborhood Business						PI Planned Industrial				
CR Countryside Res						MR Multi-family Res						PB Planned Business						GI General Industrial				
ER Estate Residential						NO Neighborhood Office						GB General Business						HI Heavy Industrial				
SR Single-family Res						PO Planned Office						CB Central Business						PBP Planned Business Park				

Table 98-203(8) Tables of Land Uses

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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Zoning District Abbreviations	
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RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		ACCESSORY USES (98-206(8)(L))
									C	C	C	C						(a) Commercial Airport
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(b) Farm Residence
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(c) Private Residential Garage or Shed
							P	P	P	P	P	P	P	P	P			(d) Company Cafeteria
							P/C	P/C		P/C	P/C	P/C	P/C	P/C	P/C			(e) Company Provide On-Site Recreation
C										C	C							(f) Outdoor Display Incidental
							C	C	C	C	C	C	C					(g) In-Vehicle Sales and Services
													P	P	P			(h) Indoor Sales Incident to Light Ind. Use
									C	C	C	C						(i) Light Ind. Incidental to Indoor Sales
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(j) Home Occupation
P	P	P	P	P	P	P												(k) Family Day Care Home (4-8 children)
C	C	C	C	C	C	C												(l) Intermediate Day Care Home (8-15 children)
C															C			(m) Migrant Labor Camp
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(n) On-Site Parking Lot
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(o) Private Residential Recreational Facility
C	C	C																(p) Private Residential Kennel
C																		(q) Private Residential Stable
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(r) Drainage Structure
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(s) Filling
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(t) Lawn Care of Subject Property
C	C	C																(u) Septic Systems
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(v) Exterior Communication Devices
	C	C																(w) Caretaker's Residence
C	C	C	C	C	C	C												(x) Second Private Residential Garage
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(y) Tourist Rooming House
RH Rural Holding						TR Two-family Res						NB Neighborhood Business						PI Planned Industrial
CR Countryside Res						MR Multi-family Res						PB Planned Business						GI General Industrial
ER Estate Residential						NO Neighborhood Office						GB General Business						HI Heavy Industrial
SR Single-family Res						PO Planned Office						CB Central Business						PBP Planned Business Park

Table 98-203(9) Tables of Land Uses

T = Permitted as a Temporary Use (98-202(6))

Zoning District Abbreviations																			
RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use	
																		TEMPORARY USES (98-206(9)(L))	
									T	T	T	T						(a) General Temporary Outdoor Sales	
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			(b) Outdoor Assembly	
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			(c) Contractor's Project Office	
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		(d) Contractor's On-Site Equipment Storage	
							T	T	T	T	T	T	T	T	T	T		(e) Relocate-able Residence	
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		(f) On-Site Real Estate Sales Office	
T									T	T	T	T	T	T				(g) Outdoor Sales of Farm Products	
RH Rural Holding						TR Two-family Res						NB Neighborhood Business						PI Planned Industrial	
CR Countryside Res						MR Multi-family Res						PB Planned Business						GI General Industrial	
ER Estate Residential						NO Neighborhood Office						GB General Business						HI Heavy Industrial	
SR Single-family Res						PO Planned Office						CB Central Business						PBP Planned Business Park	

Section 98-204 Table of Land Uses Permitted in Permanently Protected Green Space Areas

In all developments, certain areas may be required to be set aside as permanently protected green space for the purpose of natural resources protection, to meet a Minimum Green Space Ratio (GSR) requirement, or to meet a Minimum Landscape Surface Ratio (LSR) requirement. Where such permanently protected green space is required, and where the land use is also permitted per the land use regulations of the applicable conventional zoning district (see Section 98-203, Table of Land Uses), the following table shall also be employed to establish land use regulations. All land uses listed in Section 98-203 but not listed in this Section are prohibited in permanently protected green spaces.

Table 98-204: Land Uses Permitted in Permanently Protected Green Space Areas						
Land Use	Permanently Protected Green Space Areas					
	Conservancy	Drainageway	Lakeshore	Woodland	Steep Slope	Other Permanently Protected Green Space
(a) Cultivation						C
(b) Passive Outdoor Recreation	P	P	P	P	P	P
(c) Active Outdoor Recreation						P
(d) Outdoor Institutional						P
(e) Lawn Care (mow-feed-seed-weed)	C	C	C	C	C	P
(f) Golf Course	C	C	C	C	C	P
(g) Any Permitted Temporary Use						P,T
(h) Drainage Structure	C	C	C	C	C	C
(i) Filling	C	C	C	C	C	C
(j) Septic System						C
(k) Road, Bridge						
(l) Utility Lines & Related Facilities	C	C	C	C	C	C
(m) Piers and Wharfs	P	P	P	P	P	P
(n) Fences (Ord. No. 04-04 1/26/04)	C	C	C	P	P	C
C: Permitted as a Conditional Use per 98-206(10), 98-203, and 98-905						
T: Permitted as a Temporary Use per 98-206(10), 98-203, and 98-206.						

(Renumber section titles as needed due to addition of new land use category)

Section 98-206 Detailed Land Use Descriptions and Regulations

(4) Commercial Land Uses

- (a) Office
- (b) Personal or Professional Services
- (c) Indoor Sales or Services
- (d) Outdoor Display
- (e) Indoor Maintenance Service
- (f) Outdoor Maintenance Service
- (g) In-Vehicle Sales or Service
- (h) Indoor Commercial Entertainment, **Small Scale**
- (i) Indoor Commercial Entertainment, **Large Scale**
- (j) Outdoor Commercial Entertainment
- (k) Commercial Animal Boarding
- (l) Commercial Indoor Lodging
- (m) Bed and Breakfast Establishments
- (n) Group Day Care Center (9+ Children)
- (o) Campground
- (p) Boarding House
- (q) Sexually-Oriented Land Use
- (r) Vehicle Repair and Maintenance
- (s) Intensive Outdoor Recreation
- (t) Physical Activity Studio
- (u) Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle.

Section 98-206 Detailed Land Use Descriptions and Regulations

(4) Commercial Land Uses

(h) Indoor Commercial Entertainment, Small Scale

Description: Small scale indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building, which are under 2,000 gross square feet and which do not serve alcohol. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants and cafes, ~~taverns, theaters, bowling alleys, arcades, roller rinks, and pool halls.~~

1. Permitted by Right: ~~Not applicable~~{NO, PO, NB, PB, GB, CB, PI}

~~4.2.~~ Conditional Use Regulations: Not applicable.

(i) Indoor Commercial Entertainment, Large Scale

Description: Large scale indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building, which is over 2,000 gross square feet and/or which serves alcohol. Examples of such land uses include restaurants, taverns, theaters, bowling alleys, arcades, roller rinks, and pool halls.

1. Permitted by Right: Not applicable.

~~4.2.~~ Conditional Use Regulations {NO, PO, NB, PB, GB, CB, PI}:

- a. If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
- b. Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property (see Section 98-610).
- c. Shall comply with Section 98-905, standards and procedures applicable to all conditional uses.

~~2.3.~~ Parking Regulations: One space per every three patron seats or lockers (whichever is greater); or one space per three persons at the maximum capacity of the establishment; (whichever is greater).

Section 98-206 Detailed Land Use Descriptions and Regulations

(4) Commercial Land Uses

(u)† Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle. (Ord. No. 16-17)

Description: Personal service and professional service land uses for the placement of tattoos, permanent make-up or cosmetics on parts of the human body above the clavicle.

1. Permitted by Right: ~~{NO, PO, NB, PB, GB, CB, PI, HI}~~

~~Not Applicable~~

~~2. Conditional Use Regulations: {NO, PO, NB, PB, GB, CB, PI, HI}~~

~~— a. Shall comply with Section 98-905, standards and procedures applicable to all conditional uses.~~

~~32.~~ Parking Regulations: One space per 300 square feet of gross floor area.

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(a) Indoor Storage or Wholesaling (Ord. No. 01-19 2/12/01)

Description: Indoor storage and wholesaling land uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities. Retail outlets associated with this use shall be considered accessory uses per Subsection 98-206(8)(h), below.

1. Permitted by Right {PI, GI, HI, EX}

~~2. Conditional Use Regulations: {PB, GB}.~~

~~3.~~ 2. Parking Regulations: One space per 2,000 sf of gross floor area.

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(b) Outdoor Storage or Wholesaling

Description: Outdoor storage and wholesaling land uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage and wholesaling land use. Examples of this land use include contractor's storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards. Such land uses do not include the storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard (See Subsection (d), below.)

1. Permitted by Right {HI, EX}:

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(c) Personal Storage Facility

Description: Personal storage facilities are land uses oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis. Also known as “mini-warehouses”.

1. Permitted by Right: Not applicable.
2. Conditional Use Regulations {~~GB~~, PI, GI}:
 - a. Facility shall be designed so as to minimize adverse visual impacts on nearby developments. The color, exterior materials, and orientation of proposed buildings and structures shall complement surrounding development.
 - b. Facility shall provide a bufferyard with a minimum opacity of .80 along property borders abutting residentially zoned property (see Section 98-610).
 - c. Shall comply with Section 98-905, standards and procedures applicable to all conditional uses.
 - d. No electrical power shall be ran to the storage facilities, except for exterior lighting.
3. Parking Regulations: One space for each employee on the largest work shift.

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(d) Junkyard or Salvage Yard

Description: Junkyard or salvage yard facilities are any land or structure used for a salvaging operation including but not limited to: the above-ground, outdoor storage and/or sale of waste paper, rags, scrap metal, and any other discarded materials intended for sale or recycling; and/or the collection, dismantlement, storage, or salvage of 2 or more unlicensed and/or inoperative vehicles. Recycling facilities involving on-site outdoor storage of salvage materials are included in this land use.

1. Permitted by Right: Not applicable.
2. Conditional Use Regulations {~~RH and HI~~ EX}:

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(f) Composting Operation

Description: Composting operations are any land use devoted to the collection, storage, processing and or disposal of vegetation.

1. Permitted by Right: Not applicable.
2. Conditional Use Regulations {~~RH~~ and ~~HI~~ EX}:

Section 98-206 Detailed Land Use Descriptions and Regulations

(5) Storage or Disposal Land Uses

(d) Extraction Use

Description: Extraction uses include land uses involving the removal of soil, clay, sand, gravel, rock, minerals, peat, or other material in excess of that required for approve on-site development or agricultural activities.

1. Permitted by Right: Not applicable.
2. Conditional Use {~~RH~~EX}:

Section 98-205 Land Uses Permitted in Permanently Protected Green Space Areas

(m) Piers and Wharfs

1. Permitted ~~as a Conditional Use~~ as by Right: {All permanently protected green space areas}:
 - a. A site plan shall be required per Section 98-908 for construction, erection, placement or extension of a pier or wharf, with specific information provided regarding: its location in relation to the shoreline and abutting riparian property lines, and regarding dimensions and building materials.
 - b. In the area known as Baker Park, those piers subject to the provisions of the park dedication and subsequent Resolution, the permitted use of piers or wharves shall be those uses specified as principal or conditional uses for the zoning district of the parcel from which the right to the pier or wharf arises. This Zoning Ordinance is not intended to supersede those rights given to those property owners under the original Baker Park dedication.

ARTICLE I: ESTABLISHMENT OF ZONING DISTRICTS

Section 98-102 Standard Zoning Districts and Standard Zoning District Categories

For the purpose of this Chapter, all areas within the jurisdiction of this Chapter (See Section 98-009) are hereby divided into the following standard zoning districts, and standard zoning district categories (listed in underlined text), which shall be designated as follows:

Agricultural District:

Rural Holding (RH) District

Residential Districts:

Countryside Residential-5ac (CR-5ac) District

Estate Residential-1 (ER-1) District

Single-family Residential-3 (SR-3) District

Single-family Residential-4 (SR-4) District

Two-family Residential-6 (TR-6) District

Multi-family Residential-8 (MR-8) District

Nonresidential Districts:

Office District:

Neighborhood Office (NO) District

Planned Office (PO) District

Commercial Districts:

Neighborhood Business (NB) District

Planned Business (PB) District

General Business (GB) District

Central Business (CB) District

Industrial Districts:

Planned Industrial (PI) District

General Industrial (GI) District

Heavy Industrial (HI) District

Extraction/Disposal (EX) District

Section 98-105 Purpose and Intent of Standard Zoning Districts

(1) Agricultural District

(a) Rural Holding (RH) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Single-Family - 35 acre lot
Cultivation (per Section 98-206(2)(a))
On-Site Agricultural Retail (per Section 98-206(2)(e))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Public Services and Utilities (per Section 98-206(3)(e))
Community Living Arrangement (1-8 residents) (per Section 98-206(3)(g))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Husbandry (per Section 98-206(2)(b))
Intensive Agriculture (per Section 98-206(2)(c))
Agricultural Services (per Section 98-206(2)(d))
Clear Cutting (per Section 98-206(2)(g))
Indoor Institutional (Church and school only) (per Section 98-206(3)(c))
Outdoor Institutional (per Section 98-206(3)(d))
Outdoor Commercial Entertainment (per Section 98-206(4)(i))
Commercial Animal Boarding (per Section 98-206(4)(j))
Bed and Breakfast Establishments (per Section 98-206(4)(l))
Campground (per Section 98-206(4)(n))
Intensive Outdoor Recreation (per Section 98-206(4)(r)) (Ord. No. 12-07)
~~Junkyard or Salvage Yard (per Section 98-206(5)(d))~~
~~Waste Disposal Facility (per Section 98-206(5)(e))~~
~~Composting Operation (per Section 98-206(5)(f))~~
Airport/Heliport (per Section 98-206(6)(b))
Communication Tower (per Section 98-206(7)(c))
~~Extraction Use (per Section 98-206(7)(d))~~

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(a) Neighborhood Office (NO) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Single-Family - 9,000 sf lot
Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Twin House/Duplex - 6,000 sf per du
Two-Flat - 9,000 sf lot
Townhouse - 4,500 sf du
Multiplex - 4,500 sf per du
Apartment - 4,500 sf per du
Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Institutional Residential - 9,000 sf lot (per Section 98-206(3)(f))
Community Living Arrangement (1-8 residents) (per Section 98-206(3)(g))
Community Living Arrangement (9-15 residents) (per Section 98-206(3)(h))
Community Living Arrangement (16+ residents) (per Section 98-206(3)(i))
Indoor Sales or Service (per Section 98-206(4)(c))
Indoor Commercial Entertainment, Large Scale- (per Section 98-206(4)(~~ih~~))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~ij~~)) (Ord. No. 12-07)
Bed and Breakfast Establishments (per Section 98-206(4)(~~im~~))
Group Day Care Center (9+ children) (per Section 98-206(4)(~~im~~))
Boarding House (per Section 98-206(4)(~~op~~))
Physical Activity Studio (per Section 98-206(4)(~~ts~~)) (Ord. No. 13-19)

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(b) Planned Office (PO) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Institutional Residential - 20,000 sf lot (per Section 98-206(3)(f))
Community Living Arrangement (9-15 residents) (per Section 98-206(3)(h))
Community Living Arrangement (16+ residents) (per 98-206(3)(i))
Indoor Sales or Service (per Section 98-206(4)(c))
In-Vehicle Sales or Service (per Section 98-206(4)(g))
Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~h~~i))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~h~~i)) (Ord. No. 12-07)
Commercial Indoor Lodging (per Section 98-206(4)(~~k~~j))
Group Day Care Center (9+ children) (per Section 98-206(4)(~~m~~n))
Physical Activity Studio (per Section 98-206(4)(~~s~~t)) (Ord. No. 13-19)
Airport/Heliport (per Section 98-206(6)(b))

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(c) Neighborhood Business (NB) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Single-Family - 9,000 sf lot
Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Sales or Service (per Section 98-206(4)(c))
Indoor Maintenance Service (per Section 98-206(4)(e))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Twin House/Duplex - 6,000 sf per du
Two-Flat - 9,000 sf lot
Townhouse - 4,500 sf du
Multiplex - 4,500 sf per du
Apartment - 4,500 sf per du
Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Institutional Residential - 9,000 sf lot (per Section 98-206(3)(f))
Community Living Arrangement (1-8 residents) (per Section 98-206(3)(g))
Community Living Arrangement (9-15 residents) (per Section 98-206(3)(h))
Community Living Arrangement (16+ residents) (per 98-206(3)(i))
In-Vehicle Sales or Service (per Section 98-206(4)(g))
Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~hi~~))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~ji~~)) (Ord. No. 12-07)
Bed and Breakfast Establishments (per Section 98-206(4)(~~mi~~))
Group Day Care Center (9+ children) (per Section 98-206(4)(~~mn~~))
Boarding House (per Section 98-206(4)(~~pe~~))
Physical Activity Studio (per Section 98-206(4)(~~st~~)) (Ord. No. 13-19)

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(d) Planned Business (PB) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Sales or Service (per Section 98-206(4)(c))
Indoor Maintenance Service (per Section 98-206(4)(e))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Institutional Residential - 20,000 sf lot (per Section 98-206(3)(f))
Outdoor Display (per Section 98-206(4)(d))
In-Vehicle Sales or Service (per Section 98-206(4)(g))
Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~h~~i))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~h~~i)) (Ord. No. 12-07)
Commercial Animal Boarding (per Section 98-206(4)(~~k~~j))
Commercial Indoor Lodging (per Section 98-206(4)(~~k~~j))
Bed and Breakfast Establishments (per Section 98-206(4)(~~l~~m))
Group Day Care Center (9+ children) (per Section 98-206(4)(~~m~~n))
Vehicle Repair and Maintenance (per Section 98-206(4)(~~r~~q))
Intensive Outdoor Recreation (per Section 98-206(4)(~~s~~r)) (Ord. No. 12-07)
Physical Activity Studio (per Section 98-206(4)(~~t~~s)) (Ord. No. 13-19)
~~Indoor Storage and Wholesaling (per Section 98-206(5)(a)) (Ord. No. 01-19 2/12/04)~~

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(e) General Business (GB) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))

Selective Cutting (per Section 98-206(2)(f))

Passive Outdoor Public Recreation (per Section 98-206(3)(a))

Active Outdoor Public Recreation (per Section 98-206(3)(b))

Indoor Institutional (per Section 98-206(3)(c))

Public Services and Utilities (per Section 98-206(3)(e))

Office (per Section 98-206(4)(a))

Personal or Professional Services (per Section 98-206(4)(b))

Indoor Sales or Service (per Section 98-206(4)(c))

Indoor Maintenance Service (per Section 98-206(4)(e))

Off-Site Parking Lot (per Section 98-206(6)(a))

Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))

Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Clear Cutting (per Section 98-206(2)(g))

Outdoor Institutional (per Section 98-206(3)(d))

Institutional Residential - 9,000 sf lot (per Section 98-206(3)(f))

Outdoor Display (per Section 98-206(4)(d))

In-Vehicle Sales or Service (per Section 98-206(4)(g))

~~Indoor Storage and Wholesaling (per Section 98-206(5)(a)) (Ord. No. 01-19-2/12/01)~~

Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~hi~~))

Outdoor Commercial Entertainment (per Section 98-206(4)(~~ji~~))

Commercial Animal Boarding (per Section 98-206(4)(~~kj~~))

Commercial Indoor Lodging (per Section 98-206(4)(~~lk~~))

Bed and Breakfast Establishments (per Section 98-206(4)(~~ml~~))

Group Day Care Center (9+ children) (per Section 98-206(4)(~~nm~~))

Boarding House (per Section 98-206(4)(~~pe~~))

Vehicle Repair and Maintenance (per Section 98-206(4)(~~qr~~))

Physical Activity Studio (per Section 98-206(4)(~~st~~)) (Ord. No. 13-19)

~~Personal Storage Facility (per Section 98-206(5)(c))~~

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(f) Central Business (CB) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Sales or Service (per Section 98-206(4)(c))
Indoor Maintenance Service (per Section 98-206(4)(e))
Off-Site Parking Lot (per Section 98-206(6)(a))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Institutional Residential - 9,000 sf lot (per Section 98-206(3)(f))
In-Vehicle Sales or Service (per Section 98-206(4)(g))
Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~ih~~))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~ii~~))
Outdoor Display (per Section 98-206(4)(d)) (Ord. No. 01-19 2/12/01)
Commercial Indoor Lodging (per Section 98-206(4)(~~ik~~))
Bed and Breakfast Establishments (per Section 98-206(4)(~~im~~))
Group Day Care Center (9+ children) (per Section 98-206(4)(~~im~~))
Boarding House (per Section 98-206(4)(~~op~~))
Physical Activity Studio (per Section 98-206(4)(~~st~~)) (Ord. No. 13-19)

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(g) Planned Industrial (PI) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Active Outdoor Public Recreation (per Section 98-206(3)(b))
Indoor Institutional (per Section 98-206(3)(c))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Personal or Professional Services (per Section 98-206(4)(b))
Indoor Maintenance Service (per Section 98-206(4)(e))
Indoor Storage or Wholesaling (per Section 98-206(5)(a))
Light Industrial (per Section 98-206(7)(a))
Indoor Commercial Entertainment, Small Scale (per Section 98-206(h))
Personal or Professional Service involving tattoos and permanent
cosmetics above the clavicle (per Section 98-206(4)(u))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Clear Cutting (per Section 98-206(2)(g))
Outdoor Institutional (per Section 98-206(3)(d))
Indoor Sales or Service (per Section 98-206(4)(c))
Indoor Commercial Entertainment, Large Scale (per Section 98-206(4)(~~hi~~))
Outdoor Commercial Entertainment (per Section 98-206(4)(~~ij~~))(Ord. No. 12-07)
Group Day Care Center (9+ children) (per Section 98-206(4)(~~mn~~))
Personal Storage Facility (per Section 98-206(5)(c))
Airport/Heliport (per Section 98-206(6)(b))
Distribution Center (per Section 98-206(6)(d))
Communication Tower (per Section 98-206(7)(c))
Commercial Animal Boarding (per Section 98-206(4)(~~jk~~))
Physical Activity Studio (per Section 98-206(4)(~~ts~~)) (Ord. No. 13-19)

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(i) Heavy Industrial (HI) District

2. List of Allowable Land Uses (per Article II)

a. Land Uses Permitted by Right: (per Section 98-202(2))

Cultivation (per Section 98-206(2)(a))
Selective Cutting (per Section 98-206(2)(f))
Passive Outdoor Public Recreation (per Section 98-206(3)(a))
Public Services and Utilities (per Section 98-206(3)(e))
Office (per Section 98-206(4)(a))
Indoor Maintenance Service (per Section 98-206(4)(e))
Indoor Storage or Wholesaling (per Section 98-206(5)(a))
Outdoor Storage or Wholesaling (per Section 98-206(5)(b))
Off-Site Parking Lot (per Section 98-206(6)(a))
Distribution Center (per Section 98-206(6)(d))
Light Industrial (per Section 98-206(7)(a))
Heavy Industrial (per Section 98-206(7)(b))

b. Land Uses Permitted as Conditional Use: (per Section 98-202(4))

Agricultural Services (per Section 98-206(2)(d))
Clear Cutting (per Section 98-206(2)(g))
Outdoor Maintenance Service (per Section 98-206(4)(f))
Sexually Oriented Land Use (per Section 98-206(4)(p))
Vehicle Repair and Maintenance (per Section 98-206(4)(q))
~~Junkyard or Salvage Yard (per Section 98-206(5)(d))~~
~~Waste Disposal Facility (per Section 98-206(5)(e))~~
~~Composting Operation (per Section 98-206(5)(f))~~
Airport/Heliport (per Section 98-206(6)(b))
Freight Terminal (per Section 98-206(6)(c))
Communication Tower (per Section 98-206(7)(c))

Section 98-105 Purpose and Intent of Standard Zoning Districts

(3) Nonresidential Districts

(j) Extraction/Disposal (EX) District

1. **Description and Purpose.** This district is intended to provide for quarrying, sand and gravel extraction, and landfill uses which, if sited properly, can be located within the city.
2. **List of Allowable Land Uses (Per Article II)**
 - a. **Land Uses Permitted by Right: (per Section 98-202(2))**
 - Office
 - Indoor Maintenance Service
 - Outdoor Maintenance Service
 - Indoor Storage and Wholesaling
 - Outdoor Storage and Wholesaling
 - b. **Land Uses Permitted as Conditional Use: (per Section 98-202(4))**
 - Extraction
 - Composting
 - Waste Disposal Facility
 - Salvage or Junkyard
3. **Regulations Applicable to Extraction/Disposal Uses**
 - A. Minimum Lot Area: 5 acres
 - B. Minimum Lot Width: 200 feet
 - C. Maximum Impervious Surface Ratio: 80 percent
 - D. Minimum Lot Depth: 120 feet
 - E. Minimum Lot Frontage at Right-of-Way: 100 feet
 - F. Minimum Front Setback: 50 feet
 - G. Minimum Street Side Setback (on corner lots): 50 feet
 - H. Minimum Side Setback: 50 feet
 - I. Minimum Rear Setback: 50 feet
 - J. Maximum Principal Building Height: 60 feet
4. **Regulations Applicable to Accessory Buildings**
 - A. Minimum Front Setback: 60 feet and at least 5 feet behind the principal structure
 - B. Minimum Side Setback: 5 feet
 - C. Minimum Rear Setback: 5 feet
 - D. Maximum Height: 45 feet

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: April 18, 2022

Agenda Item: 11

Zoning Board of Appeals hearing on March 1, 2022 findings for denying the request to allow for the placement of a paved surface within the existing Right of Way and within the west property line setbacks.

Per zoning section 98-834 these finding shall be relayed to Plan Commission.

CITY OF LAKE GENEVA
NOTICE OF ZONING BOARD OF
APPEAL DECISION AND FINDING

COPY

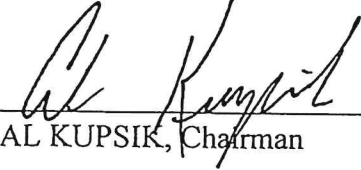
NAME OF APPLICANTS: John and Deborah Duggan
d/b/a Lincoln Holdings Group, LLC

REQUIRED BY ORDINANCE: 98-105 Minimum Paved Surface Setback 5' from Side or
Rear and 10 feet from Street.

VARIANCE REQUEST: The front and side of an existing parking lot on the property
is closer than 5 feet from the side and 10 feet from the road.

ZONING BOARD OF APPEALS FINDINGS: The Board found that there was not a unique hardship which is caused by a special condition of the property and current circumstances were created by the applicant. Specifically, the applicant constructed a parking lot on the City right of way without a building permit. A literal enforcement of the provisions will not result in practical difficulty or undue hardship because there is sufficient room on the property to accommodate the required number of parking places and abide by the City's zoning ordinance. The granting of the variance would not be within the spirit of the zoning code because of the subject parking lot was constructed in the City's right of way and without a building permit. The Public's health, safety, and welfare are not secured and granting of the ordinance will not result in justice being served. 98-934(3)(b) states that "the concurring vote of four (4) members of the Board of Appeals shall be necessary to reverse any order, requirement decision, or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass or to effect any variations in requirements of this Code." The Zoning Board of Appeals denied the request for a variance because the requisite number of votes to grant the variance were not obtained.

ZONING BOARD OF APPEALS

By: 

AL KUPSIK, Chairman

Dated: 3/23/22

Filed Date: _____

Any person aggrieved by any decision of the Board of Appeals may present to a court of record, a petition, duly verified, setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing the decision in the offices of the Board.

cc: John and Deborah Duggan,
d/b/a Lincoln Holdings Group, LLC
Zoning Administrator
City Plan Commission