

**PLAN COMMISSION MEETING
MONDAY, MAY 18, 2020 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL – VIRTUAL MEETING VIA ZOOM**

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

Building & Zoning Administrative Assistant Follensbee read the protocol for the City of Lake Geneva Plan Commission Virtual Meetings due to the Covid-19 pandemic.

Roll Call. Present: Mayor Klein, Alderman Tim Dunn, John Gibbs, William Catlin, Joseph Zimmer, Michael Krajovic. Also Present: City Attorney Draper, Building and Zoning Administrator Walling, City Administrator Nord, Building & Zoning Administrative Assistant Follensbee.

Ann Esarco has resigned from the Park Board and therefore will no longer be on the Plan Commission.

Approve Minutes of the April 20, 2020 Plan Commission Meetings as distributed.
Dunn/Krajovic motion to approve. Motion carried unanimously.

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

Acknowledgement of Correspondence.

Correspondence was received by Paul Lederer, Steve & Deborah Holter, and William & Joan Baffes regarding agenda item #7 which will be read at the time of the Public Hearing for 1640 Lake Shore Drive.

Downtown Design Review:

Review and Recommendation of a Certified Survey Map (CSM) for Salvatore J. Dimiceli Sr. Trust, 101 Broad St. to create a new 60,076 Single Lot CSM in the Town of Geneva as identified on the certified survey generated by surveyor Mark Miritz and dated Feb 20, 2020 and revised April 15, 2020 Project #18.1108, Tax Key No. JA361000001.

Zoning Administrator Walling stated the applicant has received approval from the Town of Geneva and all signature pages are in accordance with the City of Lake Geneva.

Krajovic/ Gibbs motion to recommend the creation of 1 buildable lot located in the Town of Geneva and include all staff recommendations.

Roll Call: Klein, Dunn, Gibbs, Catlin, Zimmer, Krajovic “yes.” Motion carried unanimously.

Public Hearing and Recommendation of a Conditional Use Permit filed by Brian Nelson, 21605 N. Tiffany Ct. Kildeer, IL 60047, for the request to allow the new installation of a 100’ Pier with 3 boat slips located at 1640 Lake Shore Dr., situated within the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZLM00039.

Jeff Reed, representing the application, presented the request. Walling verified the applicant has DNR approval.

Speaker #1: Correspondence was received from Paul Lederer, 1632 N Lake Shore Drive, opposing the pier application at 1640 Lake Shore Drive.

Speaker #2: Correspondence was received from Steve & Deborah Holter, 1626 N Lake Shore Drive, opposing the pier application at 1640 Lake Shore Drive.

Speaker #3: Correspondence was received from William & Joan Baffes, 1624 N Lake Shore Drive, opposing the pier application at 1640 Lake Shore Drive.

The three letters were read during the Public Hearing.

Walling said the application meets the riparian setbacks of 12.5 feet on each side and DNR requirements. Attorney Draper asked if the applicant received approval from the Corp of Engineers. Mr. Reed will send this information to Attorney Draper.

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

Alderman Dunn asked for the responsibilities of the Plan Commission regarding a pier application since the DNR oversees the lake. Draper stated the Plan Commission is responsible for checking that the pier is located within the riparian rights and determine if there is substantial evidence to deny a Conditional Use Permit. The DNR has an application process to determine navigability. Dunn asked if there is an existing pier and Walling said there is an existing pier.

Gibbs/Dunn motion to allow the new installation of a 100' pier with 3 boat slips and include all staff recommendations and fact finding in the affirmative and approval from the Corp of Engineers.

Roll Call: Klein, Dunn, Gibbs, Catlin, Zimmer, Krajovic "yes." Motion carried unanimously.

Public Hearing and Recommendation of a Conditional Use Permit filed by Patrick Lynch, 30715 Cedar Dr. Burlington, WI 53115, for the request to allow the new installation of a 90' Pier with boat 2 slips located at 940 Maytag Rd., situated within the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZCE00005.

Jeff Reed, representing the application, presented the request. Walling asked applicant to provide the approvals from the DNR & Corp of Engineers. Mr. Reed will provide.

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

Dunn asked if there was an existing pier & if it would be eliminated or left behind. Reed explained the expansion of the pier and stated the existing pier would be removed.

Krajovic/Gibbs motion to allow the new installation of a 90' pier with 2 boat slips and include all staff recommendations and fact finding in the affirmative and approvals from the DNR & Corp of Engineers.

Roll Call: Klein, Dunn, Gibbs, Catlin, Zimmer, Krajovic "yes." Motion carried unanimously.

Discussion review and action regarding amendment to our short term rental ordinance 98-206(8)(y).

Attorney Draper explained a current lawsuit asking for a declaratory judgement against the City for certain provisions of the City of Lake Geneva Short Term Rental Ordinance. City Staff has met with the plaintiff's council and currently are scheduled for a summary judgement. The City is working out language to make slight changes to the Short Term Rental Ordinance. A discussion followed regarding the proposed changes.

Klein/Dunn motion to approve the recommended language changes to the short term rental ordinance to the City Council and include all staff recommendations.

Roll Call: Klein, Dunn, Gibbs, Catlin, Zimmer, Krajovic "yes." Motion carried unanimously.

Adjournment. Gibbs/Zimmer motion to adjourn at 7:03 p.m. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

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