

**VILLAGE OF FONTANA ON GENEVA LAKE**  
**WALWORTH COUNTY, WISCONSIN**  
(Official Minutes)

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION  
and JOINT SESSION with JOINT EXTRATERRITORIAL ZONING COMMITTEE  
(Village of Fontana, Town of Walworth)  
**Monday, September 28, 2015**

Chairman George Spadoni called the monthly meeting of the Plan Commission to order and ETZ Committee Member Sarah Lobdell called the Joint Extraterritorial Zoning Committee meeting to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Plan Commissioners present:** Roll call: Trustee Spadoni, Robert Grant, Robert Ahern, Sarah Lobdell

**Plan Commissioners absent:** F.J. Frazier, Micki O'Connell, Trustee Arvid Petersen

**ETZ Committee members present:** Village of Fontana representatives Sarah Lobdell, Robert Ahern; Town of Walworth representatives Ken Magowan, Jim Van Dreser

**ETZ Committee members absent:** Town of Walworth representatives Tom Rohleder, Village of Fontana representative Micki O'Connell

**Also present:** Clerk Theresa Linneman, Administrator Dennis Martin, James and Natalie McAvoy, Zoning Code Specialist Bridget McCarthy, Building Inspector/Zoning Administrator Ron Nyman, Ed Snyder, Village Attorney Dale Thorpe, Attorney Alyssa Wilson

**Visitors Heard**

None

**Approve Plan Commission/Joint ETZ Committee Minutes**

The minutes were distributed for the August 31, 2015 meeting and incorrectly reflected that Bob Grant was present as an ETZ Committee Member instead of Bob Ahern. The minutes will be updated to reflect the change.

Village of Fontana Representative Lobdell/Town of Walworth Representative Van Dreser 2<sup>nd</sup> made a MOTION to approve the minutes as submitted with the corrected name as suggested for the Joint ETZ Committee meeting held August 31, 2015, and the MOTION carried without negative vote. Commissioner Lobdell/Commissioner Grant 2<sup>nd</sup> made a MOTION to approve the minutes as submitted with the corrected name as suggested for the Plan Commission meeting held August 31, 2015, and the MOTION carried without negative vote.

**Joint Session Public Hearing**

**Petition to Amend ETZ Zoning District and Conditional Use Permit Application Filed by Fontana Holding Company, Inc. for "The Pines" Boat Storage Facility, Tax Parcel No. EW 1000003A, W5920 Willow Bend Road, Walworth Township**

The Rezone Petition and CUP Application were filed by Fontana Holding Company, Inc. to authorize a change in the zoning district classification for a portion of the parcel from A-3 ETZ to A-2 ETZ, A-4 ETZ, and A-5 ETZ; and to approve a conditional use permit to authorize The Pines boat storage facility, with 10 buildings to be constructed in stages over the next several years. Spadoni asked if anyone in the audience needed an overview of the proposal, which they did not. The public hearing was opened at 5:32 pm and no one spoke for or against the application to amend the zoning district and the CUP application. The public hearing was closed at 5:32 pm.

### **Joint Session Business**

#### **Recommendations on Rezone Petition and Conditional Use Permit Application for “The Pines” Boat Storage Facility, W5920 Willow Bend Road, Walworth Township**

Village of Fontana Representative Lobdell/Town of Walworth Representative Magowan 2<sup>nd</sup> made a MOTION to recommend Village Board approval to amend the zoning district/zoning map from A-3 ETZ to A-2 ETZ, A-4 ETZ, and A-5 ETZ, and the MOTION carried without negative vote.

Commissioner Grant/Commissioner Ahern 2<sup>nd</sup> made a MOTION to recommend Village Board approval to amend the zoning district/zoning map from A-3 ETZ to A-2 ETZ, A-4 ETZ, and A-4 ETZ, and the MOTION carried without negative vote.

Village of Fontana Representative Lobdell/Village of Fontana Representative Ahern 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Conditional Use Permit application filed by Fontana Holding Company, Inc., to build ten (10) boat storage buildings, and the MOTION carried without negative vote.

Commissioner Grant/Commissioner Ahern 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Conditional Use Permit application filed by the Fontana Holding Company, Inc., to build ten (10) boat storage buildings, and the MOTION carried without negative vote.

### **Adjournment Joint ETZ Committee**

Village of Fontana Representative Ahern/Village of Walworth Representative Van Dreser 2<sup>nd</sup> made a MOTION to adjourn the ETZ Committee meeting at 5:34 pm, and the MOTION carried without negative vote.

### **Plan Commission Business**

#### **Proposed Amendment to Zoning Ordinance Section 18-253 Regarding Application Filing Deadline for Variance – Set Public Hearing**

Section 18-253 of the village code governs the submittal of Board of Appeals applications for zoning applications. The 30-day filing deadline portion of the section was inadvertently omitted when the Zoning Code was rewritten in 2012 and is consistent with the old code and state statutes.

Trustee Spadoni/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to schedule a public hearing to consider the proposed ordinance amendment to Section 18-253 regarding the application filing deadline for Board of Appeals applications on Monday, October 26, 2015, at 5:30 pm, and the MOTION carried without negative vote.

#### **Proposed Amendment to Zoning Ordinance Section 18-13 and 18-400 Regarding Property Maintenance – Set Public Hearing**

The property maintenance ordinance section also was inadvertently omitted when the Zoning Code was rewritten in 2012. A similar ordinance is proposed for inclusion in the current code and contains the former section along with updated information. Section 18-400 covers the purpose and applicability; Section 18-401 covers definitions; and 18-402 covers the general requirements relating to the safety and sanitary maintenance of property. It defines the premise area and requirements in further detail such as what is acceptable for foundations, roofs, windows, etc.

Trustee Spadoni/Commissioner Grant 2<sup>nd</sup> made a MOTION to schedule a public hearing to consider the proposed ordinance amendments to Section 18-13 and 18-400 regarding property maintenance on Monday, October 26, 2015 at 5:30 pm, and the MOTION carried without negative vote.

#### **Proposed Amendment to Zoning Ordinance Section 18-192 Regarding Exempt Signs**

Section 18-192 of the municipal code details exempt signage that can be erected within the village. The proposed ordinance amendment would codify the existing criteria that the Village Board directed several years ago for the approval of temporary signage on village property to publicize non-profit and charitable events being held in the Village. The amendment would allow signs that advertise local nonprofit and charitable events and require they be approved by the zoning

administrator, or by the Village Board as recommended by the zoning administrator. The charitable or nonprofit events would be required to be held in the village, unless otherwise approved by the Village Board. The sign(s) must be erected no more than 10 days before the event and must be taken down within one day following the event. As proposed, only one sign may be allowed on the Reid Park ball field backstop and/or one sign on the beach fence. In response to a question posed by Spadoni, Martin said by amending the ordinance it should reduce questions and confusion regarding new signs that go up and complaints from some of the elected officials. After discussion, the commission recommended minor changes to the proposed ordinance including that the requirements are per event and the verbiage be modified to include “one sign may be allowed on the Reid Park ball field backstop and/or one sign on the beach fence.” The “or” was struck to reduce confusion. Thorpe recommended the concept be presented to the Village Board for initial feedback prior to scheduling a public hearing.

Commissioner Ahern/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to instruct staff to make the proposed modifications to the proposed ordinance amendment and present it to the village board for initial review at the October 13, 2015 Village Board meeting, and the MOTION carried without negative vote.

### **Adjournment Plan Commission**

Commissioner Ahern/Commissioner Grant 2<sup>nd</sup> made a MOTION to adjourn the Plan Commission meeting at 5:43 pm, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Linneman, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Plan Commission and Joint ETZ Committee, the official minutes will be on file at the Village Hall.

APPROVED: