

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

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION
Monday, March 26, 2012

Village President Arvid Petersen called the monthly meeting of the Village of Fontana Plan Commission to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners present: Roll call: Derek D'Auria, Sarah Lobdell, President Arvid Petersen, Harry Nelson, F.J. Frazier (arrived at 5:38 pm)

Plan Commissioners absent: Micki O'Connell, George Spadoni

Also present: Bryan and Maryanne Bruss, Charles Coleman, Administrator/Treasurer Kelly Hayden, Don and Merilee Holts, Jim Howe, Eric Hurkman, Lynn Ketterhagen, Robert Klockars, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector/Zoning Administrator Ron Nyman, Mike Slavney, Dale Thorpe, Trustee Cindy Wilson

Visitors Heard

Geneva Lake Conservancy Board member Merilee Holts stated that the GLC is observing its 35th anniversary this year. As part of the observance and to attract public attention, Holts stated that the GLC would like to have a banner erected from May until the end of October over the fence at its office located at 398 Mill Street. Holts stated that since the banner would be erected for more than 30 days, a conditional use permit would be required. Holts stated that the GLC will apply for the CUP; however, the public hearing process is required, and she requested that the Plan Commission help facilitate the scheduling of the hearing in order for final approval to be achieved prior to Memorial Day. Hayden stated that the CUP process entails the filing of an application and the scheduling of a hearing by the Plan Commission. Hayden stated that although a CUP application has not yet been filed, the GLC banner proposal is pretty straight forward, and if so inclined, the Plan Commission could schedule the public hearing prior to the actual filing of the CUP application.

President Petersen/Commissioner Nelson 2nd made a MOTION to schedule a public hearing for Monday, April 30, 2012 beginning at 5:30 pm to consider the Conditional Use Permit application to be filed by the Geneva Lake Conservancy for the proposed erection of a banner sign promoting its 35th anniversary at the GLC office, 398 Mill Street, Fontana, from May 1, 2012 through October 31, 2012. The MOTION carried without negative vote.

Announcements

1. Village Board Meeting – **Monday, April 2, 2012, 6:00 pm**
2. 2012 Spring Election – **Tuesday, April 3, 2012, 7:00 am to 8:00 pm**
3. Easter Egg Hunt at Duck Pond – **Saturday, April 7, 2012, 10:00 am**
4. FW/WPCC Board Meeting – **Tuesday, April 10, 2012, 7:30 pm**
5. GLLEA Board Meeting – **Wednesday, April 11, 2012, 10:00 am**
6. Plan Commission Staff Meeting – **Wednesday, April 18, 2012, 1:00 pm**
7. Park Commission Meeting – **Wednesday, April 18, 2012, 6:00 pm**
8. Library Board Meeting – **Wednesday, April 25, 2012, 10:00 am**
9. Lakefront and Harbor Committee Meeting – **Wednesday, April 25, 2012, 5:00 pm**
10. Finance Committee Meeting – **Thursday, April 26, 2012 6:00 pm**
11. Arbor Day and IMBD Celebration at Fontana Elementary School – **Friday, April 27, 2012, 10:00 am**
12. Plan Commission Monthly Meeting – **Monday, April 30, 2012, 5:30 pm**

Approve Minutes

Commissioner Lobdell /Commissioner D'Auria 2nd made a MOTION to approve the minutes for the meetings held February 27 and March 5, 2012, and the MOTION carried without negative vote.

General Business

Building, Site and Operational Plan Filed for Coffee Mill, 441 Mill Street, Suite 101

McCarthy stated that the new business owners, Bryan and Maryanne Bruss, are planning to operate a coffee shop with light restaurant fare in the unit most recently occupied by Pie High Pizza. Pie High Pizza is moving into Suite 102, which had been occupied by Scotty's Eatery and Spirits and prior to that by Georgie B's Restaurant. As well as a coffee shop, there will be bakery items and fresh soup served for in-house dining and carryout. McCarthy stated that the proposed business operations are the same as for the previously approved tenants and the suggested conditions for approval are the same as the previously approved items. Maryanne Bruss stated that one other aspect of the proposed business operations that was not included on the BSOP application she filed is a rickshaw or pedi-cab service that would transport people for free from the municipal beach to the Porter Court Plaza and back. Hayden stated that there are no specific provisions for the approval of rickshaw or pedi-cab services in the Municipal Code, but it typically would be included in the BSOP for a business. Thorpe stated that the proposal for rickshaw or pedi-cab services raises some state statute and licensing issues that he has not reviewed. Thorpe suggested that the Plan Commission consider the application as filed and delay any consideration of the rickshaw or pedi-cab proposal until he has an opportunity to review the issues.

Commissioner Lobdell/Commissioner D'Auria 2nd made a MOTION to recommend Village Board approval of the Building, Site and Operational Plan filed by Bryan and Maryanne Bruss for the Coffee Mill, 441 Mill Street, Suite 101, as filed, with the following seven conditions:

1. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction of and/or installation of any and all of approved construction normally requiring a permit. BSOP approval shall not alleviate the applicant from securing all required permits.
2. All required building, zoning and/or electrical permits shall be applied for and issued prior to the installation of any approved signage.
3. No serving or consumption of alcohol shall be allowed in the outdoor dining area, per Chapter 6 of the Village of Fontana Municipal Code.
4. Outdoor music/noise shall not be allowed after 10:00 pm.
5. Outdoor service shall not be allowed after 10:00 pm.
6. Any future proposed modifications of this approved BSOP, including, but not limited to lighting, outdoor music, etc., shall require Village of Fontana approval in the form of an amendment to the approved Building, Site and Operational Plan and its conditions.
7. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.

The MOTION carried without negative vote.

Conditional Use Permit Application Filed for Building Addition Proposal at Fontana Jeweler, 553 Valley View Drive – Set Public Hearing

Hayden stated that there are stormwater management issues that staff and the applicant are still working on that should be resolved prior to the public hearing at next month's meeting. McCarthy stated that a conditional use permit is required to authorize the proposed size of the new addition, and a conditional use permit is required for approval of modified parking requirements. The CUP application and planning documents, village staff report, two memorandums from the village engineering firm, and a letter from the neighboring property owner, Charles Palma, were distributed. Commissioner Frazier/Commissioner D'Auria 2nd made a MOTION to schedule a public hearing for Monday, April 30, 2012 beginning at 4:30 pm to consider the Conditional Use Permit application filed by Eric Hurkman to authorize the proposed size of the Fontana Jeweler building addition and

the Conditional Use Permit to authorize modified parking requirements for the Fontana Jeweler building at 553 Valley View Drive. The MOTION carried without negative vote.

Conditional Use Permit Application Filed for Accessory Building Proposal for Property Located at 704 South Lakeshore Drive – Set Public Hearing

The staff report states that the applicant is seeking authorization to renovate an existing non-conforming accessory structure (garage). The existing garage is nonconforming because it does not meet the 10-foot minimum required offset, but rather is located approximately 6.4 feet from the east property line. A CUP is required because the proposed height of 24-feet 3-inches exceeds the 15-foot maximum height limit for an accessory structure located in an RS-1 zoning district. The staff report states that it should be noted that the structure shall not be converted to habitable living space per the density requirements of the Municipal Code. An additional living space would have to adhere to the density requirement of the RS-1 zoning district and would have to be located in a conforming structure. The subject parcel is 58,901 square feet, and would need at least 80,000 square feet for an additional principal structure. In addition, any accessory living quarters must be located in a conforming structure. Therefore, this structure, or any portions located within, would not be allowed to be converted to habitable space.

Commissioner Lobdell/Commissioner Nelson 2nd made a MOTION to schedule a public hearing for Monday, April 30, 2012 beginning at 4:30 pm to consider the Conditional Use Permit application filed by Angela Galioto to authorize a proposed accessory building addition that exceeds the 15-foot maximum height limit at 704 South Lakeshore Drive, Fontana. The MOTION carried without negative vote.

Adjournment

Commissioner Lobdell/Commissioner D'Auria 2nd made a MOTION to adjourn the Plan Commission meeting at 5:44 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

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

APPROVED: 4/30/2012