

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

Monthly Meeting of the VILLAGE OF FONTANA PLAN COMMISSION  
**Monday, June 29, 2020**

Chairman FJ Frazier called the monthly meeting of the Plan Commission to order at 5:32 pm.

**Plan Commissioners present:** Roll call: FJ Frazier, Bob Grant, Trustee Petersen, Sarah Lobdell, Bob Kirkland

**Plan Commissioners absent:** Robert Ahern, Trustee Prudden

**Also Present:** Steve Beers, Theresa Loomer, Mike Misch, Wally Perkins, Bonnie Schaeffer, Mike Slavney (via phone), Stephanie Smith, Dale Thorpe, Doug Wheaton

**Visitors Heard**

None

**Approve Minutes February 24, 2020 and June 18, 2020**

The minutes from the February 24, 2020 and June 18, 2020 meetings were distributed.

Commissioner Grant/Trustee Petersen 2nd made a MOTION to approve the minutes from the February 24, 2020 meeting, and the MOTION carried without negative vote.

Commissioner Lobdell/Trustee Petersen 2nd made a MOTION to approve the minutes from the June 18, 2020 meeting, and the MOTION carried without negative vote.

**Plan Commission Public Hearings**

**Planned Development Application filed by Kathie and Wally Perkins for the property located at 160 Fontana Blvd for Ground Sign at Property Line**

The public hearing was opened at 5:33 pm. Mike Misch from Munson Marine stated they are looking to add a ground sign that is 60” high by 83” wide located at the property line. Zoning Administrator Bonnie Schaeffer stated the original Planned Development indicated they would comply with the sign ordinance which would not allow for the proposed sign. Misch stated the only location for a monument sign is at the property line and it does not meet the eight-foot setback. The Commission members had some concerns about whether the sign requested would be in addition to what the sign ordinance allows. Chairman Frazier asked if they would consider window graphics as opposed to a sign. Wally Perkins stated that due to the elevation of the building, window graphics would not work. Village Planner Mike Slavney expressed concerns with how close the proposed sign is to the road and stated he would like to see it bumped back. Attorney Thorpe recommended the Plan Commission ask the applicant to agree to reduce the total size and number of signs on the property by one, as permitted by the ordinance. The applicants agreed. The public hearing was closed at 5:52 pm.

**Amendments to Chapter 18-246 Regarding Conditional Use Permits**

The public hearing was opened at 5:54 pm. Zoning Administrator Bonnie Schaeffer was contracted to rewrite the code section on conditional use permits which reflected the updated provisions in the state statues. The ordinance amendments will disallow the plan commission or village board to arbitrarily deny a conditional use permit and includes a list of recommended considerations for CUP applications. The public hearing was closed at 5:54 pm.

**Repeal and Recreate Chapter 18 Article XII Signage Standards and Amendments to Chapter 18-13 Definitions**

Zoning Administrator Bonnie Schaeffer was contracted to rewrite the code section on signage to comply with the U.S. Supreme Courting ruling in Reed vs. Town of Gilbert which essentially limits

the Village's ability to regulate signs based on content. Schaeffer stated that staff has reviewed the proposed ordinance and all input and concerns have been addressed. In response to Trustee Petersen's request, Schaeffer highlighted the changes which include: Section 18-195 the addition of a section regarding awning signs as well as canopy signs and added a differentiation between monument and low profile signs; under Section 18-199 General Provisions the sign area measurement was changed as well as electronic message signs; and under Section 18-13 three definitions were repealed and recreated. The public hearing was opened at 6:03 pm. Doug Wheaton from the Lakes Area Realtors Association (LARA) stated he represents nearly 600 real estate professionals and has some concerns regarding the proposed sign ordinance. Wheaton read a letter citing concerns over the proposed sign ordinance and asked that the requested changes be considered. Wheaton stated that on behalf of LARA, they believe the requested changes are modest and reasonable, and would strike the appropriate balance between regulation versus achieving favorable outcomes for property owners that may someday wish to sell or lease their property in the Village of Fontana. The full letter is on file at the Village Hall. Steve Beers from Keefe Real Estate stated he hopes the Plan Commission will seriously consider the proposed changes as they give clarification to homeowners and businesses. Bob Webster, 237 Waubun Drive, asked whether a sign on someone else's property with an arrow pointing in a direction of an open house or sale was allowed. Schaeffer stated they are not allowed under the old ordinance or the new ordinance. Public Works was directed to confiscate signs that do not meet the requirements of the ordinance. The public hearing was closed at 6:15 pm.

**Amendments to Ordinance 05-01-19-01 Preservation of Grade (due to numbering error)**

The public hearing was opened at 6:17 pm. Loomer stated there is no change to the text of the previously approved ordinance. The only amendment was the code section numbering due to an error. No one spoke for or against the proposed amendment. The public hearing was closed at 6:18 pm.

**Plan Commission Business**

**Plan Commission Recommendation on Planned Development Application filed by Kathie and Wally Perkins for the Property Located at 160 Fontana Blvd for Ground Sign at Property Line**

Commissioner Kirkland/Trustee Petersen 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Plan Development Application filed by Kathleen and Wallace Perkins for the property located at 160 Fontana Blvd for a ground sign at the property line, subject to the following 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 approved construction normally requiring a permit. This approval shall not alleviate the applicant from securing all required permits.
2. No other monument signs shall be permitted.
3. The base of the sign shall be landscaped so as to conceal footings, mountings, brackets, and related structural elements.
4. 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.
5. The sign ordinance allowance for this Property for number and size of available signs shall be reduced by the ground sign.

The MOTION carried on a 4-0 vote. Commissioner Frazier abstained from the vote.

**Plan Commission Recommendation on Amendments to Chapter 18-246 Regarding Conditional Use Permits**

Commissioner Lobdell/Commissioner Grant 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the proposed amendments to Chapter 18-246 regarding Conditional Use Permits, and the MOTION carried without negative vote.

**Plan Commission Recommendation on Repeal and Recreate Chapter 18 Article XII Signage Standards and Amendments to Chapter 18-13 Definitions**

Attorney Thorpe suggested that the Plan Commission take one of two actions, either table and republish the ordinance with amendments, or recommend adoption of the ordinance as submitted and amend at a later date once staff has had a chance to review the proposed changes.

Commissioner Lobdell/Commissioner Frazier 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the proposed Chapter 18 Article XII and amendments to Chapter 18-13 definitions, as presented, and the MOTION carried without negative vote.

**Plan Commission Recommendations on Amendments to Ordinance 05-01-19-01 Preservation of Grade (due to numbering error)**

Trustee Petersen/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the proposed amendments to ordinance 05-01-19-01 Preservation of Grade due to numbering error, and the MOTION carried without negative vote.

**Conditional Use Permit Application Filed by Scott and Barb Anderson for Second Driveway at 851 Sauganash Drive – Set Public Hearing**

Trustee Petersen/Commissioner Grant 2<sup>nd</sup> made a MOTION to set a public hearing for the Conditional Use Permit Application filed by Scott and Barb Anderson at the July Plan Commission meeting scheduled for July 27, 2020 beginning at 5:30 pm, and the MOTION carried without negative vote.

**Adjournment Plan Commission**

Trustee Petersen/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to adjourn the Plan Commission meeting at 6:18 pm, and the MOTION carried without negative vote.

Minutes prepared by: Stephanie Smith, Deputy Clerk/Treasurer

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: 07/27/2020