

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

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION

**Tuesday, May 27, 2008**

Chairman Spadoni 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:** D’Auria, O’Connell, Lobdell, Poivey, Chairman Spadoni

**Plan Commissioner absent:** McGreevy, President Pollitt

**Also present:** Administrator Kelly E. Hayden-Staggs, Rob Ireland, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Peter Novak, Building Inspector Ron Nyman, Lucy Sandy, Village Attorney Dale Thorpe

**Visitors Heard**

None

**Announcements**

The monthly meeting of the Village Board will be held Monday, June 2, 2008 at 6:00 pm; the monthly meeting of the CDA will be held Wednesday, June 4, 2008 at 6:00 pm; the Fontana Public Library will host its Story Time program on Thursdays, June 12, 19 and 26, 2008 at 10:00 am; the VOF Assessor will be at the Village Hall for office hours on Friday, June 13, 2008, from 10:00 am to 2:00 pm; a Geneva Lake West Chamber of Commerce Music in the Park performance featuring Diane Lewis and Laura Bursh is scheduled for Saturday, June 14, 2008, from 6:00 to 8:00 pm; Accurate Appraisal employees will begin Market Revaluation field work the week of Monday, June 16, 2008; Heidi Hancock will present a Summer Reading Program event at the Fontana Public Library on Monday, June 16, 2008 at 10:00 am; the next meeting of the Village of Fontana/Village of Walworth Ad Hoc Joint Services Committee will be held at the Fontana Village Hall on Tuesday, June 17, 2008 at 5:00 pm; the Lakeshores Library System Summer Storywagon Series Program commences at the Fontana Village Hall on Tuesday, June 24, 2008 at 10:00 am; the Fontana Public Library Summer Reading Program has scheduled a “Bug Walk” at the Hildebrand Nature Conservancy on Wednesday, June 25, 2008 at 10:00 am; and the next monthly meeting of the Plan Commission will be held Monday, June 30, 2008 at 5:30 pm.

**Approve Minutes**

O’Connell/Poivey 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting held April 28, 2008, and the MOTION carried without negative vote.

**Public Hearing**

**Petition to Amend the Village of Fontana Municipal Code Section 18-254, Signage definitions and general signage standards, Section 18-255, General signage regulations, and Section 18-257, Temporary signs**

Chairman Spadoni opened the public hearing at 5:31 pm. The proposed amendments establish guidelines for tent or menu-board signage, illuminated signs and open signs, and address abandoned signs and “for sale,” “for rent,” “garage sale” and congratulatory signs. Chairman Spadoni closed the public hearing at 5:32 pm after no comments were made.

Lobdell/O'Connell 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the proposed amendments to Section 18-254, Signage definitions and general signage standards, Section 18-255, General signage regulations, and Section 18-257, Temporary signs, as presented, and the MOTION carried without negative vote.

### **General Business**

#### **Raze or Repair Order for Residence at 731 Aweogon**

Nyman stated that he conducted an exterior site visit on the property owned by David and Heidi Klauser at 731 Aweogon on April 30, 2008 and found the front entrance door to the residence ajar and unsecure. Nyman reported that he then inspected the interior and found extensive damage caused by apparent broken water pipes and determined that the structure is not habitable. In his inspection report, which features 13 photographs that were taken during the inspection, Nyman noted that the first floor ceiling has collapsed in several areas; the floors have buckled in several areas; the structure does not have a functioning kitchen, bathroom or heating system; there is extensive mold on the walls, ceilings and floors throughout the structure, and there most likely is mold located within the walls, attic and other concealed areas; and that the main entry door cannot be secured. Nyman reported that the principal structure was found to be dilapidated, dangerous, unsafe, unfit for human habitation and unreasonable to repair. Nyman reported that the principal structure has been damaged by more than 50 percent of its value, and he recommended that the structure be completely razed within 30 days from the service of a Raze Order and that the site be restored to a dust-free and erosion-free condition. Thorpe stated he will complete the statutory requirements of the raze process.

O'Connell/D'Auria 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Order for Razing the Principal Structure at 731 Aweogon, Tax Key No. SIHB 00018, Fontana, WI as presented, and the MOTION carried without negative vote.

#### **Lakefront Zoning Ordinance Update**

Hayden-Staggs stated that the Plan Commission staff members considered the comments made at the April 28, 2008 public hearing and determined that some issues regarding the development of secondary residences need to be clarified, but none of the other issues addressed in the initially proposed amendments should be pursued. Spadoni stated that the Plan Commission should review the ideas presented in an emailed message dated May 2, 2008 from Assistant Zoning Administrator Bridget McCarthy regarding caretaker's quarters and guesthouses, and provide feedback prior to the June 30, 2008 Plan Commission meeting. Spadoni stated that the Plan Commission could consider setting a public hearing on the proposed amendments for the July 28, 2008 monthly meeting. Hayden-Staggs urged the Plan Commission members to review the proposed amendments and to provide feedback prior to the June 30, 2008 meeting. The email from McCarthy states that the proposed amendments would not prohibit the development of a second residence on lakefront lots, they would help clarify the code. The amendments would allow for a better opportunity for lakefront parcel owners to develop accessory living quarters because they would not need to meet residential density factors if the proposed living quarters are fully contained in a principal structure. McCarthy states in the email that the Building and Zoning Department looked at common complaints with regard to second houses being bigger than the principal structure and thought of ways to control size and regulate growth without eliminating current property rights. The proposed amendments would eliminate the requirement for property owners to prove who would be living in a structure, so the building inspector would not have to check to see who is employed full time as a caretaker and who is not; they would allow owners or parcels that don't meet the density standards to develop accessory living quarters if the quarters are contained in the principal structure; and they would still allow for owners of lakefront parcels to develop an additional principal structure if the lot meets the density standard – which is the same as the current code. McCarthy states in the email that if following discussion the Plan Commission members feel that regardless of the size of a proposed secondary residence or living quarters, that the lot must meet the density factor, she would recommend the

elimination of the options for a “guesthouse,” “caretaker’s quarters” and “accessory living quarters” altogether and keep it simple: Additional Principal Structure only.

Spadoni/D’Auria 2<sup>nd</sup> made a MOTION to table the proposed amendments to the RS-1 Lakefront Zoning District and to direct staff to draft the proposed amendments into the Lakefront Zoning Ordinance for consideration of setting a public hearing, and the MOTION carried without negative vote.

### **Joint Meeting Proposal With Village Board & CDA to Discuss Master Plan as it Relates to Fontana Boulevard, Main Street and Third Avenue**

Spadoni stated that after attending the Randall Arendt seminar, it is his opinion that the Village of Fontana officials need to meet the challenge of thinking of new ways to guide future development of the Fontana Boulevard, Main Street and Third Avenue area as one parcel. Spadoni stated that the Village should not continue to take a piecemeal approach toward development proposals in the crucial area of the village. Spadoni suggested that a comprehensive plan be considered for the entire area comprised by the Fontana Boulevard, Main Street and Third Avenue corridor. Spadoni stated that the Village officials should look at the entire area as a parcel and determine where to develop new buildings and allow for the owners of the current businesses to occupy some of the newly created units. Spadoni stated that the Village could create a town center from Highway 67 east along Fontana Boulevard and Third Avenue to Douglas Street and from Highway 67 west along Main Street. Spadoni stated that it would be enlightening to just discuss the issues with the other Village Board and CDA Board members and he suggested scheduling a joint meeting to be held prior to the July 7, 2008 Village Board meeting. O’Connell stated that she also thinks it would be a good idea to schedule a joint meeting, but the meeting should be focused to discuss a couple of specific items. Lobdell and Poivey stated that they also think that a joint meeting is a good idea. D’Auria stated that the Village has to work with the business owners to work on a concerted plan that will help make the area a viable town center. Peter Novak stated that he supports the concept of a collaborative development effort. Lucy Sandy stated that the Village should make sure that the planning also addresses the west side of Highway 67.

O’Connell/D’Auria 2<sup>nd</sup> made a MOTION to scheduled a special meeting on Monday, July 7, 2008 at 5:00 pm to discuss the future development of the Fontana Boulevard, Main Street and Third Avenue corridor, and the MOTION carried without negative vote.

### **Pending Items for Future Agendas**

1. Brick Church Hotel and Spa BSOP Proposal

### **Adjournment**

Lobdell/Poivey 2<sup>nd</sup> made a MOTION to adjourn at 5:49 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: 6/30/08