

**MEETING OF THE PLAN COMMISSION OF THE
VILLAGE OF LAKE DELTON
Monday, August 29, 2011**

Upon giving proper notice pursuant to Section 19.84 Wis. Stats, and certifying compliance with the open meeting law, a Meeting of the Plan Commission of the Village of Lake Delton was called to order on Monday, August 29, 2011 at 1:00 P.M. at the Kay C. Mackesey Administration Building.

Present were Chairman John Webb; Tom Diehl, Wally Czuprynko, Al Pentell, David Schultz and Cary Brandt who was in attendance for Doug Clausen who was absent. Nick Laskaris was also absent. Also attending were Attorney Dick Cross, Engineer John Langhans, Director of Public Works Gary Hansen, Fire Chief Darren Jorgenson, Water Operator David Sterr, Police chief Tom Dorner, Assistant Zoning Administrator Jess Eastman, Gordon Priegel, Tom Holtz, Attorney Robert Ginther, Frank Mosz, Joey Van Dinter, Leslie Bremer, Bob Sabey and the news media.

Motion by David Schultz, Second by Cary Brandt for adoption of the meeting agenda. Motion carried.

A Public Hearing was held on the request for a Conditional Use Permit, pursuant to Municipal Code Chapter 66, Subchapter 66.65 applied for by Robert and Kimberley Sabey for approval of a proposed remodel of their current residence at 856 E Hiawatha Drive, exceeding the maximum building height of 35'(43.8'), Waterfront Commercial (WC) District.

The plans for the proposed remodel were reviewed.

In a memo from Assistant Zoning Administrator Jess Eastman, he stated that

- The Sabey single family residence is a permitted use within Waterfront Commercial Zoning.
- All Waterfront Residential setbacks appear to be met. All setback requirements are from the dripline and should be maintained.
- Proposed paved driveway meets residential driveway ordinance requirements.
- Per Sauk County Flood Insurance Rate Maps, all improvements are out of floodplain. 834 feet
- Upon board approval, the Sabey family must submit a building permit application accompanied by a shearwall plan and energy worksheet.
- Proposed patio on Lake Front side of property must maintain 20 foot setback from high water mark.
- Retaining walls must not exceed 6 feet in height without a conditional use permit.
- **Per Municipal Code 66.65(a), building height restrictions are not met. The Sabey family is requesting an allowance from the board to exceed the 35' maximum. The proposed residence stands 43' – 7 1/8".**

All Village of Lake Delton ordinances appear to be met with the exception of the height restriction.

Motion by Tom Diehl, Second by Al Pentell to to close the public hearing and recommend approval for a Conditional Use Permit as requested by Robert and Kimberley Sabey. Motion carried.

A Public Hearing was then held on the request of Steven M. Uphoff (Anchor Bay Redevelopment) for a Conditional Use Permit, pursuant to Municipal Code Chapter 66, Subchapter 66.63 (p) proposed construction of a four (4) unit detached tourist cabin condominium, and (h) permitting vacation rental of

these units, at 331 Old County A, the former Anchor Bay Resort Condominium, in Waterfront Commercial (WC) District.

Attorney Robert Ginther, representing the Developer Steven M. Uphoff, presented the proposed development of the former Anchor Bay property.

In a memo from Engineer John Langhans, he stated that the parcel was located in the Waterfront Commercial District

- *Proposed project is a conditional use in waterfront commercial.
- *Proposed development plan is to phase construction as shown on the exhibits.
- *The developer has previously proposed that the maximum occupancy would be 30 people based on a use of 2 people/bedroom. This was based on the original proposal that Cabin #1 would be 6 bedrooms and the other units would be 2 bedrooms. The recent site plan shows that this unit has been revised to 4 bedrooms and the other units have been revised to 3 bedrooms. **Developer shall commit to a maximum occupancy (not to exceed 30) prior to the issuance of a CUP.**
- *Proposed parking appears adequate at 16 total spaces.
- *Site and architectural drawings are not sufficient for a complete site and architectural review at this time.

Preliminary review comments are:

- a. Maximum building height shall be 35-feet. All buildings shall be less than or equal to four stories
- b. Lot dimensions are in accordance with the ordinance
- c. Setbacks appear to be met. **Developer shall review and modify the site plan as necessary to not encroach into the permanent limited easement along the lake that was obtained as part of the CTH A project.**
- d. Buffer strips per Subchapter J shall be landscaped
- e. Subchapter J requirements and ratios shall apply to this development. Proposed ratios are in compliance with the ordinance
- f. Stormwater requirements shall be considered under the “redevelopment” standards which equate to water quality control only. This is commonly achieved by grass lined swales, infiltration areas, rain gardens, etc. A proposed rain garden is shown on the site plans.
- g. Proposed pier configuration does meet Village standards/configuration. The length of the pier water-ward shall not be longer than necessary to meet a 3’ depth of water. This will need to be confirmed at a later date.
- h. Pier and boat rail system shall be verified as permitted structures within the previously mentioned PLE.
- i. Utility connections are not shown and will need to be reviewed and approved by the Department Heads.
- j. It appears that modifications to the grading plan are necessary
- k. Modifications appear necessary to the entrance in order to meet the ordinance requirements and emergency vehicle access requirements.
- l. Site layout appears to be in general conformance with ordinance requirements.

Mr. Langhans’s recommendations were that at this juncture, the Plan Commission cannot offer site and architectural approval. However, if the Plan Commission finds this an acceptable use, a Conditional Use

Permit may be issued to approve “use-only”. If the Plan Commission wishes to approve this on a “use-only” basis, he recommended that it be contingent upon the following items.

1. Site shall house a maximum of 4 units
2. Maximum building height shall not exceed 35-feet and no building shall be greater than 4-stories.
3. Maximum occupancy for the site shall be 30 persons.
4. Subchapter J ratio calculations shall be submitted for review
5. Site shall be modified as necessary to meet all ordinance requirements, PLE restrictions and state easements.
6. Improvements shall not impact the newly constructed berm system along the lake shore.
7. Complete site and architectural plans shall be submitted for final approval at a later date.
8. No building permits shall be issued until site and architectural review is approved.

Another item was then added by the commission stating that (9) future short-term rentals of the property will require on-site management.

Motion by David Schultz, Second by Tom Diehl to close the public hearing and approve the Conditional Use Permit applied for by Steven M. Uphoff for redevelopment of the former Anchor Bay property, 331 Old County A, subject to all eight (8) items set forth by Engineer Langhans as well as the ninth item set for by the Commission. Motion carried.

Motion by David Schultz, Second by Cary Brandt to adjourn. Motion carried. Meeting adjourned.

Kay C. Mackesey
Clerk-Treasurer-Coordinator and
Secretary of the Plan Commission