

**AGENDA FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION**

Date and Time: Tuesday, July 14, 2020 – 7:00 P.M.

Location: Virtual Meeting via Zoom

You can listen to the meeting live on Zoom:

Dial (312) 626-6799 US (Chicago)

Meeting ID: 821 8008 2899

Password: 138506

1. Call to Order
2. Note compliance with open meeting law
3. Consider request of Lodgic 2801 Marshall Court to extend open hours to include Sundays from 8:00 a.m. to 9:00 p.m. as a minor amendment to the Specific Development Plan
4. Consider recommendation to proceed with an ordinance making revisions to the Village zoning code concerning accessory uses and structures to allow the keeping of bees
5. Consider setting policy direction for staff to proceed with a draft ordinance on possible changes to the zoning code related to residential roof height limitations
6. Report on Comprehensive Plan Update process
7. Minutes: June 9, 2020
8. Set next meeting date: Normal schedule would be August 11, 2020
9. Adjourn

Please Note:

- *Written comments on the agenda can be sent to info@shorewood-hills.org before 8:00 am on July 14, 2020.*
- *To register to speak on an agenda item, send an email to info@shorewood-hills.org before 8:00 am on June 14, 2020 detailing which item is of interest. Your comments may be limited to 3 minutes.*

PLEASE TAKE NOTICE, that any person who has a qualifying disability as defined by the Americans with Disability Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 810 Shorewood Boulevard, or phone 267-2680, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of other governmental bodies of the Village of Shorewood Hills who are not members of the above committee may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above meeting other than the committee identified in the caption of this notice.

M • E • M • O



to:	Plan Commission
from:	Karl Frantz, Administrator David Sykes, Administrative Services Manager/Deputy Clerk
re:	Minor amendment to Lodgic P.U.D. Ordinance L-2006-11 related to Maximum Roof Height regulations
date:	July 9, 2020

Lodgic P.U.D. S.D.P Amendment – Lodgic has requested to extend their hours to be open on Sundays from 8:00 a.m. – 9:00 p.m. The hours of operation in the approved SDP states they will be closed on Sunday. Their request is enclosed.

Village code excerpt:

“The Zoning Administrator shall forward other specific development plan modifications to the Plan Commission for consideration. Minor modifications to the approved SDP shall be considered by the Plan Commission. If, in the judgment of the Plan Commission, the proposed modifications constitute a major change to the SDP, the Plan Commission shall forward the application to the Village Board with a recommendation to approve, approve with conditions, or deny the application.”

Consulting planner Mike Slavney and staff believe this can be considered a minor amendment to the SDP and be decided by the Plan Commission. Out of courtesy, we did specifically notify Shackleton Square representatives of this proposed change. If the Plan Commission believes it is a major change it can be forwarded to the Board with a recommendation.

Ordinance L-2011-6 related to maximum roof height regulations

While researching something else, staff came across the versions of Ordinance L-2006-11 dealing with roof heights in residential districts. The change in height regulations for a flat roof varied quite a bit between the five versions saved in the former Clerk’s computer files. Staff looked back at the meeting minutes when the Plan Commission and Board were considering this ordinance. Included in the Commission packet is a summary of the attached ordinance versions and minutes with appropriate sections highlighted.

Version 1 of Ord. L-2006-11 (Aug. 24, 2006):	Shed or hip (> 12:12) = 35' max Flat or mansard roof = 25' max Shed or hip (< 12:12) or gabrel roof = 28' max
Version 2 of Ord. L-2006-11 (Sep. 13, 2006):	Shed or hip (> 12:12) = 30' max Flat or mansard roof = 25' max Shed or hip (< 12:12) or gabrel roof = 28' max
Version 3 of Ord. L-2006-11 (Sep. 28, 2006):	Shed or hip (> 12:12) = 32' max Flat or mansard roof = 22' max Shed or hip (< 12:12) or gabrel roof = 30' max
Version 4 of Ord. L-2006-11 (Sep. 29, 2006):	Gabel or hip (> 12:12) = 32' max Gabel or hip (< 12:12) or gabrel = 30' Shed, flat or mansard roof = 22' max
Version 5 (Final) of Ord. L-2006-11 (Oct. 23, 2006):	Gabel or hip (> 12:12) = 32' max Gabel or hip (< 12:12) or gabrel = 30' Shed, flat or mansard roof = 22' max

Between versions 3 and 4 of Ord. L-2006-11, a shed roof abruptly jumps from one category to another when the term gabel roof is included in the description. The corresponding Board minutes do not indicate why this change was made. Staff would suggest that this change is significant and would have been included in the minutes if it was intended. Staff would also suggest that it was a mistake and a shed roof was supposed to be included in the 30' max category.

The ordinance was first being considered in 2005 during the May to July timeframe. The text of the ordinance at that time had the roof height for shed or flat roofs at 28 feet. At that early stage there was also a definitions section and that section conflicted with the text of the ordinance and defined the flat and mansard roof height at 22'. The Board dropped the matter in 2005 until it was taken up again later in 2006. In late 2006 versions, the definitions were incorporated into the ordinance text.



July 9, 2020

Mr. Karl Franz
Village Administrator
Village of Shorewood Hills
810 Shorewood Blvd
Madison, WI 53705

Dear Mr. Karl Franz:

Thank you for the opportunity to present this request to you on behalf of the Village trustees to consider the extension of our operating hours for Everyday Kitchen, Restaurant & Cafe during the PUD meeting on July 14.

As you know, we were able to open Everyday Kitchen and Lodgic Workplace on June 24, and despite the reduced capacities as dictated by the Forward Dane Plan, we have been able to bring staff up to speed while getting some initial business in the door. Many of the guests to Everyday Kitchen have been from the surrounding neighborhood, and their praise of our service and offerings is encouraging. We are also proud that we have received many compliments on our approach to safety, from limited seating and social distancing to wearing face masks and gloves, plus positive comments on our sneeze guards and other protective measures.

Per prior conversations, I am writing to you to request consideration of altering the Operating Hours of Everyday Kitchen that were originally described in the Operating Plan to now include Sunday hours from 8:00am to 9:00pm. We would like to keep the operating hours on all other days the same as were accepted and approved as part of the Specific Development Plan.

We are asking for this minor alteration to the schedule for very specific reasons:

1. With the reduced occupancy of Everyday Kitchen due to the Forward Dane Plan, we need additional hours of operation to try to survive this challenging period. We believe adding Sunday hours can help us economically.
2. Difficult period withstanding, we also believe that our offerings for brunch and Sunday meals will meet a need for families within the Village of Shorewood Community.

When Lodgic was simply lines on a piece of paper, we can appreciate that some neighbors may have previously met the idea of Sunday operations with reservation. It is easy and fair to prepare for the worst possible expectation that we would become a tavern. However, we believe that the actual realization of the restaurant demonstrates that this is not within our plan nor in our strategy. In contrast, we strive to be a location that members of the Unitarian Church, guests at the Ronald McDonald House, and neighbors within the community at-large can have another option within the Village of Shorewood Hills for a Sunday family meal. We believe our approach and operations thus far has shown our efforts to be sincere and straightforward, and we hope that we are able to update our Operating Hours quickly as a part of our original Approved Use.

Please feel free to contact me if you have any questions or if we need to approach this in some different manner. We have been very pleased with our working relationship with the Village and have been encouraged by the support of the neighborhood for our efforts. It is our hope with this minor change that we can be given an extra opportunity to try and survive this downturn while giving our community added offerings and benefits.

I am looking forward to hearing from you.

Sincerely,

Margaret S Ebeling

Margaret Ebeling
Managing Director, Lodgic Madison
margaret.ebeling@lodgic.org
303-919-3621 mobile

Enclosure

ORDINANCE NO. L-2020-__

**VILLAGE OF SHOREWOOD HILLS
DANE COUNTY, WISCONSIN**

**AN ORDINANCE AMENDING ARTICLE J, SUPPLEMENTAL REGULATIONS
OF SEC. 10-1-100 OF THE VILLAGE OF SHOREWOOD HILLS ZONING CODE.**

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, ordains as follows (*new text indicated in red, removed text indicated by strikeout*):

ARTICLE J, SUPPLEMENTAL REGULATIONS

ZONING CODE SEC. 10-1-100

Figure 10-1-100(f): Accessory Land Uses								
Accessory Land Use	Zoning District				Permitted in Yard & Required Setback from Lot Lines:			Supplemental Regulations?*
	R-1 R-2 R-3	R-4	C-1 C-2 C-3	CF	Front	Side	Rear	
(1) ATM (automated teller machine)	-	-	P	P	Per Installation Plan.			Yes
(2) Day Care Center, Family	P	-	-	-	Not	0'	0'	Yes
(3) Farmer's Market / Farm Stand	C	C	C	C	Only within a parking lot			Yes
(4) Home Occupation	P	P	-	-	Must be entirely indoors.			Yes
(5) Outdoor Sales / Display	-	-	P	-	Per Site Plan.			Yes
(6) Keeping Chickens	P	-	-	-	Not	3'	3'	Yes
(7) Beekeeping	P	-	-	-	Not	3'	3'	Yes
(7) (8) Portable Storage Units	P	P	P	P	In Driveway	3'	3'	Yes
(8) (9) Temporary Structure for Storage of Construction Materials & Equipment	P	P	P	P	3'	3'	3'	Yes
(9) (10) Yard Sales / Garage Sales	P	P	-	-	3'	Not	Not	Yes
<i>* See Section 10-1-100(g) for the Supplemental Regulations for Accessory Land Uses.</i>								

(g) Accessory Uses Supplemental Regulations.

(1) ATM (automated teller machine).

- a. An installation location/plan will be reviewed and approved by the Zoning Administrator and Police Department for security measures.

- b. Other than ATMs associated with a bank drive-through facility, which must meet the setback requirements of the main structure, ATMs must be integrated into a building façade and may not be in a stand-alone structure.

(2) Day Care Center, Family.

- a. The day care home shall be the principal place of residence of the operator.
- b. No employees shall be permitted other than residents of the dwelling; however, temporary or substitute caregivers may be present periodically.

(3) Farmer's Market/Farm Stand.

- a. Within any residential district, farmer's market or farm stand shall be accessory to a non-residential use and located in the parking lot of such use.
- b. The hours of the farmer's market or farm stand shall be set as part of the Conditional Use Permit required under Article E. All ancillary materials related to the farmer's market or farm stand (such as tables, signs, pavilions, etc.) may not be set up more than one hour before the open of the market or stand, and shall be removed within one hour of the close of the market or stand.

(4) Home Occupation. Permits are not required to engage in home occupations or activities provided the following standards are met:

- a. A home occupation or activity shall be secondary and incidental to the primary residential use of a lot or housing unit;
- b. The activity cannot significantly alter the residential character of the dwelling unit, dwelling structure, or the lot;
- c. The activity must not unreasonably interfere with residential occupancy of other lots in the neighborhood;
- d. The activity must not create environmental, safety or health hazards such as noise, light, odors, vibrations, electrical emissions, or other fire or safety hazards that are noticeably out of character with those produced by normal residential occupancy.
- e. Traffic generated by the occupation or activity may not exceed that which is customary to residential occupancies in the neighborhood;
- f. Signage of the home occupation or activity will be governed by Article H;
- g. The lot and structure must contain adequate area to accommodate the occupation or activity without interfering with residential occupancy of other lots in the neighborhood.

(5) Outdoor Sales/Display.

- a. Shall only be permitted in conjunction with a permitted retail use or approved conditional use in the primary structure.

- b. The area designated for outdoor sales/display shall be shown on a site plan, which shall be reviewed and approved by the Plan Commission prior to initiation of sales/display.
- c. Temporary outdoor sales/display areas for special events or sales are permitted, provided that such an area is not in place for more than one (1) week at a time and does not occur more than fourteen (14) total days per year. The property owner or business owner shall acquire a temporary use permit from the Zoning Administrator.

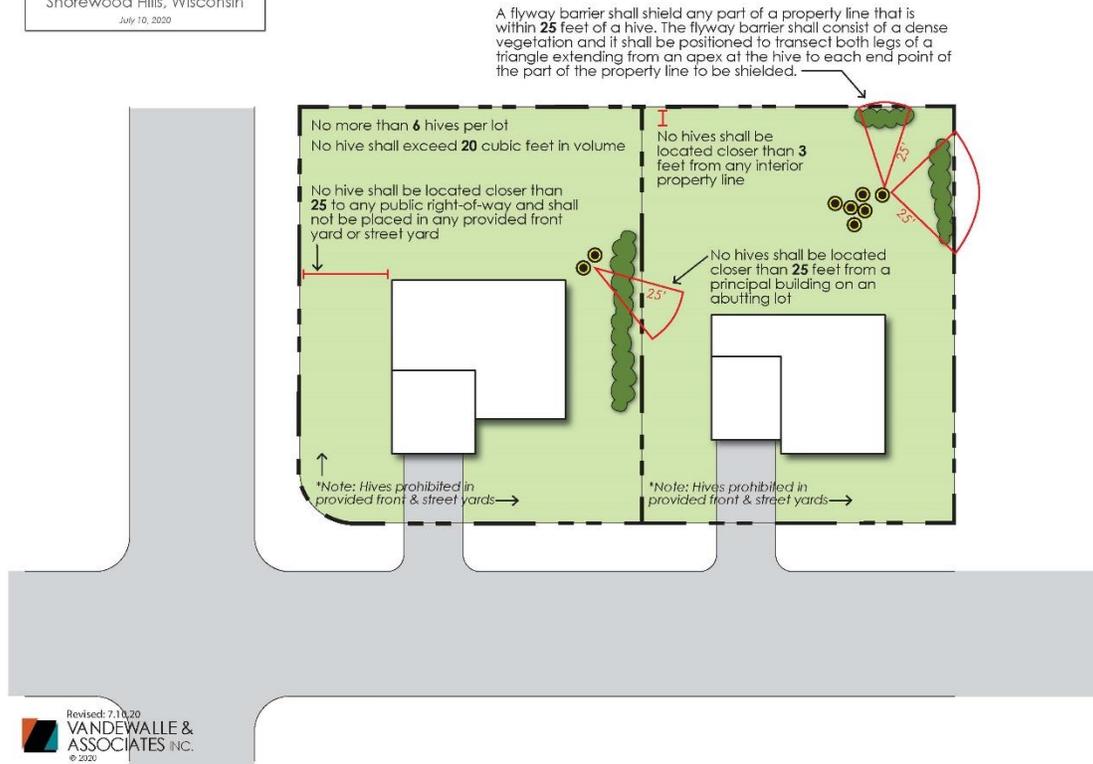
(6) Keeping Chickens.

- a. Definitions. For purposes of this subsection, the following definitions shall apply.
 - (i) Chicken. A chicken shall mean the common domestic fowl of the subspecies *Gallus gallus domesticus*. This does not include other birds or domestic fowl such as ducks, geese, or turkeys.
 - (ii) Rooster. A male chicken that is six months old or older.
- b. Keeping of Chickens.
 - (i) No more than four chickens may be kept on a lot or parcel at any one time.
 - (ii) No roosters may be kept on any lot or parcel.
 - (iii) No chickens may be slaughtered on any lot or parcel.
 - (iv) Chicken coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
 - (v) Chicken coops and yards shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily or as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.
 - (vi) The enclosure shall be located in compliance with all of the following, and in the event of conflicting requirements the more restrictive shall apply:
 - a. The nearest point of the enclosure must be at least 25 feet away from any residential structure on another lot;
 - b. There must be a three-foot set-back from any side or rear yard;
 - c. The enclosure, and all parts of the enclosure, are prohibited in any front yard.

- (vii) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
 - (viii) Nothing herein shall be interpreted to authorize the conduct of a business or commercial use on a residential property. No sales of eggs, chicks, or chickens, shall be made from a residential property unless specifically permitted pursuant to applicable zoning regulations.
- c. Public Health Requirements.
- (i) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.

(7) Beekeeping.

- a. No bees shall be intentionally kept and maintained other than honey bees.
- b. No hive shall exceed twenty (20) cubic feet in volume.
- c. No more than six (6) hives may be kept on a lot.
- d. No hive shall be located closer than three (3) feet from any property line of a lot in different ownership.
- e. No hive shall be located closer than ten (10) feet from a public right-of-way or twenty-five (25) feet from a principal building on an abutting lot in different ownership.
- f. No hive shall be located within any provided front yard or street yard.
- g. An ever-present supply of water shall be provided for all hives.
- h. Flyway Barrier: A flyway barrier at least six (6) feet in height shall shield any part of a property line of a lot in different ownership that is within twenty-five (25) feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a building or structure allowed by the municipal code, dense vegetation, or combination thereof, and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.



(7) (8) Portable Storage Units.

- a. A maximum of two (2) portable storage units, not exceeding a cumulative gross floor area of two hundred fifty (250) square feet shall be allowed for up to ninety (90) consecutive days within a calendar year when part of an active building permit.
- b. When not part of an active building permit, such use is allowed for no more than sixty (60) days per calendar year.
- c. The portable storage unit(s) may not be located within the front or side yard setbacks unless located in a driveway.
- d. The property owner shall acquire a temporary use permit from the Zoning Administrator.

(8) (9) Temporary Storage of Construction Materials and Equipment. Buildings must be located on the same zoning lot as the project under construction and shall be removed within thirty (30) days following completion of construction.

(9) (10) Yard Sales / Garage Sales. A yard sale shall not exceed four (4) days in duration, and no more than one (1) sale shall be held in any three- (3) month period on any given lot.

This Ordinance shall take effect upon passage and publication pursuant to law.

The above and foregoing resolution was duly adopted by the Village Board of the Village of Shorewood Hills at its meeting held on _____.

APPROVED: _____
David J. Benforado, Village President

ATTEST: _____
Karla Endres, Village Clerk

VILLAGE OF SHOREWOOD HILLS DANE COUNTY, WISCONSIN

ORDINANCE NO. L – 2006 - 11

PROVIDING FOR HEIGHT AND FLOOR AREA LIMITATIONS IN RESIDENTIAL DISTRICTS

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, do ordain that the Zoning Code of the Code of Ordinances of the Village of Shorewood Hills, Dane County, Wisconsin is amended as follows:

1. Sections 10-1-24(e)(2), 10-1-25(e)(2) and 10-1-26(e)(2) are repealed and recreated to read as follows:

- (2) Maximum Height. The height of a roof of a structure shall not exceed the following values measured vertically from the lowest elevation of the grade directly under the eave of the roof:

A shed or hip roof with a pitch of 12:12 or steeper: 30 35 feet to the natural grade highest point on the roof.

A flat or mansard roof: 25 feet to the highest point on the roof.

A shed or hip roof with a pitch of less than 12:12, or a gabrel roof: 28 feet to the highest point on the roof.

2. Sec. 10-1-110 is created to read as follows:

10-1-110 RESIDENTIAL FLOOR AREA LIMITATION

- (a) In R-1, R-2 and R-3 Single Family Residential Districts, except as provided in subsection (d), the total adjusted floor area on a lot shall not exceed the following values:

- (1) Lots under 8,000 sq. feet 35 42% of lot area plus 250 160sq. ft.

- (2) Lots from 8,000 to 19,999 sq. feet 40 14% of lot area plus

~~2,250~~ 2,400 sq. ft.

(3) Lots from 20,000 sq. feet and more \pm 3.5% of lot area plus ~~3,850~~ 4,500 sq. ft.

(b) Adjusted Floor Area includes all actual floor area measured from exterior surfaces of exterior walls, garage floor area exceeding 500 feet, all enclosed accessory buildings and other volumes with minimum dimensions of eight feet by ten feet with 7.5 feet headroom.

Adjusted floor area does not include any space not entirely enclosed such as porches and decks, the first 500 square feet of garage area, or the first 500 square feet of an accessory dwelling unit not internally connected to the main residence on a lot over 8,000 square feet.

(c) On any lot where the adjusted floor area which existed on the effective date of this ordinance exceeded or was within 100 square feet of the maximum adjusted floor area specified in (a) an addition of up to 100 square feet to existing floor area shall be permitted where the proposed addition complies with all other provisions of this title.

(d) The total adjusted floor area may exceed the limits set forth in subsection (a) as a conditional use pursuant to Article E of this Title 10. In addition to the standards in Article E, a conditional use shall be approved under this subsection only if the applicant demonstrates by clear and convincing evidence all of the following:

- (1) Erosion will not be increased.
- (2) The flow of surface water will not be changed so as to adversely affect other lots or the natural environment.
- (3) Infiltration of surface water into the ground will not be adversely affected.
- (4) Access to properties and structures by fire fighters and other emergency personnel will not be adversely affected.
- (5) The increased size of the structure will not adversely affect access to sunlight by neighboring properties.

- (e) ~~Lawful~~ Structures existing on the effective date of this section shall not be considered nonconforming by reason of having a total adjusted floor area in excess of the limits in subsection (a) and/or height in subsection (2) of #1. Such structures will be considered to have been granted conditional use permits under subsection (e) for the structures as they existed on the effective date. ~~A change or~~ An expansion of any such structure will require a new conditional use permit.
- (f) **Pre-application process (optional).** In preparation for a conditional use application a homeowner or adjacent neighbor may request that the village convene a pre-application meeting. The meeting would be facilitated by the village administrator or a designated member of the Plan Commission. The objectives of the meeting would be as follows:
- (1) Clarify the conditional use process and criteria;
 - (2) Allow homeowners to share their preliminary goals and plans;
 - (3) Allow neighbors to express their preferences and concerns relating to the criteria;
 - (4) Begin the process of exploring mutually advantageous solutions.

This ordinance shall take effect upon passage and after posting as required by law.

Adopted by the Board of Trustees of the Village of Shorewood Hills, Dane County, Wisconsin, this _____ day of _____, 2006.

APPROVED:

Peter Hans, Village President

ATTEST:

Jennifer W. Anderson, Village Clerk

VILLAGE OF SHOREWOOD HILLS DANE COUNTY, WISCONSIN

ORDINANCE NO. L – 2006 - 11

PROVIDING FOR HEIGHT AND FLOOR AREA LIMITATIONS IN RESIDENTIAL DISTRICTS

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, do ordain that the Zoning Code of the Code of Ordinances of the Village of Shorewood Hills, Dane County, Wisconsin is amended as follows:

Sec. 10-1-110 is created to read as follows:

Sec. 10-1-110 RESIDENTIAL FLOOR AREA AND HEIGHT LIMITATION

1. In this section the following words and terms shall have the following meanings:
 - A. “Floor Area Ratio.” The floor area ratio of the building or buildings on any lot is the floor area of the building or buildings on the lot divided by the area of such lot. The floor area requirements as set forth in this section shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the area of the lot.
 - B. “Floor Area.” For the purpose of determining the floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings. The floor area of a building shall include:
 - (1) Basement floor area where more than one or more exterior basement walls are above the finished lot grade level;
 - (2) Elevator shafts and stairwells at each floor;
 - (3) Floor space used for mechanical equipment;
 - (4) Penthouses, attic space used for human occupancy, interior balconies and mezzanines;
 - (5) Enclosed porches; and
 - (6) Floor area devoted to accessory uses.

The floor area of a building shall not include:

- (1) Unenclosed spaces such as unenclosed decks
- (2) The first 500 square feet of garage space
- (3) Accessory structures having dimensions less than _____
- (4) The first 500 square feet of a detached accessory dwelling structure on a lot larger than 8,000 square feet

2. The floor area ratio of the building or buildings on any lot in the R1, R-2 or R-3 Residential District shall not exceed the following:

- A. On lots smaller than 8,000 square feet, the floor area ratio shall not exceed 0.35 plus an additional 250 square feet of floor area;
- B. On lots between 8,000 and 19,999 square feet, the floor area ratio shall not exceed 0.10 plus an additional 2,250 square feet of floor area;
- C. On lots larger than 19,999 square feet, the floor area ratio shall not exceed 0.02 plus an additional 3,850 square feet of floor area.

3. On all properties effected by this ordinance an addition of up to 100 square feet to existing floor area shall be permitted irregardless of the floor area ratio requirement where the proposed addition complies with all other provisions of the zoning code. The Village Administrator may at his or her discretion approve the addition of 100 square feet or less, or may refer the application to the Plan Commission and Board for their consideration.

4. If the lot is vacant, then these rules shall be interpreted as compared to a building that is the size of the maximum building in the limits provided above.

5. **MAXIMUM HEIGHT** The height of a roof of a structure shall not exceed the following values measured vertically from directly under the roof at any point.

- A. A shed or hip roof with a pitch of 12:12 or steeper: 35 feet from the highest point on the roof.
- B. A flat or mansard roof: 25 feet to the highest point on the roof.
- C. A shed or hip roof with a pitch of less than 12:12, or a gambrel roof: 28 feet from the eave of the roof.

6. A special exception to the floor area and height ratio may be granted as follows:

- A. Applications for special exceptions shall be made and processed

using the same procedure that applies to conditional use permits under Article E of this Code.

B. A special exception shall not be granted unless the applicant demonstrates that the building or buildings on the lot that exceed the floor area ratio will meet the conditions set forth in Sec. 10-1-52 of this Code. For purposes of this section references to “use” or “conditional use” in Sec. 10-1-52 shall be deemed to be references to the building or buildings for which a special exception is requested. In addition, the applicant shall demonstrate compliance with the following additional conditions:

- (1) The uses, values, views, vistas and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or be diminished by the special exception.
- (2) The special exception will not substantially impair an adequate supply of light and air to adjacent property, or increase the danger of fire within the neighborhood.
- (3) The special exception will not substantially increase erosion;
- (4) The special exception will not substantially cause the flow of surface water to be changed so as to adversely affect other lots or the natural environment.
- (5) The special exception will not substantially adversely affect infiltration of surface water into the ground.
- (6) The special exception will not substantially adversely affect access to property or structures by fire fighters and other emergency personnel.

7. Any structure that existed lawfully at the time this section was adopted and that exceeds the floor area ratio shall be deemed to have been granted a special exception to the floor area ratio

8. Pre-application process (optional). In preparation for a special exception application interested parties may request that the village convene a pre-application meeting. The meeting would be facilitated by the village administrator and staff. The objectives of the meeting would be as follows:

- (1) Clarify the process criteria;
- (2) Allow the homeowners to share their goals and plans;
- (3) Allow neighbors to express their preferences and concerns
- (4) Begin the process of exploring mutual advantageous solutions.

This ordinance shall take effect upon passage and after posting as required by law.

Adopted by the Board of Trustees of the Village of Shorewood Hills, Dane County, Wisconsin, this _____ day of _____, 2006.

APPROVED:

Peter Hans, Village President

ATTEST:

Jennifer W. Anderson, Village Clerk

VILLAGE OF SHOREWOOD HILLS DANE COUNTY, WISCONSIN

ORDINANCE NO. L – 2006 - 11

PROVIDING FOR HEIGHT AND FLOOR AREA LIMITATIONS IN RESIDENTIAL DISTRICTS

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, do ordain that the Zoning Code of the Code of Ordinances of the Village of Shorewood Hills, Dane County, Wisconsin is amended as follows:

Sec. 10-1-110 is created to read as follows:

Sec. 10-1-110 RESIDENTIAL FLOOR AREA AND HEIGHT LIMITATION

1. In this section the following words and terms shall have the following meanings:
 - A. “Floor Area Ratio.” The floor area ratio of the building or buildings on any lot is the floor area of the building or buildings on the lot divided by the area of such lot. The floor area requirements as set forth in this section shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the area of the lot.
 - B. “Floor Area.” For the purpose of determining the floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings. The floor area of a building shall include:
 - (1) Basement floor area where more than one or more exterior basement walls are above the finished lot grade level;
 - (2) Elevator shafts and stairwells at each floor;
 - (3) Floor space used for mechanical equipment;
 - (4) Penthouses, attic space used for human occupancy, interior balconies and mezzanines;
 - (5) Enclosed porches; and
 - (6) Floor area devoted to accessory uses.

The floor area of a building shall not include:

- (1) Unenclosed spaces such as unenclosed decks
- (2) The first 500 square feet of garage space
- (3) Accessory structures having dimensions less than **100 sq ft or 7 ½ ft inside height**
- (4) The first 500 square feet of a detached accessory dwelling structure on a lot larger than 8,000 square feet

2. The floor area ratio of the building or buildings on any lot in the R1, R-2 or R-3 Residential District shall not exceed the following:
 - A. On lots smaller than 8,000 square feet, the floor area ratio shall not exceed 0.35 plus an additional 250 square feet of floor area;
 - B. On lots between 8,000 and 19,999 square feet, the floor area ratio shall not exceed 0.10 plus an additional 2,250 square feet of floor area;
 - C. On lots larger than 19,999 square feet, the floor area ratio shall not exceed 0.02 plus an additional 3,850 square feet of floor area.
3. On all properties effected by this ordinance ~~an~~ **one** addition of up to 100 square feet to existing floor area, shall be permitted ~~it~~ regardless of the floor area ratio requirement where the proposed addition complies with all other provisions of the zoning code. The Village Administrator may at his or her discretion approve the addition of 100 square feet or less, or may refer the application to the Plan Commission and Board for their consideration.
4. If the lot is vacant, then these rules shall be interpreted as compared to a building that is the size of the maximum building in the limits provided above.
5. **MAXIMUM HEIGHT** The height of a roof of a structure shall not exceed the following values measured vertically from directly under the roof at any point.
 - A. A shed or hip roof with a pitch of 12:12 or steeper: ~~35~~ **32** feet from the highest point on the roof.
 - B. A flat or mansard roof: ~~25~~ **22** feet to the highest point on the roof.
 - C. A shed or hip roof with a pitch of less than 12:12, or a gambrel roof: ~~28~~ **30** feet from the eave of the roof.
6. A special exception to the floor area and height ratio may be granted as follows:

A. Applications for special exceptions shall be made and processed using the same procedure that applies to conditional use permits under Article E of this Code.

B. A special exception shall not be granted unless the applicant demonstrates that the building or buildings on the lot that exceed the floor area ratio will meet the conditions set forth in Sec. 10-1-52 of this Code. For purposes of this section references to “use” or “conditional use” in Sec. 10-1-52 shall be deemed to be references to the building or buildings for which a special exception is requested. In addition, the applicant shall demonstrate compliance with the following additional conditions:

- (1) The uses, values, views, vistas and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or be diminished by the special exception.
- (2) The special exception will not substantially impair an adequate supply of light and air to adjacent property, or increase the danger of fire within the neighborhood.
- (3) The special exception will not substantially increase erosion;
- (4) The special exception will not substantially cause the flow of surface water to be changed so as to adversely affect other lots or the natural environment.
- (5) The special exception will not substantially adversely affect infiltration of surface water into the ground.
- (6) The special exception will not substantially adversely affect access to property or structures by fire fighters and other emergency personnel.

C. **The Plan Commission may consider the following:**

- (1) **If other residences along the same side of the street adjoining the residence have similar FARs.**
- (2) **If the lot has large trees and/or mature landscaping which obscures the scale of the residence.**
- (3) **If the property has unique topographic features which reduce the scale of the residence.**
- (4) **If the residence setback from the public street is significantly greater than minimum requirements.**

7. Any structure that existed lawfully at the time this section was adopted and that exceeds the floor area ratio shall be deemed to have been granted a special exception to the floor area ratio.

8. Pre-application process (optional). In preparation for a special exception application interested parties may request that the village convene a pre-application meeting. The meeting would be facilitated by the village administrator and staff. The objectives of the meeting would be as follows:
- (1) Clarify the process criteria;
 - (2) Allow the homeowners to share their goals and plans;
 - (3) Allow neighbors to express their preferences and concerns
 - (4) Begin the process of exploring mutual advantageous solutions.

This ordinance shall take effect upon passage and after posting as required by law.

Adopted by the Board of Trustees of the Village of Shorewood Hills, Dane County, Wisconsin, this _____ day of _____, 2006.

APPROVED:

Peter Hans, Village President

ATTEST:

Colleen Albrecht, Village Clerk

VILLAGE OF SHOREWOOD HILLS DANE COUNTY, WISCONSIN

ORDINANCE NO. L – 2006 - 11

PROVIDING FOR HEIGHT AND FLOOR AREA LIMITATIONS IN RESIDENTIAL DISTRICTS

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, do ordain that the Zoning Code of the Code of Ordinances of the Village of Shorewood Hills, Dane County, Wisconsin is amended as follows:

Sec. 10-1-110 is created to read as follows:

Sec. 10-1-110 RESIDENTIAL FLOOR AREA AND HEIGHT LIMITATION

1. In this section the following words and terms shall have the following meanings:
 - A. “Floor Area Ratio.” The floor area ratio of the building or buildings on any lot is the floor area of the building or buildings on the lot divided by the area of such lot. The floor area requirements as set forth in this section shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the area of the lot.
 - B. “Floor Area.” For the purpose of determining the floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings. The floor area of a building shall include:
 - (1) Basement floor area where more than one or more exterior basement walls are above the finished lot grade level;
 - (2) Elevator shafts and stairwells at each floor;
 - (3) Floor space used for mechanical equipment;
 - (4) Penthouses, attic space used for human occupancy, interior balconies and mezzanines;
 - (5) Enclosed porches; and
 - (6) Floor area devoted to accessory uses.

The floor area of a building shall not include:

- (1) Unenclosed spaces such as unenclosed decks
 - (2) The first 500 square feet of garage space
 - (3) Accessory structures having dimensions less than **100 sq ft or 7 ½ ft inside height**
 - (4) The first 500 square feet of a detached accessory dwelling structure on a lot larger than 8,000 square feet
2. The floor area ratio of the building or buildings on any lot in the R1, R-2 or R-3 Residential District shall not exceed the following:
- A. On lots smaller than 8,000 square feet, the floor area ratio shall not exceed 0.35 plus an additional 250 square feet of floor area;
 - B. On lots between 8,000 and 19,999 square feet, the floor area ratio shall not exceed 0.10 plus an additional 2,250 square feet of floor area;
 - C. On lots larger than 19,999 square feet, the floor area ratio shall not exceed 0.02 plus an additional 3,850 square feet of floor area.
3. On all properties effected by this ordinance ~~an~~ **one** addition of up to 100 square feet to existing floor area, shall be permitted ~~ir~~ regardless of the floor area ratio requirement where the proposed addition complies with all other provisions of the zoning code. The Village Administrator may at his or her discretion approve the addition of 100 square feet or less, or may refer the application to the Plan Commission and Board for their consideration.
4. If the lot is vacant, then these rules shall be interpreted as compared to a building that is the size of the maximum building in the limits provided above.
5. **MAXIMUM HEIGHT The vertical distance between any point on the roof and the point on the natural grade directly beneath it shall not exceed the following values.**
- A. A gable or hip roof with a pitch of 12:12 or steeper: ~~35~~ **32** feet
 - B. A gable or hip roof with a pitch of less than 12:12, or a gambrel roof: ~~28~~ **30** feet
 - C. A shed, flat or mansard roof: ~~25~~ **22** feet
 - D. **Natural grade is defined as the grade determined by the survey required in section 15.10 of the Village code, titled "Permits and Site Surveys Required" in cases where that code section applies.**

6. A special exception to the floor area and height ratio may be granted as follows:
 - A. Applications for special exceptions shall be made and processed using the same procedure that applies to conditional use permits under Article E of this Code.
 - B. A special exception shall not be granted unless the applicant demonstrates that the building or buildings on the lot that exceed the floor area ratio will meet the conditions set forth in Sec. 10-1-52 of this Code. For purposes of this section references to “use” or “conditional use” in Sec. 10-1-52 shall be deemed to be references to the building or buildings for which a special exception is requested. In addition, the applicant shall demonstrate compliance with the following additional conditions:
 - (1) The uses, values, views, vistas and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or be diminished by the special exception.
 - (2) The special exception will not substantially impair an adequate supply of light and air to adjacent property, or increase the danger of fire within the neighborhood.
 - (3) The special exception will not substantially increase erosion;
 - (4) The special exception will not substantially cause the flow of surface water to be changed so as to adversely affect other lots or the natural environment.
 - (5) The special exception will not substantially adversely affect infiltration of surface water into the ground.
 - (6) The special exception will not substantially adversely affect access to property or structures by fire fighters and other emergency personnel.
 - C. **The Plan Commission may consider the following:**
 - (1) **If other residences along the same side of the street adjoining the residence have similar FARs.**
 - (2) **If the lot has large trees and/or mature landscaping which obscures the scale of the residence.**
 - (3) **If the property has unique topographic features which reduce the scale of the residence.**
 - (4) **If the residence setback from the public street is significantly greater than minimum requirements.**
7. Any structure that existed lawfully at the time this section was adopted and

that exceeds the floor area ratio shall be deemed to have been granted a special exception to the floor area ratio. **Should any structure as defined above be destroyed through natural or man-made disaster, including fire said structure shall be permitted to be reconstructed on the same footprint and up to the same floor area and height as preexisted.**

8. Pre-application process (optional). In preparation for a special exception application interested parties may request that the village convene a pre-application meeting. The meeting would be facilitated by the village administrator and staff. The objectives of the meeting would be as follows:
- (1) Clarify the process criteria;
 - (2) Allow the homeowners to share their goals and plans;
 - (3) Allow neighbors to express their preferences and concerns
 - (4) Begin the process of exploring mutual advantageous solutions.

This ordinance shall take effect upon passage and after posting as required by law.

Adopted by the Board of Trustees of the Village of Shorewood Hills, Dane County, Wisconsin, this _____ day of _____, 2006.

APPROVED:

Peter Hans, Village President

ATTEST:

Colleen Albrecht, Village Clerk

VILLAGE OF SHOREWOOD HILLS DANE COUNTY, WISCONSIN

ORDINANCE NO. L – 2006 - 11

PROVIDING FOR HEIGHT AND FLOOR AREA LIMITATIONS IN RESIDENTIAL DISTRICTS

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, does ordain that the Zoning Code of the Code of Ordinances of the Village of Shorewood Hills, Dane County, Wisconsin is amended as follows:

Sec. 10-1-110 is created to read as follows:

Sec. 10-1-110 RESIDENTIAL FLOOR AREA AND HEIGHT LIMITATION

1. In this section the following words and terms shall have the following meanings:
 - A. “Floor Area Ratio.” The floor area ratio of the building or buildings on any lot is the floor area of the building or buildings on the lot divided by the area of such lot. The floor area requirements as set forth in this section shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the area of the lot.
 - B. “Floor Area.” For the purpose of this ordinance , the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings. The floor area of a building shall include:
 - (1) Basement floor area where more than one exterior basement walls are above the finished lot grade. The percentage of the total basement floor area to be included in the adjusted floor area shall be equal to the percentage of the total perimeter of the basement wall that is completely exposed.
 - (2) Elevator shafts and stairwells at each floor;
 - (3) Floor space used for mechanical equipment;
 - (4) Penthouses, attic space used for human occupancy, interior balconies and mezzanines;

- (5) Enclosed porches; and
- (6) Floor area devoted to accessory uses.

The floor area of a building shall not include:

- (1) Unenclosed spaces such as unenclosed decks
- (2) The first 500 square feet of garage space
- (3) Accessory structures having dimensions less than 100 sq ft or 7 ½ ft inside height
- (4) The first 500 square feet of a detached accessory dwelling structure on a lot larger than 8,000 square feet

2. The floor area ratio of the building or buildings on any lot in the R1, R-2 or R-3 Residential District shall not exceed the following:
 - A. On lots smaller than 8,000 square feet, the floor area ratio shall not exceed 0.35 plus an additional 250 square feet of floor area;
 - B. On lots between 8,000 and 19,999 square feet, the floor area ratio shall not exceed 0.10 plus an additional 2,250 square feet of floor area;
 - C. On lots larger than 19,999 square feet, the floor area ratio shall not exceed 0.02 plus an additional 3,850 square feet of floor area.
3. If the lot is vacant, then these rules shall be interpreted as compared to a building that is the size of the maximum building in the limits provided above.
4. **MAXIMUM HEIGHT** The vertical distance between any point on the roof and the point on the natural grade directly beneath it shall not exceed the following values.
 - A. A gable or hip roof with a pitch of 12:12 or steeper: 32 feet
 - B. A gable or hip roof with a pitch of less than 12:12, or a gambrel roof: 30 feet
 - C. A shed, flat or mansard roof: 22 feet
 - D. Natural grade is defined as the grade determined by the survey required in section 15.10 of the Village code, titled "Permits and Site Surveys Required" in cases where that code section applies.
5. A special exception to the floor area and height ratio may be granted as follows:

- A. Applications for special exceptions shall be made and processed using the same procedure that applies to conditional use permits under Article E of this Code.
 - B. A special exception shall not be granted unless the applicant demonstrates that the building or buildings on the lot that exceed the floor area ratio and height limit will meet the conditions set forth in Sec. 10-1-52 of this Code. For purposes of this section references to “use” or “conditional use” in Sec. 10-1-52 shall be deemed to be references to the building or buildings for which a special exception is requested. In addition, the applicant shall demonstrate compliance with the following additional conditions:
 - (1) The uses, values, views, vistas and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or be diminished by the special exception.
 - (2) The special exception will not substantially impair an adequate supply of light and air to adjacent property, or increase the danger of fire within the neighborhood.
 - (3) The special exception will not substantially increase erosion;
 - (4) The special exception will not substantially cause the flow of surface water to be changed so as to adversely affect other lots or the natural environment.
 - (5) The special exception will not substantially adversely affect infiltration of surface water into the ground.
 - (6) The special exception will not substantially adversely affect access to property or structures by fire fighters and other emergency personnel.
 - C. The Plan Commission may consider the following:
 - (1) If other residences along the same side of the street adjoining the residence have similar FARs.
 - (2) If the lot has large trees and/or mature landscaping which obscures the scale of the residence.
 - (3) If the property has unique topographic features which reduce the scale of the residence.
 - (4) If the residence setback from the public street is significantly greater than minimum requirements.
6. Any structure that existed lawfully at the time this section was adopted and that exceeds the floor area ratio or height limit shall be deemed to have been granted a special exception to the floor area ratio and height limit. Should any structure as defined above be destroyed through natural or man-made

disaster, including fire said structure shall be permitted to be reconstructed on the same footprint and up to the same floor area and height as preexisted.

7. Pre-application process (optional). In preparation for a special exception application interested parties may request that the village convene a pre-application meeting. The meeting would be facilitated by the village administrator and staff. The objectives of the meeting would be as follows:
- (1) Clarify the process criteria;
 - (2) Allow the homeowners to share their goals and plans;
 - (3) Allow neighbors to express their preferences and concerns
 - (4) Begin the process of exploring mutual advantageous solutions.

This ordinance shall take effect upon passage and after posting as required by law.

Adopted by the Board of Trustees of the Village of Shorewood Hills, Dane County, Wisconsin, this _____ day of _____, 2006.

APPROVED:

Peter Hans, Village President

ATTEST:

Colleen Albrecht, Village Clerk

Village of Shorewood Hills
Board of Trustees
Meeting Minutes

Monday, August 28, 2006 7:00 p.m.

1. **Call to Order** Mr. Hans called the meeting to order at 7:00 p.m.
2. **Roll Call** Present were Trustees David Benforado, Lori DiPrete Brown, Peter Hans, Mark Sundquist, Rocky Van Asten and Marilyn Townsend. Trustee Bromley was excused. Staff present included Karl Frantz, Administrator, Jennifer Anderson, Village Clerk, Dennis Pine, Police Chief, Jerry Stein, Interim Fire Chief, Denny Lybeck, Crew Chief. Others present were Harry and Mary Sharata, Lea Aschkenase, Tom Young, Ed and Betty Garvey, Bill Thomas, Laurie Van Asten, and Nancy and Jack Westman. There were about fifteen others that arrived and left at various times.
3. **Statement of Public Notice** Ms. Anderson reported that the meeting had been properly posted and noticed.
4. **Appearances and Communications** See later in the meeting
5. **A. Consent Agenda**
 - i) Minutes from July 17, 2006 meeting
 - ii) Deny insurance claim of Priscilla Arsgrove
 - iii) Payment of bills
 - iv) Solicitor's Permits - Grassroots Campaign
 - v) Transient Merchants Licenses - Jean McNeely, The Southwestern Company
 - vi) Operator's Licenses - James Eliason
 - vii) Street Use Permits
 - a) Huffin for Habitat - September 23, 2006
 - b) Block party - September 9, 2006 Edgehill Drive
 - c) Canterbury Run/Walk - October 10, 2006
 - d) Block party - September 4, 2006 Wellesley and Columbia
 - viii) Authorize hire of Police Officer Charles Warren at starting rate of \$17.07 per hour
 - ix) Appoint Jerry Stein as Interim Fire Chief/EMS Director and establish pay rate of \$23.50 per hour and authorize adjustment to duty officer rates for active duty officers to \$20.00 per hour and maintain passive officer rate at \$15.47 per hour during the interim
 - x) Appoint David Sykes Interim Co-EMS Director during Fire Chief vacancy period and adjust hourly wage during interim from \$14.98 to \$16.48 per hour
 - xi) Authorize Village to enter into EMS electronic run field reporting and field data collection agreement with Dane County
 - xii) Authorize pool employee pay rate adjustments during extended season and establish rate for Master's Swim Coach

Ms. Townsend asked to have items xi and xii removed. Ms. DiPrete Brown moved and Mr. Sundquist seconded a motion to approve the consent agenda. Motion passed unanimously. A gentleman representing Priscilla Arsgrove wish to note to the Board that Ms. Arsgrove will continue to pursue this issue even if the Board denies the claim.

xi) Authorize Village to enter into EMS electronic run field reporting and field data collection agreement with Dane County Ms. Townsend requested more information. Mr. Benforado, chair of the Public Health and Safety Committee, referred to his memos from April 18 and Aug 15 which explains the agreement. Most services in Dane County are going to electronic reporting. If the Village does go with Dane County it will be given a tablet PC (valued at \$3200) and a

copy of the software (valued at \$1500) at no cost. The Village cost would be for initial training (\$1200) and annual maintenance (\$1500); the total unanticipated cost would be \$2700. This cost is expected to be covered by the additional revenue from ambulance bill collections realized by using the collection agency hired by the Board earlier in 2006. Mr. Benforado believes the net result will be zero or positive. Mr. Benforado moved and Mr. Hans seconded a motion to approve the Village entering into an agreement with Dane County for EMS electronic run field reporting and field data collection. Motion passed unanimously. **xii) Authorize pool employee pay rate adjustments during extended season and establish rate for Master's Swim Coach** Ms. Townsend reported that the Personnel Committee has not met since August 11 when this proposal was made. She felt that there is a substantial increase in the wages and some other issues raised. She proposed that the Personnel Committee meet in the next week to ten days to address the issues and then make a recommendation to the Board. After discussion the Board felt that it should not try to second guess the Pool Committee as long as the rates being approved are only for the 2006 season (regular and extended). Mr. Hans was in favor of approving the request noting that Chris Carbon has been an excellent manager of the pool and the Committee is excellently chaired by former trustee, Greg Lampe. Mr. Van Asten moved and Ms. DiPrete Brown seconded a motion to approve the pay rate adjustments for the extended season (Sept 8, 9 & 10) and establish a 2006 rate for the Master's Swim Coach wage for Amanda Rice and Charlie McCanna. Motion passed unanimously.

B. Public Hearings i) Public Hearing on proposed changes to the text of the zoning code in the R-1, R-2 and R-3 districts concerning bulk and height limitations for residential structures and lots through the establishment of floor area ratios, and creation of new requirements concerning conditional uses as they pertain to bulk requirements Mr. Hans opened the public hearing at 7:18 p.m. Ms. DiPrete Brown spoke in favor of the change. She did not believe that the ordinance would create an undue burden and would give residents an understanding of the parameters they need to stay within. Mr. Van Asten also spoke in favor of the ordinance. He expressed concern that the problems with sloped properties have not been completely solved. Mr. Sundquist suggested a slightly different approach to the definition of maximum height. Mr. Hans gave an overview of the changes that were recommended by the attorney. Mr. Hans felt that the issue that the attorney missed is including the "lake view" language from the lake front zoning ordinance. The term "special exception" was suggested rather than "special use." Earl Munson, 3610 Lake Mendota Drive, feels that the culture of the community is extremely important in these issues. He believes that architects are able to design homes that will work on a variety of lots with special circumstances like the setback restriction on Lake Mendota Drive. Mr. Sundquist suggested going back to the tighter restriction numbers. Jack and Nancy Westman, 1234 Dartmouth Road, congratulated the Board on working to maintain the unique character of the Village. Jane Pizer, 3539 Topping Road, supported the previous speakers and spoke in favor of "do no harm." Glenda Dennison, 3311 Lake Mendota Drive, spoke in favor of protecting views that houses currently have. This ordinance would cover the whole Village including Lake Mendota Drive. Chris and Pat Wilcox, 3668 Lake Mendota Drive, asked about whether the setback line would still be in effect. Mr. Hans indicated that it would have to be put back in. The idea of an overlay district along the lake was discussed. Dave Hanson, 1525 Sumac Drive,

noted that the character of the Village is due in part to the zoning ordinances that are in effect today. He cautioned the Board to consider the impact this could have on current and future neighbors. He also felt that an accurate definition on height and where to measure from are very important. This ordinance would provide a guideline as houses are built and remodeled. The Board considered the possibility of making all the changes that had been agreed upon in this discussion and publicizing it prior to having the first reading in September.

The Board took a five minutes break at 8:29 pm.

ii) Public hearing amending boundaries of the zoning code re-zoning part of lot 28, and lots 29, 30, 31 in the plat of the First Addition to Shorewood Hills (on Blackhawk Drive between Edgehill and Oak Way) from R-2 to R-1 Without closing the first public hearing, Mr. Hans opened the public hearing on the re-zoning within the First Addition to Shorewood Hills. The Plan Commission recommended approval of this re-zoning. There were no comments from the audience. Leaving the public hearings open the Board moved on to consider ordinances L-2006-10 and 11.

Item 5(C)(ii) was taken out of order.

C. New Business Ordinances ii) Consider first reading of an ordinance L-2006-10 re-zoning certain properties in the First Addition to Shorewood Hills from R-2 to R-1 Mr. Benforado moved and Mr. Sundquist seconded a motion to approve the first reading of L-2006-10. Motion passed unanimously. **i) Consider first reading of an ordinance L-2006-11 providing for height and floor area limitations and conditional uses in residential districts** Mr. Sundquist moved and Mr. Van Asten seconded a motion to approve the first reading of L-2006-11 with certain changes. Ms. DiPrete Brown felt strongly that the maximum height of 28 feet in item 1 should be increased to 30 feet. Following a long discussion and many changes the Board decided to go ahead with the first reading. Mr. Hans closed both public hearings at 9:32 p.m. Motion passed with a vote of 4-2-0 (yes: Benforado, Hans, Sundquist, and Van Asten; no: Brown and Townsend.) Ms. DiPrete Brown voted against the motion because she disagreed with the 28 foot roof height restriction and wanted more input from residents because the floor area numbers circulated to residents to review were not the same as the ones that were voted on and she wanted to hear public views before deciding how to vote. Ms. Townsend voted against the motion because she wished to give the residents notice of the changes that were made prior to the vote. See attached ordinance as revised. Mr. Benforado asked Mr. Frantz to look at an overlay district for Lake Mendota Drive for the lake shore zoning with setback.

D. New Business Resolutions and Motions i) Resolution R-2006-10 approving, modifying or rejecting certified survey map subdividing lot 32, Shorewood Hills Fourth Addition (Edgehill Drive) Mr. Van Asten moved and Ms. DiPrete Brown seconded a motion to approve resolution R-2006-10. Motion passed unanimously.

Item 4 was taken out of order.

4. Appearances and Communications Alan Goldenberg gave a report on the 2006 Golf

program. The program was a huge success. The greens keepers were very accommodating in every respect. The biggest change for next year is the addition of lemonade and cookies. The committee expects to recommend the same program for next year. He suggested drafting a long term agreement with Blackhawk Country Club.

Item 6(G) was taken out of order.

6. **G. Recreation Committee** Ms. DiPrete Brown reported that the kayak program is almost ready to start. The fee that is paid now when a resident signs up will cover 2006 and 2007. Basketball and soccer programs are being planned. There may be some kind of ball room dancing in the Community Center.

Item 5(D)(v) was taken out of order.

5. **v) Appointments** Ms. Townsend moved and Mr. Sundquist seconded a motion to make two appointments to the Personnel Committee: Todd Young to replace John Becker and Erica Moeser to replace Patsy Evans. Motion passed unanimously. **a) Mark Sundquist, Interim Treasurer** Ms. Townsend moved and Mr. Benforado seconded a motion to approve Mark Sundquist as the interim treasurer. Mr. Benforado asked that another article be placed in the September *Village Bulletin* asking for volunteers to be Treasurer. Motion passed unanimously.

Trustee Brown left the meeting at 10:00 p.m. Item 6(D) was taken out of order.

6. **D. Services Committee** Mr. Van Asten noted that the bobcat is showing serious signs of wear. Denny Lybeck reported that the big issue is the trade-in value; it can range anywhere from \$11,500 to \$20,000. With all the add-ons the cost for a new one will be around \$46,000 to \$49,000 (net.) Plus the village will need to buy a new trailer because the old trailer is 18 years old and the new skid steer is too heavy for the old trailer. A recommendation from the committee is expected at the September meeting. Mr. Van Asten talked about the mess in the quarry that has not been solved for 15 to 20 years. He referred to it as a "stink hole." The committee is exploring paving over two thirds of the quarry with a reinforced floating slab of concrete, plus the addition of a retention tank nearby. The cost would be \$60,000 to \$70,000. Mr. Van Asten wants to do this in 2006. Mr. Benforado spoke strongly in favor of a capital plan that allows the Trustees to prioritize projects. Mr. Frantz will put together a capital list for the next Board meeting. The Services Committee suggested that either as the street lights burn out they be replaced with dark sky compliant fixtures at a cost of \$120 each or an amount be budgeted each year to convert the lights to the dark sky requirements, after that put in the old style (which is no cost). The new lights are projected to last five to nine years. Mr. Van Asten asked the Board to think about the options. There are three lights that will be replaced with the new ones so that residents can see the results. Mr. Benforado asked that the cost of the lights be netted against the energy savings. It was reported that there have been several water main breaks (five on Tally Ho and one on Western). Denny Lybeck believes it is linked to Madison flushing their water mains. Madison will now notify Denny when they are flushing so he can close the valve for the water coming into the Village.

ii) Approve contract with Brink Kolberg for services to construct a new storage facility Mr. Van Asten moved and Mr. Sundquist seconded a motion to approve a contract with Brink Kolberg to design the storage facility. Motion passed unanimously. Mr. Van Asten noted that there may be a small office building put up in the area. **iii) Approve contract with Brink Kolberg for services to remodel existing DPW/Fire & EMS facility** Mr. Van Asten moved and Mr. Benforado seconded a motion to approve the contract with Brink Kolberg to design the remodel of the existing DPW/Fire & EMS facility. Part of this would be to bring the building up to current safety codes for the DPW. Motion passed unanimously. Mr. Van Asten suggested that the Village consider picking a Village architect like it does an engineer, lawyer or auditor. **iv) Authorize challenge to official population estimates** Mr. Benforado moved and Mr. Sundquist seconded a motion to authorize a challenge to the official population estimates. Motion passed unanimously.

6. Reports of Officials and Committees A. President's Report No report

B. Administrator's Report i) Status of Blackhawk Country Club insurance payments and audit Mr. Frantz reported that the country club has a positive attitude towards the new building. As far as the back insurance payments Mr. Possin indicated a positive attitude on the part of the country club to pay. However, Mr. Frantz never gets anything definitive. Ms. Townsend suggested that the Village just send the country club an invoice for \$17,900 based on the balance still owed of \$22,900. Ms. Townsend moved and Mr. Van Asten seconded a motion to authorize Mr. Frantz to draft a letter which should include the time period involved and the Village's patience. This would accompany the invoice. Motion passed unanimously. There has been no response from the country club on the audit. Ms. Townsend suggested that the Village do it's own audit of their books for the last five years. She again referred to the unanswered question about whether the 17% service charge has been included in the revenue used to determine the rent. Also following the current audit the country club's revenue went up 23%. She suggested that Virchow Krause be contacted for a quote on the cost of an audit of the revenues of the country club for the last five years which would serve as a base line as the Village goes forward. Virchow Krause will be coming to the September Board meeting so Mr. Frantz will ask them to prepare a quote and give a recommendation of how many years back they should go. **ii) Status of Fire Chief and Clerk position vacancies** The interviews for the Clerk position are set for Thursday, September 7. The panel (Ms. Townsend, Ms. Bromley, Mr. Frantz, and Jennifer Anderson) plan to interview four people. There should be a recommendation for the next Board meeting. More in-state applications are coming in for the chief's position. The deadline is August 31. **iii) Acknowledge Garden Club \$1,500 contribution for summer arborist help** Mr. Frantz noted that the Garden Club has for many years donated \$1,500 to the Village to pay for summer help. The Board of Trustees wished to express their sincere appreciation for the continuing donations from the Garden Club. Mr. Frantz reported that it appears that there may be an outdoor wood burning furnace in the Village. The Board wishes to have an ordinance drafted and brought to the next meeting to regulate such furnaces.

C. Public Works Committee They did not meet.

E. Ad Hoc Public Works Facility Committee The minutes will be sent out to the Board via email.

F. Pool Committee No report

H. Parks Committee No report

I. Plan Commission Their last meeting covered the issues that were discussed earlier in the Board meeting.

J. Stormwater Committee The committee continues to make progress. They will be looking at a fee structure at their next meeting.

K. Traffic Committee Mr. Benforado referred to the minutes in the packet. The committee will have a special meeting on September 5 dedicated to crafting recommendations to the Public Works Committee on the reconstruction of Columbia Road and Shorewood Boulevard. Mr. Benforado urged everyone to go to www.hillfarms.org and look at the plans that Freed Development has for Hilldale. This will very likely increase traffic in the area. Mr. Van Asten noted that the Public Works Committee is looking at the intersection of Shorewood Boulevard, Harvard Road and Topping Road and considering making it a four-way stop.

L. Public Health and Safety Committee Mr. Benforado is reviewing the recommendations from the Safer, More Walkable Task force to see how well the Village is doing at implementing them. He also noted that the Village is in dire need of crossing guards.

7. Adjourn Mr. Hans adjourned the meeting at 10:52 p.m.

Respectfully submitted,

Jennifer W. Anderson
Village Clerk

**MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION**

Date and Time: Tuesday, September 19, 2006 7:00 P.M.

Location: Village Hall 810 Shorewood Boulevard

In attendance: Jill Dittrich, Lea Aschkenase, Bill Thomas, Mark Sundquist, Jim Etmanczyk

Excused: Peter Hans, Karl Wellensiek, Karl Frantz

1. Call to Order – Mark Sundquist called the meeting to order at 7:00 pm. He noted the meeting had been posted.
2. Work on floor area ratio and height limitation ordinance

The plan commission discussed where to measure building heights, how to measure building height and the appropriate maximum building heights. The commission reviewed the various drafts of the ordinance including the latest from the village attorney. Also, the commission reviewed correspondence from Bill Thomas and Roger Hauck.

The commission discussed the various roof types and lot configurations. The commission then revised the ordinance section for building height. It suggested wording modifications, included gable roofs and changed some of the height maximums.

(See Mark Sundquists notes for exact wording.)

The commission then reviewed the residential floor area portion of the ordinance and suggested that a table be added to describe how various floor areas would be impacted by the ordinance. This table should be added to item 2 in the ordinance.

The meeting adjourned at 9:05 pm.

Village of Shorewood Hills Board of Trustees

Approved Meeting Minutes

Monday, September 25, 2006 7:00 p.m.

1. **Call to Order** Mr. Hans called the meeting to order at 7:01 p.m.
2. **Roll Call** Present were Trustees David Benforado, Joyce Bromley, Lori DiPrete Brown, Peter Hans, Mark Sundquist, Marilyn Townsend and Rocky Van Asten. Staff present included Karl Frantz, Administrator, Jennifer Anderson, Village Clerk, Dennis Pine, Police Chief, Jerry Stein, Interim Fire Chief, Denny Lybeck, Crew Chief, and David Sykes, Emergency Services Coordinator. The audience included Harry Sharata, Bill Thomas, Cokie Albrecht, Sue and Jeff Jefferson, Lois and Fred Polenz, Ellie and Earl Munson, Franz Backus, Tom Palay, Jean Landweber, Police Officer Charles Warren, Jr., and Renee Meinholz representing Virchow, Krause & Company. Several others arrived and left at various times.
3. **Statement of Public Notice** Ms. Anderson reported that the meeting had been properly posted and noticed.
4. **Appearances and Communications**
 - i) **Renee Meinholz representing Virchow Krause will present the 2005 financial statements** Ms. Meinholz gave a summary of the 2005 audit results and answered questions. At the end of 2005 the undesignated funds balance went from 6.89% to 16.73% of the subsequent year's budget. This was done intentionally by the Board to improve the undesignated fund balance.
 - ii) **Letter from Madison Community Foundation providing \$4,500 for McKenna Park Shoreline** Mr. Hans noted the receipt of the letter and donation. The donation is a matching grant for funds to improve the marina. The Village raised a total of \$16,000 for the floating dock.
 - iii) **Introduction of Jerry Stein, Interim Fire Chief** Mr. Hans introduced Jerry Stein and thanked him for his willingness to fill in until a new fire chief is hired.
 - iv) **Introduction of Charles Warren, Police Officer** Chief Pine introduced the newest police officer, Charles Warren, Jr. He is from Milwaukee and Palmyra and graduated from UW-Whitewater. He has experience working with juveniles. The Board welcomed Officer Warren.
5. **Board Matters**
 - A. **Consent Agenda**
 - i) Minutes from August 28, 2006 meeting
 - ii) Payment of bills
 - iii) Resolution R-2006-11 authorizing Urban Forestry Grant Application
 - iv) Street Use permits
 - a) Army ROTC Lake Mendota Drive Endurance Run
 - v) Block Party Permits
 - a) Crestwood Drive - October 1, 2006,

rain date October 8, 2006 vi) Operator's Licenses a) James Wachinski b) Josh Jira Mr. Benforado moved and Ms. DiPrete Brown seconded a motion to approve the consent agenda noting that the total for payment of bills is \$113,164.31. Motion passed unanimously.

Item 5(B)(iii) was taken out of order.

B. New Business Ordinances iii) Consider first reading of an ordinance L-2006-12 prohibiting outdoor solid fuel heating units Ms. Bromley moved and Mr. Benforado seconded a motion to have the first reading of ordinance L-2006-12. Motion passed unanimously. Mr. Frantz was directed to gather information from nearby municipalities on samples of their ordinances to bring to the next Board meeting.

Item 5(B)(ii) was taken out of order.

B. New Business Ordinances ii) Consider second and third readings of an ordinance L-2006-10 rezoning certain properties in the first addition to Shorewood Hills from R-2 to R-1 Mr. Sundquist moved and Ms. Bromley seconded a motion to have the second and third reading of ordinance L-2006-10 rezoning certain properties in the first addition to Shorewood Hills. Motion passed unanimously. There was a clear consensus on the Board in favor of this ordinance. Thus, it justified having both the second and third readings consecutively.

B. New Business Ordinances i) Consider second reading of an ordinance L-2006-11 providing for height and floor area limitations and special exceptions in residential districts Mr. Sundquist moved and Ms. Bromley seconded a motion to have the second reading of ordinance L-2006-11. There was a report from Mr. Sundquist summarizing the recommended changes coming from the Plan Commission. The following changes were made to the ordinance prior to the vote.

- 1) In section 3 replace the word "irregardless" with *regardless*.
- 2) Replace maximum height numbers in section 5 to the numbers recommended by the Plan Commission: 35 ft for a shed or hip roof with a pitch of 12:12 or steeper, 30 feet for a shed or hip roof pitch of 12:12 or less and 22 feet for a mansard or flat roof.
- 3) In section 1(B) where it talks about what the floor area should not include: # 3, "Accessory structures having dimensions less than" add *100 sq. ft or 7 ½ foot internal height*.
- 4) In section 3 first sentence, replace "an" with *one* and put a comma after the first word "area."

- 5) In section 6 add: C. *The Plan Commission may also consider the following: a) If other residences along the same side of the street adjoining the residence have similar FARs. b) If the lot has large trees and/or mature landscaping which obscures the scale of the residence. c) If the property has unique topographic features which reduce the scale of the residence. d) If the residence setback from the public street is significantly greater than minimum requirements.*
- 6) "Natural grade" is defined as the grade as determined by the survey submitted with the application for a tear down/rebuild.

Mr. Hans opened the meeting for public input. Jean Landweber passed out Larry's suggestion for the height definition. Residents were glad that it is a conditional use process rather than a variance process. A resident questioned what would happen if a grand-fathered house was completely destroyed; what options would be available to the owner for rebuilding? Mr. Frantz will check with the attorney on how item 7 might be interpreted. Mr. Frantz will also work on a possible ordinance to maintain the setback line on the lake shore of Lake Mendota Drive.

Following the public input time the Board continued its discussion. In the end the motion with the above amendments passed with a unanimous vote.

C. New Business Resolutions and Motions

- i) Proclamation relating to the Bamforth Bluff restoration Project in memory of Betty Bamforth** Ms. Bromley moved and Ms. Townsend seconded a motion to accept the proclamation and dedicate the upper McKenna Park area near the boulder and plaque to be Bamforth Bluff in honor of our long time resident (now deceased) Betty Bamforth. Motion passed unanimously.
- ii) Recognizing and thanking Clerk Jennifer Anderson for her dedicated service to the Village Ordinances** Mr. Hans thanked Jef for her dedicated service to the Village. She will be retiring on September 30. She was presented a bouquet of flowers from the Trustees. There are plans to recognize her years of service at the Recognition dinner on Sunday, November 12.
- iii) Recognizing and thanking Fire Chief Tom DeMeuse for his dedicated service to the Village** Mr. Hans thanked Tom DeMeuse for his dedicated service to the Village. He retired August 31. There are also plans to recognize his years of service at the Recognition dinner on Sunday, November 12.
- iv) Award bid and contract for entryway project to Bachman Construction** Mr. Van Asten moved and Mr. Sundquist seconded a motion to award the bid and contract for the Shorewood Boulevard entryway project to Bachman Construction. Motion passed with a vote of 6-0-1. Ms. DiPrete Brown abstained due to a relative that is connected to Bachman Construction.
- v) Authorize purchase of a skid steer** Mr. Van Asten moved and Mr. Benforado seconded a motion to approve the purchase of a new skid steer and trailer at an approximate

net cost of \$47,950. This will include a tree planting attachment for the forester plus floating tires. The money is coming from the bond. The old skid steer will either be traded in or sold outright depending on the most lucrative offer.

Motion passed unanimously. **vi) Approval to continue work on 2007 street program with revisions** Mr. Benforado moved and Mr. Sundquist seconded a motion to approve continued work on the 2007 road plan with a focus on completing Shorewood Boulevard and Circle Close and continue working on Columbia Road for 2008. Motion passed unanimously. **vii) Appointments** Ms. Townsend moved and Mr. Sundquist seconded a motion to appoint Bob Wolfe to the Personnel Committee to complete Mike Corry's term expiring in May 2007. Motion passed unanimously.

The Board took a break at 10:02 p.m. and reconvened at 10:07 p.m.

6. Reports of Officials and Committees A. President's Report Mr. Hans made the following statement.

I am announcing my intention not to seek reelection as president of the Village of Shorewood Hills.

Serving as president has been an honor. As much as I have given to the village, I have received even more, in ways too many to list or to describe. Arguments could be made why I should seek reelection and serve another term, but I have concluded that I should step aside effective April 2007.

Let me take a few moments to explain the timing of this announcement.

The next village caucus is only four months away, months that will pass quickly due to the holidays, and yet the caucus is far enough away to give those interested in running for president occasions to demonstrate their leadership abilities, and for voters to watch them do so. Those occasions include the regular Board of Trustee meetings, during which more discussions such as those held earlier this evening regarding the use of zoning to preserve or develop village character will occur; the special Board of Trustees retreat scheduled to be held next month; and the special Board of Trustees meeting scheduled in November, where the focus will be on next year's village budget.

In addition, during the next four months, those who might be interested in running for president and who do not already sit on the Board of Trustees can attend board, commission and committee meetings, so that they can learn about village issues.

Making this announcement in January, shortly before the caucus, would deprive those who might be interested in running for president the time they need to make up their minds, which in turn might mean that the voters would not have before them in April a choice of candidates well-qualified to serve as president.

So, everyone now has fair notice. I hope to see some residents genuinely interested in serving as president place their names before the voters at the caucus in January for the election in April. Between now and then, please contact me if you would like to learn more about the duties of the president of the Village of Shorewood Hills.

Several trustees expressed their appreciation and respect for all that Mr. Hans

has done for the Village.

B. Administrator's Report The Greater Madison Visitor & Convention Bureau which has a relationship with the city of Chapel Hill, North Carolina created a panel to exchange information on "town-n-gown" relations. Mr. Frantz participated in the panel which included leadership from the city of Chapel Hill NC, the university and visitor's bureau as well as representatives from the city of Madison, the UW and the local visitor's bureau. Chapel Hill is trying to emulate the cooperative relationship that has been established here in Madison. i)

Discuss preparations for Board retreat on October 21 and solicit Board input

The retreat will be Saturday, October 21 from 8:00 a.m. to noon. Mr. Frantz will check on the availability of the UW Credit Union. Each trustee will submit topics to Mr. Frantz by Monday, October 9 in order to have time to organize the agenda. Mr. Frantz will make arrangements for a facilitator and someone to take minutes. The cost of the facilitator will be reviewed at the October board meeting to determine where in the budget to charge the expense.

C. Finance Committee Mr. Sundquist reported that the committee recommends closing TIF 2 before May 15, 2007. However, if the Village spends an additional \$400,000 or more in the TIF it will probably need to remain open another year. The committee will meet on Oct 4 and do a debt calculation. i)

Status of Blackhawk Country Club insurance reimbursement and audit

The committee asked Fred Wade and Mark Sundquist along with Karl Frantz to meet with Blackhawk Country Club to discuss the back insurance payments that have not been received. Mr. Frantz reported that the quote from Virchow Krause for the country club audit was \$3000 to \$5000 for one year, additional years would be \$500 to \$1000 for each. The audit would cover the three specific areas. Ms. Bromley said she did not think that the residents want to spend thousands of dollars of their money on an audit. Mr. Van Asten moved and Ms. Townsend seconded a motion to do an independent audit of the country club revenues for up to three years (2004, 2003, 2001) spending up to \$9000. This would provide an independent review of the country club's revenues and could be used as a baseline for the future. Following a long discussion Mr. Van Asten withdrew his motion though he sees the audit as a normal part of doing business. He assured the Board that he would bring the motion back at the next meeting. Ms. Townsend is very frustrated by the complete lack of a response from Blackhawk on the back insurance premiums in spite of several attempts by the Village to get a dialogue going. Mr. Frantz will contact Jim Possin, BCC Treasurer, to set up a meeting. Ms. Townsend moved and Mr. Hans seconded a motion to take all steps to advise Virchow Krause to do a general revenue audit covering the years 2005 and 2004. Further, to go back to 2003 if Virchow Krause believes it is warranted. The direction to Virchow Krause would be to schedule it so that the expense of the audit is in the 2007 budget. Because a year ago the Village learned that the rent may not have been calculated correctly and the lack of a response from the country club, Ms. Townsend believes that the 17% service fees may

have not been included in reported revenues. She believes that any delay works in their favor. The motion passed with a vote of 3 (Van Asten, Townsend, Hans) - 2 (Benforado, Sundquist) - 2 (Bromley, Brown). **ii) Capital financing plan** The Finance Committee would like feedback and priorities from the various committees on what their individual needs are related to a long-term financing plan. **iii) 2007 budget**

D. Public Works Committee No meeting due to a lack of a quorum.

E. Services Committee They are working hard on defining the Community Center rules. The results should be available soon.

F. Ad Hoc Public Works Facility Committee Blackhawk Country Club was quite receptive to the plan that Brink Kolberg produced. There are still some changes to be addressed. Terry Kolberg will meet with Monroe Miller from Blackhawk to work out the issues and then have new plans ready for the country club's board meeting the first week of October. Terry was also directed to put together some plans for the private building that could be put in the same general area as the new DPW facility.

G. Traffic Committee They reviewed the plans for the 2007 reconstruction of the rest of Shorewood Boulevard. The committee's thoughts and suggestions were forwarded to the Public Works Committee. Ms. DiPrete Brown reported that she has heard a lot of negative comments about the traffic pattern at the school (no vehicle traffic in the circle.) Mr. Benforado reported that Lynn Berton, school principal, and the Madison Public School District made that change. The Village had nothing to do with it. The change was made for the safety of children.

H. Public Health and Safety Committee They had not met, but will on October 11.

I. Pool Committee Ms. DiPrete Brown was unable to attend their last meeting.

J. Recreation Committee The committee had not met.

K. Parks Committee The committee talked about the emerald ash bore. This beetle is so invasive and destructive that if one is found in WI the recommendation is to cut that ash and all healthy ashes within a half mile radius. There will be more information forthcoming.

L. Stormwater Committee At the next meeting MSA will be presenting a budget.

M. Plan Commission i) Anticipated zoning revisions to allow increased

density, commercial and residential uses in the C-3 medical office district (Doctors Park) ii) Anticipated zoning revisions to allow increased density and residential uses in the C-2(P) (Pyare Square) and C-1(P) (Walnut Grove) zoning districts These two issues will be coming out of the Plan Commission in the near future. This will be only a zoning change; there are no developers interested at this time.

O. Blackhawk Liaison Committee There was no report.

N. Personnel Committee Mr. Hans moved and Ms. Bromley seconded a motion to go into a closed session pursuant to Section 19.85(1)(c) of the WI State Statutes to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the jurisdiction exercises responsibility and may reconvene to open session as per WI State Statutes 19.85(2) to address any business that may result from the closed session (appointment and compensation for the Village clerk position and the hiring process for the fire chief.) Mr. Frantz was asked to stay. The vote was: Benforado - yes, Bromley - yes, Brown - yes, Hans - yes, Sundquist - yes, Townsend - yes, and Van Asten - yes.

The Board went into a closed session.

7. **Reconvene to open session** The Board reconvened into open session. Ms. Townsend moved and Mr. Van Asten seconded a motion to appoint Colleen Boyle Albrecht Village Clerk effective October 1, 2006 at an annual salary of \$51,000 for the remainder of 2006 and all of 2007. Motion passed unanimously.
8. **Adjourn** Mr. Hans adjourned the meeting at 12:24 a.m..

Respectfully submitted,

Jennifer W. Anderson
Village Clerk

Village of Shorewood Hills

Board of Trustees

Draft Meeting Minutes

Monday, October 23, 2006 7:00 p.m.

1. **Call to Order** Mr. Hans called the meeting to order at 7:00 p.m.
2. **Roll Call** Present were Board President Peter Hans and Trustees David Benforado, Joyce Bromley, Mark Sundquist, Marilyn Townsend, and Rocky Van Asten. Lori DiPrete Brown was excused. Staff present included Karl Frantz, Administrator, Police Chief Dennis Pine, Interim Fire Chief Jerry Stein, Denny Lybeck, Crew Chief, David Sykes, Emergency Services Coordinator and Cokie Albrecht, Village Clerk. The audience included residents Alan Goldenberg, Mike von Schneidemesser, Andy Cohn, Bill Thomas, Fred Wade, David Yaeger, Jeannie Roberts, Roseanne Clark and Jeff Davis.
3. **Statement of Public Notice** Mr. Frantz confirmed the meeting had been properly posted and noticed.
4. **Appearances and Communications** Resident Mike von Schneidemesser reported that the UW Platteville Foundry Club would be willing to forge new street signs to replace the missing ones at a cost of \$75 per sign (or \$60 for two), a quote that was much lower than previous estimates. Mr. Benforado moved and Ms. Townsend seconded a motion thanking Mr. von Schneidemesser and authorizing a donation of up to \$2000 to the UW Platteville Foundry Club for the acquisition of replacement streets signs. Motion passed unanimously.
5. **Board Matters**

Item 5(D) (iv) was taken out of order

D. New Business Resolutions and Motions iv) Ratify 2007 Adult and Youth Golf Program and schedule Mr. Van Asten moved and Ms. Bromley seconded a motion to ratify the 2007 Adult and Youth Golf Program as proposed by the Village of Shorewood Hills and Blackhawk Country Club Joint Golf Committee. Motion passed unanimously.

A. Consent Agenda

i) Minutes for the September 25, 2006 meeting

ii) Approve hire of two crossing guards (Anna Hamilton and Isaac Walters) at starting rate of \$11.47 per hour

iii) Payment of prepaid end of September bills in the amount of \$348.50 and

October bills of \$179,587.00

iv) Operators licenses: Michael Youngren

Ms. Bromley asked that item i) be removed. Mr. Benforado moved and Mr. Sundquist seconded approval of the items ii) iii) and iv) in the consent agenda. Motion passed unanimously.

B. New Business Ordinances

i) Consider first reading of an ordinance L-2006-13 replacing a yield sign with a stop sign at the intersection of Sunset and Blackhawk Drive Motion by Mr. Benforado and second by Ms. Bromley to approve the first reading of Ordinance L-2006-13 to replace the yield sign at the corner of Sunset Drive and Blackhawk Drive with a stop sign. Motion passed with a vote of 5 to 1 with Mr. Van Asten voting no.

C. Old Business Ordinances

i) Consider third reading of an ordinance L-2006-11 providing for height and floor area limitations and special exceptions in residential districts Ron Trachtenberg, appearing with partner Vernon Jesse, spoke as a representative of Courtney and Guy Comer, the prospective buyers of the property at 3534 Lake Mendota Drive. Mr. Trachtenberg said the present zoning code would allow his client to build a home that was up to 12,000 square feet in size. The proposed ordinance would limit the size of the house to ~ 4800 square feet. He asked the Board to consider delaying action on the third reading so that they could work out some compromise. He would like the Board to consider one of three options: 1) revise the proposed ordinance so that it would permit larger houses on larger lots; 2) for houses sitting on multiple lots, consider the total square footage of the homes that could be built on each lot and develop a compromise to allow one larger home on the lots; or 3) defer the effective date of the proposed ordinance's enforcement for properties under contract before the proposed ordinance was passed to give those buyers a one year grace period to operate under the old ordinance. Roseanne Clark commented that she was concerned about the proposed ordinance's impact on property values since a prospective buyer would be limited in the size of home that could be built. The Board concluded that the concerns outlined could be addressed by the special exceptions provisions of the proposed ordinance. Mr. Van Asten moved and Mr. Sundquist seconded a motion for a third reading of Ordinance L-2006-11 as edited (italics indicate added words):

- 1) Section 10-1-110 1.B. " 'Floor Area.' For the purposes of ~~determining the floor area ratio~~ this ordinance, the floor area... "
- 2) Section 10-1-110 1.B.(1): "Basement floor area where more than one ~~or more~~ exterior basement walls are above the finished lot grade. *The percentage of the total basement floor area to be included in the adjusted floor area shall be equal to the percentage of the total perimeter of the basement wall that is completely exposed.*"
- 3) Section 10-1-110 3. is deleted.
- 4) Section 10-1-110 6.B. "A special exception shall not be granted unless the

applicant demonstrates that the building or buildings on the lot that exceed the floor area ratio *and height limit* will meet...”

- 5) Section 10-1-110 7. “Any structure that existed lawfully at the time this section was adopted and that exceeds the floor area ratio *and height limit* shall be deemed to have been granted a special exception to the floor area ratio and *height limit*...”

Motion passed with a vote of 5 to 1 with Ms. Townsend voting no. Ms. Townsend explained that she thought residents should have an opportunity to consider the modifications to the ordinance that were made this evening before the Trustees approved a third reading.

ii) Consider second and third reading of an ordinance L-2006-12 prohibiting outdoor solid fuel heating units Mr. Benforado moved and Mr. Sundquist seconded approval of a second reading only. Motion passed unanimously.

D. New Business Resolutions and Motions

i) Establish new date and process for facilitator selection in conjunction with Board retreat The Board agreed to set the date of the retreat for January 13, 2007 subject to all the trustees’ availability. February 17, 2007 was the alternate date selected. Mr. Frantz was authorized to identify a facilitator who can work with a group like the Board.

ii) Consider Plan Commission recommendation to retain lakeshore conditional use permit requirements, and consider setting public hearing date to amend R-3 lakeshore regulation as they pertain to accessory uses to comply with State and County requirements and amending the zoning code text as it pertains to the definition of height and determination of grade. The Plan Commission felt the R-3 zoning regulations, Conditional Use process and the provisions of Ordinance L-2006-11 should all apply to the development of the properties on the lake. No action by the Board was taken.

iii) Request City of Madison improve no left turn signage at Shorewood Blvd/Hill Street and University Avenue. Mr. Benforado moved and Ms. Bromley seconded a motion instructing Mr. Frantz to send a letter to the City of Madison Engineering Department asking that the City install a sign with symbols that graphically indicates to west bound traffic that a left turn off of University Avenue onto Hill Street is prohibited. **v) to viii)** were postponed for consideration in the closed session at the end of the Board meeting.

ix) Appointments a) Judith Klehr Pool Committee. Ms. Townsend moved and Mr. Sundquist seconded a motion to appoint Judith Klehr to the Pool Committee. Motion passed unanimously. **b) Board of Review** Mr. Hans had no appointments to announce. Mr. Van Asten asked that the Bulletin include an announcement that there are two vacancies on the Public Works Committee.

6 Reports of Officials and Commissions

A. President’s Report Mr Hans had nothing to report.

B. Administrator's Report Mr. Frantz had nothing to report.

C. Report on progress of Shorewood Hills Resident Business Professional Association Ms. Bromley said that the business community in the Village is very enthusiastic about the formation of the association. She has identified several people who may be interested in serving on the committee and anticipates that the association will meet in November.

D. Joint West Committee Ms. Bromley reported that Highland Avenue will be under construction for several months while the University works on the infrastructure serving the buildings near the hospital. The Board asked Ms. Bromley to suggest the University install detour signs to the east of Shorewood Blvd to discourage east-bound commuters from cutting through the Village.

E. Finance Committee

i) Capital financing plan Mr. Sundquist reported that the Finance Committee would recommend borrowing for streets through a long term bond issue of 20 years and a second bond of approximately 10 years for capital assets that have a shorter usable life. Mr. Sundquist said the Finance Committee felt the Village could afford to borrow \$3 to \$4 million and the Board will need to decide which projects would get funded. Those might include other long-lived capital projects that would be financed through the longer term bond. The Board will have more information after the Budget Hearing on November 13, 2006.

ii) 2007 Budget The Finance Committee will consider the proposed 2007 general budget at its meeting on October 25, 2006.

F. Public Works Committee The Committee will meet with Circle Close residents on November 2, 2006 to discuss with them the proposed reconstruction of the street. Plans for Shorewood Blvd are being finalized. Public Works will meet with the Traffic Committee on October 30, 2006 to get its input on the proposed reconstruction. The plans include the removal of some trees on the east side of Shorewood Blvd and the realignment of Harvard and Topping Roads.

G. Services Committee Mr. Van Asten said that the proposed rules for the use of the Community Center will be included in the Board packet next month for the Trustees' review.

H. Ad Hoc Public Works Facility Committee The Blackhawk Country Club committee will meet on November 6, 2006 to review the proposed plans and the Village's Ad Hoc Committee will then meet as soon as possible afterward.

I. Traffic Committee Minutes of last meeting are in packet. The Committee has been approached by residents living on Wood Lane who would like to see the street made into

a cul-de-sac. The Committee will consider the issue at its meeting on January 9, 2007. The University plans to construct a bike path on the north side of the railroad tracks from Babcock Drive to University Bay Drive. There presently is no route to connect the bike path from its proposed terminus at University Bay Drive to the Locust Drive bike lane in the Village. There may therefore be some pressure for the Village to construct a connection. The Committee will take a walking tour of the area on November 4, 2006.

J. Public Health and Safety Committee The Village's traffic speed monitoring equipment is not weather-proof. The Committee may recommend the purchase of a new trailer at a cost of approximately \$12,000 so the speed monitoring equipment will be usable when needed in inclement weather.

K. Pool Committee Minutes included in packet.

L. Recreation Committee No report.

M. Parks Committee Mr. Van Asten would like to see a plan for the planting of trees along Locust Drive developed.

N. Stormwater Committee The Committee will meet on October 26, 2006.

O. Plan Commission The last meeting of the Commission was covered earlier in the evening during the discussion of the third reading of Ordinance L-2006-11.

P. Personnel Committee The Committee will meet in closed session with the Department Heads on October 31, 2006 to get their input about proposed wages and benefits for 2007. The Committee will then meet on November 6, 2006 to finalize its recommendations to the Board. The Committee recommends that the interviews for the Fire Chief candidates follow the same format as the interviews for the Police Chief: an interview with a panel composed of two Personnel Committee members and two outside experts, a visit with the Department Heads and representatives of the Fire Department and EMS, a written assignment to assess writing skills, and a tour of the Village. Further discussion was deferred to the closed session.

Q. Blackhawk Liaison Committee Ms. Townsend had nothing to report.

R. Golf Committee The Trustees heard Mr. Goldenberg's report earlier in the meeting.

5. Board Matters (taken out of order)

A. Consent Agenda

i) Minutes from the September 25, 2006 meeting Ms. Bromley asked that the minutes reflect the following corrections (Italics indicate words added):

1) on page 5, Section 6 C i: "...Mr. Van Asten moved and Ms. Townsend seconded a

motion to do an independent audit of the country club revenues for up to three years (2004, 2003, 2002) spending up to ~~\$7000~~ \$9000...”

2) on page 5, Section 6 C i: “...~~The Board~~ Ms. Townsend is very frustrated by the complete lack of a response from Blackhawk on the back insurance premiums...”

3) on page 5, Section 6 C i: “...Because a year ago the Village learned that the rent ~~was not~~ *may not have been* calculated correctly and the lack of a response from the country club, Ms. Townsend believes that the 17% service fees *may* have not been included in the reported revenues...”

4) on page 6, Section 6 G: “...Mr Benforado reported that Lynn ~~Burton~~ Berton, school principal, and the Madison Public School District made that change. The Village had nothing to do with it. *The change was made for the safety of children.*”

Amended minutes approved unanimously.

5 Board Matters (taken out of order)

D. New Business Resolutions and Motions

v) Closed session regarding Fire Chief hiring and Blackhawk Country Club negotiations Mr. Hans moved and Mr Van Asten seconded a motion to go into a closed session pursuant to Section 19.85(1) (c) and (e) of the WI State Statutes to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the jurisdiction exercises responsibility and whenever competitive or bargaining reasons require a closed session and may reconvene to open session as per WI State Statutes 19.85(2) to address any business that may result from the closed session (Fire Chief hiring and Blackhawk Country Club negotiations and lease matters). Mr. Frantz and Ms. Albrecht were asked to stay. The vote was: Benforado - yes, Bromley - yes, Townsend - yes, Hans - yes, Sundquist - yes, and Van Asten - yes.

The Board went into a closed session.

Reconvene to open session Mr. Hans moved and Ms. Townsend seconded a motion to reconvene in open session. The vote was: Benforado - yes, Bromley - yes, Townsend - yes, Hans - yes, Sundquist - yes, and Van Asten - yes.

While in closed session:

- 1) The Trustees decided to proceed with the Fire Chief interview process as proposed by the Personnel Committee. Mr Van Asten asked that the minutes reflect his feeling the interviews for filling department head positions should be done by the Board of Trustees.
- 2) Board agreed to send a letter to Blackhawk Country Club to make a counteroffer to settle the financial issues between them.

7. Adjourn Mr. Hans adjourned the meeting at 11:28 p.m.

Respectfully submitted,

Colleen Boyle Albrecht



To: Village of Shorewood Hills Plan Commission
From: Matt Frater, Planner
Subject: Comprehensive Plan Update
Date: July 10, 2020

Plan Commissioners;

The best laid-plans don't always go as expected - now more than ever. In April, after meetings with the Village, we communicated a revised timeline for completion of the Comprehensive Plan Update. This timeline has not moved forward as anticipated due to various new and unforeseen demands on residents related to the ongoing coronavirus pandemic. While the external process has been paused, we have continued to work in-house on various aspects of the planning process, including:

- » Completion of Maps necessary to the planning process
- » Data Collection and Analysis
- » Streamlined Document Outline and Design

We are ready to begin the public involvement process with Village approval. It is my hope that we can begin this initial engagement as early as the end of the month, though we are prepared to begin this outreach as early as the Village feels appropriate. There are two forms of engagement currently ready to be promoted to residents, which are:

- » [Community Survey](#) (1 of 2 planned)
 - Found at: www.surveymonkey.com/r/2040input
- » [Community Mapping Tool](#) (1 of 2 planned)
 - Found at: <https://tinyurl.com/2040mapping>

While timeline and engagement methods have shifted, we remain committed to a timely completion of this plan based on community needs and engagement. We will remain flexible, and still believe necessary adjustments to the public engagement components will ensure all residents have just as much, if not more of, an opportunity to contribute than they would have had otherwise. I will work with the Village Administrator to communicate updates and requests to the Commission as necessary. The goal is to keep you informed on the nature of the project as we prepare for the possibility of increased instance of restrictions and distancing requirements.

To that end, and considering the uncertain nature of the upcoming months, I have converted our previously-distributed Timeline to a checklist of Milestones (pg. 2). It is my hope that this checklist can be used to effectively communicate project status while also limiting what may be necessary and ongoing timeline revisions. I will continuously update the checklist and make it available for Commission review.

COMPREHENSIVE PLAN UPDATE CHECKLIST				
Outreach Milestone	In Progress?	Percent Complete	Completed	Notes:
Survey 1	✓	80%		Survey complete and ready for distribution.
Focus Groups	✓	10%		Focus Group nominations open.
Survey 2				
Virtual Open House (1 of 2)				
Plan Commission Meeting - Element Review				
Plan Commission Meeting - Element Review				
Virtual Open House (2 of 2)				
Plan Commission Meeting - Full Draft Plan Review				
Public Review Period				
Plan Commission - Public Hearing & Recommendation				
Village Board Plan Adoption				

**DRAFT MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION**

The Tuesday, June 9, 2020 meeting of the Plan Commission via Zoom was called to order at 7:01 pm by Chair Dave Benforado. Members present were: Mr. Benforado, Deb Remington, Karl Wellensiek, Earl Munson, Brauna Hartzell and John Imes. Jim Etmanczyk was excused. Also present was Karl Frantz, Village Administrator, Mike Slavney of Vandewalle & Associates, Brian Berquist, Village Engineer and David Sykes, Administrative Services Manager/Deputy Clerk. One guest joined for a portion of the Zoom meeting.

Mr. Frantz confirmed the meeting had been properly posted and noticed.

Public Hearing on revisions to the zoning code concerning accessory uses and structures (Article J Supplemental Regulations)

Mr. Benforado called the public hearing to order at 7:07 pm.

Mr. Frantz explained that the impetus for the proposed zoning code change is the previous elimination of the conditional use process related to the lake setback line for homes on Lake Mendota. Currently anything north of the lake setback line would require a variance. The proposed changes allow certain minor accessory uses and structures, as well as include some items that were not consider when the code was first developed. The Commission had been discussing these regulations for the past couple of meetings. Mr. Frantz added a section on Beekeeping because he has received a number of inquiries about bees in recent weeks and was trying to save some money on publishing by including the bees in this public hearing.

No one in attendance was present or submitted comments on this zoning change.

Mr. Benforado closed the public hearing at 7:15 pm.

Consider recommendation to the Village Board on an ordinance making revisions to the zoning code concerning accessory uses and structures

Mr. Wellensiek moved and Mr. Imes seconded a motion to recommend the Board approve the ordinance making revisions to the zoning code concerning accessory uses and structures.

Ms. Remington asked if the Village would be policing the existing non-conforming uses and structures. Mr. Slavney said that something existing would be considered a legal non-conforming structure. If it were removed, it could only be replace by a conforming structure.

Ms. Hartzell asked for a clarification on the provided map that demonstrated the flyaway barrier.

Ms. Remington expressed her concern about people with bee allergies and asked if there was a way to include neighbor's approval for someone to keep bees. Mr. Slavney indicated there are two ways to deal with it. 1) Make it a conditional use process in which neighbors within 300 feet will be notified of the request or 2) Create an application review period where neighbors would be notified of the applicant's request. Keeping bees would be allowed as a right in the code (similar to keeping chickens), unless a neighbor within a certain distance objected.

After a discussion, the Commission wanted more time to consider Beekeeping.

Ms. Remington moved and Ms. Hartzell second a motion to amend the original motion to remove Beekeeping from the text and consider the bees at the Commission's next meeting.

Vote: 6-0 approved.

Vote on the original motion minus Beekeeping: 6-0 approved.

Staff report on issues related to roof height limitations with discussion and possible recommendation on possible changes

Mr. Benforado explained that the Zoning Board of Appeals (ZBA) recently considered a variance for a modern shed roof style home to be built on a vacant lot. ZBA had a difficult time understanding why the height limitations existed in the zoning code but ultimately decided to deny the variance request.

Mr. Frantz talked to some of the former Plan Commission members who developed the regulations but none could provide a good rationale for why they restricted shed roof heights as they did.

Mr. Slavney offered that Shorewood Hills is unique in regulating maximum roof heights by roof type. He does not see that in other communities.

The Commission discussed possible ideas such as a midpoint between the minimum height (flat roof) and maximum height (> 12/12 pitched roof) or shed roofs that fit within the envelope of an acceptable pitched roof style.

The Commission directed staff to bring back some examples of common eave heights in the Village and examples of other shed roof homes in other communities for consideration at a future meeting.

Minutes: May 12, 2020

Mr. Wellensiek moved and Mr. Imes seconded a motion to approve the May 12, 2020 minutes with a correction of the date.

Vote: 6-0 approved.

Set Next Meeting Date

The Plan Commission confirmed its next meeting date of Tuesday, July 14, 2020 at 7:00 pm.

Adjourn

The meeting was adjourned at 8:32 pm.

Respectfully submitted,

David Sykes
Administrative Services Manager/Deputy Clerk