



Agenda

Village of Chenequa Lake Management Committee Meeting
Monday, Aug 26, 2024 at 3:00 p.m.
31275 W. County Road K, Chenequa, WI 53029

Monday, August 26, 2024 at 3:00 p.m.

This is official notice that a meeting of the Chenequa Lake Management Committee will be held on Monday, August 26, 2024, at 3:00 p.m. in the Village Hall Training Room. The following matters will be discussed, with possible actions:

- 1) Call to order
- 2) Approval of July 16, 2024, minutes.
- 3) Review and consider action on alternatives to variance for residents seeking exception from pier regulation ordinance as to the length or offset.
- 4) Items for future meetings.
- 5) Propose next meeting date.
- 6) Adjourn

Respectfully submitted by:
Deanna Braunschweig, Clerk-Treasurer

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Administrator with as much advance notice as possible. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any other governmental body except by the governing body noticed above.

NOTICE OF POSTING TO VILLAGE HALL BULLETIN & WEBSITE

Village Clerk posted this agenda on Tuesday, August 20, 2024 by 4:30 PM

Minutes Lake Management Committee 7/16/24

1) Call to order: The meeting was called to order at 10:05 a.m.

2) Attendance: Present: Villavicencio, Manegold, Hansen, McNear, Lincoln

Absent: Seidel, Gehl

3) Wakeboating feedback: No specific wakeboating feedback has been received. Many slow-no-wake days over the 4th week.

4) Pier Ordinance Status: Awaiting DNR feedback and clarification. Reviewed lake frontage distribution of the 144 lakefront lots, a sliding scale for 3 groups was devised: 0-49 feet: 2 feet off lot line, 50-99 10 feet off lot line, >100 feet 15 foot setback.

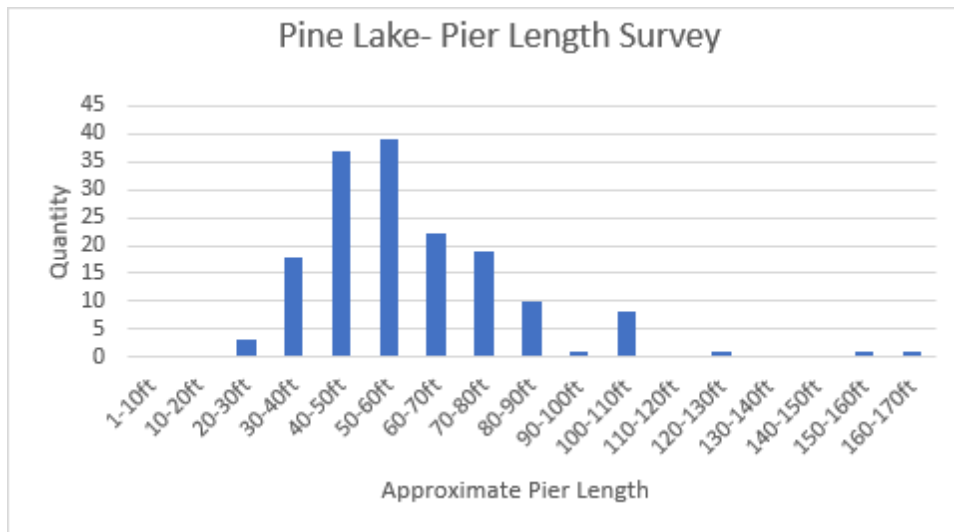
5) Pier permit application and application for variance: there is a specific application page for a variance.

6) Electric Shock drowning: Given that some residents have AC to light post, to permanent piers for aerators used spring, summer and winter, it will be recommended an informational segment be in the newsletter about ESD, maybe annually. This specifically refers to AC voltage leaks leading to drowning, how to respond, how to check for stray voltage.

7) Options for lake level measurement and communication: Lake Nagawicka's continuous lake level remote monitoring system was reviewed, ultrasound system. Attached to dam, solar powered, reads every 10 minutes as a mounted ultrasound sensor, transmits RF to DPW then to webpage Taylor Computer Service checks data monthly. It was decided to stick with staff gauge readings for now. It was decided not to publish daily levels. Will review with DNR how the Slow-no-Wake number has been/should be determined.

8) Adjourn: The meeting was adjourned at 10:55 a.m.

9) Next meeting: TBD August, September



The question to us is: Of the approximately 20 piers that are non-conforming as to length what is the best way for an appeal/exception to the 80 foot pier line be granted?

What is the best way if an exception/variance on offset line is sought?

What criteria would qualify for a variance? E.g. You do reach the 3 foot low summer water mark with more length vs you don't (South Bay.)



Filed: _____
Hearing Date: _____
(For Office Use Only)

VILLAGE OF CHENEQUA
31275 W COUNTY ROAD K • CHENEQUA, WI 53029
(262) 367-2239

NOTICE OF APPEAL AND APPLICATION FOR REVIEW

TO: The Board of Zoning Appeals
Village of Chenequa

1. Name of Appellant or Applicant _____
Name of Owner, if other than above _____
Property Address _____
Mailing Address _____
2. Present use of property _____
Proposed use of property _____
3. Date of decision or order of administrative official from which appeal is taken _____

Date notice of such decision received by applicant _____
4. Purpose and grounds of appeal or application. Check below the relief requested by this appeal or application:
 - A. Request for interpretation of Zoning Ordinance and reversal of order, requirement, decision or determination of administrative official. Attach separate sheet giving reasons why you claim this order, requirement, decision or determination is erroneous.
 - B. Request for variance. Attach separate sheet setting forth:
 - (1) variance requested
 - (2) what special conditions exist which will cause practical difficulty or unnecessary hardship if the variance requested is not granted
 - (3) why variance requested is not contrary to the public interest and will not endanger public safety and welfare
 - (4) why variance requested will be in accord with the spirit of the zoning ordinance.
 - (5) how the variance, if granted, will cause substantial justice to be done
 - (6) a list of names and addresses of owners of adjoining properties
 - C. Request for approval. Attach separate sheet setting forth:
 - (1) certification that this lot had been created prior to April 1, 1957
 - (2) all structures on this lot conform to the current zoning code.
 - D. Other _____
State relief requested and attach separate sheet giving reasons why Appellant is entitled to such relief.

5. Each appeal or application must be accompanied by a scale drawing showing the location and size of property, existing improvements and their distance from lot lines, all abutting properties and improvements thereon and the requested change or addition.
6. Has previous appeal or application been made with respect to this property?
Yes () No ()
If "Yes", state nature of previous appeal or application _____

Disposition of previous appeal _____
Date of decision in previous case _____
7. Application fee \$675 must accompany this application prior to processing.

I hereby swear that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. In cases of administrative official orders, applicant further agrees to pay all Village costs associated with such Appeal if found to be in non-compliance of Village Code and Village Official Order is upheld.

Signature of Appellant

Date

To be filed with the Village of Chenequa Board of Appeals
31275 W County Road K, Chenequa, Wisconsin 53029

- Attachments: 1. Scale drawing
2. Request for interpretation/variance/other

6.13 APPEALS.

(1) **PROCEDURE.** Appeals from any decision of the Village Administrator or an employee or official to whom the Village Administrator has delegated enforcement responsibility may



be taken to the Board of Appeals by any person aggrieved, or by any officer, department or bureau of the Village. Section 1.04 shall apply to all appeals.

(2) **POWERS OF BOARD OF APPEALS.** In addition to the powers enumerated elsewhere in this Code, the Board of Appeals shall have the following powers:

- (a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator;
- (b) To authorize such variance from the terms of this Chapter as provided for in subsection (3) below;
- (c) Upon review and recommendation from the Village Board, to hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of permanent structures and are compatible with the neighboring uses. The permit shall be temporary and be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Chapter shall be required;
- (d) The Board of Appeals may reverse, affirm wholly or partly, modify the requirements decision or determination appealed from, or may issue or direct the issuance of a permit. The grounds of every decision of the Board of Appeals shall be stated in a written decision; and
- (e) Variances, substitutions or temporary use permits granted by the Board of Appeals shall expire within six (6) months unless substantial work has been commenced and diligently pursued pursuant to such grant.

(3) **VARIANCE.**

- (a) The Board of Appeals may authorize upon appeal, in specific cases, such variance from the terms of this Chapter as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Chapter will result in practical difficulty or unnecessary hardship, so that the spirit of this Chapter shall be observed, public safety and welfare secured, and substantial justice done. No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the flood protection elevation for the particular area or permit standards lower than those required by state law.

- (b) For the purposes of this Section, “practical difficulty or unnecessary hardship” shall require a finding of the Board of Appeals of all of the following criteria:
- (i) Strict compliance with this Chapter would unreasonably prevent the property owner from using the property owner’s property for a permitted



purpose or would render conformity with this Chapter unnecessarily burdensome.

- (ii) The practical difficulty or unnecessary hardship is caused by a unique condition of the property such as exceptional, extraordinary or unusual circumstances or conditions applying to the lot, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of such a general or recurrent nature as to suggest that this Chapter should be amended.
- (iii) The practical difficulty or unnecessary hardship is not caused or created by the property owner or a previous owner.
- (iv) The practical difficulty or unnecessary hardship is unnecessary, so that the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located and will not undermine the spirit and general and specific purposes of this Chapter.
- (c) The Board of Appeals on appeal may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the standards established in this Section.

How Other Communities Handle Pier Exceptions:

Lake Como/Lake Geneva:

Clerk to Building Inspector to City Council if denied goes back to City Council which re-votes on the Appeal

Big Cedar/Little Cedar/ Gilbert/Silver

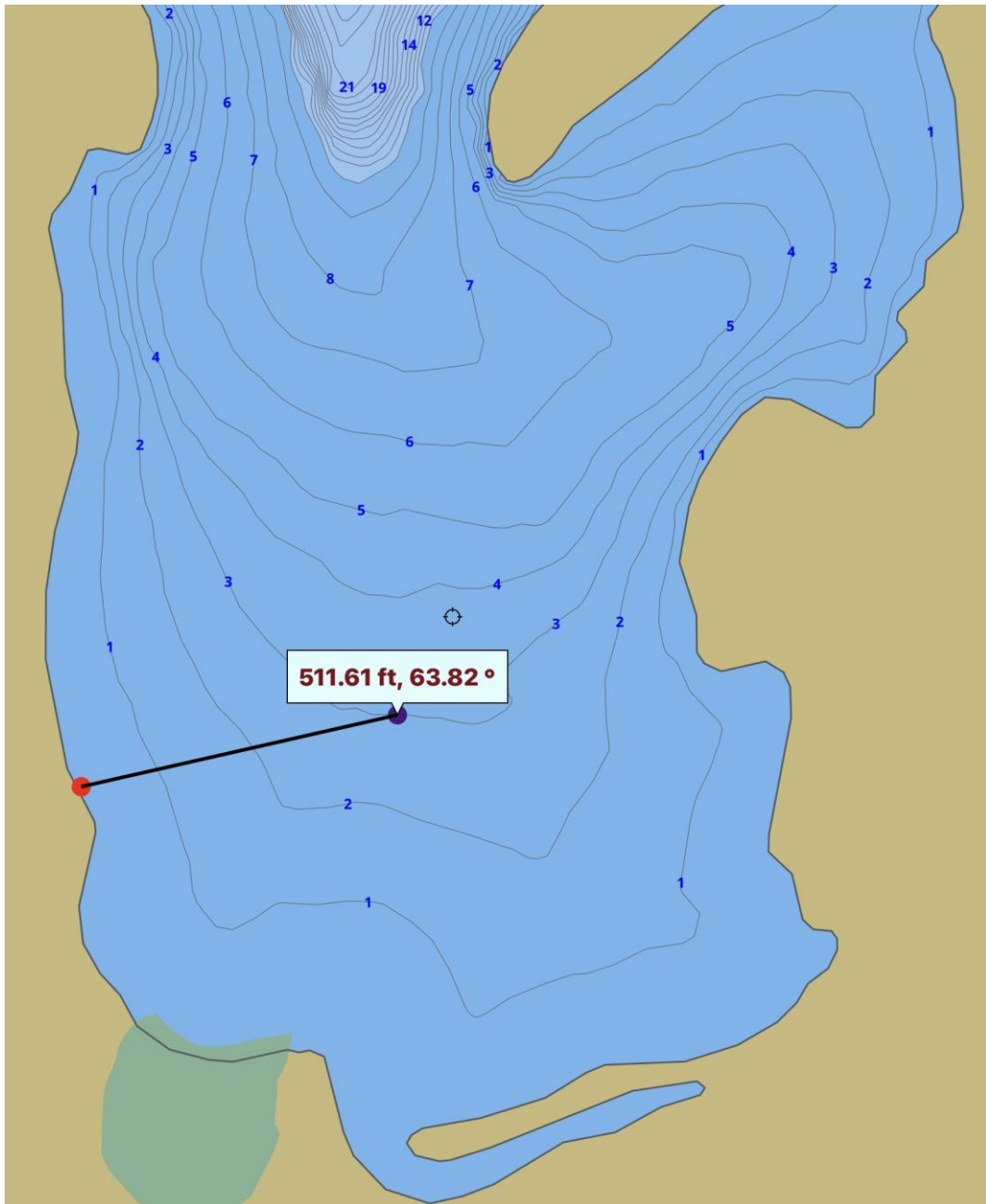
Ordinance lays out DNR size specifications, no permit, they enforce the ordinance with citation, \$500./day with 7 days notice.

La Grange/Sugar Creek/Lauderdale Lakes

Application is directly to the Pier Inspector. If denied apply for variance from the Town Board which may grant a variance under specific conditions similar to ours

Waterford/Tichigan Lake/Fox River

Building Inspector reviews, grants or denies pier application. If denied, Appeal is to Town Board.



South End-extra length does not get you extra depth



