



# Plan Commission Meeting Minutes

May 28, 2019

3930 N. Murray Ave Village of Shorewood, WI 53211

**1. Call to order.**

The meeting was called to order at 6:32 p.m.

**2. Roll call.**

President Allison Rozek - Chair	Aye
Trustee Jessica Carpenter	Aye (Arriving at 6:43 p.m.)
Leah Blankenship	Aye
Eric Couto	No
Tim Hansmann	Aye
Therese Klein	Aye
Barbara Kiely Miller	Aye
Sangeeta Patel	No
Daniel Wycklendt	Aye

**3. Statement of Public Notice.**

Staff posted and publicly noticed the meeting according to local and state regulations.

**4. Approval of April 30, 2019 meeting minutes.**

Ms. Kiely Miller mentioned changes to page three, second to last paragraph (adjacent properties changed to adjacent *owners*), page four, first paragraph (change within 8 feet to *within 10 feet*) and page six, paragraph seven (insert *and* to sentence after the word *decades*). President Rozek moved to approve the minutes with the suggested changes, seconded by Mr. Wycklendt.

Vote 6-0 to approve.

**5. Discussion and recommendation of amending zoning requirements to allow for porches and covered entryways in required front and side yards. (meeting #7)**

Planning Director Bart Griepentrog introduced the item per the memo that was provided to the Plan Commission. He stated that based on the last meeting's discussion he revised the ordinance moving forward with the version that consensus was granted for. The five primary discussion points included the following:

- Lot coverage was added to this section for clarity and reference to individual zoning requirements: "Porch and covered entryway land area coverage shall count within the allowable area for principal structures, per respective zoning districts."
- Floor height: Based upon discussion and confirmation with the Building Inspector, the draft has been revised to state: "The floor height of any porch or covered entryway shall be at or below but within 8 inches of the front entry height."
- Screening was included within wall coverage parameters: "At least 50% of the

exterior wall area shall be open; mesh screened areas and guardrails shall be considered enclosed.”

- Notification to neighbors for the construction of a new front porch was added to the Design Review Board requirements: “The Building Inspector shall give written notice to each member of the Design Review Board, to the applicant or appellant, to such other parties as he deems advisable, and, in case of new construction, or construction that adds 200 square feet or more to an existing structure, or construction of a new front porch to all owners of property located within 100 feet of any boundary line of the applicant's or appellant's property.”
- A maximum depth of 10 ft. for porches was added, to limit the depth of porches on houses where the front façade is not uniform.

Mr. Griepentrog stated that he added a diagram to the memo to further explain the “front yard” and define the L-shaped undefined area that is common on houses. Two examples of houses with the L-shaped front façades were provided to. President Rozek asked about the stairs that went beyond the front façade displayed in one of the examples and Mr. Griepentrog stated stairs can extend six feet beyond the façade.

President Rozek asked if there was an example of a house with a flat façade. Mr. Griepentrog stated the house on page 17 of the materials is an example of a house with a front façade.

Ms. Kiely Miller asked about the maximum depth of ten feet and asked if it was only for houses with the L-shaped entryway. Mr. Griepentrog explained that the ten feet maximum depth is for all houses and that porches can only extend 8 feet into the front yard for all houses. Ms. Kiely Miller asked about the optimal depth of a porch and Mr. Hansmann added that six feet is the standard size of a porch.

Ms. Kiely Miller asked about an above grade patio not being allowed and whether houses currently with them would be allowed to repair or rebuild them. Mr. Griepentrog stated yes they would be grandfathered in and allowed to repair or rebuild the patio.

President Rozek asked if the state building code changed to not allow for patios in the front yard to be elevated. Mr. Griepentrog stated he wasn't present for the patio conversation and thought it was intended to keep the area not elevated for visual purposes. Mr. Hansmann stated the requirement could have to do with the definition of a patio also.

Trustee Jessica Carpenter arrived at 6:43 p.m.

Ms. Kiely Miller asked about the language in the current code that states *decks shall not be located in the front yard and street side yard or the side or rear setback of a lot* and if it meant they are allowed in the non-street side yard. Mr. Griepentrog explained the language refers to decks and they would be allowed in the side yard but not in the setback.

President Rozek stated that she had no concern with rear yard setbacks and didn't care what people do in their rear yards as long as it is safe and wondered why we regulate that. Mr. Griepentrog stated the setback is only three feet and helps with neighbor disputes as well as alleys where things get too close for plowing. President Rozek asked if the same applies to fences. Planning Department Administrative Clerk Crystal Kopydlowski stated fences can go up to the lot lines and the setback applies to structures such as garages.

Ms. Kiely Miller asked for further explanation of the proposed language in Section 535-9F(3)(a)[4] which states *Porch and covered entryway land area coverage shall count within the allowable area for principle structures, per respective zoning districts.*” Mr. Griepentrog stated most residential zoning districts (R-5 and R-6) allow for 30% coverage for a principal structure and 10% for an accessory structure. He added that certain things are NOT included in those calculations and that this language would clarify that porches and covered entryways would be included. President Rozek asked if decks are included in calculations and Mr. Griepentrog said they are not because of their permeable nature.

Ms. Kiely Miller said the language states the maximum depth of a porch shall be no more than ten feet and asked if the discussion regarding 8 feet was over. Mr. Griepentrog explained that the Commission could discuss 8 feet but after looking at examples of residences with slight entryways and determining that limits a porch, in those situations, to 6 feet he didn't feel the additional two feet made a crucial difference.

Ms. Kiely Miller asked about language regarding second floor decks with railings and stated she understood how this would be valuable for duplexes but stated she was not crazy about it. Mr. Griepentrog stated it was discussed at the last meeting and the consensus was that the Commission was ok with it and nothing changed in that section. Mr. Hansmann added that the architectural review board would be reviewing them as well.

Mr. Griepentrog drew attention to the residence on page 20 of the materials as an example of a resident that applied for a porch recently and was denied due to the current code restrictions and setback. They have a slight covered entryway and wanted to bump it out further to fully cover the entryway. Also, the residence on page 22 of the materials installed an on grade patio in the front yard because a front porch was not allowed per code.

Mr. Hansmann referenced the use of the word “may” such as in section 535-9F(3)(b)[3] which reads *“Porches and covered entryway roof height shall be a maximum of one-story. A second floor deck with railing **may** be allowed”* and asked if it should be qualified. Mr. Griepentrog said that he went with may and being subject to Design Review Board. He didn't want to have language saying that porches have to be allowed and instead wanted them subject to all conditions and Design Review Board for architectural reasons. President Rozek suggested adding subject to Design Review Board approval to the section.

Mr. Griepentrog suggested changing may to shall in section 535-9(3)(a)[2].

Mr. Griepentrog introduced the examples provided in the materials which detailed each lot's coverage and what would be allowed based on setbacks. President Rozek asked if he found any style of house that did not have porches. He stated that the 1960-1970's homes with flat facades typically did not have porches.

Mr. Griepentrog continued explaining his examples and the details of the wall coverage ratios of porches. He added that most examples did not extend above the handrail portion of the porch. He felt 50% seemed to be a good minimum threshold for coverage.

Ms. Klein was surprised that 50% was actually the right calculation.

Ms. Kiely Miller said that while reviewing the 2010 Comprehensive Plan she noted in the housing section it stated *“they also have a variety of dwelling types with setbacks consistent with neighboring buildings allowing consistent street views and harmonious landscapes”*.

Ms. Klein said that they wanted to make sure porches were not places to store items and suggested not closing them in or putting screens on them and asked if it should be explicitly stated no Plexiglas or other such materials. Mr. Griepentrog stated this is covered in the percentage of coverage allowed. Mr. Hansmann suggested adding *glazing* to the section which would cover windows and other like materials.

Ms. Klein moved to recommend approval by the Village Board of the proposed amendments pertaining to the zoning requirements for porches and covered entryways in required front and side yards subject to the changes including 535-9(3)(a)[2] changing may to shall, 535-9(3)(b)[3] adding "subject to design approval" and 535-9(3)(b)[4] adding the glazing to the portions considered enclosed. Seconded by Ms. Blankenship. Vote 5-2 approved. Ms. Kiely Miller and Mr. Wycklendt voting nay.

**6. Discussion pertaining to updating the Village's Comprehensive Plan in 2020.**

Planning Director Bart Griepentrog introduced the item per the memo that was provided to the Plan Commission. He explained that after the previous meeting he emailed commissioners the links to the current comprehensive plan and the state legislation detailing what is required in terms of an update. Without a current comprehensive plan the Village technically could not change ordinances and zoning because any changes need to be consistent with a current comprehensive plan. Recognizing that it could be a large effort and budgetary request, he wanted to have the discussion with the Plan Commission early to know what they are looking for in terms of next year's efforts.

Mr. Griepentrog explained that one option would be a simple update which may entail hiring an intern to help with the data update and re-clarify the goals of the Plan Commission and have public involvement in that respect. He stated that in the time he has been with the Village the comprehensive plan has not been referenced all that much and preferred to spend the time and effort on specific topics such as transportation plan or a housing market study. He felt utilizing planning efforts and budgetary measures on specific studies was best.

Another option was a full redo of the comprehensive plan that could run \$50-70,000 to hire a consultant to cover every chapter and do all the mapping. As a built out community that has not changed much in ten years, Mr. Griepentrog was not sure that was a necessary activity. He recommended the lesser end of things, a simple update.

President Rozek agreed with Mr. Griepentrog but stated that the current Village Board is much more comprehensive and does not want smaller studies. She asked how can recommendations and policy changes from various studies be incorporated into the comprehensive plan. Mr. Griepentrog stated you could amend the plan when studies are completed. President Rozek explained that a comprehensive plan is the umbrella for all the smaller things; the umbrella being your high level policy. If a big overall view changes, the comprehensive plan should reflect the values so that the codes then and everything that implements it are much more specific. Mr. Griepentrog said that the comprehensive plan currently does have the overall goals and objectives and each chapter has two or three goals that are very broad and the objectives are a little more narrowed down and then the implementation strategies are even more specific. The overall goal of the Plan Commission would be to review the new data, the goals from the previous plan and to evaluate whether the previous goals still apply or should they be changed. He did not feel it was necessary to throw the whole previous study out and start over as the Village has not changed that much. He felt the purpose of the comprehensive plan was to set the large overall goals so that future studies would reference it moving forward. President Rozek said there have been significant view changes on topics over the past few years and so then there should be a policy for those

topics and wondered where those would be added after the comprehensive plan is completed.

President Rozek stated she has used comprehensive plans a lot elsewhere but in Shorewood it is not that valuable of a document and asked do we want to make it a valuable document by adding more content or keep it broad. Mr. Griepentrog stated it is definitely more valuable in redevelopment scenario but in a built out community it is not as referenced. The Village also has the Central District Master Plan that is referred to as well.

Ms. Kiely Miller asked about the 2020 Vision Plan and if the comprehensive plan follows the vision plan or is it the leading plan. President Rozek explained that the comprehensive plan is the leading plan for a municipality and that most municipalities do not value them. She cherished comprehensive plans and the effort that goes into it and if it is done correctly it gets the whole community on the same page but that is a large effort. President Rozek asked how much value is placed on the document and if the value warrants a larger effort.

Ms. Kiely Miller was not sure what an update would involve and commented that some sections appear to not need an update but some areas have changed since the last time it was written.

Mr. Griepentrog stated that he didn't discredit the comprehensive plan and agreed that it is the overarching statutory required document that everything else should reference and fall in line with but if that is the desire of the Plan Commission that is a large effort and he needs to know that going into the budget season. He does feel that not a lot has changed with the overall goals of the document since the last version.

President Rozek asked if it would be helpful to walk through what a comprehensive plan is at the next meeting. Mr. Griepentrog stated that was why he got the current plan to the commissioners prior to this meeting but if the Commission wanted to go over the simple objectives of each chapter that could be of value.

Mr. Hansmann asked what the process would be and if the update would go section by section before the Commission. Mr. Griepentrog stated that yes his goal would be to bring it before the Commission as sections are updated/completed.

Ms. Kiely Miller asked when there are public meetings or hearings. Mr. Griepentrog stated all Plan Commission meetings are public meetings and communication plans would be put in place to engage the public.

Mr. Griepentrog stated he could bring before the Commission the broad goals and objectives of the comprehensive plan at the next meeting for them to review. If they are reviewed and it is determined that things do not apply anymore then a bigger effort could be necessary.

President Rozek asked if there was anything in Vision 2025 that should be included. Mr. Griepentrog said he believes it is not incorporated because that was completed in 2015.

Ms. Kiely Miller stated that the current comprehensive plan references other plans and wondered about implementation. President Rozek stated that the policies should be in the comprehensive plan.

Ms. Kiely Miller asked about the timing of the census data that is included in the comprehensive plan. Mr. Griepentrog said that what is provided the Village has been modified and that the Village now receives information based on every five years and that the new plan will have more updated information.

President Rozek stated she believes it's valuable for the Village to embark on the bigger effort but the question is when and if we have the time and money. Mr. Griepentrog stated he could research estimated costs that other municipalities are paying for full plan updates and provide that information to the Commission at the next meeting.

Ms. Kiely Miller asked about the housing study the CDA is doing and how the Commission's role in land use square with CDA's role as the housing authority. President Rozek said the study is more of a market study that will give the Village market data and then the Village Board and the Plan Commission will be making policy based on the data regarding housing. Mr. Griepentrog said the housing study is intended to look at what the Village could be missing or what the Village needs. And based on the data then if the zoning code or the land use map needs to be changed then the Plan Commission would be involved.

Ms. Klein suggested prioritizing chapters that need work over others that may not.

**7. Schedule next meeting.**

The next meeting was scheduled for June 25, 2019

**8. Future agenda items.**

Mr. Griepentrog stated the department has received a conditional use application for cellular antennas which will be on the June agenda.

President Rozek asked for an update on Air BnB/short term rentals.

President Rozek stated there is a current energy policy and the Village Board rarely does anything to implement it and asked who would review the policy. Mr. Griepentrog stated he believed it was a resolution stating the goal and he said he could research more about it.

**9. Adjournment.**

Mr. Hansmann moved to adjourn the meeting at 7:42 p.m., seconded by Mr. Wycklendt. Vote to adjourn 7-0.

Recorded by,



Crystal Kopydlowski  
Planning Department Administrative Clerk