



# Conditional Use

## Village of East Troy, Wisconsin

Version: March 22, 2018

Village of East Troy  
2015 Energy Drive  
East Troy, WI 53120

**Overview:** The Village's zoning code identifies land uses that may be allowed in each of the zoning districts either by right or as a conditional use. By definition, a conditional use is a land use that may or may not be appropriate on a given parcel depending on a wide range of factors that relate to the proposed use and the particular circumstances relating to the parcel and surrounding properties. Conditional uses are therefore considered on a case-by-case basis. As part of the review process, the Plan Commission conducts a public hearing to solicit input from the general public and other interested parties. When reviewing conditional use applications, the Plan Commission serves in an advisory capacity to the Village Board, which makes the final decision. The recommendation of the Plan Commission and the decision of the Village Board are based on the evidence and testimony received as part of the application and through the public hearing process.

**Governing regulations:** The procedures and standards governing the review of this application are found in Section § 510-157 of the Village's zoning code.

**General instructions:** Complete this application and submit one copy to the Village Clerk at the mailing address shown above. Before you formally submit your application, you are encouraged to meet with the zoning administrator who can answer any questions you may have. If you have any questions, do not hesitate to contact the zoning administrator at (920) 728-2814 or via email at [tim.schwecke@civitekconsulting.com](mailto:tim.schwecke@civitekconsulting.com). You may download this form at <https://villageofeastroy.zoninghub.com/highlights/procedures/procedure.aspx>.

**Application fee:** \$200.00, plus charges for professional services

**Application submittal deadline:** Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

### 1. Applicant information

Applicant name \_\_\_\_\_  
Street address \_\_\_\_\_  
City, state, zip code \_\_\_\_\_  
Daytime telephone number \_\_\_\_\_  
Email \_\_\_\_\_

**2. Agent contact information.** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	Agent 1	Agent 2
Name	_____	_____
Company	_____	_____
Street address	_____	_____
City, state, zip code	_____	_____
Daytime telephone number	_____	_____
Email	_____	_____

### 3. Type of application (select one)

New conditional use  
 Yes  No Are there any other current conditional use approvals for the property?

If yes, provide the year of issuance and a short description.

An amendment of a previously approved conditional use  
If an amendment, attach a copy of the current approval document.

### 4. Subject property information

Physical address \_\_\_\_\_  
Tax key number(s) \_\_\_\_\_

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

**5. Zoning information** (refer to the Village's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> RH-35 Rural Holding                | <input type="checkbox"/> TR-8 Two-Family Residential    | <input type="checkbox"/> NB Neighborhood Business |
| <input type="checkbox"/> SR-3 Estate Residential            | <input type="checkbox"/> AR-9 Attached Residential      | <input type="checkbox"/> HB Highway Business      |
| <input type="checkbox"/> SR-4 Suburban Residential          | <input type="checkbox"/> MR-10 Multi-Family Residential | <input type="checkbox"/> CB Central Business      |
| <input type="checkbox"/> SR-5 Neighborhood Residential      | <input type="checkbox"/> MHR-6 Mobile Home Residential  | <input type="checkbox"/> BP Business Park         |
| <input type="checkbox"/> SR-6 Traditional-Front Residential |   | <input type="checkbox"/> LI Light Industrial      |
| <input type="checkbox"/> SR-7 Traditional-Rear Residential  |   | <input type="checkbox"/> GI General Industrial    |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> PD Planned Development | <input type="checkbox"/> GP Groundwater Protection        | <input type="checkbox"/> FP 100-Year Floodplain |
| <input type="checkbox"/> DD Downtown Design     | <input type="checkbox"/> NFC Natural Features Conservancy | <input type="checkbox"/> FP 500-Year Floodplain |
|   |   | <input type="checkbox"/> SW Shoreland-Wetland   |

**6. Adjoining land uses and zoning**

	<u>Zoning district(s)</u>	<u>Current uses</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

**7. Current use.** Describe the current use of the subject property.

**8. Proposed use.** Describe the proposed conditional use or the proposed amendment.

**9. Evaluation criteria.** The factors listed below will be used in evaluating this application. Your responses are important.

- Whether the proposed conditional use (**the use in general, independent of its location**) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the zoning code, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village.

2. Whether the proposed conditional use (**in its specific location**) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the zoning code, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village.

3. Whether the proposed conditional use, in its proposed location and as depicted on the required site plan results in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the zoning code, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development.

4. Whether the proposed conditional use would maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

5. Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

6. Whether the potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

**10. Large development requirements.**

- Yes    No   Does the proposed project include indoor sales or service, outdoor display, indoor commercial entertainment, outdoor commercial entertainment, in-vehicle sales or service, commercial indoor lodging, with a total area exceeding 20,000 square feet where one or both the following conditions exist:
1. The parking area is or will be served by an integrated system of off-street parking benefiting all or substantially all improvements within such area.
  2. The area is or will be subject to reciprocal access rights benefiting all or substantially all improvements within such area.
- (See § 510-109 of the zoning code.)

If yes, include each of the following as described in § 510-109 (D) of the zoning code:

1. Large development questionnaire

2. Economic and fiscal analysis
3. Traffic impact analysis
4. Detailed neighborhood plan

**11. Supplemental materials.** Attach the following.

1. Site plan application and related materials
2. A copy of the existing conditional use if this application is intended to amend that approval.

**12. Attachments.** List any attachments included with your application.

**13. Other information.** You may provide any other information you feel is relevant to the review of your application.

**14. Applicant certification**

- ◆ I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with § 510-149 (D) of the Village's municipal code to pay for the services of independent consultants the Village elects to retain to help review this application. Depending on the nature of the proposed project, such independent consultants may include planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts. I further understand, the Village may delay acceptance of the application as complete, or may delay final approval of the proposal, until all outstanding fees have been paid. I further understand that such fees must be paid even if this application is withdrawn or denied. If the applicant or the property owner does not pay such fees upon request, such fees may be assigned to the property owner as a special assessment to the subject property.
- ◆ I understand that submission of this application authorizes Village officials and employees, Plan Commission members, Village Board members, and other designated agents, including those retained by the Village, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- ◆ I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- ◆ I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

Applicant (if different than Property Owner):

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date