

**Agenda
Village of East Troy Plan Commission
2015 Energy Drive
August 20, 2020
6:30 p.m.**

FACE COVERING REQUIRED FOR IN-PERSON ATTENDANCE*

ATTEND ONLINE VIA ZOOM (SEE BELOW FOR LOG IN DETAILS)**

1. Call to order
2. Pledge of Allegiance
3. Verification of open meeting notice
4. Roll call
5. Approve Plan Commission minutes of July 13, 2020
6. Rezone property located at 2019 Beulah Avenue (RA454000001) from Light Industrial to Multi-family residential (MR-10); ABCS Investments LLC, applicant (Steve Lambrechts, agent) (application 2020-12)
 - A. Public hearing
 - B. Potential recommendation to Village Board

Note: This matter was initially reviewed on July 13, 2020 and tabled to this date.
Details are available online: <https://s.zoninghub.com/NO2W9LG14E>
7. Amend site plan for Benchmark Landscape Management located at 2535 Energy Drive for a salt barn, fencing and mulch storage, Paul Hahlbeck, applicant (application 2020-16)
 - A. Potential action by Plan Commission

Details are available online: <https://s.zoninghub.com/FL5ECFWWRG>
8. Amendment of the zoning code with regard to vehicle sales and related matters (application 2020-15)
 - A. Public hearing
 - B. Potential recommendation to Village Board

Details are available online: <https://s.zoninghub.com/OTILPO26XL>
9. Discussion related to potential adoption of standards for tree removal in the Village
10. Potential revisions to the zoning code regarding pavement requirements to access detached accessory buildings
 - A. Discussion
 - B. Possible action to set a public hearing date to review the ordinance, as may be revised
11. Potential revisions to the zoning code regarding metal shipping containers (for storage)
 - A. Discussion
 - B. Possible action to set a public hearing date to review the ordinance, as may be revised
12. Next meeting: September 14 (if needed)
13. Adjourn

Posted: August 18, 2020

***FACE COVERING REQUIRED FOR IN-PERSON ATTENDANCE**

Governor Evers' Emergency Order #1 applies to Village of East Troy municipal buildings and structures. As of August 1, 2020, face coverings will be required within buildings in accordance with this emergency order, unless an exception as defined within the order applies to you. The full order can be viewed at: <https://evers.wi.gov/Documents/COVID19/EmO01-FaceCoverings.pdf>.

****Zoom Webinar ID 850 6468 7260|Password 272147**

<https://us02web.zoom.us/j/85064687260?pwd=WXBoTWk4WFR3bWV5QVlrYytNN0VFZz09>

As of 5/18/2020 meetings will be held in-person, accommodating proper social distancing. Public is welcome to attend but must adhere to social distancing requirements which may limit capacity of the room. Alternatively, public, some members of staff, and or some members of the Board/Committee may attend via Zoom. [Please use this link for further instructions regarding connecting to a Zoom meeting.](#)

Please Note:

- The order of items on this agenda is for convenience of reference. These items may be taken out of order upon request of the Village President or Plan Commission members.
- It is possible that members of, and possibly a quorum of, the Village Board may be in attendance at the above stated meeting. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.
- Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Clerk's Office, 2015 Energy Drive (262) 642-6255.
- Development projects are reviewed consistent with the Village's land development regulations. These are available online.
 - Zoning: <https://www.ecode360.com/27768057> and also <https://villageofeasttroy.zoninghub.com/home>
 - Subdivision of land: <https://www.ecode360.com/27767242>

Minutes
Village of East Troy Plan Commission
2015 Energy Drive
July 13, 2020
6:30 p.m.

1. **Call to order-** Clerk Alexander called the meeting to order at 6:39 p.m.
2. **Pledge of Allegiance**
3. **Verification of open meeting notice—** Clerk Alexander verified the meeting had been posted according to open meetings laws.
4. **Roll call**

Present: Trustee Renucci, Commissioners Edward Arendt, Chris Bottoni, Roger Hayes, Joe Wisniewski, Benny Stichmann,

Excused: President Seager

Others: Zoning Administrator Schwecke, Clerk Alexander

Motion by Commissioner Stichmann, second by Commissioner Arendt, to appoint Trustee Renucci chairperson. Motion carried.

Citizen Participation - Trustee Renucci then called for

- Marilyn Therrian, 3025 Chafin Ave., spoke against the rezoning of the property at 2019 Beulah Ave. to MR-10. She stated that she does not want to see an apartment building in the single-family residential neighborhood.
- Rodney Baerbock, 3034 Chafin Ave., stated that he is not in favor of the rezoning of the property at 2019 Beulah Ave. to MR-10 and asked the Commission to vote "No".
- Patrick Dillon, 2005 Beulah Ave., stated that he is not in favor of the rezoning of the property at 2019 Beulah Ave. to MR-10 and asked the Commission to vote "No". He stated that he does not want to see an apartment building at this location.
- Ken Walbrandt, 2996 Chafin Ave., stated that he is not in favor of the rezoning of the property at 2019 Beulah Ave. to MR-10 and asked the Commission to vote "No". He stated that this older area of the Village should retain single-family dwellings and that other areas of the Village were more suitable for multi-family development.
- William Heitl, 2033 Beulah Ave., stated that he does not support the rezoning of the property at 2019 Beulah Ave. to MR-10 and feels this zoning is not compatible with surrounding single-family residential homes and asked the Commission to vote "No".
- Barbara Olson, 3028 Chafin Ave., stated that she feels this older neighborhood of single-family homes would not be a good location for the higher density of MR-10 and would tax the existing infrastructure, adding to traffic and congestion. She asked the Commission to vote "No".

5. **Approve Plan Commission minutes of May 11, 2020**

Motion by Commissioner Stichmann, second by Commissioner Hayes, to approve the May 11, 2020 minutes. Motion carried

6. **Rezone property located at 2019 Beulah Avenue (RA454000001) from Light Industrial to Multi-family residential (MR-10); ABCS Investments LLC, applicant (Steve Lambrechts, agent)**

A. **Public hearing**

Trustee Renucci opened the Public Hearing. Steve Lambrechts, applicant, addressed the Commission and stated that this property is currently a dual-zoned property, to match the Future Land Use for the property and he is requesting that this be extended for another four-

years. He stated that in the last four-years he has not had any interest in the property and he disputed the rumor of a large apartment building planned. He mentioned his future vision for this area would be to have an assisted living facility or possible townhome condos to lower the impact on the surrounding area.

Zoning Administrator Schwecke provide a brief history of this situation, the conditional rezoning, the four-year sunset clause with no automatic renewal or rollover and would be subject to the rules in place at time of application and outlined the performance points that would need to be satisfied to initiate the change to MR-10. He confirmed that the updated Comprehensive Plan continues to show this property as MR-10 and outlined the process to amend the Comprehensive Plan. Discussion of the ratio of multi-family to single-family dwellings included that this ratio was not included 4-years ago when this re-zone was approved, how the ratio numbers were arrived at and that the updated and approved Comprehensive Plan has amended language regarding this point as it pertained to the Downtown District and TID's. Discussion included the amount of input the Plan Commission would have should a proposed development come forward for this property, ratio of allowed multi-family dwellings to single-family dwellings per the Comprehensive Plan.

Motion by Commissioner Arendt, second by Commissioner Bottoni, to adjourn the Public Hearing to the next Plan Commission meeting on August 10, 2020. Motion carried with Commissioner Stichmann abstaining.

B. Potential recommendation to Village Board

7. Site plan for three above-ground fuel tanks on a concrete pad located at 2010 Church Street (ROP 00008); McCrete LLC, applicant (Jeff McPherson, agent)

- A. **Discussion and possible action** – Mr. McPherson, applicant, addressed the Commission and explained the plan was arrived at to allow for ease of truck traffic, to comply with requests from their insurance carrier, to maintain distance from all buildings and hide facility from neighboring properties. He also discussed the safety points that would be installed such as bollards and fencing. Zoning Administrator Schwecke suggested the addition of a deed restriction that would require the tanks be removed should the property be sold.

Motion by Commissioner Bottoni, second by Commissioner Arendt, to approve the addition of three above-ground fuel tanks as proposed, provided the property owner records a deed restriction, as approved by the Village Planner that requires the removal of the fuel tanks if one of the parcels are sold to another person. Motion carried.

8. Potential revisions to the zoning code regarding vehicle sales

- A. **Discussion** – Discussion included golf carts, larger vehicles that may be accepted as trade-ins (such as RV's, campers, boats, buses and heavy construction equipment), concern of restricting business, possible to limit time a non-allowed item remained on the property and how that would be enforced and define by gross weight. This would redefine vehicle sales and service and create two new land uses. Discussed expanding the definition to include RV's.

B. Possible action to set a public hearing to formally review the ordinance, as may be revised

Motion by Commissioner Arendt, second by Commissioner Bottoni to direct staff to schedule

the public hearing for the draft ordinance as drafted. Motion carried.

9. Potential revisions to the zoning code regarding pavement requirements to access detached accessory buildings

- A. **Discussion** – Discussion included a brief history, the need to ensure proper set-backs are achieved and that the accessory building would not be approved unless a driveway could be installed but there would be no timeframe for the installation of the driveway and that the amended code and property maintenance ordinance would trigger the installation of the driveway and suggested language was reviewed.

Motion by Commissioner Arendt, second by Commissioner Hayes, to table item until the next meeting and request Scott Johnson, Building Inspector attend. Motion carried.

B. Possible action to set a public hearing date to review the ordinance, as may be revised

10. Potential revisions to the zoning code regarding metal shipping containers (for storage)

- A. **Discussion** – Discussion included review of the staff report, no double stacked containers would be allowed, this would pertain to permanent fixtures not temporary uses and the language was reviewed.

B. Possible action to set a public hearing date to review the ordinance, as may be revised

Motion by Commissioner Arendt, second by Commissioner Hayes, to table this item until the next meeting. Motion carried.

- 11. Next meeting: August 10 (if needed)** – Due to the Partisan Primary Election on August 11 and the need to set-up the Board Room for this election the Commission re-scheduled the August Plan Commission meeting to Thursday, August 13 at 6:30 pm.

12. Adjourn

Motion by Commissioner Arendt, second by Commissioner Bottoni, to adjourn at 7:51 p.m.

Respectfully submitted by

Lorri Alexander
Village Clerk

Date: August 17, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Rezone subject property located at 2019 Beulah Avenue from Light Industrial (LI) to Multifamily Residential (MR-10), ABCS Investments LLC (Steve Lambrechts), applicant

Application: 2020-12; <https://s.zoninghub.com/NO2W9LG14E>

Meeting: August 20, 2020 Plan Commission meeting

The petitioner's application was first reviewed at the Plan Commission meeting on July 11, 2020. It was tabled at that time to verify the effect of the Village's comprehensive plan on the request.

The comprehensive plan includes a number of goals, objectives, and policies. There is a policy relating to when rezoning applications can be approved. It is shown below.

Because the proportion of multifamily currently exceeds 30 percent, the rezoning can only occur if the Plan Commission/Village Board determine the project is "in or around the downtown core."

Policies

1. The Village will only rezone land for multi-family housing when the proportion of multifamily is 30 percent or less of the total housing stock (housing units), except when the proposed multifamily housing is in or around the downtown core or if the multifamily housing is part of a qualified tax increment financing (TIF) district that is established to eliminate blight.

The comprehensive plan, consisting of the policy document and background document, is posted online; https://easttroywi.gov/index.asp?SEC=18A86E7B-A2DD-495C-BF7B-D49CC7B2102B&Type=B_BASIC

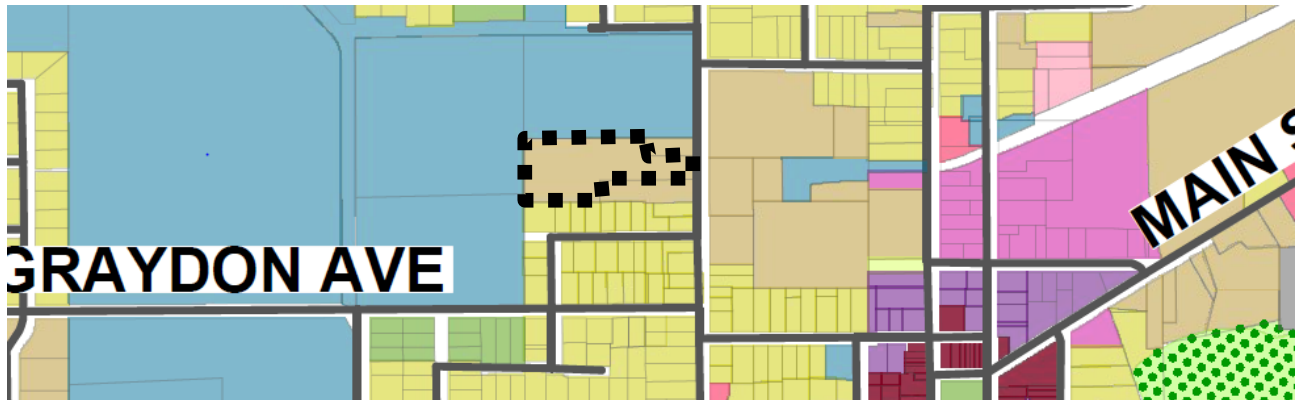
Review procedures The Plan Commission is advisory with regard to rezone applications. The Village Board makes the final decision. The Village Board may approve the amendment as originally proposed, may approve the proposed amendment with modifications, or may deny approval of the proposed amendment. If the Village Board wishes to make significant changes in the proposed amendment to the zoning map, as recommended by the Plan Commission, the procedure in s. 62.23(7)(d), Wis. Stats., shall be followed prior to Village Board action.

Notice requirements As required by the Village's zoning code and state statute, a class II public hearing notice was published, a copy of which is attached. A copy of the public hearing notice was mailed to property owners within 300 feet of the subject property and others as required. Because the date for the Plan Commission was not set with the public hearing was adjourned, a new public hearing notice was published (attached).

Public Comment As of this date, no new communications have been received following the close of the last meeting.

General review of proposal

1. **Consistency with Comprehensive Plan:** As shown below, the subject property is classified as "Mixed Residential" (tan) on the Future Land Use map. The description for that classification is included below. The MR-10 zoning classification is consistent with this future land use classification.



Mixed Residential: This designation is intended for a variety of residential units focused on multiple family housing (i.e., 3+ unit buildings), usually developed at densities that exceed six units per acre, and served by a municipal sanitary sewer system in or near the village. Single-family detached housing, attached single family residences with individual entries (e.g., townhouses, rowhouses), existing mobile home parks, and small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be within this designation.

(From Comprehensive Plan)

2. **Consistency with MR-10 Zoning:** With the MR-10 zoning classification, a maximum of 37 dwelling units could be developed based on the size of the subject property (3.77 acres). There are two storage buildings on the subject property. They are allowed under the LI zoning but not under MR-10 zoning. To address this situation, the rezoning is conditional. See Section 2 of the proposed ordinance.

Zoning Administrator findings Pursuant to s. 510-155(G) of the zoning code, the following findings are made by the Village zoning administrator.

1. The proposed map amendment advances the purposes of the zoning code as outlined in s. 510-3.
2. The proposed map amendment is consistent with applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).
3. The proposed map amendment is in harmony with the recommendations of the Comprehensive Plan.
4. The proposed map amendment maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed map amendment is intended to conform to the Village's Comprehensive Plan.

A draft ordinance is attached. Note the proposed conditions of approval in Section 2.

Potential motion for approval:

Recommend to the Village Board the conditional rezoning of the subject property as set forth in the ordinance dated July 9, 2020.

Attachments:

1. Public hearing notice (second)
2. Draft ordinance, July 9, 2020

VILLAGE OF EAST TROY PLAN COMMISSION

NOTICE OF CONTINUATION OF A PUBLIC HEARING

The Village of East Troy Plan Commission will conduct a public hearing on Thursday, August 20, 2020, to consider the application submitted by ABCS Investments LLC to rezone the property located at 2019 Beulah Avenue (RA454000001) from Light Industrial (LI) to Multi-Family Residential (MR-10). THIS IS A CONTINUATION OF THE HEARING HELD BY THE PLAN COMMISSION ON JULY 13, 2020.

The Plan Commission meeting starts at 6:30 pm. The meeting will be held at the Village Municipal Building, located at 2015 Energy Drive, unless the Village decides to conduct an online meeting due to COVID-19. The public hearing will be conducted in the order listed on the meeting agenda.

Additional details may be posted online: <https://s.zoninghub.com/NO2W9LG14E>

For information regarding this public hearing, contact Tim Schwecke, Zoning Administrator, at 920-728-2814. All interested parties will be heard at the public hearing. Written comments may be submitted (1) online via the Village's ZoningHub website, (2) to the Village Hall by Wednesday, August 12, 2020, or (3) during the public hearing.

Lorri Alexander, Village Clerk

Published in the *East Troy Times* on July 31 and August 7, 2020

ORDINANCE 2020-**- DRAFT July 9, 2020 -**

**AN ORDINANCE TO REZONE A CERTAIN PROPERTY IN SECTION 19
T4N R18E IN THE VILLAGE OF EAST TROY AND TO AMEND THE
ZONING MAP OF THE VILLAGE OF EAST TROY PURSUANT TO
SECTION 510-155 OF THE ZONING CODE**

WHEREAS, the Village Board for the Village of East Troy adopted zoning regulations for the Village of East Troy and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 510 of the Village of East Troy municipal code, which is titled "Zoning;" and

WHEREAS, ABCS Investments LLC (herein referred to as "property owner") owns a parcel of land located off of Beulah Avenue in Section 19, T4N R18E, designated as Parcel Number RA454000001 (herein referred to as "subject property"); and

WHEREAS, the property owner has submitted a petition to change the zoning classification of the subject property from Light Industrial (LI) to Multifamily Residential (MR-10); and

WHEREAS, the rezoning petition has been submitted to the Village of East Troy Plan Commission for report and recommendation; and

WHEREAS, the Village of East Troy Plan Commission conducted a public hearing on July 13, 2020; and

WHEREAS, required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning code; and

WHEREAS, the Village of East Troy Plan Commission has recommended to the Village Board that said rezoning change be made under certain conditions; and

WHEREAS, the Village Board considered the Plan Commission's recommendation at its meeting on July 20, 2020; and

WHEREAS, the Village Board has accepted the Plan Commission's recommendation; and

WHEREAS, the Village Board finds that the proposed zoning is consistent with the Village's comprehensive plan and does not modify any floodplain zoning district or any shoreland-wetland zoning district; and

WHEREAS, the Village Board for the Village of East Troy, after careful review and upon consideration of the recommendation of the Plan Commission of the Village of East Troy and having given the matter due consideration having determined that all procedural requirements and

notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of East Troy, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin, do ordain as follows:

Section 1. Zoning map change

The subject property is conditionally rezoned from Light Industrial (LI) district to Multifamily Residential (MR-10) district and the zoning map is hereby conditionally amended to incorporate such change.

Section 2. Conditions of rezoning

The rezoning of the subject property as specified herein and the amendment of the zoning map of the Village of East Troy are conditioned on the following:

1. The property owner shall submit a development plan for the subject property as allowed in the MR-10 district and obtain approval of the same.
2. The two storage buildings currently on the subject property shall be removed consistent with a timeframe established by the Village Board's approval of the above-mentioned development plan.
3. The property owner is allowed to use the current buildings for storage, without expansion. In the interim, no other buildings may be constructed on the subject property and no area may be used for outside storage of any nature.

Section 3. Certification

Upon certification by the Village Clerk that the conditions set forth in Section 2 have been satisfied within the time period established in Section 4, the Zoning Administrator shall change the zoning classification of the subject property on the Village of East Troy zoning map as indicated herein.

Section 4. Effective Date.

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law subject to the conditions stated in Section 2, and this ordinance is null and void and the current zoning shall be in effect with no further notice if such conditions are not satisfied within four years of the date of this decision or the property owner submits a written petition to the Village Board stating his or her desire to revert back to the Light Industrial (LI) zoning classification.

Section 5. Severability

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision,

and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed to those terms that conflict.

Adopted this 20th day of July 2020

Scott Seager, President

ATTEST:

Lorri Alexander, Village Clerk

Date: August 17, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Amendment of site plan/plan of operation for Benchmark Landscape Management located at 2535 Energy Drive (RA142000002; RA142000003); (Paul Hahlbeck, applicant)

Application 2020-16; <https://s.zoninghub.com/FL5ECFWWRG>

Meeting August 20, 2020 Plan Commission meeting

Previous Approvals. The Plan Commission approved a site plan and plan of operation for Benchmark Landscape in 2019 subject to various conditions of approval.

Proposed Changes The petitioner is proposing three revisions to the approved plans.

1. The salt barn will be somewhat larger than what was initially contemplated; it is 35 x 50. The initial site plan showed 35 x 45. As an accessory building, it complies with setbacks from the lot lines.
2. The area to the east of the salt barn will be an open bunker (35 x 45) for mulch.
3. A fence will extend above the bunker along the west lot line to help screen the racks of junk vehicles on the adjoining lot. The maximum height for a fence in an industrial district is 10 feet. Materials will generally match the metal fence along Energy Drive. Normally, the structural parts of a fence need to face to the interior of the lot. The adjoining lot owner has submitted a letter indicating his agreement that the structural supports can face outward.

All other aspects of the previously approved site plan and plan of operation will remain unchanged.

Review procedures With regard to site plan reviews, the Plan Commission makes the final decision. The Plan Commission may (1) approve, (2) approve with conditions, or (3) deny the application. If approval is granted, the Plan Commission can impose conditions deemed necessary to protect the public health, safety, and welfare.

Public notice Aside from being included on the meeting agenda, no other public notice is required.

Proposed motion Approve the revised site plan/plan of operation as proposed subject to the following conditions:

1. The height of the fence may not exceed 10 feet per the fence standards.
2. Prior to issuance of a building permit, the owner shall provide documentation to the building inspector or the zoning administrator that a salt barn may be located in the floodplain per the Department of Transportation standards and requirements.
3. The owner shall obtain a building permit for the fence and salt barn within 9 months of this date and start the work within 14 months of this date.

Attachments:

1. Application materials

35x50
Salt barn

35x45
Mulch storage

Fence

NORTH 1/4
CORNER
SECTION
28-4-18
N290,223.57
E2,430,572.82

FENCE
CAR
RACK

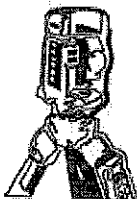
LOT 1 CSM NO. 1420

<N01°04'40"E>
N00°01'10"W

CAR RACKS
IN THIS AREA

S88°55'40"W
(N89°57'00"W)

LOT 2 CSM NO. 1372

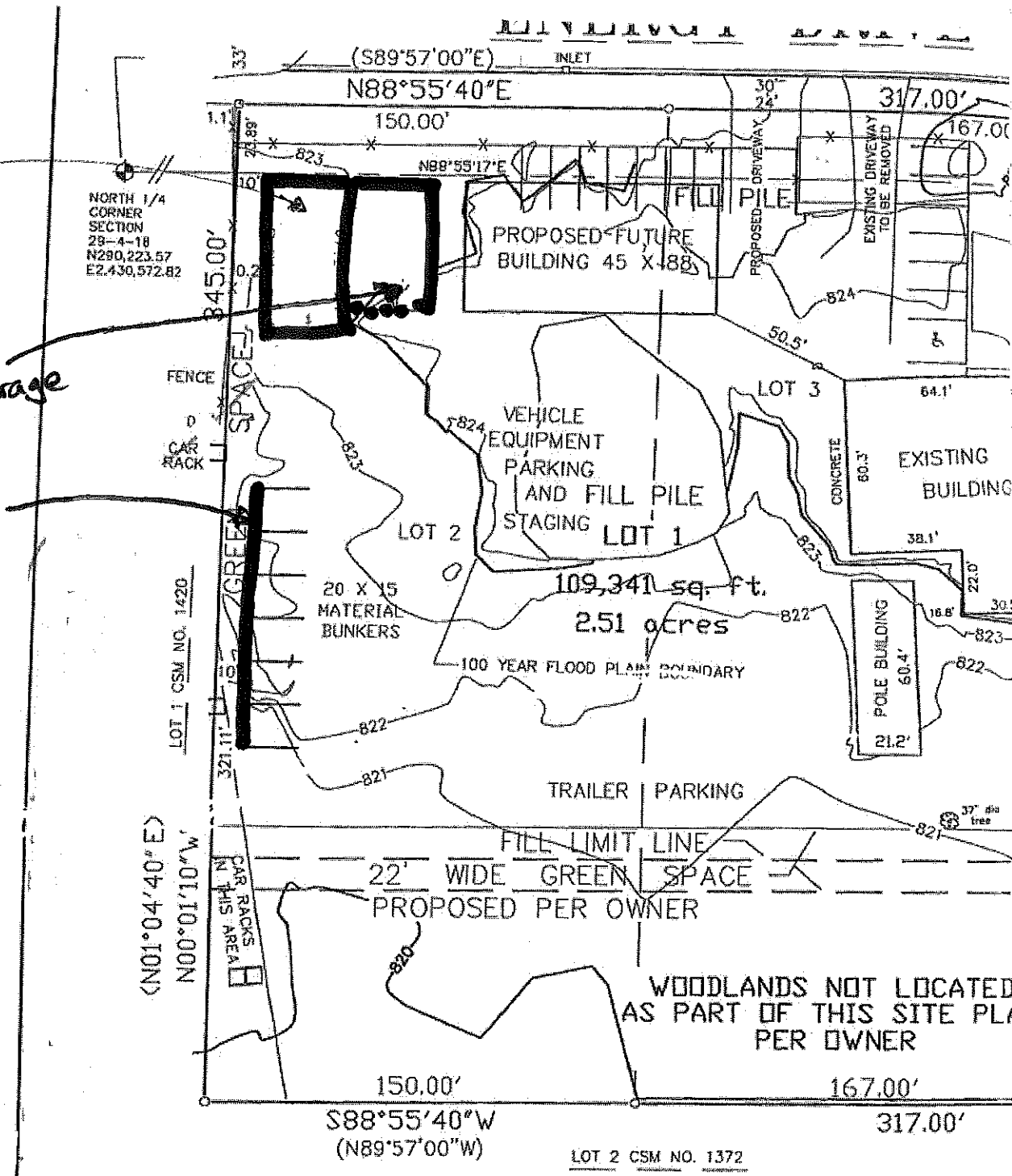


B.W. SURVEYING, INC.

412 N. PINE STREET
BURLINGTON, WI 53105
(262)-767-0225

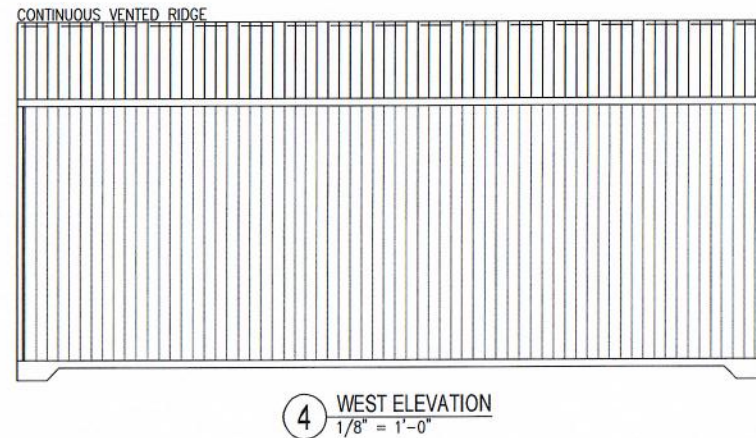
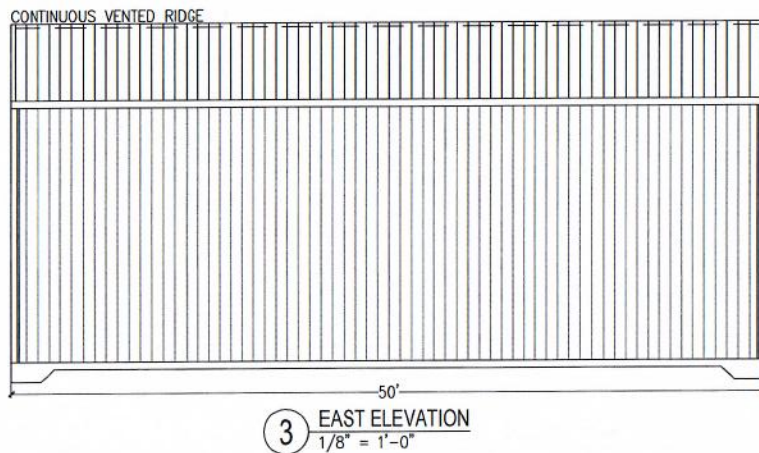
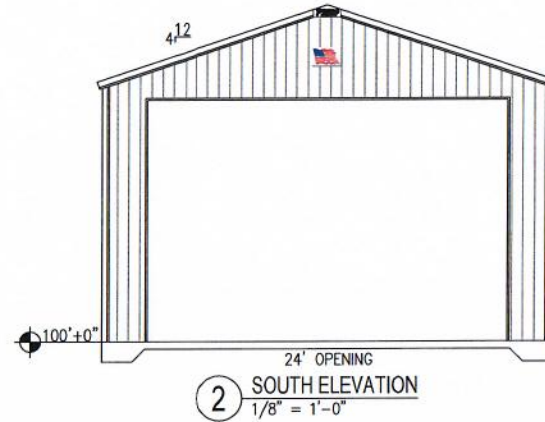
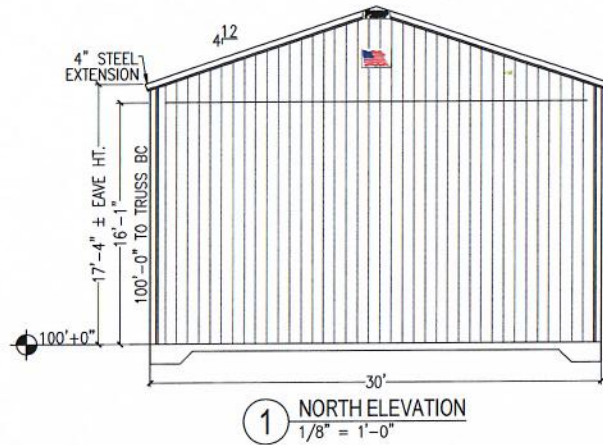
ROBERT J. WETZEL

S-1778



PRELIMINARY DRAWING

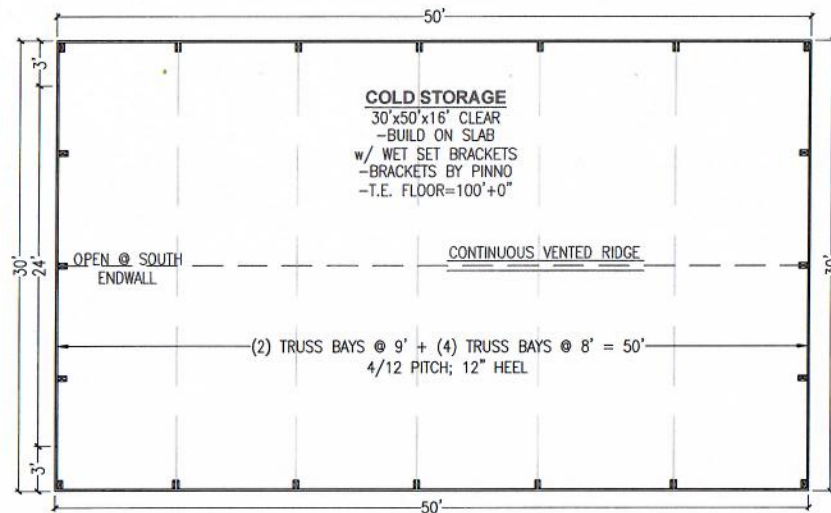
CONTRACT SPECIFICATIONS
TAKE PRECEDENCE
OVER BUILDING PLANS



COPYRIGHT NOTICE: UNAUTHORIZED COPYING OF OR BUILDING FROM PLAN IS A VIOLATION OF U.S. COPYRIGHT LAWS, CONSTITUTING CRIMINAL THEFT

PRELIMINARY DRAWING

CONTRACT SPECIFICATIONS
TAKE PRECEDENCE
OVER BUILDING PLANS



1 FLOOR PLAN
1/8" = 1'-0"

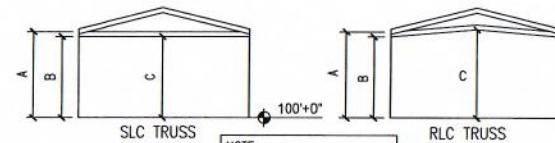
BUILDING COLORS:

SIDE	LIGHT STONE	BOTTOM TRIM	TERRATONE
GABLE	LIGHT STONE	CORNER TRIM	TERRATONE
ACCENTS	N.A.	ROOF	TERRATONE
WALK DOOR	N.A.	RIDGE CAP	TERRATONE
WINDOWS	N.A.	GABLE TRIM	TERRATONE
DOOR/WINDOW TRIM	N.A.	FASCIA TRIM	N.A.
OVERHEAD DOOR	N.A.	EAVE TRIM	TERRATONE
OVHD. DOOR TRIM	N.A.	SOFFIT	N.A.
SLIDE DOOR	N.A.	SOFFIT F&J TRIM	N.A.
SLIDE DOOR TRIM	N.A.	CUPOLA SIDE	N.A.
WAINSCOT	N.A.	CUPOLA ROOF	N.A.
WAINSCOT TRIM	N.A.	WEATHERVANE	N.A.
WNSCT. CORNER TRIM	N.A.	EAVE TROUGHS	N.A.
EAVELITE	N.A.	DOWNSPOUTS	N.A.

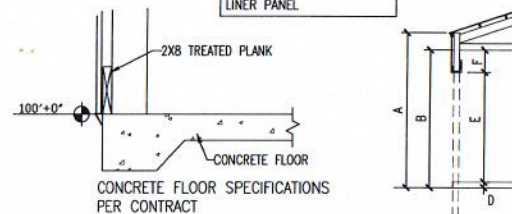
CONTRACT SPECIFICATIONS
TAKE PRECEDENCE
OVER BUILDING PLANS

ROOF & SIDE STEEL ARE
McELROY - MESA - 29 ga.
W/KYNAR 500 PAINT SYSTEM

COLUMNS ARE TITAN TIMBER
GLUE LAMINATED COLUMNS
LOWER - #1 SYP 60 CCA
UPPER - 2X6 SPF MSR1650
-OR- 2X8 SPF MSR 1950



NOTE:
CEILING HEADROOM WILL BE
LESS WITH DRYWALL OR
LINER PANEL



A = EAVE HEIGHT	17'-4"
B = TRUSS CLEARANCE AT HEEL	16'-1"
C = TRUSS CLEARANCE AT CENTER OF BUILDING	16'-1"
CLEARANCE MAY BE REDUCED BY FINISHED FLOOR HEIGHT	
D = OVERHEAD FRAME OUT BOTTOM ELEVATION	100'-0"
E = OVERHEAD FRAME OUT HEIGHT	
F = ACTUAL HEADROOM AVAILABLE	

HEADROOM REQUIRED TO TURN THE DOOR MUST BE LESS THAN
THE ACTUAL HEADROOM AVAILABLE

NOTES:

- INDICATE ANY POWER LINES WITHIN 10' OF BUILDING SITE.
- ARE THERE ANY BUILDINGS WITHIN 10' OF BUILDING SITE?
YES _____ NO _____
IF SO, THEN SEND PICTURE OF BUILDING OR LIST THE
CONDITION OF BUILDING _____
- INDICATE ANY UNDERGROUND UTILITIES, I.E. SEWER; WATER;
ELECTRIC; ETC. IF NONE CIRCLE NONE
NONE _____ LIST _____
- ACTUAL WIDTH OF SLIDE DOOR CLEARANCE WILL BE 6" LESS THAN
NOMINAL DOOR SIZE, AND 12" LESS IF DOOR IS OFF THE CORNER.
EXAMPLE: IF NOMINAL SLIDE DOOR IS 10'-0" WIDE, THE ACTUAL
CLEARANCE IS 9'-6" ON STANDARD DOOR, OR 9'-0" IF DOOR IS
OFF THE CORNER.

CLASSIFICATION OF BUILDING:

SHOP BUILDING _____ COMMERCIAL ☒ EQUINE _____
AG & PERSONAL STORAGE _____ LEAN _____ OTHER _____

CUSTOMER NAME: BENCHMARK LANDSCAPE
EXACT PLAN AND DOOR LOCATION APPROVED BY: _____

CUSTOMER SIGNATURE _____

PINNO
BUILDINGS
Quality Post Frame Buildings
PHONE: (920) 922-7010
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ROSENDALE, WI 54974

BENCHMARK LANDSCAPE
30'x50'x16' - COMMERCIAL
FLOOR PLAN

DRAWING NO.
20-256

DRAWN BY:
PLS

SCALE:
AS SHOWN

DATE:
7/21/2020

REVISIONS

SHEET NO.
2 OF 2

Date: 8-14-2020

Dear Planning Commission,

Paul from Benchmark Landscape and I have discussed his desire to install a fence along my east property line that would screen the entirety of my car racks from his view and the view from the public that drive on Energy Drive. I am whole heartily for this being allowed to take place. Paul had asked me, that if the Village would allow it, to install the finish side of the fence to face into his property, I told Paul that it would make perfect sense for him to have the finish side, for it would only benefit him and the view that the public will see driving down Energy Drive.

Sincerely,

A handwritten signature in blue ink, appearing to be "W. H. H.", is written on the page.

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steel siding



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Feedback

Customers Who Searched This Viewed

Metal Sales 8 ft.
Classic Rib Steel
Roof Panel in

(424)

\$28⁴⁸

Metal Sales 8 ft.
Classic Rib Steel
Roof Panel in

(424)

\$25¹⁰

Metal Sales 12 ft.
Classic Rib Steel
Roof Panel in

(454)

\$39⁸⁴

Amerimax Project
Panel Corrugated
3 ft. Galvanized

(69)

\$37⁶³/carton

Metal Sales 10 ft.
Classic Rib Steel
Roof Panel in

(392)

\$34¹⁹

Metal Sales 8 ft.
Classic Rib Steel
Roof Panel in

(424)

\$28⁴⁸

Metal Sales 8 ft.
Classic Rib Steel
Roof Panel in

(424)

\$28⁴⁸

Metal Sales
Classic Rib
Roof Panel

\$37⁵²**Sponsored Products**

Amerock Calathea
1-1/4 in. (32 mm)
Matte Black

(21)

\$18⁷⁴

Amerock Calathea
6-5/16 in. (160
mm) Black Chrome

(21)

\$24⁹⁹

Amerock Calathea
1-1/4 in. (32 mm)
Satin Nickel

(21)

\$18⁷⁴

Amerock Calathea
3-3/4 in. (96 mm)
Satin Nickel

(21)

\$19⁹⁹

Amerock Calathea
5-1/16 in. (128
mm) Satin Nickel

(21)

\$22⁴⁹







Date: August 14, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Amendment of the zoning code relating to motor vehicle sales and related matters

Application: 2020-15; <https://s.zoninghub.com/OTILPO26XL>

Meeting: August 20, 2020 Plan Commission meeting

Please find attached the proposed zoning code amendment as recommended at your meeting on July 13, 2020.

Public notice As required under the zoning code, a class II public hearing notice was published on July 31 and August 7 in the East Troy Times, a copy of which is attached.

Public comment As of this date, staff has not received any public comments in advance of the public hearing.

Role of Plan Commission With regard to a proposed amendment of the zoning code, the Plan Commission is advisory. The Village Board makes the final decision.

Proposed motion for adoption: Recommend to the Village Board the approval of the proposed ordinance, based on the findings contained in the proposed ordinance

Attachments:

1. Public hearing notice
2. Proposed ordinance, Public Hearing Draft

VILLAGE OF EAST TROY PLAN COMMISSION

NOTICE OF PUBLIC HEARING

The Village of East Troy Plan Commission will conduct a public hearing on Thursday, August 20, 2020, to consider an amendment of the Village's zoning code (Chapter 510 of the Village of East Troy municipal code) relating to vehicle sales (application 2020-15). The proposed amendment may affect allowable uses within the Village. The proposed amendment will not affect the zoning map. A copy of the proposed ordinance will be on file and open for public inspection in the office of the Village Clerk during normal office hours (and when open) for a period of two weeks prior to the public hearing.

Details are available online: <https://s.zoninghub.com/OTILPO26XL>

The meeting agenda will indicate if the Plan Commission meeting will be conducted online via Zoom or in-person at the Village Municipal Building, located at 2015 Energy Drive. The Plan Commission meeting starts at 6:30 pm and the public hearing will be conducted in the order listed on the meeting agenda.

For information regarding this public hearing, contact Tim Schwecke, Zoning Administrator, at 920-728-2814. All interested parties will be heard at the public hearing. Written comments may be submitted (1) online on the Village's zoning website

<https://villageofeasttroy.zoninghub.com/home.aspx>; (2) to the Village Hall by Wednesday, August 12, 2020; or (3) during the public hearing.

Lorri Alexander, Village Clerk

Published in the *East Troy Times* on July 31 and August 7, 2020

ORDINANCE 2020- **- Public Hearing Draft -**

**AN ORDINANCE TO MAKE REVISIONS TO THE ZONING REGULATIONS IN
CHAPTER 510 OF THE VILLAGE OF EAST TROY MUNICIPAL CODE**

WHEREAS, the Village Board for the Village of East Troy adopted zoning regulations for the Village of East Troy and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 510 of the Village of East Troy municipal code, which is titled “Zoning;” and

WHEREAS, the Plan Commission desires to make various changes to the zoning code; and

WHEREAS, the Plan Commission prepared a draft ordinance to address the aforementioned changes, and recommended approval of the same at its meeting on July 13, 2020; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on August 20, 2020; and

WHEREAS, within a reasonable time after the public hearing, the Plan Commission reported its recommendation to the Village Board as set forth in this ordinance; and

WHEREAS, the Village Board considered the Plan Commission’s recommendation at its meeting on August __, 2020; and

WHEREAS, the Village Board accepted the Plan Commission’s recommended text amendment without revision OR with minor revision.

WHEREAS, the Village Board for the Village of East Troy, after careful review and upon consideration of the recommendation of the Plan Commission of the Village of East Troy and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of East Troy, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin, do ordain as follows:

Section 1. Repeal and recreate subsection 510-43(Q) to read as follows:

Q. Vehicle sales and service. Vehicle sales and service is a place where new and used cars, motorcycles, mopeds, snowmobiles, all-terrain vehicles (ATVs), utility terrain vehicles, and light trucks are displayed out of doors and are offered for rent, sale, lease, or exchange, or are taken on consignment. ~~Vehicle sales include the sale and display of vehicles for sale or rent outside of an~~

~~enclosed building. Such land uses also include a repair shop associated with the vehicle display lot and sales building, provided the repair portion is clearly incidental to the sales operation as determined by the Plan Commission. This use may include the repair and servicing of the aforementioned as a subordinate use to the extent deemed appropriate by the Plan Commission. Such land uses do not include the storage or display of inoperative vehicles or equipment or other materials typically associated with a salvage yard or junkyard (see § 510.46D). Vehicles sales land uses~~ This use shall adhere to the following regulations:

- (1) The outdoor display and sales area shall be calculated as the area that would be enclosed by a required physical separation installed and continually maintained in the most efficient manner which completely encloses all vehicles displayed outdoors.
- (2) The display of vehicles shall not be permitted within required setback areas for the principal structure.
- (3) The display of vehicles shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.
- (4) In no event shall the display of vehicles reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of Subsection Q(10). If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.
- (5) Display areas shall be separated from any circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence, or line of planters or by a clearly marked paved area.
- (6) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.
- (7) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection Q(5) above (see Article XIV).
- (8) Vehicle sales shall be permitted during the entire calendar year; however, if vehicles are removed from the display area, all support fixtures used to display the vehicles shall be removed within 10 calendar days of the vehicles' removal.
- (9) Inoperable vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
- (10) Minimum required parking: one space per 300 square feet of gross floor area.
- (11) Prior to the establishment of this use, the operator shall obtain a motor vehicle dealer license from the Wisconsin Department of Transportation and maintain such license for the life of the use or until the state no longer requires such license.^[1]
- (12) An indoor vehicle display area shall be provided that is at least 12 feet by 20 feet. If only motorcycles are sold, the indoor vehicle display area shall be large enough to display at least 3 motorcycles.^[2]

[1] Commentary: See s. ch. 218, Wis. Stats.

[2] Commentary: See s. TRANS 138.03(a), Wis. Admin. Code

Section 2. Add subsection 510-42(S) to read as follows:

- (S) Heavy vehicle sales and service. Heavy vehicle sales and service is a place where new and used large vehicles, such as recreational vehicles and campers, personal watercraft, and heavy trucks, are kept out of doors and offered for sale, lease, or exchange, or are taken on consignment. This use may include the repair and servicing of the aforementioned as a subordinate use to the extent deemed appropriate by the Plan Commission. This use shall adhere to the following regulations:
- (1) Outdoor display areas and other activity areas shall be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and 25 feet from a property in a commercial or mixed-use zoning district.
 - (2) Minimum required parking: 1 space for each employee on the largest work shift

Section 3. Add subsection 510-43(E) to read as follows:

- (E) Construction equipment sales and service. Construction equipment sales and service is a place where new and used construction equipment, such as dump trucks, excavators, graders, and scrapers are offered for rent, sale, lease, or exchange, or are taken on consignment. This use may include the repair of such equipment. This use shall adhere to the following regulations:
- (1) Outdoor display areas and other activity areas shall be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and 25 feet from a property in a commercial or mixed-use zoning district.
 - (2) Minimum required parking: 1 space for each employee on the largest work shift

Section 4. Amend the Table of Land Uses (referenced as 510 Attachment 1) as follows:

1. Include heavy vehicle sales and service under Section 510-43, titled “Commercial Uses” and indicate it is permitted by right in the Light Industrial (LI) zoning district and the General Industrial (GI) zoning district.
2. Include construction equipment sales and service under Section 510-43, titled “Industrial Uses” and indicate it is a conditional use in the Light Industrial (LI) zoning district and permitted by right in the General Industrial (GI) zoning district.

Section 5. This ordinance shall become effective upon passage and posting or publication as provided by law.

Section 6. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Adopted this day of August, 2020

Scott Seager, President

ATTEST:

Lorri Alexander, Village Clerk

Date: August 17, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, Zoning Administrator

Subject: Discussion related to potential adoption of standards for tree removal in the Village

Meeting: August 20, 2020 Plan Commission meeting

When reviewing the Kwik Trip project several years ago, some of the commissioners were concerned about the removal of large deciduous trees on the site. As a result, we added tree protection to the running list of potential things to discuss at a future meeting.

In this regard, I'm bringing this up for discussion at this time to get further direction and to share a tree protection ordinance from the Village of Mukwonago. As I understand it, the ordinance was adopted after a developer removed a large number of trees to prepare a site for a commercial project. It is found in Chapter 34, Article III.

https://library.municode.com/wi/mukwonago/codes/code_of_ordinances?nodeId=PTIICOOR_CH34EN_ARTIIIURFOMA_DIVIIITRRECO

It should be noted that East Troy's zoning code currently addresses "selective cutting" and "clear cutting" in subsections 510-40(D) and (E). <https://www.ecode360.com/27768619>

These provisions are more related to timber management and do not address all situations where small groups or individual trees are removed. That's why they did not apply to Kwik Trip.

Let's discuss your interest in pursuing this further.

- D. Selective cutting.** Selective cutting includes any operation associated with the one-time, continuing, or cumulative clearing, cutting, harvesting, or other destruction of trees (including by fire) where the extent of such activity is limited to an area (or combined areas) of less than or equal to 30% of the woodlands on the property (or up to 100% for developments approved prior to the effective date of this chapter). Selective cutting shall be limited to areas located within development pads which are designated on an approved site plan or on a recorded plat or certified survey map. The destruction of trees in an area in excess of this amount of the woodlands on the property shall be considered clear-cutting (see Subsection **E** below).
[Amended 10-17-2016 by Ord. No. 2016-13]
- E. Clear-cutting.** Clear-cutting includes the one-time, continuing, or cumulative clearing, cutting, harvesting, or other destruction (including by fire) of trees in an area (or combined areas) of more than 30% of the woodlands on a property (or up to 100% for developments approved prior to the effective date of this chapter). Clear-cutting shall adhere to the following listed regulations:
- (1) Clear-cutting is permitted only as a conditional use. Any owner of property who intentionally clear-cuts any area of his or her property or who intentionally solicits or causes another to intentionally clear-cut any area of his or her property without first having secured a conditional use permit for such activity shall be subject to a forfeiture for such wrongful conduct and shall be required to implement the mitigation standards required for the destruction of woodlands solely at his/her expense, including costs associated with site inspection to confirm the satisfaction of mitigation requirements. Areas having been clear-cut unintentionally as a result of fire shall not subject the owner of the property to forfeiture for such nonapproved clear-cutting activity but shall require the satisfaction of mitigation requirements at the owner's expense, including costs associated with site inspection to confirm the satisfaction of mitigation requirements.
 - (2) The applicant shall demonstrate that clear-cutting will improve the level of environmental protection on the subject property.
 - (3) Areas of the subject property which are clear-cut beyond the limitations established above shall be replanted per the requirements of § 510-118. (Referenced section requires the replanting of trees in other portions of the subject property, thereby freeing the currently wooded area for development while ensuring that the amount of required wooded area on the subject property remains constant.)
 - (4) Clear-cutting shall not be permitted within a required bufferyard or landscaped area or within an area designated as permanently protected green space (see Article **XIV**).

Attachments:

1. Village of Mukwonago's Tree Protection Ordinance (Division III of Article III, Chapter 34)

DIVISION III. - TREE REMOVAL CONTROL

Sec. 34-146. - Tree removal control.

- (a) *Definitions.* For the purposes of this section, the following words and phrases, unless the context in which they are used clearly indicates an intent to the contrary, shall be defined as follows:

Clear cutting means the removal of all trees of greater than eight-inch diameter from a lot over a two-year period, such diameter measured on the tree at a point four feet above grade level.

Tree diameter means the diameter of a tree measured at a point on the tree four feet above grade level.

- (b) *Tree removal control.*

- (1) *Purpose.* The intent and purpose of this regulation is to preserve the village's character as a natural wooded community, to maintain property values by improving and preserving the aesthetic appeal of the village through tree regulation, to preserve the natural resources of the village and state, to reduce the amount of erosion in the village due to tree removal, to protect the quality of the waters of the state and the village and to protect and promote the health, safety and welfare of the people by minimizing the amount of sediment and other pollutants carried by runoff to Phantom Lake, the Mukwonago River and the Fox River due to the erosion of land not protected by a naturally wooded environment.
- (2) *Clear cutting prohibited.* The clear cutting of any lot within the village is prohibited except as provided in this section.
- (3) *Limitations.* Subject to the provisions of sections 100-751 through 100-755, removal of trees of eight-inch diameter or greater shall be permitted as follows:
 - a. In lots of one-quarter acre or less in size, up to 80 percent of such trees per lot may be removed, except in the shoreland-wetland zoning district and all floodplain zoning districts.
 - b. In lots of more than one-quarter acre to one acre in size, up to 60 percent of such trees per lot may be removed, except in the shoreland-wetland zoning district and all floodplain zoning districts.
 - c. In lots of more than one acre to two and one-half acres in size, up to 40 percent of such trees per lot may be removed, except in the shoreland-wetland zoning district and all floodplain zoning districts.
 - d. In lots of more than two and one-half acres in size, up to 20 percent of such trees per lot may be removed, except in the shoreland-wetland zoning district and all floodplain zoning districts.
 - e. In the shoreland-wetland zoning district and all floodplain zoning districts, up to ten percent of such trees per lot may be removed.
 - f. Tree removal in excess of the percentage set forth above shall only be done upon issuance of a tree removal permit or under an exception set forth in section 34-3(b)(5).
- (4) *Tree removal permit.*
 - a. A tree removal permit shall be obtained prior to the removal of any tree in excess of the percentage limitations set forth in section 34-3(b)(3)a.—e.
 - b. A tree removal permit shall be issued to a lot owner upon compliance with the following requirements by each applicant owner:
 1. Submission of a completed application on a form provided by the village.
 2. Submission of a diagram of the lot showing location of all trees in excess of eight-inch diameter; the location of all trees in excess of eight-inch diameter to be removed, including

those for which a permit is required; and the location of all trees in excess of eight-inch diameter removed in the past.

3. Submission of a signed statement by the applicant that each tree removed for which a permit is required shall be replaced by a tree of not less than two-inch diameter prior to the removal of each tree for which a permit is required and maintained continuously in a healthy condition. Should the site plan not provide adequate space for the planting of these trees, the village may designate an alternative site for planting of the trees.
4. Submission of a forestry plan approved by the village forester.
5. By submitting a tree removal permit application, the applicant is authorizing the village forester to enter the lot to inspect and verify information submitted with the application and diagram.

(5) *Exceptions.*

- a. Trees of any size may be removed from a lot at any time regardless of any limitations set forth in section 34-3(b) where such trees represent a danger to property or the health, safety or welfare of any person, or where such tree is diseased or severely damaged.
- b. Trees of any size may be removed from a lot as minimally necessary to undertake any permitted use by right, accessory use or approved conditional use as set forth in the zoning district regulating the lot.
- c. Nothing in section 34-3(b) shall be construed to be an exception to the village's construction site erosion control ordinance.

- (6) *Penalties.* Any person violating any provisions of section 34-4(b) shall be subject to a penalty of \$500.00 per violation together with any expenses which the village may incur in enforcing any of the terms or provisions of this section or enjoining any violations of this section. Each tree removed in violation of this section shall be considered a separate violation.

(Ord. No. 885, § I(Att.), 10-21-14)

Sec. 34-147—34-150. - Reserved.

Date: July 9, 2020
To: Village of East Troy Plan Commission
From: Tim Schwecke, AICP, Zoning Administrator
Subject: Potential amendments to the zoning code relating to accessory buildings
Meeting: July 13, 2020 Plan Commission meeting

The Plan Commission reviewed a staff report at its meeting on February 10, 2020 that described potential revisions to the zoning code to address access to detached accessory buildings.

The Plan Commission did not make a final decision to move forward with a public hearing at that time.

Following that meeting, Commissioner Stichmann sent an email to Eileen Suhm, with potential language to address the issues which were raised during the review.

That email and the February staff report are attached.

From: Eileen Suhm <esuhm@easttroywi.gov>
Sent: Friday, February 14, 2020 7:26 AM
To: Tim Schwecke
Subject: FW: An Idea for Tim Schwecke about the accessory building topic
Attachments: Ideas for potential amendments for zoning code related to accessory buildings.docx

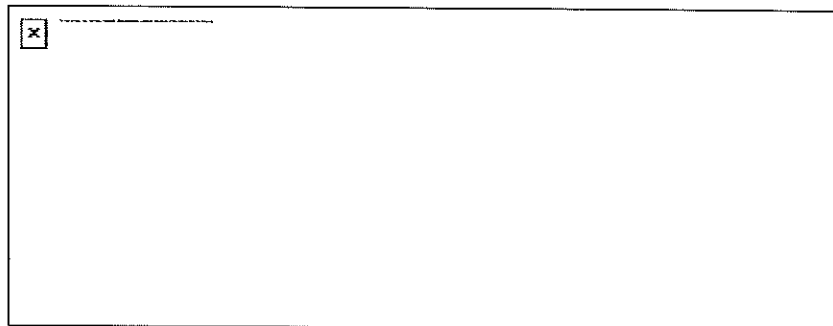
Hi Tim:

Benny asked that I forward this to you.

Eileen Suhm, Administrator
Village of East Troy
2015 Energy Drive, East Troy, WI 53120
General: 262-642-6255
Direct: 262-684-5482
esuhm@easttroywi.gov
www.easttroywi.gov

From: Benny Stichmann <bennystichmann@gmail.com>
Sent: Thursday, February 13, 2020 9:31 PM
To: Eileen Suhm <esuhm@easttroywi.gov>
Subject: An Idea for Tim Schwecke about the accessory building topic

Please pass this along to Tim it might help get his gears turning.



Ideas for potential amendments for zoning code related to accessory buildings

Section 510-47

- (f) Access. An Accessory building than has vehicular access in a frequency as to cause a condition of devegetation or measures including installations to mitigate conditions of devegetation other than decreased frequency of access will require an access drive that meets applicable standards in this zoning code, including 510-91 and 510-91.1.

Date: February 7, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Potential amendments to the zoning code relating to accessory buildings

Meeting: February 10, 2020 Plan Commission meeting

As requested, I've done some preliminary research relating to a situation where a detached accessory building was built on a residential lot with a garage door. In this instance there is no hard-surfaced drive leading to the garage door. The owner is essentially driving over the lawn to get to the garage, for all practical purposes creating a hard-packed surface which encroaches on the setback to an adjoining lot line.

If a person puts a garage door on a building, people would naturally want to store vehicles inside. With that as some context, Section 510-47 of the zoning code could be amended as indicated below. The two sections of code referenced in subsection (d) are attached for your convenience.

Let's discuss.

Section 510-47

Residential accessory building: A detached building customarily found with a residential use as an accessory use. The term includes greenhouses, detached garages, sheds, gazebos, pool cabanas, and the like. Residential accessory buildings shall adhere to the following regulations and any others that may apply:

- (a) **Number.** In addition to one accessory building less than 150 square feet, one additional accessory building shall be allowed per lot.
- (b) **Maximum floor area.** The maximum floor area of the additional accessory building shall not exceed 30% of the area of the rear yard or the following square footage for each lot size, whichever is less:
 - [1] Lot area less than 30,000 square feet: 484 square feet.
 - [2] Lot area from 30,000 square feet to 39,999 square feet: 690 square feet.
 - [3] Lot area from 40,000 square feet to 49,999 square feet: 920 square feet.
 - [4] Lot area from 50,000 square feet to 59,999 square feet: 1,150 square feet.
 - [5] Lot area from 60,000 square feet to 69,999 square feet: 1,380 square feet.
 - [6] Lot area from 70,000 square feet to 79,999 square feet: 1,610 square feet.
 - [7] Lot area from 80,000 square feet to 89,999 square feet: 1,840 square feet.
- (c) **Placement.** Residential accessory buildings are only allowed in the rear yard.
- (d) **Materials.** With the exception of farm buildings, accessory buildings located within a residential district shall be constructed or finished in a complementary architectural style and with complementary materials to the principal residential buildings in the neighborhood.
- (e) **Doors.** An accessory building that has an exterior door that is 8 feet or wider shall be placed so that an access drive could be situated on the lot while meeting all applicable standards in this zoning code, including ss. 510-91 and 510-91.1. This requirement applies whether the property owner wants to hard-surface the access drive or not. For the purposes of this subsection, the width of a required access drive is 10 feet wide.

§ 510-91. Access standards.

- A. Purpose. The purpose of this section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of access to public rights-of-way in accordance with the utilization of various sites.
- B. Applicability. The requirements of this section shall apply to each access point onto a public street or right-of-way in all new developments.
- C. Review and approval. Through the site plan review process (see § 510-160), the Plan Commission shall review and approve all proposed access drives on the subject property.
- D. Number of access points.
 - (1) Each lot shall have not more than two access points on any street frontage adjacent to any lot. Said access shall require approval by the Director of Public Works.
 - (2) No lot shall be permitted more than one access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
 - (3) On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
 - (4) For residential uses, two access points serving the same street frontage may be approved as a conditional use.
- E. Residential uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.
- F. Nonresidential uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage.
- G. Access near street intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet to the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. In all cases, access points shall be located as far from an intersection as the lot size permits. Nonconforming driveways may be replaced in

their current location, except as part of site plan review and approval.

- H. Distance between access drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrants a greater distance.
- I. Angle of intersection with public right-of-way. All access drives shall intersect with any public right-of-way at an angle of not less than 75° and shall intersect at an angle of 90° wherever possible.
- J. Distance from property line. The distance from a nonresidential access drive to the property line of an adjacent property shall not be less than five feet, as measured along the right-of-way line.
[Amended 11-20-2017 by Ord. No. 2017-15]
- K. Width of driveways. All access drives shall have a minimum width of 10 feet for single- and two-family dwellings and 18 feet for all other land uses. All curb openings for access drives shall have a maximum width of 24 feet for all residential uses and 30 feet for all nonresidential uses, as measured at the right-of-way line. Access drives may be flared between the right-of-way line and the roadway up to a maximum of five additional feet. This requirement may be exceeded with explicit Plan Commission approval for uses other than single family.
- L. Traffic control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving six or more parking spaces shall be forward moving, with no backing into streets or pedestrianways. Traffic control devices shall be required as determined by the Director of Public Works.
- M. Depiction on required site plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property.
- N. Paving of access. All access approach areas located within a street right-of-way shall be paved to the satisfaction of the Zoning Administrator with a hard, all-weather surface and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy,

unless granted a time-specific extension in writing by the Zoning Administrator.

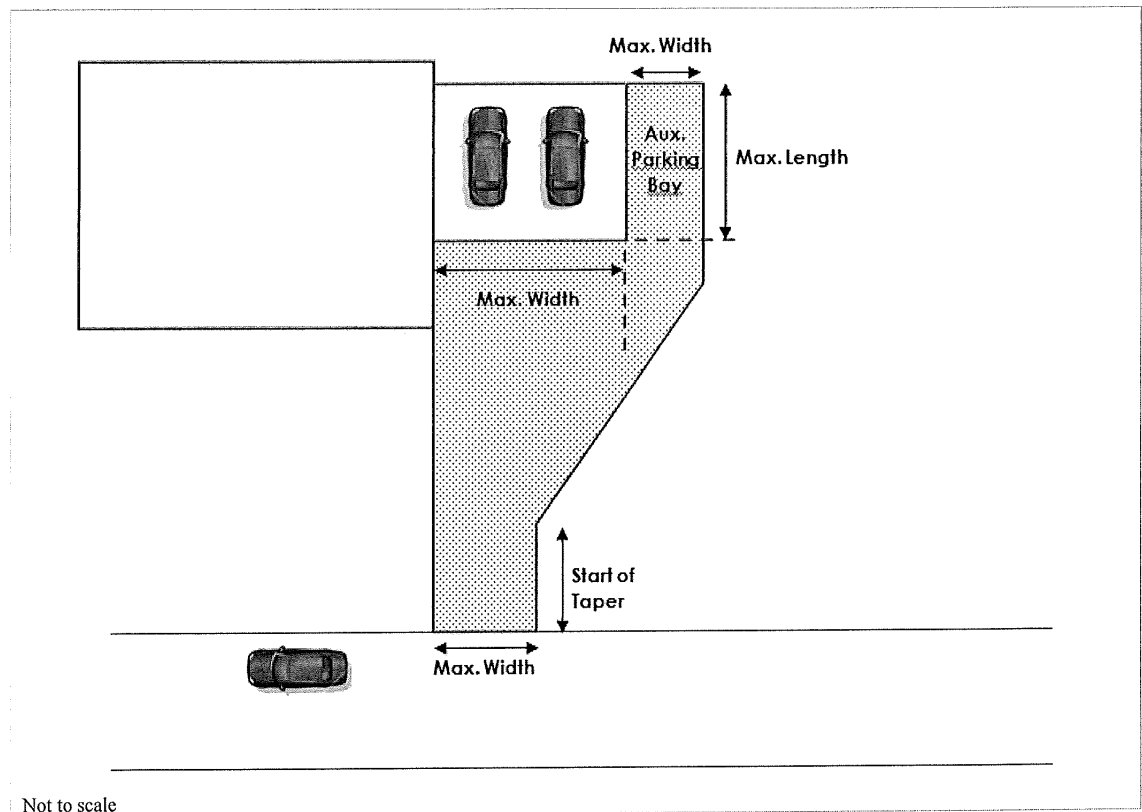
**§ 510-91.1. Driveway standards for residential properties.
[Added 11-20-2017 by Ord. No. 2017-15]**

- A. Surfacing. Driveways and any related parking area shall be hard-surfaced with asphaltic pavement, concrete pavement, or pavers that provide the same structural support as the aforementioned. Such surface must be completed within 12 months following occupancy of a new construction.
- B. Drainage. Driveways and any related parking area shall be graded and drained to not cause a nuisance to adjoining properties.
- C. Setback. Driveways and any related parking area must be set back at least five feet from side lot lines, except as allowed in this subsection. A shared driveway may be located along a common lot line. A driveway accessing the bulb of a cul-de-sac street may be closer than five feet to a side lot line within 20 feet of the front lot line.
- D. Minimum width. The minimum width of a driveway is 10 feet.
- E. Maximum width.
 - (1) Where the garage doors are more than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 12 feet. Where the garage doors are less than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 24 feet.
 - (2) The width of a driveway directly in front of the garage door(s) must not exceed the width of the garage on that side. Where the width of the driveway directly in front of the garage doors exceeds the width of the driveway at the right-of-way line, there must be a taper starting at least eight feet from the right-of-way line.
 - (3) The width of a driveway for a single-family residence without a garage (if existing or otherwise allowed) must not exceed 12 feet. The width of a driveway for a duplex without a garage (if existing or otherwise allowed) must not exceed 24 feet.
 - (4) In the event the driveway accesses an arterial street, the Plan Commission may authorize a driveway turnaround on the

property so vehicles do not need to back out into potentially heavy traffic.

- F. Auxiliary parking bay. An auxiliary parking bay may be located along the side of an attached garage or detached garage, but not both, as follows:
- (1) The parking bay must not be located in the front yard.
 - (2) The parking bay must taper into the driveway.
 - (3) The parking bay must be screened along the adjoining lot line.
 - (4) The parking bay shall be uncovered.
 - (5) The maximum width of the parking bay is 10 feet.
 - (6) The maximum length of the parking bay is 20 feet, not including the taper.

**Figure
1**



Date: July 9, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Potential amendments to the zoning code relating shipping containers used as an accessory building

Meeting: July 13, 2020 Plan Commission meeting

The Plan Commission reviewed a staff report at its meeting on February 10, 2020 that described potential revisions to the zoning code to address how a shipping container could be used as a detached accessory building.

The Plan Commission did not make a final decision to move forward with a public hearing at that time, although there seemed be general consensus regarding the language.

The staff report from February is attached for your convenience.

Date: February 7, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Potential amendments to the zoning code relating shipping containers used as an accessory building

Meeting: February 10, 2020 Plan Commission meeting

As requested, I've done some preliminary research relating to the use of shipping containers as a detached accessory building.

Subsection 510-47(d) could be amended as indicated below. If the prohibition on polystructures is included, a definition should be added to s. 510-12 (Definitions).

Let's discuss.

Section 510-47

Residential accessory building: A detached building customarily found with a residential use as an accessory use. The term includes greenhouses, detached garages, sheds, gazebos, pool cabanas, and the like. Residential accessory buildings shall adhere to the following regulations and any others that may apply:

- (a) **Number.** In addition to one accessory building less than 150 square feet, one additional accessory building shall be allowed per lot.
- (b) **Maximum floor area.** The maximum floor area of the additional accessory building shall not exceed 30% of the area of the rear yard or the following square footage for each lot size, whichever is less:
 - [1] Lot area less than 30,000 square feet: 484 square feet.
 - [2] Lot area from 30,000 square feet to 39,999 square feet: 690 square feet.
 - [3] Lot area from 40,000 square feet to 49,999 square feet: 920 square feet.
 - [4] Lot area from 50,000 square feet to 59,999 square feet: 1,150 square feet.
 - [5] Lot area from 60,000 square feet to 69,999 square feet: 1,380 square feet.
 - [6] Lot area from 70,000 square feet to 79,999 square feet: 1,610 square feet.
 - [7] Lot area from 80,000 square feet to 89,999 square feet: 1,840 square feet.
- (c) **Placement.** Residential accessory buildings are only allowed in the rear yard.
- (d) **Materials.** With the exception of farm buildings, accessory buildings located within a residential district shall be constructed or finished in a complementary architectural style and with complementary materials to the principal residential buildings in the neighborhood. A shipping container may only be used as an accessory building when (1) a pitched roof is added with a minimum pitch of 3/12 and an overhang of at least 6 inches, (2) the exterior is clad with building materials as set forth in this subsection, and (3) is located on a gravel pad with a minimum thickness of 6 inches. Polystructures are specifically prohibited.