

ORDINANCE 2021-
- Public Hearing Draft -

**AN ORDINANCE TO AMEND THE ZONING REGULATIONS IN CHAPTER 510 OF THE
VILLAGE OF EAST TROY MUNICIPAL CODE FOR A PLANNED DEVELOPMENT DISTRICT**

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, Steven Lambrechts submitted development plans for an adaptive reuse project for a property located at 2931 Union Street (Tax parcel RA454000001); and

WHEREAS, the project is to be developed under the regulations for planned development districts as prescribed in the zoning regulations; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on September 13, 2021, to accept public input on the proposed project and related map and text amendments; 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 September 20, 2021; and

WHEREAS, the Village Board accepted the Plan Commission’s recommended code amendments 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. Create Section 510-202 in Article XX, Chapter 510, to read as set forth in Attachment A.

Section 2. The zoning map is hereby amended by designating the subject property as a planned development district.

Section 3. This ordinance shall become effective upon passage and posting or publication as provided by law.

Section 4. 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 20th day of September, 2021

Scott Seager, President

ATTEST:

Lorri Alexander, Village Clerk

The remainder of this page left intentionally blank

Attachment A

s. 510-202 First Congregational Church Planned Development District

- A. Purpose.** The First Congregational Church planned development district was established in 2021 under the Village's zoning regulations as an adaptive reuse project. The subject property includes a single-family residence that was initially used as a parsonage. The subject property also includes a building used as a church and parochial school. The district is intended to allow the continued use of the single-family residence and the reuse of the church-school building as set forth in this section.
- B. Permissible development.** The single-family residence may continue to be used as such, including those accessory uses related to the residential use. The portion of the church/school building that is currently used for church activities may continue for such use. That portion of the church/school building that was previously used for a parochial school (main floor and second floor only) may be used for general office purposes and for no more than two dwelling units. If any portion is developed as a dwelling unit, such unit shall not incorporate more than one bedroom or more than square feet. Onsite parking for the single-family residence is required and onsite parking for uses permitted in the church/school building is not required.
- C. Development standards.** The existing church/school building may not be enlarged in any manner. The single-family dwelling may be enlarged, provided such expansion complies with the development standards for the TR-8 zoning district.
- D. Effect of approved general development plan.** The approved general development plan for this project sets forth the location of the district and the overall design parameters for the project and shall be kept on file with the Village of East Troy as a permanent record and through this specific reference is incorporated herein, along with any conditions of approval.
- E. Final development plan required.** Development of the subject property may only proceed when the property owner submits a final development plan as described in Article XII and obtains all necessary approvals as required, including applicable building permits.
- F. Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property shall not hereafter be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.
- G. Revisions to the zoning map.** Prior to enactment of this section, the subject property was zoned TR-8. Upon adoption of this section, the subject property shall be designated as a planned development district with reference to this section. Hereafter, the subject property is subject to this section and other sections of this code as applicable.
- H. Termination.** If the Village has not approved a final development plan by April 30, 2022, the zoning implemented by this section shall lapse and the zoning for the subject property shall automatically revert to the previous classification. Furthermore, if work does not commence to accommodate the alternative uses as set forth in an approved final development plan by July 30, 2022, and continue in good faith to completion, the zoning implemented by this section shall lapse and the zoning for the subject property shall automatically revert to the previous classification.