

Date: July 9, 2014  
To: Village of East Troy Plan Commission  
From: Tim Schwecke, AICP, Zoning Administrator  
Subject: Miscellaneous revisions to the zoning code relating to swimming pools, temporary uses, indoor commercial entertainment, and personal or professional services  
July 14, 2014 Plan Commission meeting

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Attached please find the public hearing draft for the proposed zoning code amendments as described above.

As required by state statute, a class II public hearing notice was published in the *East Troy Times* on June 25 and July 2, 2014. A copy is attached.

**Proposed motions:**

**A.** Recommend to the Village Board the adoption of ordinance 2014-06 as drafted

OR

**B.** Recommend to the Village Board the adoption of ordinance 2014-06 with the following revisions:

- 1.
- 2.
- 3.
- 4.

## VILLAGE OF EAST TROY PLAN COMMISSION

### NOTICE OF PUBLIC HEARING

The Village of East Troy Plan Commission will conduct public hearings on Monday, July 14, 2014, to consider each of the following matters:

1. Proposed amendment of the Village's zoning code (Chapter 70 of the Village of East Troy municipal code) relating to shoreland zoning and to adopt a new zoning map. The proposed amendment may affect allowable uses within the Village.
2. Proposed amendment to sign regulations, Article L of the Village's zoning code (Chapter 70 of the Village of East Troy municipal code). The proposed amendment may affect allowable uses within the Village.
3. Proposed amendment of the Village's zoning code (Chapter 70 of the Village of East Troy municipal code) relating to swimming pools, temporary uses, indoor commercial entertainment, and personal or professional services. The proposed amendment may affect allowable uses within the Village.

The Plan Commission meeting starts at 6:30 pm and is conducted in the Village Municipal Building, located at 2015 Energy Drive. The public hearings will be conducted in the order listed on the meeting agenda.

A copy of the proposed zoning code amendments may be obtained by calling Eileen Suhm, Acting Clerk-Treasurer, at 262-642-6255. For information regarding these public hearings, contact Tim Schwecke, Zoning Administrator, at 920-728-2814.

All interested parties will be heard at the public hearing. Written comments may be sent to the Village Hall by noon on Thursday, July 10, 2014, or submitted during the public hearing.

Eileen Suhm, Acting Clerk-Treasurer

Published in the *East Troy Times* on June 25 and July 2, 2014

**ORDINANCE 2014-06**  
**- Public Hearing Draft -**

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**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING CODE OF THE VILLAGE OF EAST TROY CODE OF ORDINANCES RELATING TO SWIMMING POOLS, TEMPORARY USES, INDOOR COMMERCIAL ENTERTAINMENT, AND PERSONAL OR PROFESSIONAL SERVICES**

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

**Section 1.** Repeal and recreate subsection 13-1-129(i) of the Village of East Troy Code of Ordinances to read as follows:

**(i) Exempt Pools:**

- (1) Modular or one-piece above ground pools erected on a seasonal basis are exempt from the provisions of this Section, except they shall be located a minimum of 6 feet from any lot line or building and must be in rear or side lots only.
- (2) Storable one-piece swimming or wading pools that may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this Section.
- (3) Decorative pools and kiddie pools that are less than 36 inches in depth are exempt from the provisions of this Section. Spas and hot tubs with lockable tops are also exempt

**Section 2.** Repeal and recreate subsection 13-1-44(d) of the Village of East Troy Code of Ordinances to read as follows:

**(d) Temporary Shelter Structure:** These shelters are typically supported by poles, have a fabric roof and/or sides, and may be used for temporary events such as receptions or farmer's markets. Temporary shelter structures shall adhere to the following regulations.

- (1) Temporary shelter structures to be placed for extended use (i.e. beyond 7 days), shall require a temporary use permit.
- (2) Temporary shelter structures in place for more than 7 days without approval of a temporary use permit, including but not limited to those temporary shelter structures to cover automobiles, boats, recreational vehicles, or firewood, are in violation of this Chapter and shall be subject to the provisions of Section 13-1-203.

**Section 3.** Repeal and recreate subsection 13-1-38(f) of the Village of East Troy Code of Ordinances to read as follows:

(f) **Indoor Commercial Entertainment:** Indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, bowling alleys, arcades, roller rinks, pool halls, and fitness studios and instructional studios (e.g., dance, art, martial arts) where the occupancy load is more than 25 people. Indoor commercial entertainment land uses shall adhere to the following listed regulations.

- (1) If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
- (2) Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the property abutting residentially zoned property (see Article K).
- (3) Minimum required parking: One space per every three patron seats or lockers (whichever is greater); or one space per three persons at the maximum capacity of the establishment (whichever is greater).

**Section 4.** Repeal and recreate subsection 13-1-38(b) of the Village of East Troy Code of Ordinances to read as follows:

(b) **Personal or Professional Service:** Personal service and professional service land uses include all exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include professional services, insurance or financial services, realty offices, hospitals, medical offices and clinics, veterinary clinics, barber shops, beauty shops, and fitness studios and instructional studios (e.g., dance, art, martial arts) where the occupancy load is 25 people or less. Personal or professional service land uses shall meet the following minimum parking requirements: hospitals, one space per two patient beds, plus one space per staff doctor and one space per two employees on the largest work shift; offices, one space per 300 square feet; and other uses, one space for every three persons at maximum capacity of the establishment.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2014

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Randall C. Timms, President

ATTEST:

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Eileen Suhm, Clerk-Treasurer

Published this \_\_\_\_\_ day of \_\_\_\_\_ 2014