

Date: April 4, 2024

To: Village of East Troy Plan Commission

From: Tim Schwecke, Zoning Administrator

Subject: Potential amendment of the land division regulations with regard to access requirements in Section 495-46(C)

Application: 2024-06; <https://s.zoninghub.com/3AX7PPCAM4>

Meeting: April 8, 2024 Town Board meeting

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The Village Board has proposed a draft ordinance that would revise the access requirements for lots in Business zoning Districts or Light Industrial Zoning Districts.

**Review procedures** The Plan Commission acts in an advisory role to the Village Board which makes the final decision.

**Potential motion:** Recommend to the Village Board the adoption of the draft ordinance as proposed.

**Attachments:**

1. Draft of recommended ordinance

## ORDINANCE 2024-\_\_\_\_

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**AN ORDINANCE TO REVISE SUBSECTION 495-46 (C) OF THE VILLAGE OF  
EAST TROY MUNICIPAL CODE**

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WHEREAS, the Village Board for the Village of East Troy has adopted ordinances (Chapter 495) controlling the subdivision of land within the Village; and,

WHEREAS, the Village's current subdivision code is ambiguous as to whether each newly created lot must have its own individual direct access onto a public street, or whether a lot that has sufficient frontage on a public street can be created even if its actual access would be indirect, via a deeded shared access point; and,

WHEREAS, Wis. Stat. 236.20(4)(d) allows this issue to be determined by local ordinance; and,

WHEREAS, the Village Board has determined that allowing commercial lots that each have adequate frontage on a public street to share a single access point could be in the public interest as it minimizes the number of accesses from public streets and also facilitates the flow of commercial traffic internally rather than via the public streets.

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

**Section 1.** Subsection 495-46 (C) is hereby amended to read as follows:

“C. Access. All lots shall have a minimum of 50 feet of platted frontage on a public street to allow access by emergency and service motor vehicles unless part of a planned development approved by the Village Board. Alley frontage (public or private) shall not constitute meeting this minimum frontage requirement. *Lots in Business Zoning Districts or Light Industrial Zoning Districts that each have a minimum of 50 feet of platted frontage on a public street are not required to have individual accesses directly onto the public street if access is ensured via a deeded cross-access easement in a form reasonably acceptable to the Village, and if the particular shared access is determined by the Village Board to be in the public interest.*”

**Section 2.** As required by sec. 236.45(4), Wis. Stats., this ordinance was reviewed by the Village Plan Commission and was the subject of a duly-noticed (Class 2) public hearing, which was held on \_\_\_\_\_, 2024.

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

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Robert M. Johnson, Village President

ATTEST:

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Lorri Alexander, Village Clerk