



Conditional Use

Village of East Troy, Wisconsin

Version: January 1, 2022

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. You may download this form at <https://villageofeastroy.zoninghub.com/highlights/procedures/procedure.aspx>.

Application fee: \$250.00, 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 Caitlin LaJoie

Street address 3885 N Brookfield Rd

City, state, zip code Brookfield, WI 53045

Daytime telephone number 262-307-8792

Email clajoie@briohn.com

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.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	<u>Caitlin LaJoie</u>	
Company	<u>Briohn Building Corp</u>	
Street address	<u>3885 N Brookfield Rd</u>	
City, state, zip code	<u>Brookfield, WI 53045</u>	
Daytime telephone number	<u>262-307-8792</u>	
Email	<u>clajoie@briohn.com</u>	

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.

2023-26 (conditional use for outdoor storage and wholesaling)

- 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 2616 S Executive Drive

Tax key number(s) RA498700002

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 checked="" 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

	Zoning district(s)	Current uses
North	LI	vacant
South	SR-4	vacant / farming
East	A-1 (Town)	vacant / farming
West	LI	contractor yard/warehouse/office

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

Under construction for a light industrial 30,000 SF building consisting of reception/offices/break room including 2,122 SF maintenance shop area and 23,576 SF shop area. Approximately 196,735 SF of outside storage.

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

Same as above. Requested conditional use permit to allow outdoor storage.

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.

The proposed conditional use is in harmony with the purposes, goals, objectives and policies outlined in the comprehensive plan and zoning code. The Village Board approved modifying two ordinances (2024-05 and 2024-06) on 3/18/24 in connection with outdoor screening and outdoor display areas.

- 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.

The proposed conditional use is in harmony with the purposes, goals, objectives and policies outlined in the comprehensive plan and zoning code. As approved by the Village Board on 3/18/24, the proposed display area will be kept organized in a presentable manner for Owner's use to showcase products to clients. It is in the Owner's best interest this outdoor display area is neatly maintained as customers approach the building.

- 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.

The proposed conditional use to allow an outdoor display area does not negatively impact nearby properties or the character of the neighborhood. Products will not emit odor, noxious noises, or impose a hindrance on pedestrian or vehicular safety.

- 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.

The proposed conditional use remains consistent with the land use and surrounding intensities as it is a small (2,640 SF) concrete paved area with a-frame product displays positioned at the end of the parking lot. Overall, the focus of the development remains to be the process inside the building and stoned storage yard; this CUP is complimentary to the use.

- 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.

The proposed conditional use remains consistent with the land use and surrounding intensities as it is a small (2,640 SF) concrete paved area with a-frame product displays positioned at the end of the parking lot. It was thoughtfully placed to avoid conflict with surrounding uses and provide an area for customers to safely review product options. This is an extension of the parking lot and does not interfere with utility connections.

- 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.

There are no adverse impacts of the proposed CUP to allow a concrete paved a-frame display area.

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.

06/03/2024

06/03/2024

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

CUP 2023-26, Ord 2024-05, Ord 2024-06, site plan w/ a-frame sample displays identified

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:

Josh Manthei

Name – print

DocuSigned by:

Josh Manthei

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Name – Signature

06/03/2024

Date

Name – print

Name – Signature

Date

Conditional Use
Village of East Troy, Wisconsin
Page 5

Applicant (if different than Property Owner):

Caitlin LaJoie

Name – print

Name – print

DocuSigned by:



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Name – Signature

Name – Signature

06/03/2024

06/03/2024
Date

Date