



# 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](mailto:tim.schwecke@civitekconsulting.com). You may download this form at <https://villageofeasttroy.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 Frank Price  
Street address 3010 Oakley Lane  
City, state, zip code East Troy, WI 53120  
Daytime telephone number 262-492-9319  
Email frankcprice@yahoo.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.

Agent 1	Agent 2
Name	
Company	
Street address	
City, state, zip code	
Daytime telephone number	
Email	

## 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.

☐ 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 2885 Main Street  
Tax key number(s) 60P00107

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 checked="" 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 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	CB	
South	CB	<del>Real Estate Office</del>
East	CB	vacant lot
West	CB	Real estate office

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

it is vacant unoccupied

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

candy store / ice cream

9. **Evaluation criteria.** The factors listed below will be used in evaluating this application. Your responses are important.

1. 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.



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.

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.

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.

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.

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.

**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.

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

**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:

Name - print

Name - Signature

Date

Name - print

Name - Signature

Date





Site Plan  
Village of East Troy,  
Wisconsin

Version: March 10, 2025

Village of East Troy  
2015 Energy Drive  
East Troy, WI 53120

**Overview:** The site plan review process ensures that proposed land uses and development activity complies with the requirements of the Village's zoning regulations. This review must occur before any building, occupancy, and building permits can be issued; except that development activity associated with an approved final plat of subdivision or certified survey map, and development activity associated with and approved final development plan of a planned development, is exempt from this requirement.

**Governing regulations:** The procedures and standards governing the review of this application are found in § 510-160 of the Village's zoning code.

**General instructions:** Complete this application and submit one copies 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 [orin.sumwalt@foth.com](mailto:orin.sumwalt@foth.com). You may download this form at <https://data.zoninghub.com/viewfile.aspx?fileid=14859>.

When you fill out this application, you should think about how your business operation may expand or be different in the future. For example, if your business will have 5 employees to start and you hope to have 25, tell us. Also, if you foresee an expansion to a building or a parking lot, your site plan should show that. If you invest time to do this now, you will end up with a more thoughtful plan. Not only that, you will save time and the expense of having to submit a new site plan sometime in the future. So, think ahead.

**Application fee:** none

**Application submittal deadline:** Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

1. Applicant and property owner information

	Applicant	Property owner
Name	Frank Price	Barr Investments LLC
Street address	3010 O'Leary Lane	W 2244 Saint Peters Road
City, state, zip code	East Troy, WI 53120	East Troy, WI 53120
Daytime telephone number	262-492-9319	414-640-438
Email	frankcprice@yahoo.com	trimntidy2121@yahoo.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.

	Agent 1	Agent 2
Name		
Company		
Street address		
City, state, zip code		
Daytime telephone number		
Email		

3. Type of application (select one)

- ☒ New site plan  
☐ An amendment of a previously approved site plan (i.e., revision and/or expansion)

4. Business information

Current business name Franks Main Street Sweets Station  
Date business began 6-2025  
Previous name, if any \_\_\_\_\_



5. Subject property information

Physical address 2885 Main Street

Tax key number(s) ROP 00107

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

6. 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)

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| <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   |

7. Adjoining land uses and zoning

	Zoning district(s)	Current uses
North	CB	
South	CB	
East	CB	Vacant lot
West	CB	Real Estate Office

Note: If the subject property abuts a property located in a different zoning district, a bufferyard may be required. You will need to submit a Landscaping and Bufferyard Worksheet if a bufferyard is required.

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

Vacant unoccupied

9. Proposed use. Describe the proposed use or the proposed amendment.

Candy store / ice cream parlor



☐ Yes ☒ No

Will the proposed use involve any materials that are toxic or noxious or that are considered waste materials? (See § 510-106 of the zoning code.)

If yes, describe.

☐ Yes ☒ No

Will the proposed use involve any outdoor storage of materials?

If yes, describe.

☐ Yes ☒ No

If the proposed use involves processing or manufacturing of materials, will water be used in any of those processes?

If yes, describe the nature of the activity and anticipated water demand and sanitary loading

☐ Yes ☒ No

Is expansion of the proposed use or building anticipated?

If yes, describe the nature of the expansion and potential timeline for such expansion

#### 14. Utilities

Water

☒ Municipal

☐ Private well

If private well, when was the well installed and approved?

Sewer

☒ Municipal

☐ On-site septic system

If septic system, when was the system installed and approved?

#### 15. Licenses and permits

##### Required

☐ Beer ☐ Have ☐ To Get

☐ Liquor ☐ Have ☐ To Get

☐ Cigarette ☐ Have ☐ To Get

☒ Food service ☒ Have ☐ To Get

☐ Amusement Device ☐ Have ☐ To Get

☐ Other: \_\_\_\_\_ ☐ Have ☐ To Get

☐ Other: \_\_\_\_\_ ☐ Have ☐ To Get

☐ Other: \_\_\_\_\_ ☐ Have ☐ To Get

#### 16. Property access (refer to § 510-91 of the zoning code for details)

Current

New

Local street

Main Street

County highway

State highway



9. All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls.
10. If the project is designed to be completed in phases or allow expansion of the building and other features, indicate these.
11. The location and dimension (cross-section and entry throat) of all access points onto public streets.
12. The location and dimension of all on-site parking (and off-site parking provisions if they are to be employed), including a summary of the number of parking stalls provided versus required by this Chapter.
13. The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.
14. The location of all outdoor storage areas and the design of all screening devices.
15. Floodplains, wetlands, lakeshores, woodlands, steep slopes, and other environmentally sensitive lands.
16. The location, type, height, size, and lighting of all signage on the subject property.
17. The location and type of any permanently protected green space areas.
18. The location of existing and proposed drainage facilities.
19. Environmental and manmade development constraints and hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, and high-pressure natural gas lines.
20. In the legend, the following data for the subject property: lot area, building coverage, building coverage ratio, floor area ratio, impervious surface area, impervious surface ratio, and building height.
21. Any additional information as requested by the Plan Commission or Village Board.

**Landscaping plan** prepared at the same scale as the main plan showing the location of all required bufferyard and landscaping areas, and existing and proposed landscape point fencing and berm options for meeting said requirements. The landscaping plan shall demonstrate complete compliance with the requirements of Article XIV of Chapter 510 of the zoning code. Be sure to show the individual plant locations and species, fencing types and heights, and berm heights. In addition to the drawing, include the Worksheet for Landscaping and Bufferyards.

**Grading and erosion control plan** prepared at the same scale as the main plan, showing existing and proposed grades, including retention walls and related devices, and erosion control measures.

**Outdoor lighting plan** (photometric plan) prepared at the same scale as the main plan that shows all existing and proposed exterior light fixtures. Calculations for the photometric plan shall be rounded to the nearest 0.10 foot-candles. A legend must be included to show the following information for each type of fixture: (1) manufacturer name, (2) product number, (3) mounting height, and (4) any other pertinent information. Be sure that current and proposed lighting will not exceed the 0.50 foot-candles threshold at the property boundary line. See § 510-95 of the zoning code for more details.

**Plat of survey** prepared by a registered land surveyor if in the judgment of the Zoning Administrator such accuracy is needed to ensure compliance with all dimensional standards, including setback requirements. The survey shall depict property lines, easements, and other existing and proposed improvements, and other information as may be needed to establish compliance with zoning requirements.

**Architectural review application** for any new buildings or for remodeling of existing buildings. The application must include elevation drawings showing finished exterior treatment, with adequate labels to clearly depict exterior materials, texture, color, and overall appearance. Perspective renderings of the proposed project and/or photos of similar structures may be submitted, but not in lieu of adequate drawings showing the actual intended appearance of the buildings. (Refer to § 510-90 of the zoning code for additional details.)

20. **Attachments.** List any attachments included with your application.

21. **Other Information.** You may provide any other information you feel is relevant to the review of your application.

*we would like to serve simple comfort foods that would be allowed by health department as well as a commissary for Franks Lunchbox food cart. we would like to be able to put 4 or 5 small bistro tables in front of store for customer's convenience.*

22. **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

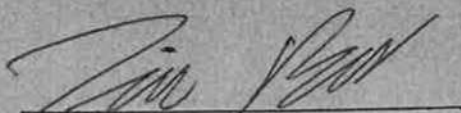


to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

- ♦ 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:

Tim BARR  
Name - print

  
Name - Signature

9-12-25  
Date

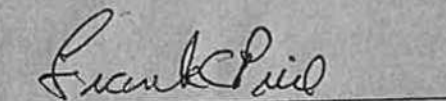
Name - print

Name - Signature

Date

Applicant (if different than Property Owner):

Frank Price  
Name - print

  
Name - Signature

9-10-25  
Date

Name - print

Name - Signature

Date



N ↑

