

ORDINANCE 2017-15

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**AN ORDINANCE TO MAKE REVISIONS TO THE ZONING REGULATIONS IN  
CHAPTER 510 OF THE VILLAGE OF EAST TROY MUNICIPAL CODE**

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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, the Plan Commission desires to make various changes to the zoning code; and

WHEREAS, the Plan Commission prepared a draft ordinance to address the aforementioned changes, and recommended approval of the same at its meeting on October 9, 2017; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on November 13, 2017; 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 November 20, 2017; and

WHEREAS, the Village Board accepted the Plan Commission's recommended text amendment without 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 510-57A of the municipal code to be titled "Lawn accessories" to read as follows:

The following structures are allowed in all yard setback areas, but not closer than 3 feet to an abutting property boundary line:

- (1) Garden pools, fountains, and statuary

- (2) Flagpoles on residential properties, not exceeding 24 feet in height above the ground surface. The area around the flagpole may not be mounded or built up in any manner to increase the overall height of the flagpole above the surrounding grade.
- (3) Flagpoles on commercial, industrial, and institutional properties, not exceeding 32 feet in height above the ground surface, as depicted on an approved site plan. The area around the flagpole may not be mounded or built up in any manner to increase the overall height of the flagpole above the surrounding grade.

**Section 2.** The definition for "shared driveway" as shown below along with the image is added to Section 510-12 in alphabetical order:

**SHARED DRIVEWAY** A driveway that serves two adjoining parcels and that is generally centered on the shared lot line



**Section 3.** Amend subsection 510-91(J) of the municipal code to read as follows:

- J. Distance from property line.** The distance from a nonresidential access drive to the property line of an adjacent property shall not be less than five feet, as measured along the right-of-way line.

**Section 4.** Section 510-91B of the municipal code, to be titled "Driveway standards for residential properties", is created and shall read as follows:

**510-91B Driveway standards for residential properties**

- A. Surfacing.** Driveways and any related parking area shall be hard-surfaced with asphaltic pavement, concrete pavement, or pavers that provide the same structural support as the aforementioned. Such surface must be completed within 12 months following occupancy of a new construction.
- B. Drainage.** Driveways and any related parking area shall be graded and drained to not cause a nuisance to adjoining properties.
- C. Setback.** Driveways and any related parking area must be setback at least 5 feet from side lot lines, except as allowed in this subsection. A shared driveway may be located along a common lot line. A driveway accessing the bulb of a cul-de-sac street may be closer than 5 feet to a side lot line within 20 feet of the front lot line.
- D. Minimum width.** The minimum width of a driveway is 10 feet.
- E. Maximum width.**
- (1) Where the garage doors are more than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 12 feet. Where the garage doors are less than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 24 feet.
  - (2) The width of a driveway directly in front of the garage door(s) must not exceed the width of the garage on that side. Where the width of the driveway directly in front of the garage doors

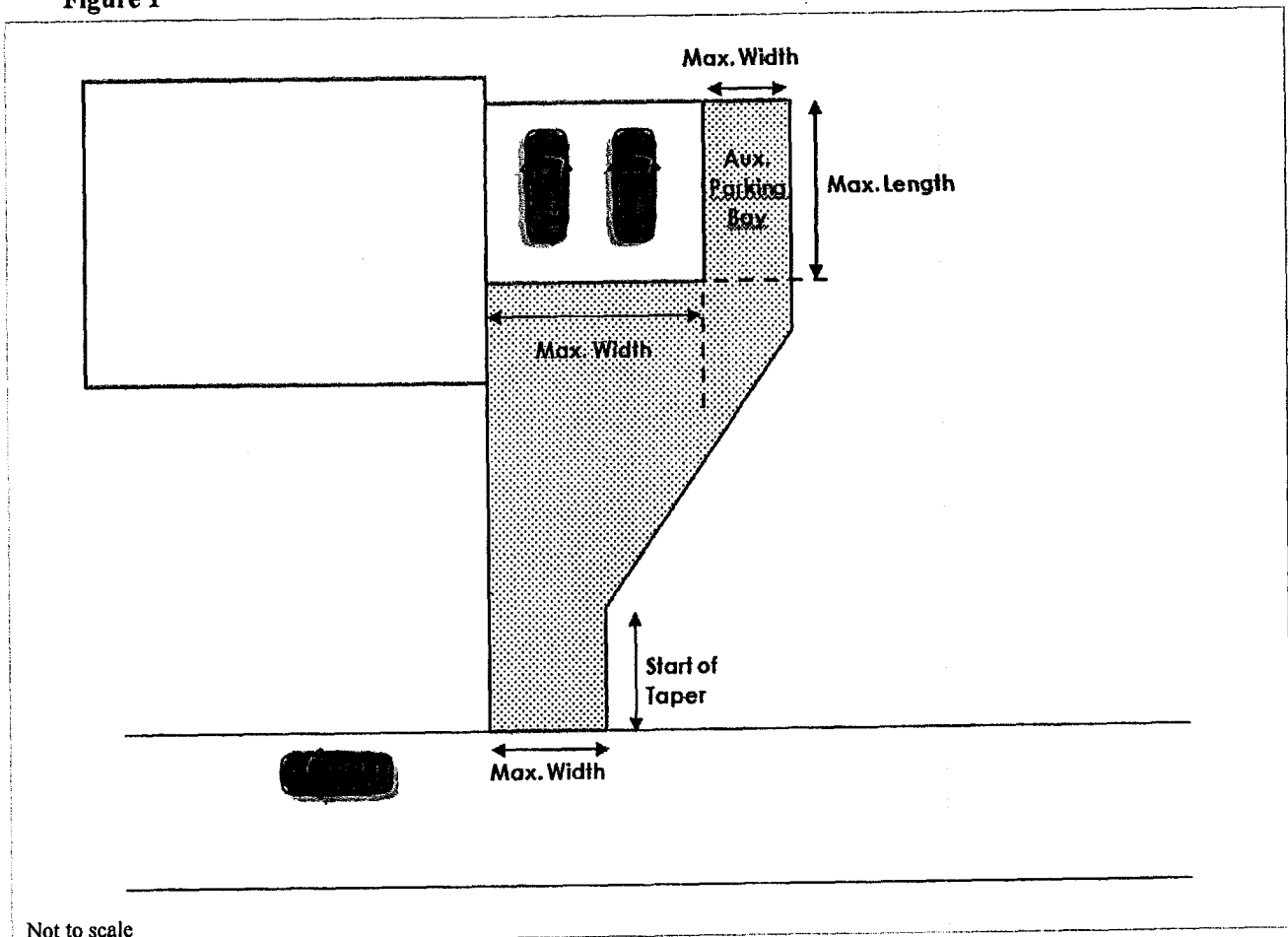
exceeds the width of the driveway at the right-of-way line, there must be a taper starting at least 8 feet from the right-of-way line.

- (3) The width of a driveway for a single-family residence without a garage (if existing or otherwise allowed) must not exceed 12 feet. The width of a driveway for a duplex without a garage (if existing or otherwise allowed) must not exceed 24 feet.
- (4) In the event the driveway accesses an arterial street, the Plan Commission may authorize a driveway turnaround on the property so vehicles do not need to back out into potentially heavy traffic.

F. **Auxiliary parking bay.** An auxiliary parking bay may be located along the side of an attached garage or detached garage, but not both, as follows:

- (1) The parking bay must not be located in the front yard.
- (2) The parking bay must taper into the driveway.
- (3) The parking bay must be screened along the adjoining lot line.
- (4) The parking bay shall be uncovered.
- (5) The maximum width of the parking bay is 10 feet
- (6) The maximum length of the parking bay is 20 feet, not including the taper.

Figure 1




Not to scale


**Section 5.** This ordinance shall become effective upon passage and posting or publication as provided by law.

**Section 6.** 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 November, 2017

  
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Scott Seager, President

ATTEST:

  
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Eileen Suhm, Village Administrator Clerk-Treasurer