

**ORDINANCE NO.: 10-13-22B**

**AN ORDINANCE AMENDING SECTIONS 6.04, 6.12, AND 6.20 OF  
CHAPTER 6 OF THE TOWN OF WEST POINT CODE OF ORDINANCES**

**WHEREAS** the Town of West Point's Plan Commission has reviewed and recommended to the Town Board that Sections 6.04, 6.12 and 6.20(A)(I) of the Town's Code of Ordinances be amended; and

**WHEREAS**, the Town Board held a public hearing on the proposed Amendments to Chapter 6; and

**WHEREAS**, after taking into consideration the recommendation of the Plan Commission and the input of the public, the Town Board desires to adopt the amendments to Chapter 6 recommended by the Plan Commission.

**NOW, THEREFORE, the Town Board of the Town of West Point does hereby Ordain as follows:**

1. Subsection 6.04(A)(2)(d) of the Town of West Point Code of Ordinances is hereby amended to provide:

d. Condominiums. The maximum number of Development Rights available and permitted in connection with a Condominium for which a Dwelling Unit may be constructed is identical in number as the determination under Section 6.04 (B) of this Section.

2. Subsections 6.12(B)-(D) of the Town of West Point Code of Ordinances is hereby amended to provide:

(B) Submission and Review.

(1) A Land Divider seeking Town approval of a Minor Land Division shall submit a completed Town application form, 15 copies of the required supporting information, and 15 copies of the proposed Minor Land Division CSM to the Town Clerk. At a minimum, the following supporting information is required:

- a. Required fees and a pre-development agreement covering reimbursement of costs for Town engineering and legal review (s. 6.03(1)).
- b. Existing and proposed zoning (s.6.14(B)(6)).
- c. Copies of official documents for existing easements, rights-of-way, and covenants, conditions, and restrictions.
- d. Development analysis identifying the number of development rights available (s. 6.04 and s. 6.08(B)(2)).
- e. Any proposed new or revision to restrictive covenants, conditions, and restrictions for the proposed CSM. (s.

6.14(E)(1)).

f. Site plan showing general location, existing buildings, boundary lines, topography, acreage, building setback lines, and proposed building envelopes. (s. 6.06(A), ss. 6.09(3) and (4), ands. 6.14(E)(2)).

g. Evidence of ownership in accordance with the requirements of s. 6.08(B)(6) ands. 6.14(E)(3).

h. Documentation describing and supporting any modifications and waivers being requested as part of the proposed CSM (s. 6.08(8)(8) and 6.09(8)(5)).

i. The Plan Commission, at its sole discretion, may require any of the information required by Sections 6.08 and 6.09 of this Chapter (s. 6.14(E)(4)).

(2) The CSM, supporting documents, and any requested Modifications or Waivers shall be reviewed and approved, conditionally approved, or rejected by the Town Board after receiving a recommendation by the Plan Commission.

(3) Prior to making its final recommendations to the Town Board, the Plan Commission shall instruct the Town Clerk to schedule a public hearing on the CSM. The Town Clerk shall give notice of the Plan Commission's review and public hearing on the CSM by listing it as an agenda item in the Plan Commission's meeting notice. The notice shall include the name of the applicant, the address of the property in question and the requested action. Adjacent property owners shall receive written notice of the public hearing, a short description of the CSM, and instructions on where to acquire additional details regarding the proposal.

(C) Driveways. A CSM shall not be finally approved unless a driveway access permit has ~~6-39~~ been issued to or will be issued to the Land Divider for each Lot or Parcel without an existing private access pursuant to Chapter 12, Roads and Driveways, of the Town's Code of Ordinances. The Land Divider shall submit a copy of the permit or permits necessary for each Driveway, or a letter from the Town Engineer which confirms that permits are issuable for each Lot or Parcel at such time as the CSM is submitted for final approval. Unless a shared private access and Driveway are permitted, the Driveway serving each Lot or Parcel must be constructed in such a manner as to begin at the Lot or Parcel's required public road frontage, and shall at all times remain within the mapped boundaries of the Lot or Parcel.


(D) Board Action. As required by Wis. Stat. § 236.34(lm)(f), the Town Board shall approve, approve conditionally, or reject the CSM after following the applicable procedures of Section 6.09.

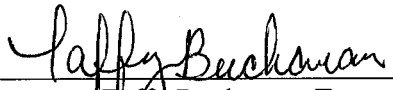
3. Subsection 6.20(A)(1) of the Town of West Point Code of Ordinances is hereby amended to provide:

Where, in the judgment of the Town Board, after considering the recommendation of the Plan Commission, it would be inappropriate to strictly apply the provisions of this Chapter because an exceptional circumstance exists, the Town Board may waive or modify any requirements to the extent deemed just and proper.

**This Ordinance shall become effective upon the posting and publication, as required by law.**

Adopted this 13 of October, 2022.

By:   
Ashley Nedeau-Owen, Town Chair

Attest:   
Taffy Buchanan, Town Clerk

Posted: October 27, 2022

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