

ORDINANCE NO. 2020.10-20

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 490 OF MUNICIPAL CODE OF THE VILLAGE OF SALEM LAKES RELATING TO PARCELS WITH MORE THAN ONE ZONING CLASSIFICATION AND LOT LINE ADJUSTMENT REVIEWS.

The Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, does hereby ordain as follows:

SECTION 1. Purpose. The purpose of this ordinance is to amend certain provisions of the Municipal Code applicable to parcels have more than one zoning classification and to create a requirement for administrative review of lot line adjustments.

SECTION 2. Section 490-8.4 Amended. Section 490-8.4 of the Salem Lakes Municipal Code is amended to provide as follows:

§ 490-8.4 Multiple District Lots.

- A. For purposes of this ordinance, any lot or parcel, a portion of which lies within more than one zoning district, shall be designated as a Multiple District Lot.
- B. Multiple District Lots shall be considered to be located entirely within, and shall be subject to the regulations applicable to, the zoning district in which the largest portion of the lot or parcel lies.
- C. Any structure or use of land and structures located on a Multiple District Lot as of the date of adoption of this section which does not strictly comply with the regulations applicable to the zoning district in which the largest portion of the Multiple District Lot lies, shall be considered non-conforming and shall be subject to the provisions of article 490-32 of this code.

SECTION 3. Section 490-39 Created. Section 490-39 of the Salem Lakes Municipal Code is created to provide as follows:

490-39 Lot Line Adjustments.

490-39.1 Application Required. The sale or exchange of parcels or portions thereof of land between owners of adjoining property is subject to review and approval as provided in this article to assure additional lots are not thereby created and the lots resulting are neither subject to more than one zoning classification nor reduced below the minimum sizes required by this ordinance or other applicable laws or ordinances.

490-39.2 Application forms. Applications for review and approval required by this article shall be made to the Planning and Development Administrator on forms furnished by the office.

- A. Such applications shall include the following information or as deemed appropriate by the Planning and Development Administrator:

(1) Names and addresses of the applicant, owner of the site, and authorized agent and their respective phone numbers.

(2) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; addresses of the subject sites; type of structure; existing and proposed use of the structure or sites; and the zoning district within which the subject site lies, and tax parcel number.

(3) A plat of survey and/or site plan layout consisting of a survey prepared by a professional land surveyor or other map drawn to scale and approved by the Planning and Development Administrator, showing the locations, boundaries, dimensions, uses and sizes of the following, as deemed appropriate by the Planning and Development Administrator: subject site; proposed parcel boundaries following adjustment; dimensions for applicable street, side, rear and shore yard setbacks following adjustment; existing and proposed structures; and the location and size of any septic field, holding tank, well, utilities and roadways. shall be clearly shown.

(4) A copy of the proposed deed or other document of conveyance to be recorded to accomplish the lot line adjustment if approved.

B. Each application shall be accompanied by the applicable fee specified in § 272-6.

490-39.3 Sworn statement. Any application for approval under this article shall be accompanied by a sworn statement by the owner of the subject property that said lot line adjustment will be accomplished in accordance with the provisions of this chapter.

490-39.4 Penalty. Any person submitting to the Kenosha County Register of Deeds any document effecting the sale or exchange of parcels or portions thereof of land between owners of adjoining property without first obtaining review and approval as required under the provisions of this article shall be subject to the penalty provided in § 1-4 of the Village Code.

SECTION 4. Section 272-6 L Created. Section 272-6 L of the Salem Lakes Municipal Code is created to provide as follows:

L. Chapter 490, Zoning and Shoreland/Floodplain Zoning, § 490-39, fee for lot line adjustment review: \$200.

SECTION 5. Severability. Each section, subsection, paragraph, sentence, clause, phrase and provision of the foregoing ordinance is and the same is hereby declared to be severable and if any portion or provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion or provision thereof.

SECTION 6. Effective Date. This ordinance shall take effect and be enforced from and after publication and posting as required by law.

Adopted by the Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, this 12th day of October, 2020.

Diann Tesar
Diann Tesar, President

Attest:

Shannon Hahn
Shannon Hahn, Clerk

Voted Aye	<u>7</u>
Voted Nay	<u>0</u>
Abstain	<u>0</u>
Absent	<u>0</u>