

## Chapter 68

### CONDOMINIUMS

**[HISTORY: Adopted by the Town Board of the Town of Scott 9-16-2008. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Building construction — See Ch. 35.  
Driveways — See Ch. 97.  
Sewers and sewage disposal — See Ch. 260.  
Solid waste — See Ch. 282.  
Stormwater management — See Ch. 297.  
Subdivision of land — See Ch. 308.  
Water — See Ch. 357.  
Zoning — See Ch. 375.

#### **§ 68-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

COMMON ELEMENTS — All of a condominium except its units.

CONDOMINIUM — A property subject to a condominium declaration under this chapter.

CONDOMINIUM INSTRUMENTS — The declaration, plats and plans of a condominium.

CONVERSION CONDOMINIUM — A structure, or structures, which, before the recording of a condominium declaration, was wholly or partially occupied by persons other than those who have contracted for the purchase of condominium units and those who occupy with the consent of the purchasers.

DECLARATION — The instrument by which a property becomes subject to this chapter.

UNIT — A part of a condominium intended for any type of independent use.

#### **§ 68-2. Purpose; creation; approval.**

- A. Intent. Condominiums are regulated by Town of Scott to:
- (1) Protect residents and nonresidents and their use, values and enjoyment of property.
  - (2) Protect public health, safety, comfort and general welfare.
  - (3) Minimize traffic congestion through proper ingress and egress.
- B. Condominium creation. A condominium may be created within the Town of Scott pursuant to the procedures set forth in Ch. 703, Wis. Stats., and provided that the

condominium has preliminary approval of the Town of Scott Town Board and is approved by the Brown County Planning Commission.

- C. Condominium approval. Preliminary condominium plats, final condominium plats and condominium plat amendments shall be submitted to and approved by the Town of Scott Board prior to submittal to the Brown County Planning Commission.

**§ 68-3. New construction.**

Newly constructed units are subject to the Town's building permits, driveway permits, and Chapter 375, Zoning, of the Town Code as it relates to building height and setback lines.

**§ 68-4. Expansion requirements.**

All expandable condominiums must indicate the final total number and the approximate placement of the condominium units anticipated for the parcel.

**§ 68-5. Conversion condominiums.**

This section pertains to the disposition and sale of existing single- and two-family structures. Rental and nonrental buildings may be converted to condominium units, provided that:

- A. A site plan with building location and the existing number of residential units is presented.
- B. The means of ingress and egress are adequate for the converted usage and meet the minimum standards of Chapter 97, Driveways, of the Town Code.
- C. The existing number of residential units conforms to the number on record with the Town. This number shall not be allowed to increase. A request for a conversion with an increase in residential units shall be reviewed as a new construction.

**§ 68-6. Platting requirements.**

The following information shall be provided upon application for preliminary Town approval:

- A. Name of condominium.
- B. Legal description of the property.
- C. Name and address of property owner(s).
- D. Site vicinity drawing showing location of all buildings on property and of all access roads.
- E. Area of total parcel.
- F. Soil evaluation report.

- G. Report of sanitary systems and water supply systems.
- H. If an expandable condominium, the areas of expansion with the total number of units indicated.
- I. A complete copy of the bylaws and covenants proposed to be recorded with the Register of Deeds.

**§ 68-7. Right of final approval.**

The Town Board of the Town of Scott reserves unto itself the right of final approval of any and all condominium plats that may exist within the boundaries of the Town of Scott, and the signature of its Clerk shall be placed upon the final plat for recording in the Brown County Register of Deeds Office. This chapter incorporates conditions for local review as set forth in § 703.115, Wis. Stats.