

## 5.07 CONDOMINIUM DEVELOPMENTS

### (1) Purpose.

(a) The Town Board hereby finds that certain issues arise in condominium developments that require limited applicability of this Ordinance to condominium developments. The State Legislature has recognized that subdivision ordinances may apply to condominiums, but that subdivision ordinances shall not impose burdens upon condominiums that are different from those imposed on other property of a similar character not subject to a declaration of condominium.

(b) The factor that make this Ordinance applicable to a condominium development is the creation of multiple, distinct property entities at or near the ground surface, subject to property taxation as separate "parcels," with each property entity having different ownership and management. The Town determines that this factor makes a condominium development dissimilar, both physically and in ownership, from developments in which the land and improvements are under unitary ownership, management and control.

(c) Thus, the Town Board hereby finds that new condominium developments can place impacts on community resources in the same manner as other new developments that are characterized by division of land into lots. These impacts include:

- (1) Additional population density;
- (2) Possibility of use of particular land in a manner unsuitable to the land's characteristics;
- (3) Additional demands upon Town parks, recreation areas, utility facilities and schools;
- (4) Additional traffic and street use.

(2) Portions of Ordinance Applicable to Condominium Developments. The following sections of this Ordinance shall apply to condominium developments:

- (a) Sections 5.02(5) relating to land suitability and construction practices;
  - (b) Section 5.04 relating to preliminary plat approval. This state of approval shall be the only approval required for a condominium development. The technical requirements for preliminary plats set forth in Section 5.09 of this Ordinance shall not apply, since condominiums have separate technical standards set forth in WI Stats. Chap 703.
  - (c) Section 5.13 relating to fees for review;
  - (d) Section 5.11, relating to required improvements;
  - (e) Section 5.10, relating to design standards for improvements;
  - (f) Section 5.08, relating to dedication requirements.
- (3) This Ordinance shall not apply to the following condominiums:
- (a) Any condominium plat recorded prior to the effective date of this Ordinance.
  - (b) Any conversion of a structure or structures in existence on the effective date of this Ordinance to a condominium after the effective date of this Ordinance.