

ORDINANCE 2023-12

**AN ORDINANCE TO REZONE TWO RECENTLY ANNEXED PROPERTIES AND TO
AMEND THE ZONING MAP OF THE VILLAGE OF EAST TROY PURSUANT TO
SECTION 510-155 OF THE ZONING CODE**

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 Village Board annexed two adjoining parcels at the northwest corner of the North Street and Main Street, currently designated as Parcel Numbers P ET2000003A and P ET2000003B in the Town of East Troy (herein referred to as "subject property"); and

WHEREAS, the annexation ordinance temporarily zoned the subject property as Highway Business (HB); and

WHEREAS, the property owner has submitted a petition to make Highway Business (HB) the permanent zoning classification; and

WHEREAS, the rezoning petition has been submitted to the Village of East Troy Plan Commission for report and recommendation; and

WHEREAS, the Village of East Troy Plan Commission conducted a public hearing on December 11, 2023; and

WHEREAS, required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning code; and

WHEREAS, the Village of East Troy Plan Commission has recommended to the Village Board that said rezoning change be made; and

WHEREAS, the Village Board considered the Plan Commission's recommendation at their meeting on December 18, 2023; and

WHEREAS, the Village Board has accepted the Plan Commission's recommendation; and

WHEREAS, the Village Board finds that the proposed zoning is consistent with the Village's comprehensive plan and does not modify any floodplain zoning district or any shoreland-wetland zoning district; and

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,

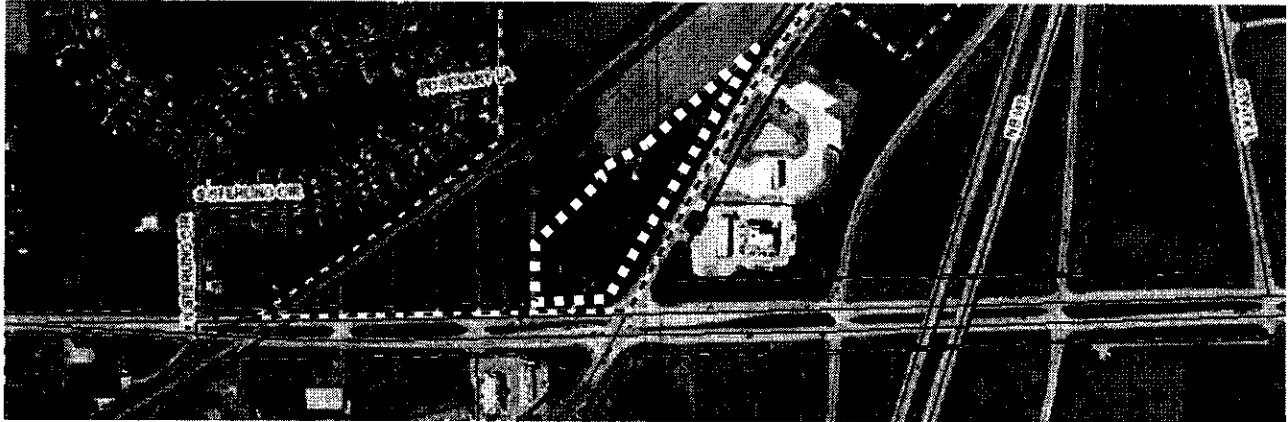
will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin, do ordain as follows:

Section 1. Zoning map change

The subject property, generally shown below, is classified as Highway Business (HB) and the zoning map is hereby amended to incorporate such change.

Subject Property



Section 2. Effective Date.

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Section 3. Severability

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 to those terms that conflict.

Adopted this 18th day of December 2023

Robert M Johnson, President

ATTEST:

Lorri Alexander, Village Clerk