

ORDINANCE 2023-07

AN ORDINANCE TO REZONE A CERTAIN PROPERTY IN THE VILLAGE OF EAST TROY 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, McCrete LLC (Jeffrey McPherson) (herein referred to as "property owner") owns a parcel of land located at 2010 Church Street, designated as Parcel Number ROP 00008 (herein referred to as "subject property"); and

WHEREAS, the property owner has submitted a petition to change the zoning classification of the subject property from HB to GI; and

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

WHEREAS, the Plan Commission conducted a public hearing as required, and provided proper notice of the same; and

WHEREAS, the Plan Commission considered the matter and made a recommendation to the Village Board to approve the petitioner's request, based on the reasons set forth in their meeting minutes; and

WHEREAS, the Village Board finds that the proposed zoning 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 is rezoned from HB to GI and the zoning map is hereby amended to incorporate such change.

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 September 2023



Robert M. Johnson, President

ATTEST:



Lorri Alexander, Village Clerk

