

ORDINANCE 2024-06

**AN ORDINANCE TO AMEND CHAPTER 510 OF THE VILLAGE OF EAST TROY
MUNICIPAL CODE RELATING TO SCREENING OF OUTDOOR STORAGE AREAS**

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, MDC East Troy LLC (Josh Manthei) submitted a petition to amend the Village's zoning code with regard to screening of outdoor storage areas in the Mixed Business/Light Industrial Design Overlay District; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on March 11, 2024; and

WHEREAS, within a reasonable time after the public hearing, the Plan Commission reported its recommendation to the Village Board; and

WHEREAS, the Village Board considered the Plan Commission's recommendation at its meeting on March 18, 2024; and

WHEREAS, the Village Board accepted the Plan Commission's recommended text amendment without revision.

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. Repeal and recreate Section 510-229 to read as revised below.

§ 510-229 Outdoor storage.

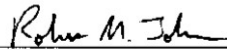
If allowed by the base zoning district, outdoor storage of materials and equipment is limited to 35% of the floor area of the principal building, except when products are manufactured on site. All such outdoor storage areas must be screened with either a fence (at least six feet in height but not more than 12 feet) built to serve as a vision screen or a planting screen that will visually block the storage. Upon petition,

the Plan Commission may, with good cause, waive this screening requirement, in whole or in part, or defer the requirement to a later date based on a determination that screening is not needed given the nature of the adjoining properties. Stacking of materials and equipment shall not exceed eight feet above the surrounding grade. An outdoor storage area shall not be located between the front of the building and the public street. If the storage area is located on a side of the building, such area must be intentionally designed to look like it is part of the principal building (e.g., the screening is attached to the principal building and made of the same exterior materials).

Section 2. This ordinance shall become effective upon passage and posting or publication as provided by law.

Section 3. 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 as to those terms that conflict.

Adopted by the Village Board this 18th day of March, 2024



Robert M Johnson, President

ATTEST:



Lorri Alexander, Village Clerk

