

**ORDINANCE NO. 2021-08**

**VILLAGE OF YORKVILLE  
RACINE COUNTY, WISCONSIN**

**AN ORDINANCE TO AMEND THE RACINE COUNTY CODE OF ORDINANCES AS ADOPTED BY THE VILLAGE OF YORKVILLE UNDER SECTION 55-1(A) OF THE CODE OF ORDINANCES OF THE VILLAGE OF YORKVILLE RELATING TO THE REZONING OF ±9.49 ACRES OF LAND FROM THE M-1 (LIGHT INDUSTRIAL AND OFFICE) ZONING DISTRICT TO THE B-3 (COMMERCIAL SERVICE) ZONING DISTRICT, S½ OF SE¼ OF SEC. 24, T3N, R21E, FOR THE PARCEL LOCATED AT 2730 SOUTH SYLVANIA AVENUE (WEST FRONTAGE ROAD) (PARCEL ID # 194-03-21-24-021-001), TO ACCOMMODATE THE OCCUPANCY OF A PORTION OF AN EXISTING BUILDING ON THIS PARCEL WITH A TRAILER SALES AND SERVICE BUSINESS KNOWN AS “TRAILERSPLUS”; 2730 SYLVANIA AVE LLC, OWNER; ROBERT GLEASON, APPLICANT**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:**

- A. 2730 Sylvania Ave LLC (“Applicant”) has proposed to occupy a portion of an existing building on this parcel with a trailer sales and service business known as “TrailersPlus” (“Development”).
- B. On October 11, 2021, a duly-noticed public hearing as to the proposed rezoning of the land identified below was held.
- C. On October 11, 2021, a Plan Commission recommendation in favor of the proposed rezoning was received, subject to the conditions set forth below.
- D. To accommodate its proposed Development, the Applicant has applied to rezone ±9.49 acres from the M-1 (Light Industrial and Office) Zoning District to the B-3 (Commercial Service) Zoning District; S½ of SE¼ of Sec. 24, T3N, R21E, for the parcel located at 2730 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-24-021-001). The property to be rezoned is shown and legally described on the Applicant’s survey document, as prepared by Nielsen Madsen & Barber, consisting of one page, with a last revision date of September 1, 2021, which is incorporated herein by reference as though fully set forth herein. This request to rezone the above-described land is conditionally approved for the following reasons:
  - 1. This rezoning will not adversely affect the surrounding property values and is consistent with the uses found in the I-94 corridor in the Village of Yorkville.

2. The proposed B-3 zoning district appears to fit with surrounding uses, as the proposed ±9.49-acres that are being requested to be zoned B-3, Commercial Service District are in close proximity to other similar uses.
  3. The proposed rezoning is in compliance with the Industrial designation for the subject property in the Village's adopted comprehensive plan and land use map as contained in the document entitled "2020-2050 Village of Yorkville Comprehensive Plan."
  4. The Village of Yorkville Plan Commission has recommended approval of the rezoning request.
- E. That in order to update the zoning map of the Racine County Zoning Code as adopted by the Village of Yorkville under Section 55-1(a) of the Code of Ordinances of the Village of Yorkville, the Village Board needs to adopt an ordinance.
- F. That the zoning map be, and hereby is, conditionally amended as set forth above. That this ordinance is null and void if the following conditions are not complied with:
1. **Subject to Acceptance.** Subject to the Applicant acknowledging in writing that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Owner and Applicant will therefore need to re-commence the application process.
  2. **Time to Satisfy Conditions.** Subject to the Owner and Applicant satisfying all of the aforementioned conditions by July 11, 2022, unless extended by the Village Board.
  3. **Conditional Use Permit.** Subject to the applicant receiving approval from the Village for a Conditional Use Permit ("CUP") for the occupancy of a portion of an existing building on this parcel with a trailer sales and service business known as "TrailersPlus" and agreeing to comply with all conditions of the CUP approval.
- G. That upon satisfaction of all of the above conditions, the Village Clerk shall cause the official Zoning Map of the Village of Yorkville to be amended to reflect the revision to the zoning classification adopted herein.
- H. 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.

- I. This ordinance shall take effect upon adoption and publication as provided by law, and subject to the conditions stated above. This ordinance is null and void and original district zoning shall be in effect with no further notice if said conditions are not complied with on the terms and conditions stated herein.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 11<sup>th</sup> day of October, 2021.

**VILLAGE OF YORKVILLE**

Ayes: 5

By:   
Douglas Nelson, President

Nays: 0

Attest:   
Michael McKinney, Administrator/Clerk

Abstentions: 0

Absences: 0

Notice is hereby given that the Village of Yorkville Board will hold a public hearing at 6:00 p.m. on Monday, October 11, 2021, at the Union Grove Municipal Center, 925 15<sup>th</sup> Avenue, Union Grove, WI, on the following requests. This location is handicap accessible. If you have other special needs, contact the Village of Yorkville Clerk at 262-878-2123.

While this meeting is currently being scheduled to be held in-person, it may be held virtually instead depending on changes related to the COVID-19 pandemic. Any such changes would be announced on our homepage ([www.villageofyorkville.com](http://www.villageofyorkville.com)), our Facebook page (Yorkville Wisconsin), and the agenda for the October 11 meeting.

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2730 Sylvania Ave, LLC, Owner

3114 Phillips Ave.

Racine, WI 53403

Robert Gleason, Applicant

Request to rezone ±9.49-acres from M-1, Light Industrial and Office District to B-3, Commercial Service District; SE¼ of Sec. 24, T3N, R21E, Village of Yorkville, Racine County, WI. The purpose of this rezoning is to accommodate a vehicle sales and service business.

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2730 Sylvania Ave, LLC, Owner

3114 Phillips Ave.

Racine, WI 53403

Interstate Group, LLC, Applicant

Requests a conditional use to occupy a portion of an existing building with a trailer sales and service business known as "TrailersPlus"; 2730 S. Sylvania Ave., Sec. 24, T3N, R21E, Village of Yorkville, Racine County, WI.

Applicants are subject to Article VI, Division 18 B-3, Commercial Service District, and Section 20-1339 Highway Oriented Uses; Chapter 20, Zoning, Racine County Code of Ordinances as applicable to the Village of Yorkville.

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The above petitions are on file at Racine County Development Services, 14200 Washington Ave., Sturtevant, WI. The file can be inspected via email upon request to [RCPUBLICWORKS@Racinecounty.com](mailto:RCPUBLICWORKS@Racinecounty.com) from 8:00 a.m. to 12:00 p.m. & 12:30 p.m. to 4:30 p.m., Mon. through Fri.

Dates: Sept. 24, 2021 & Oct. 01, 2021

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Julie A. Anderson

Public Works & Development Services Director  
Yorkville Zoning Administrator

**Village of Yorkville**  
**Notice of Newly Enacted Ordinances**

Please take notice that, on Monday, October 11, 2021, the Village Board of the Village of Yorkville enacted Ordinance 2021-08, entitled "An Ordinance to amend the Racine County Code of Ordinances as adopted by the Village of Yorkville under Section 55-1(A) of the Code of Ordinances of the Village of Yorkville relating to the rezoning of ±9.49 acres of land from the M-1 (Light Industrial and Office) Zoning District to the B-3 (Commercial Service) Zoning District, S½ of SE¼ of Sec. 24, T3N, R21E, for the parcel located at 2730 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-24-021-001), to accommodate the occupancy of a portion of an existing building on this parcel with a trailer sales and service business known as "TrailersPlus"; 2730 Sylvania Ave LLC, Owner; Robert Gleason, Applicant."

Please take notice that, on Monday, October 25, 2021, the Village Board of the Village of Yorkville enacted Ordinance 2021-09, entitled "An Ordinance to amend Article VII of Chapter 2 of the Code of Ordinances for the Village of Yorkville entitled "Administrative Review Procedure""

Please take notice that, on Monday, October 25, 2021, the Village Board of the Village of Yorkville enacted Ordinance 2021-10, entitled "An Ordinance to repeal and recreate Sections 10-99(d) and 10-142(d) of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, relating to building permit fee calculations and building permit fee calculation appeals"

The full text of these ordinances may be obtained from the Village of Yorkville Administrator/Clerk's office, 925 15<sup>th</sup> Avenue, Union Grove, Wisconsin 53182, or through the Village's website at [www.villageofyorkville.com](http://www.villageofyorkville.com). The phone number for the Administrator/Clerk is (262) 878-2123.

Michael McKinney  
*Administrator/Clerk*

# Affidavit of Printing State of Wisconsin

County of Racine

City of Union Grove

Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 1 time(s) for 1 consecutive week(s); That the first publication was on the 29<sup>th</sup> day of October, 2021; The last publication was on the 29<sup>th</sup> day of October, 2021.

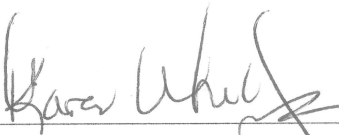
Signed



By Denelle Janssen, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

28 day of October 2021



Notary Public, State of Wisconsin

My commission expires

12/26/22



## VILLAGE OF YORKVILLE

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Michael McKinney  
Administrator/Clerk

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