

ORDINANCE NO. 2021-12

**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 ±8.15 ACRES OF LAND FROM THE M-1 (LIGHT INDUSTRIAL AND OFFICE), M-2 (GENERAL INDUSTRIAL) AND M-3 (HEAVY INDUSTRIAL) ZONING DISTRICTS TO THE M-3 (HEAVY INDUSTRIAL) ZONING DISTRICT, NE¼ OF SE¼ OF SEC. 24, T3N, R21E, FOR THE PARCEL LOCATED AT 13822 56TH ROAD (PARCEL ID # 194-03-21-24-014-000), TO ACCOMMODATE THE OCCUPANCY OF THE EXISTING INDUSTRIAL BUILDING ON THIS PARCEL WITH AN AIRCRAFT HANGAR DOOR MANUFACTURING BUSINESS KNOWN AS “AVIATION HANGAR DOOR SERVICES, LLC”; GEORGE AND JOAN CICONA, OWNER; LYNN BAUMGARTNER/CRAIG HOFMANN/AVIATION HANGAR DOOR SERVICES, LLC, APPLICANT

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

- A. George and Joan Cicona (“Applicant”) has proposed to occupy the existing industrial building on this parcel with an aircraft hangar door manufacturing business known as “Aviation Hangar Door Services, LLC” (“Development”).
- B. On December 13, 2021, a duly-noticed public hearing as to the proposed rezoning of the land identified below was held.
- C. On December 13, 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 ±8.15 acres from the M-1 (Light Industrial and Office), M-2 (General Industrial) and M-3 (Heavy Industrial) Zoning Districts to the M-3 (Heavy Industrial) Zoning District; NE¼ of SE¼ of Sec. 24, T3N, R21E, for the parcel located at 13822 56th Road (Parcel ID # 194-03-21-24-014-000). 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 M-3 zoning district appears to fit with surrounding uses, as the land being requested to be rezoned M-3, Heavy Industrial District is directly south of an existing industrial park.

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 aforementioned conditions by June 13, 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 the existing industrial building on this parcel with an aircraft hangar door manufacturing business known as "Aviation Hangar Door Services, LLC" 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 13th day of December, 2021.

VILLAGE OF YORKVILLE

Ayes: 4

Nays: 0

Abstentions: 0

Absences: 1

By: 
Douglas Nelson, President

Attest: 
Michael McKinney, Administrator/Clerk

Notice is hereby given that the Village of Yorkville Board will hold a public hearing at 6:00 p.m. on Monday, December 13, 2021, at the Union Grove Municipal Center, 925 15th Avenue, Union Grove, WI, on the following request. 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), our Facebook page (Yorkville Wisconsin), and the agenda for the December 13 meeting.

Top Flight, LLC, Owner

2000 Oakes Rd.

Racine, WI 53406

Brian Depies, Applicant

Requests a conditional use to construct a nine-building self-service storage facility; vacant parcel directly west of 19411 Washington Ave., Sec. 7, 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.

George & Joan Cicon, Owners

2426 Tamarindo Dr.

The Villages, FL 32162

Lynn Baumgartner, Applicant

Request to rezone ±8.15-acres from M-1, Light Industrial and Office District, M-2 General Industrial District, and M-3, Heavy Industrial District to M-3, Heavy Industrial District; SE¼ of Sec. 24, T3N, R21E, Village of Yorkville, Racine County, WI. The purpose of this rezoning is to accommodate an aircraft hangar door manufacturing business.

George & Joan Cicon, Owners

2426 Tamarindo Dr.

The Villages, FL 32162

Aviation Hangar Door Services, LLC, Applicant

Requests a conditional use to occupy an existing industrial building with an aircraft hangar door manufacturing business known as "Aviation Hangar Door Services, LLC"; 13822 56th Rd., Sec. 24, T3N, R21E, Village of Yorkville, Racine County, WI.

Applicants are subject to Art. VI, Div. 29, M-3, Heavy Industrial District; and Sec. 20-1226 Uses Permitted Conditionally, Chapter 20, Zoning, Racine County Code of Ordinances as applicable to the Village of Yorkville.

Darnell Family LTD Partnership, Owner

3627 Washington St.

Park City, IL 60085

Stericycle, INC., Applicant

Requests a conditional use to occupy an existing ±18,146 sq. ft. industrial building with a medical waste sterilization facility known as "Stericycle, Inc.", 14114 Leetsbir Rd., Sec. 24, T3N, R21E, Village of Yorkville, Racine County, WI.

Applicants are subject to Art. VI, Div. 29, M-3, Heavy Industrial District; and Sec. 20-1226 Uses Permitted Conditionally, Chapter 20, Zoning, Racine County Code of Ordinances as applicable to the Village of Yorkville.

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 from 8:00 a.m. to 12:00 p.m. & 12:30 p.m. to 4:30 p.m., Mon. through Fri.

Dates: Nov. 26, 2021 & Dec. 3, 2021



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, December 13, 2021, the Village Board of the Village of Yorkville enacted the following ordinances:

- Ordinance 2021-12, entitled "An Ordinance amending 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 ±8.15 acres of land from the M-1 (Light Industrial and Office), M-2 (General Industrial) and M-3 (Heavy Industrial) Zoning Districts to the M-3 (Heavy Industrial) Zoning District, NE¼ of SE¼ of Sec. 24, T3N, R21E, for the parcel located at 13822 56th Road (Parcel ID # 194-03-21-24-014-000), to accommodate the occupancy of the existing industrial building on this parcel with an aircraft hangar door manufacturing business known as "Aviation Hangar Door Services, LLC"; George and Joan Cicon, Owner; Lynn Baumgartner/Craig Hofmann/Aviation Hangar Door Services, LLC, Applicant.
- Ordinance 2021-13, entitled "An Ordinance repealing Chapter 2 Article IV Division 2 of the Code of Ordinances for the Village of Yorkville relating to the Health Department, Repealing Chapter 6 Article III Division 2 relating to Rabies Control, and Providing for the deletion and/or substitution of references to "Village Health Officer" and "Health Department" as they appear in the Code.

The full text of these ordinances may be obtained from the Village of Yorkville Administrator/Clerk's office, 925 15th Avenue, Union Grove, Wisconsin 53182, or through the Village's website at 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 17th day of December, 2021; The last publication was on the 17th day of December, 2021.

Signed _____

By Denelle Janssen, for Rock Valley Publishing, LLC

Subscribed and sworn to before me this

17 day of December 2021

Notary Public, State of Wisconsin

My commission expires 1/20/22

KAREN WHITTINGTON
Notary Public
State of Wisconsin

VILLAGE OF YORKVILLE NOTICE OF NEWLY ENACTED ORDINANCES

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Michael McKinney
Administrator/Clerk

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