

ORDINANCE NO. 2020-02

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

AN ORDINANCE TO AMEND A ZONING DISTRICT OF THE ZONING MAP ADOPTED UNDER SECTION 20-212 OF 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, APPROVING A REQUEST TO REZONE LAND FROM M-4 QUARRYING DISTRICT TO A-2 GENERAL FARMING AND RESIDENTIAL DISTRICT II, PARCEL ID NUMBER 194-03-21-25-015-000, VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, LOCATED AT 14520 BRAUN ROAD, AND CONTAINING 45.03 ACRES, MORE OR LESS; OBCO, LLC., OWNER; VILLAGE OF YORKVILLE, APPLICANT

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

- A. The request to rezone land from: M-4 Quarrying District to A-2 General Farming and Residential District II, Commencing at the South $\frac{1}{4}$ corner of Section 25, thence with the south line of the SW $\frac{1}{4}$ of Section 25 S88°41'07"W, a Distance of 208.80' to the point of the beginning; thence from the point of the beginning N01°33'09"W, a distance of 418.37' to a point; thence N01°32'52"W, A distance of 904.88' to a point; thence S88°42'10"W, a distance of 1645.24' to a point; thence S01°32'44"E, a distance of 905.98' to a point; thence N88°50'50"E, a distance of 208.55' to a point; then ce S01°33'43"E, a distance of 417.34' to a point on the south line of the SW $\frac{1}{4}$ of section 25; thence with said south line of the SW $\frac{1}{4}$ N88°41'07"E, a distance of 1228.35' to the point of beginning, in the Village of Yorkville, Racine County, Wisconsin and located at 14520 Braun Road and contains 45.03-acres, more or less, with a Parcel ID Number 194-03-21-25-015-000, which is highlighted on the attached **Exhibit A**, OBCO LLC., Owner, is approved for the following reasons:
1. This rezoning will not adversely affect the surrounding property values and is consistent with the existing adjacent land use.
 2. The proposed A-2 zoning district appears to fit with adjacent uses.
 3. The Village of Yorkville Plan Commission recommended, via Plan Commission Resolution 2019-02, and the Village Board approved on December 16, 2019, via Ordinance 2019-07, an amendment to the Village of Yorkville's land use map and Multi-Jurisdictional Comprehensive Plan for Racine County: 2035, as it pertains to the I-94 Corridor and proposed I-94 Corridor Master Plan. This amendment changed the land use classification of this parcel from Urban Reserve to Agricultural, Rural Residential, and Open Land.
 4. On May 1, 2019, the Village of Yorkville's Board of Appeals, at a contested hearing, determined that an M-4 conditional use to reestablish a non-metallic mining operation (clay extraction) for the property, including pond and Resource Conservation Area (RCA) had expired due to a lack of substantial work.
 5. The Yorkville Village Board approved a motion on February 10, 2020, authorizing the Administrator/Clerk to file a rezoning request for this parcel on behalf of the Village of Yorkville to a zoning classification consistent with the Comprehensive Plan. A-2 General

Farming and Residential District II is a zoning district consistent with the Comprehensive Plan.

6. No mining activity has occurred on the property since original approval in 1996, thus more than 5 years of inactivity has passed since the Town of Yorkville and Racine County approved the original rezoning request, and the rezone to A-2 satisfies the original approval to rezone to an appropriate district.
 7. The property owner has gone on record as expressing no objection to the proposed rezoning.
- B. That in order to update the zoning map adopted under Section 20-212 of the Racine County Code of Ordinances, 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;
- C. That the zoning map be, and hereby is, amended as follows:
1. That land Commencing at the South ¼ corner of Section 25, thence with the south line of the SW ¼ of Section 25 S88°41'07"W, a Distance of 208.80' to the point of the beginning; thence from the point of the beginning N01°33'09"W, a distance of 418.37' to a point; thence N01°32'52"W, A distance of 904.88' to a point; thence S88°42'10"W, a distance of 1645.24' to a point; thence S01°32'44"E, a distance of 905.98' to a point; thence N88°50'50"E, a distance of 208.55' to a point; thence S01°33'43"E, a distance of 417.34' to a point on the south line of the SW ¼ of section 25; thence with said south line of the SW ¼ N88°41'07"E, a distance of 1228.35' to the point of beginning, Village of Yorkville, Racine County, Wisconsin, Parcel ID Number 194-03-21-25-015-000, and located at 14520 Braun Road and contains 45.03-acres, more or less, which is highlighted on the attached **Exhibit A** shall be rezoned from: M-4 Quarrying District to A-2 General Farming and Residential District II.
- D. That the Village Administrator/Clerk shall cause the official Zoning Map of the Village of Yorkville to be amended to reflect the amendment to the zoning classification adopted herein.
- E. That this ordinance shall take effect upon the day after posting or publication in accordance with ordinance and applicable law.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 11th day of May, 2020.

Ayes: 5

Nays: 0

Abstentions: 0

Absences: 0

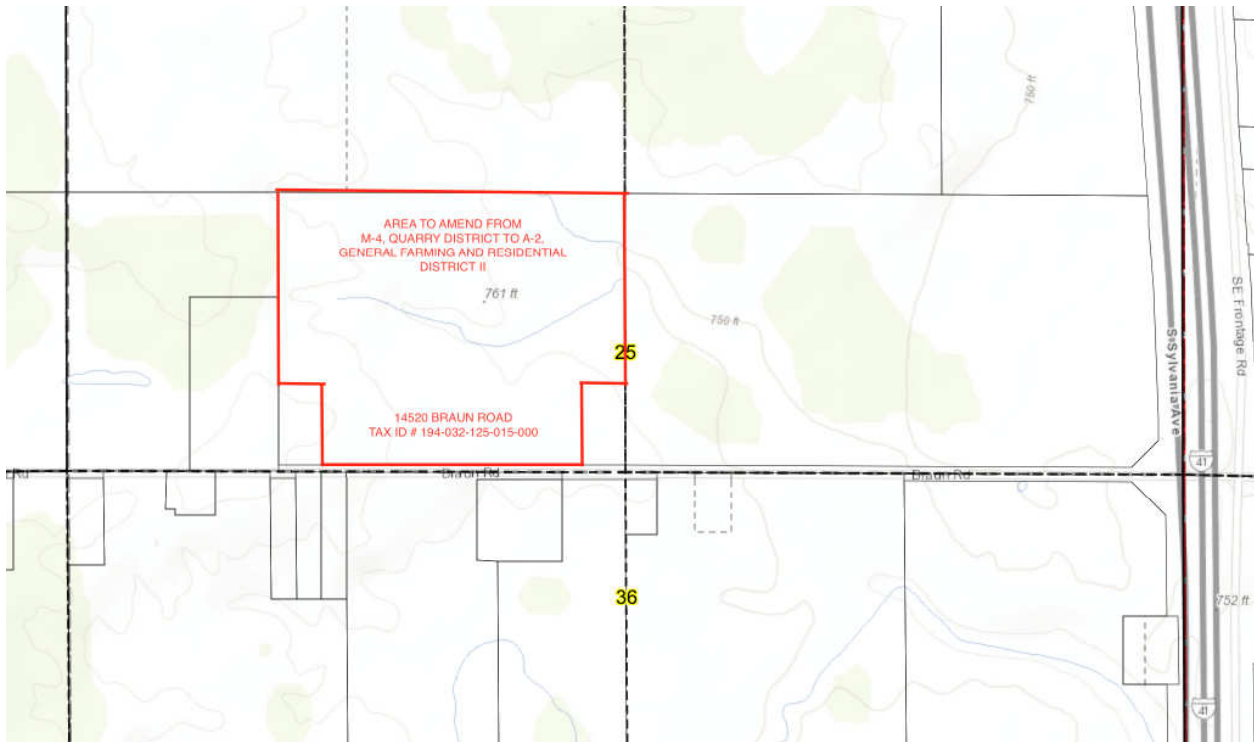
VILLAGE OF YORKVILLE

By: 
Douglas Nelson, President

Attest: 
Michael McKinney, Administrator/Clerk

Exhibit A

Rezoning Map Area from: M-4 Quarrying District to A-2 General Farming and Residential District II



Notice is hereby given that the Village of Yorkville Village Board and Plan Commission will hold a public hearing at 6:00 p.m. on Monday, May 11, 2020, via an online meeting platform on the following petitions. PLEASE NOTE THAT AN IN-PERSON MEETING WILL NOT BE HELD DUE TO THE STATE HEALTH EMERGENCY/COVID 19 PANDEMIC.

If you wish to speak at the public hearing, please contact Michael McKinney at michael@villageofyorkville.com or 262-878-2123. Speakers will be scheduled to speak at the public hearing on a first come, first served basis. If you prefer to submit comments for the public hearing in writing, you can submit them to the attention of: Michael McKinney, michael@villageofyorkville.com or by mail to Michael McKinney, 925 15th Avenue, Union Grove, WI 53182 by May 7, 2020.

Please note, that in order to make comments in the public hearing, you will be asked to identify yourself by name and address for the record. If you have special needs, contact the Village of Yorkville at 262-878-2123. Please note that the online meeting platform that will be used for this meeting has yet to be determined; once it has been determined, it will be announced on our homepage (villageofyorkville.com), our Facebook page (YorkvilleWisconsin), and the agenda for the May 11 meeting.

OBCO LLC, Owner
PO Box 83
Lake Geneva, WI 53147
Village of Yorkville, Applicant

Request to rezone ±45.03-acres from M-4, Quarrying District to A-2, General Farming and Residential District II; SW ¼ of Sec. 25, T3N, R21E, Village of Yorkville, Racine County, WI. The purpose of this rezoning is to revert the property an appropriate zoning district due to mining activities not materializing after a period of at least 5 years.

Grandview HW III, LLC
9800 Hillwood Pkwy, STE. 300
Fort Worth, TX 76177
Greg Scovitch, Applicant

Request a conditional use to construct and utilize a ±145,418 sq. ft. trans-shipment depot building, including two ±42,990.25 sq. ft. loading van canopies and associated outside storage/parking of delivery vehicles; 1925 Grandview Pkwy., Sec. 13, T3N, R21E, Village of Yorkville, Racine County, WI.

Applicants are subject to Article VI, Division 29, M-3, Heavy Industrial District, Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville.

The above petitions and supporting documentation can be viewed at the following websites: Village of Yorkville (www.villageofyorkville.com) and Racine County Development Services. Any questions regarding these petitions can be directed to Racine County Development Services at 262-886-8440.

Dates: April 24, 2020 & May 1, 2020

Julie A. Anderson
Public Works & Development Services Director
Yorkville Zoning Administrator

Village of Yorkville
Notice of Newly Enacted Ordinance

Please take notice that, on Monday, May 11, 2020, the Village Board of the Village of Yorkville enacted Ordinance 2020-02, entitled "To amend a zoning district of the zoning map adopted under Section 20-212 of 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, approving a request to rezone land from M-4 Quarrying District to A-2 General Farming and Residential District II, Parcel ID Number 194-03-21-25-015-000, Village of Yorkville, Racine County, Wisconsin, located at 14520 Braun Road, and containing 45.03 acres, more or less; OBCO, LLC., Owner; Village of Yorkville, Applicant".

The full text of this ordinance 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 weeks(s); That the first publication was on the 15th day of May, 2020; The last publication was on the 15th day of May, 2020.

Signed Laurie Tanley
By Laurie Tanley, for Southern Lakes Newspapers, LLC

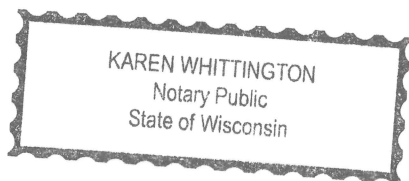
Subscribed and sworn to before me this

15 day of May.

Karen Whittington

Notary Public, State of Wisconsin

My commission expires 1/20/22



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Michael McKinney
Administrator/Clerk

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