

ORDINANCE NO. 2024-07

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

**AN ORDINANCE TO AMEND SECTION 28-8 OF THE CODE OF ORDINANCES OF
THE VILLAGE OF YORKVILLE, RACINE COUNTY, STATE OF WISCONSIN,
PERTAINING TO LOT LINE ADJUSTMENTS**

WHEREAS, the Village Board reviewed this draft ordinance on June 10, 2024, and held a public hearing to receive public input on this draft ordinance on June 10, 2024.

WHEREAS, the Village Plan Commission reviewed this draft ordinance on June 10, 2024, and attended the public hearing to receive public input on this draft ordinance on June 10, 2024.

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,
STATE OF WISCONSIN ORDAINS AS FOLLOWS:**

1. That Section 28-8 of the Code of Ordinances for the Village of Yorkville be, and hereby is, amended to read as follows:

“Sec. 28-8. Remedies; exceptions.

- (a) Remedies. Failure to comply with the requirements of this chapter shall invalidate purported transfers of titles at the option of the purchaser in accordance with the provisions of Wis. Stat. § 236.31(3). The village may also take any action authorized under Wis. Stats. ch. 236. Building permits shall not be issued by the building inspector for construction on sites created in violation of these requirements.
- (b) Exceptions. The provisions of this chapter shall not apply to:
 - (1) Transfers of interest in land by will or pursuant to court order.
 - (2) Cemetery plats under Wis. Stat. § 157.07.
 - (3) Assessors' plats made under Wis. Stat. § 70.27, but such plats shall comply with Wis. Stat. § 236.15(1)(a)-(g) and Wis. Stat. § 236.20(1),(2) (a)-(e).
 - (4) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter, the Village's zoning ordinance or other applicable laws or ordinances (“Lot Line Adjustment”). Before conveyance documents related to a Lot Line

Adjustment are signed or recorded in the Racine County Register of Deeds office, they must be reviewed and approved by the Village Administrator and Zoning Administrator pursuant to Section 28-8(b)(4)a.2. below.

a. Lot Line Adjustment Review and Approval. To ensure that additional lots are not created by Lot Line Adjustment and that the resulting lots are not reduced below the minimum sizes required by the Village's land division and zoning codes, or other applicable laws or ordinances, an application for review and approval of the proposed Lot Line Adjustment shall be made to the Village Administrator and Village Zoning Administrator on forms furnished by the Village Administrator.

1. Such applications shall include the following information:
 - i. Name, address, and phone number of the applicant, owner of the sites, and authorized agent.
 - ii. Description of the subject sites by lot, block and recorded subdivision or by metes and bounds; addresses of the subject sites; type of structure; existing and proposed use of the structure or sites; and the zoning district within which the subject sites lie and tax parcel numbers.
 - iii. A plat of survey and/or site plan layout consisting of a survey prepared by a professional land surveyor or other map drawn to scale and approved by the Administrator, showing the locations, boundaries, dimensions, uses and sizes of the following, as deemed appropriate by the Administrator: subject sites, proposed parcel boundaries and parcel dimensions following adjustment; dimensions for applicable street, side, rear and shore yard setbacks following adjustment; existing and proposed structures; and the location and size of any septic field, well, utilities and roadways.
 - iv. A copy of the proposed deed or other document of conveyance to be recorded to accomplish the Lot Line Adjustment, if approved.
2. The Administrator and Zoning Administrator shall review and approve/deny the proposed Lot Line Adjustment within thirty (30) days of the date a complete application, as determined by the Village Administrator, is filed with the Village. The

determinations of the Administrator and Zoning Administrator shall be in writing. If the application is denied by either the Administrator or Zoning Administrator, the Lot Line Adjustment shall not be completed and the applicant and/or property owners may not record a deed or other record of the proposed sale, conveyance or exchange with the Racine County Register of Deeds office. The applicant may seek relief from an adverse determination by seeking a waiver or modification under Section 28-261 or, where the applicant believes the determination is in error, by appeal to the Board of Appeals pursuant to Section 55-2.

3. Any person submitting to the Racine County Register of Deeds any document effecting the sale or exchange of parcels or portions thereof of land between owners of adjoining property without first obtaining review and approval as required under the provisions of this article shall be subject to the penalties set forth in Section 28-12.
4. The applicant seeking approval of a Lot Line Adjustment shall be responsible for reimbursement of the Village's engineering, planning, legal and administrative costs pursuant to Section 28-51."

2. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Yorkville, Racine County, State of Wisconsin, this 10th day of June, 2024.

VILLAGE OF YORKVILLE

Ayes: 4

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 1

**NOTICE OF PUBLIC HEARING
VILLAGE OF YORKVILLE**

PUBLIC NOTICE IS HEREBY GIVEN that the Village Board of the Village of Yorkville, Racine County, State of Wisconsin, shall hold a joint public hearing at 6:00 p.m. on Monday, June 10, 2024, in the Yorkville Village Board Room, located in the Union Grove Municipal Center, 925 15th Avenue, Union Grove, Wisconsin, regarding proposed revisions to Chapter 28 of the Village of Yorkville's Municipal Code of Ordinances pertaining to lot line adjustments. All interested parties will be heard.

A copy of this proposed ordinance will be available for public inspection prior to the public hearing, beginning on Thursday, May 23, 2024, and for at least two weeks thereafter during regular office hours, at the Village of Yorkville Clerk's office, 925 15th Avenue, Union Grove, Wisconsin 53182, weekdays from 8:00 a.m. to 4:30 p.m., before consideration and possible adoption by the Village Board. If you have any questions regarding this scheduled public hearing or this proposed ordinance, please contact Michael McKinney, Village Administrator, at (262) 878-2123; the e-mail for the Village Administrator is michael@villageofyorkville.com.

Dated these 23rd and 30th days of May, 2024.

Janine Carls
Clerk

Affidavit of Printing State of Wisconsin

County of Racine

City/Village of Union Grove

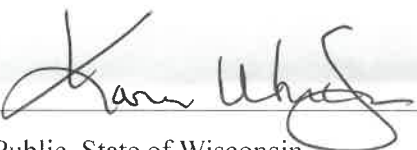
Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 2 time(s) for 2 consecutive weeks(s); That the first publication was on the 23rd day of May, 2024; The last publication was on the 30th day of May, 2024.

Signed 

By Amy Naber, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

30 day of May 2024



Notary Public, State of Wisconsin

My commission expires 4/20/26



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Janine Carls
Clerk

(Published in Westine Report
May 23 & 30, 2024
WNAXLP - 456124)

Village of Yorkville
Notice of Newly Enacted Ordinance

Please take notice that, on Monday, June 10, 2024, the Village Board of the Village of Yorkville adopted Ordinance 2024-07, entitled "An Ordinance amending Section 28-8 of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, pertaining to lot line adjustments".

This ordinance takes effect upon publication of this notice. The full text of this ordinance may be obtained from the Village of Yorkville 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 Clerk is (262) 878-2123.

Janine Carls
Clerk

Affidavit of Printing State of Wisconsin

County of Racine

City/Village of Union Grove

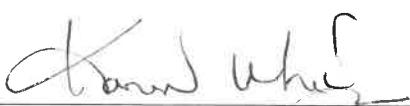
Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which 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 13th day of June, 2024; The last publication was on the 13th day of June, 2024.

Signed 

By Amy Naber, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

13 day of June 2024



Notary Public, State of Wisconsin

My commission expires 1/20/26



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Janine Carls
Clerk

(Published in Westine Report
June 13, 2024
WNAXLP - 457215)