

STATE OF WISCONSIN

VILLAGE OF SUSSEX

WAUKESHA COUNTY

ORDINANCE NO. 735

AN ORDINANCE TO AMEND SECTION 17.0506 (12)(a)
OF THE VILLAGE OF SUSSEX VILLAGE CODE TO ALLOW
VEHICLE PARTS SALES IN THE B-2 COMMUNITY BUSINESS DISTRICT

WHEREAS, the Village Plan Commission has initiated consideration of allowing vehicle parts sales in the B-2 Community Business District; and

WHEREAS, the Village Plan Commission commenced this zoning amendment matter pursuant to Section 17.1302 of the Village Code; and

WHEREAS, the Village Plan Commission of the Village of Sussex has made its report and recommendation that said zoning change be made to the Village Board; and

WHEREAS, upon due notice as required by Section 17.1305, the Village Board held a public hearing in this matter on OCTOBER 26, 2010, pursuant to Section 17.1400 of the Village Code; and

WHEREAS, the Village Board of the Village of Sussex having carefully reviewed the recommendation of the Plan Commission of the Village of Sussex, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the rezoning will not violate the spirit or intent of the Zoning Code for the Village of Sussex, is consistent with the Village of Sussex Comprehensive Plan, will not be contrary to the public health, safety or general welfare of the Village of Sussex is consistent with the Village of Sussex Master Plan, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same,

NOW, THEREFORE, the Village Board of the Village of Sussex, Waukesha County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 17 of the Village of Sussex Municipal Code entitled "Zoning Ordinance," Section 17.0506 entitled "Conditional Uses" " subsection 17.0506 (12)(a) entitled "Retail Trade" is hereby amended as follows:

17.0506 (12)(a) Retail Trade

Vehicle sales, vehicle service, service of vehicle parts, vehicle parts sales including vehicle washing, vehicle repair stations, service of vehicle parts and vehicle parts sales in the B-3 districts. No outside storage shall be permitted except by issuance of a conditional use permit as set forth in Section 17.0506(A)(15)(e) of this Ordinance. Vehicle parts sales and vehicle service in the B-1 district. Vehicle parts sales in the B-4 district and B-2 Community Business District. No outside storage shall be permitted in the B-1, B-2 and B-4 districts for vehicle parts sales even by issuance of a conditional use permit as set forth in 17.0506(A)(15)(e) of this Ordinance.

SECTION 2: SEVERABILITY.

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.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

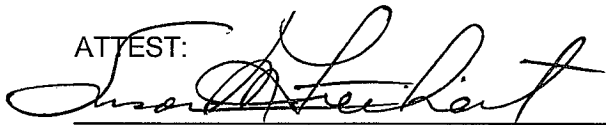
Dated this 26th day of OCTOBER, 2010.

VILLAGE OF SUSSEX



Tony Lapcinski, Village President

ATTEST:



Susan Freiheit, Village Clerk

Published and/or posted this 3RD day of NOVEMBER, 2010.