

**AN ORDINANCE TO ADOPT THE COMPREHENSIVE PLAN
FOR THE TOWN OF TROY**

WHEREAS, the Town of Troy has by ordinance established a Plan Commission for the Town of Troy pursuant to Section 60.62, 61.35 and 62.23, Wisconsin Statutes; and

WHEREAS, the Town Board is empowered to a Comprehensive Plan for the physical development of the Town, pursuant to Sections 60.62, 62.23(1), (2) and (3), and Section 66.1001 of the Wisconsin Statutes (such statutes also known as the Wisconsin "Smart Growth" laws); and

WHEREAS, the Town of Troy cooperated with Walworth County and the Southeastern Wisconsin Regional Planning Commission in the preparation of "A Multi-Jurisdictional Comprehensive Plan for Walworth County: 2035" (hereinafter the "County-wide plan") to meet the requirements of the Smart Growth Law; and

WHEREAS, the Town Board has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by Section 66.1001(4)(a) of the Wisconsin Statutes; and

WHEREAS, on September 29, 2009 the Plan Commission for the Town of Troy, by a majority vote of the entire commission recorded in its official minutes, adopted a resolution pursuant to Section 66.1001(4)(b) of the Wisconsin Statutes recommending the adoption of the Comprehensive Plan for the Town of Troy attached hereto and incorporated by reference as the comprehensive plan for the Town of Troy; and

WHEREAS, a public hearing was held on September 16, 2009, following notices as required by Section 66.1001(4)(e), concerning the proposed adoption of the Comprehensive Plan for the Town of Troy; and

WHEREAS, the Town Board finds that the Comprehensive Plan for the Town of Troy attached hereto as Exhibits A and B fully complies with the requirements set forth in Sections 62.23 and 66.1001 of the Wisconsin Statutes, including the requirement that it contain all of the elements specified in Section 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, the Town Board finds that the procedural requirements in Sections 62.23 and 66.1001 of the Wisconsin Statutes have been fully complied with; and

WHEREAS, the Town Board concurs with the Plan Commission's recommendation to adopt the Comprehensive Plan for the Town of Troy; and

EXHIBIT A

The Multi-Jurisdictional Comprehensive Plan for Walworth County: 2035 dated August, 2009, on file in the office of the Town Clerk, with all background demographics and information required by Section 66.1001 of the State Statutes and planning objectives and policy subject to the comprehensive planning jurisdictional authority of the Town of Troy authorized by State Statutes, is incorporated herein by reference, except as modified by Exhibit B attached hereto.

EXHIBIT B

SPECIFIC TOWN OF TROY AMENDMENTS TO "A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR WALWORTH COUNTY: 2035"

1. SEE APPENDIX A-11 KEY FEATURES OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AS RELATED TO THE TOWN OF TROY PAGES 1-6 INCLUDING MAPS
2. The plan maps and plan text as necessary are amended with regard to the following property, to show A-1 Zoning District uses, on such property, rather than A-4 Zoning District uses:

Owner Name : Dennis G. Klumb

Parcel Tax Key Number: L T 2300005

Zoning Amendment Changed from A-4 to A-1

Property Location: W3181 State Road 20, East Troy, WI. 53120

Legal Description of Rezone Parcel: 2.26 acres located in Walworth County, Wisconsin
W 47 A. E ½ SW ¼ & W ½ SW ¼ SEC 23 T4N R17E. EXC. L T23-5A DESC IN VOL 636
DEEDS PG 117. EXC CSM 1578.

3. The plan maps and plan text as necessary are amended with regard to the following property, to show A-2 Zoning District uses, rather than A-1 Zoning District uses:

Owner Name: Russell Keske, Keske Living Trust

Parcel Tax key Numbers: L T 700001

Zoning Amendment Changed from A-1 to A-2

Property Location: Little Prairie Road & Adams Road

Legal Description of Rezone Parcel: 0.77 acres located in Walworth County, Wisconsin,
E ½ NE ¼ SEC 7 T4N R17E. EXC. CSM 1078 & CSM 3888

4. The plan maps and plan text as necessary are amended with regard to the following property, to show C-2 Zoning District uses, rather than A-1 Zoning District uses:

Owner Name: Russell Keske, Keske Living Trust

Parcel Tax key Numbers: L T 700002

Zoning Amendment Changed from A-1 to C-2

Property Location: Little Prairie Road & Adams Road

Legal Description of Rezone Parcel: 4.34 acres located in Walworth County, Wisconsin,
W ½ NE ¼ SEC 7 T4N R17E. EXC. PARCEL DESC AS COM MIDDLE OF INTER OF ADAMS
& LITTLE PRAIRIE TOWN RD & LITTLE PRAIRIE TROY CENTER TOWN RD, S 436' TO
POB, S 215', E 215', NELY 215', WLY 223' TO POB. EXC CSM 3888

WHEREAS, the Town Board for the Town of Troy, having carefully reviewed the recommendation of the Town Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, including consideration of the plan components related to issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural and cultural resources, economic development, intergovernmental cooperation, land-use, and implementation, has determined that the comprehensive plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Troy which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Town Board of the Town of Troy do hereby ordain as follows:

Section 1. The Town of Troy Comprehensive Plan attached hereto and incorporated herein as Exhibits A and B is hereby adopted.

Section 2. Notice. The Town Clerk is directed to provide a copy of this ordinance and a copy of the Town of Troy Comprehensive Plan that is hereby adopted to the persons and entities described in Wisconsin Statutes Section 66.1001(4)(b), as required by Wisconsin Statutes Section 66.1001(4)(c).

Section 3. Repeal. The Town of Troy Master Plan dated January, 2009, including all revisions and amendments adopted from time to time regarding such plan, is hereby repealed in its entirety.

Section 4. Severability. The several sections and portions 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 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 5. Effective date. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

ADOPTED THIS 29TH day of SEPTEMBER 2009

BY THE TOWN BOARD,
TOWN OF TROY

ATTEST:


Ruth Polinski, Town Clerk


John Kendall, Town Chair