

ORDINANCE #09-25

**AN ORDINANCE REZONING A PARCEL OF LAND FROM
M-2 (MANUFACTURING) to R-2 (RESIDENTIAL) CITY OF BERLIN**

WHEREAS, a Petition has been duly filed by Johnson Street Properties LLC with the City of Berlin requesting that the real estate described below be rezoned from M-2 (Manufacturing) to R-2 (Residential); and

WHEREAS, the Plan Commission met and has considered the petition on September 30th, 2025; and

WHEREAS, the Common Council finds that this change to the City of Berlin Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and it was requested by the property owner; and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Plan Commission held a public hearing on November 25th 2025, and has complied with Section 82-66 of the Municipal Code of the City of Berlin; and has on a motion, duly made seconded and adopted, affirmatively recommended the zoning change and referred the matter to the Common Council of the City of Berlin for adoption of the zoning change; and

WHEREAS, the Common Council of the City of Berlin 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 City of Berlin will not be contrary to the public health, safety or general welfare of the City of Berlin, 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, and the rezoning is consistent with the City of Berlin Comprehensive Plan.

NOW, THEREFORE the Common Council of the City of Berlin do ordain that the following described real estate owned by JOHNSON STREET PROPERTIES LLC with a description as follows:

LEFFERT'S ADDN LOTS 1,2,22, & 23 BLK 143 Parcel # 206-00833-0100, City of Berlin, Green Lake County, is hereby rezoned from M-2 (Manufacturing) to R-2 (Residential); in accordance with the Municipal Code of the City of Berlin, and the zoning map shall be modified accordingly.

Is hereby rezoned from M-2 (Manufacturing) to R-2 (Residential).

This ordinance shall take effect the day after publication.

[vote totals and signature lines on following page]

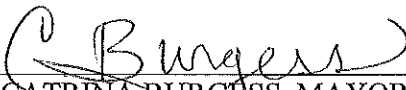
PASSED, APPROVED, AND ADOPTED THIS 9th DAY OF DECEMBER 2025.

6 AYES

0 NAYS

0 ABSENT

CITY OF BERLIN


CATRINA BURGESS, MAYOR

ATTEST:


JESS BALCOM, CITY ADMINISTRATOR/CLERK

APPROVED AS TO FORM:


ERIC LARSON, CITY ATTORNEY