

ENROLLED ORDINANCE 159-113

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP FOR THE TOWN OF SUMMIT AND THE TOWN OF SUMMIT DISTRICT ZONING MAP, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 25, T7N, R17E, TOWN OF SUMMIT, FROM THE A-P AGRICULTURAL LAND PRESERVATION DISTRICT (COUNTY) AND THE A-2 RURAL HOME DISTRICT (TOWN) TO THE A-5 MINI-FARM DISTRICT (COUNTY) AND THE R-2 RESIDENTIAL DISTRICT (TOWN)  
(SZ-1553)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of requisite notice of said hearing, and the recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Sections 59.692 and 60.61 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map for the Town of Summit, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors on June 23, 1970 and the Town of Summit Zoning District Map adopted on August 12, 2003, is hereby amended to conditionally rezone from the A-P Agricultural Land Preservation District (County) and the A-2 Rural Home District (Town) to the A-5 Mini-Farm District (County) and the R-2 Residential District (Town), certain lands located in part of the SW ¼ of Section 25, T7N, R17E, Town of Summit, and more specifically described in the “Staff Report and Recommendation” and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference (SZ-1553), subject to the conditions outlined in the attached Exhibit “A”.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town of Summit Clerk.

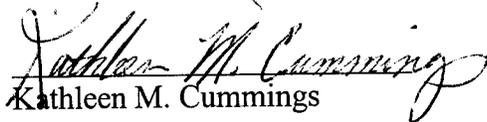
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of provisions of this Ordinance are hereby repealed.

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE  
DISTRICT ZONING MAP FOR THE TOWN OF SUMMIT AND THE TOWN OF SUMMIT DISTRICT  
ZONING MAP, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼  
OF SECTION 25, T7N, R17E, TOWN OF SUMMIT, FROM THE A-P AGRICULTURAL LAND  
PRESERVATION DISTRICT (COUNTY) AND THE A-2 RURAL HOME DISTRICT (TOWN) TO THE A-5  
MINI-FARM DISTRICT (COUNTY) AND THE R-2 RESIDENTIAL DISTRICT (TOWN)  
(SZ-1553)

Presented by:  
Land Use, Parks, and Environment Committee

  
Walter L. Kolb, Chair

  
Kathleen M. Cummings

Absent  
Pauline T. Jaske

  
Scott J. Klein

  
Bill Kramer

  
Daniel Pavelko

  
Vera Stroud

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, was presented to the County Executive on:

Date: 3/11/05,   
~~Kathy Nickolaus~~, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, is hereby:

Approved: ✓

Vetoed: \_\_\_\_\_

Date: 3-11-05,   
Daniel M. Finley, County Executive

# EXHIBIT "A"

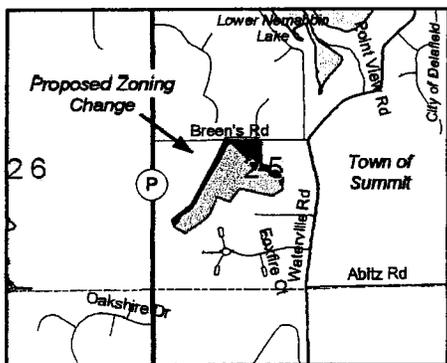
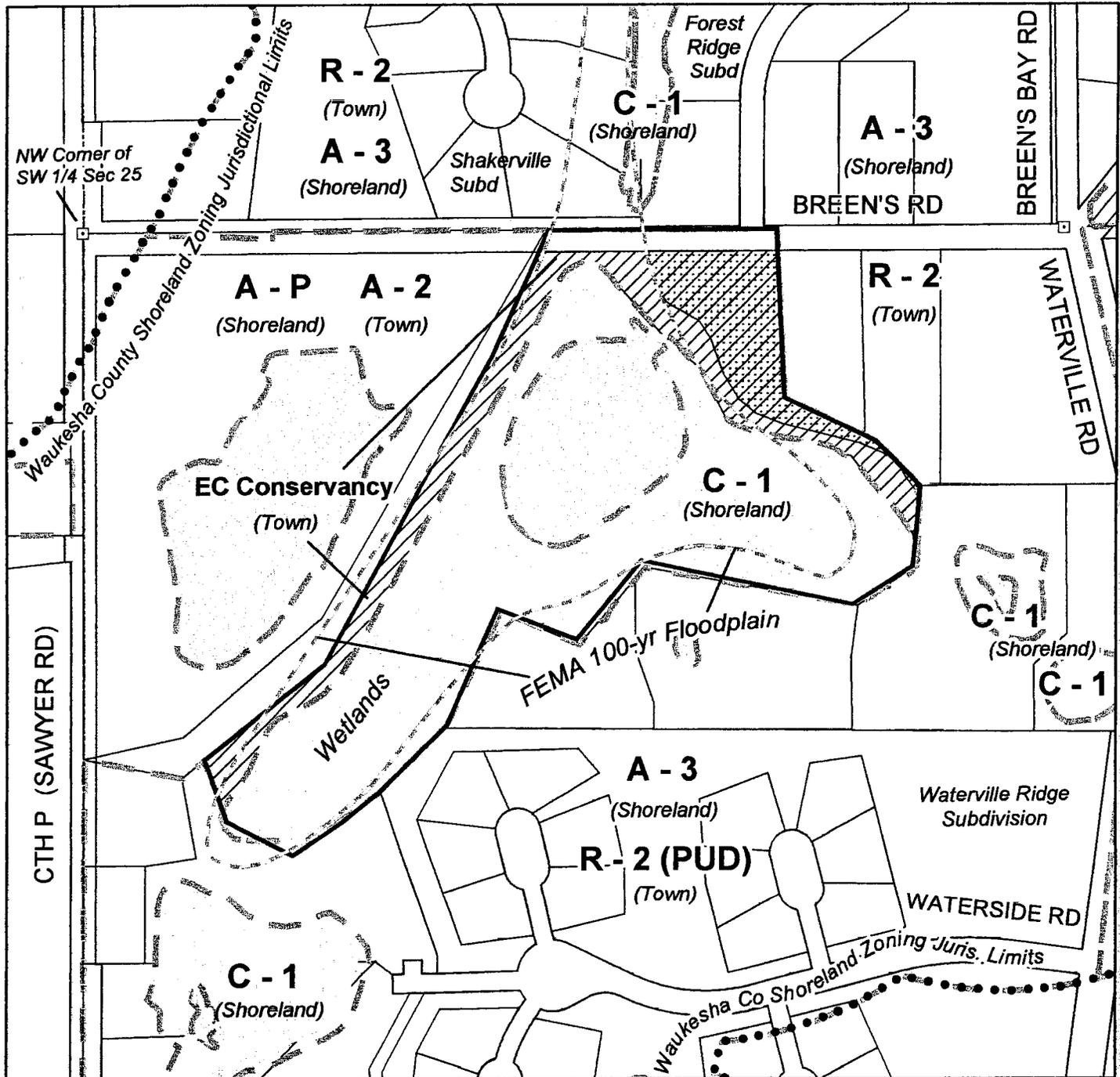
Recommended conditions for Edward Ryan rezoning request:

1. **SUBJECT TO PLAN PRESENTATION AND COMPLIANCE.** The Subject Parcel must be developed in substantial conformity with the plans presented at the public hearing on November 17, 2004, including, but not limited to: a maximum of 2 lots for single-family residential development.
2. **SUBJECT TO CERTIFIED SURVEY MAP (CSM):** All conditions of approval of the Certified Survey Map (CSM), if said approval is granted, shall be complied with. The CSM shall be subject to the approval of the Town of Summit Town Plan Commission and Town Board. In addition, all terms and conditions of the Town of Summit Zoning Code and the Town of Summit Ordinance Regulating the Division and Platting of Land shall be complied with in all respects, along with all applicable rules, ordinances, statutes and other procedures related to said CSM, and subject to satisfying any conditions that may be imposed upon that land division, prior to this conditional rezoning ordinance being effective.
3. **SUBJECT TO ADEQUATE SEPTIC SYSTEM.** Petitioner shall submit proof that each of the lots shown in the CSM has adequate soils to maintain an on-site septic system to the Town Manager/Planner, subject to the Town Engineer's approval as to reliability of the information and form, such approval being granted prior to this conditional zoning ordinance being effective.
4. **SUBJECT TO REIMBURSEMENT OF EXPENSES.** The Petitioner shall pay all fees, costs, and assessments due and owing to the Town of Summit, including any permit fees for applicable permits, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Town of Summit in the drafting, review or enforcement of this rezoning ordinance, including without limitation by reason of enumeration, design, engineering, inspection and legal work.
5. **ONE YEAR TO SATISFY CONDITIONS.** All of the aforementioned conditions must be satisfied within one year of the date of Town Board approval of this conditional rezoning ordinance, unless extended by the Town of Summit Town Board, or the rezoning ordinance shall be null and void.
6. **SUBJECT TO ACCEPTANCE.** The Petitioner shall accept the terms and conditions of this conditional zoning ordinance in writing.

159-0-120

# ZONING MAP AMENDMENT

PART OF THE SW 1/4 OF SECTION 25  
TOWN OF SUMMIT

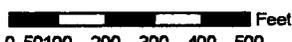


	SHORELAND ZONING CHANGE FROM A - P TO A - 5 (6.7 ACRES)
	TOWN ZONING CHANGE FROM A - 2 TO R - 2 (2.6 ACRES)
FILE.....	SZ-1553
DATE.....	02-10-05
AREA OF CHANGE.....	6.7 ACRES
TAX KEY NUMBER.....	SUMT 0675.995

Prepared by the Waukesha County Department of Parks and Land Use



1 inch equals 400 feet



0 50 100 200 300 400 500 Feet

159-0-120

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/08/05

(ORD) NUMBER-1590120

- |                         |                       |
|-------------------------|-----------------------|
| 1 K. HERRO.....         | 2 R. THELEN.....AYE   |
| 3 D. STAMSTA.....AYE    | 4 R. HUTTON.....AYE   |
| 5 J. MARCHESE.....AYE   | 6 D. BROESCH.....AYE  |
| 7 J. JESKEWITZ.....AYE  | 8 J. DWYER.....AYE    |
| 9 P. HAUKOHL.....AYE    | 10 S. WOLFF.....      |
| 11 K. HARENDA.....AYE   | 12 J. GRIFFIN.....    |
| 13 J. MORRIS.....AYE    | 14 A. KALLIN.....AYE  |
| 15 D. SWAN.....AYE      | 16 R. MANKE.....AYE   |
| 17 J. BEHREND.....      | 18 B. MORRIS.....AYE  |
| 19 W. MITCHELL.....AYE  | 20 M. KIPP.....       |
| 21 W. KOLB.....AYE      | 22 G. BRUCE.....AYE   |
| 23 J. TORTOMASI.....AYE | 24 B. KRAMER.....AYE  |
| 25 K. CUMMINGS.....AYE  | 26 S. KLEIN.....AYE   |
| 27 D. PAULSON.....AYE   | 28 P. JASKE.....NAY   |
| 29 T. BULLERMANN.....   | 30 K. NILSON.....     |
| 31 V. STROUD.....AYE    | 32 P. GUNDRUM.....    |
| 33 D. PAVELKO.....AYE   | 34 R. SINGERT.....AYE |
| 35 C. SEITZ.....AYE     |                       |

TOTAL AYES-26

TOTAL NAYS-01

CARRIED X

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-27