

ENROLLED ORDINANCE 159-73

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF BROOKFIELD ZONING ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 29, T7N, R20E, TOWN OF BROOKFIELD FROM THE R-2 RESIDENTIAL AND THE C-1 CONSERVANCY DISTRICTS TO THE R-3 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (COUNTY) AND FROM THE RS-3 SINGLE FAMILY RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS TO THE RM-2 MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PUD OVERLAY DISTRICT AND C-1 CONSERVANCY DISTRICT (TOWN) (SZT-1526)

WHEREAS the subject matter of this Ordinance having been approved by the Brookfield Town Board on August 3, 2004, after Public Hearing, and the giving of requisite notice of said hearing, and duly referred to and considered by the Waukesha County Park and Planning Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the District Zoning Map for the Town of Brookfield Zoning Ordinance, adopted by the Town of Brookfield on December 27, 1988, is hereby amended to conditionally rezone from the R-2 Residential and the C-1 Conservancy Districts to the R-3 Residential and C-1 Conservancy Districts (County) and from the Rs-3 Single Family Residential and C-1 Conservancy Districts to the RM-2 Multi-Family Residential District with a PUD Overlay District and C-1 Conservancy District (Town), certain lands located in part of the NW ¼ of Section 29, T7N, R20E, Town of Brookfield, 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 (SZT-1526), is hereby approved subject to the following conditions:

1. Development is to be in compliance with the submitted General Development Plan, consisting of the Site and Building Plan and Plan of Operation attached as Exhibit “A”.
2. A Conditional Use Permit issued by Waukesha County relating to the details of the project on those portions of the site subject to County regulation under the Waukesha County Shoreland and Floodland Protection Ordinance shall be required.

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

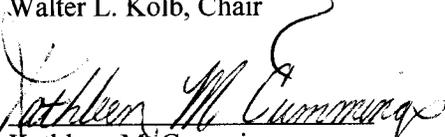
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

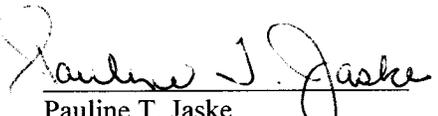
BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of provisions of this Ordinance are hereby repealed.

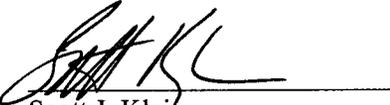
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Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair

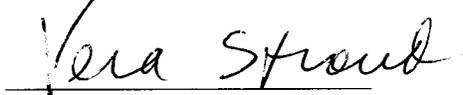

Kathleen M. Cummings


Pauline T. Jaske

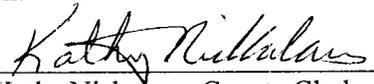

Scott J. Klein


Bill Kramer

Absent
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: 12-17-04, 
Kathy Nickolaus, County Clerk

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

Approved: ✓
Vetoed: _____
Date: 12-17-04, 
Daniel M. Finley, County Executive

WATKINSON COUNTY BOARD OF SUPERVISORS

V

DATE-11/14/04

(ORD) NUMBER-1590079

- 1 K. HERRON.....AYE
- 3 D. STAMSTA.....
- 5 J. MARCHESI.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAIKOH.....AYE
- 11 K. HAREDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOBE.....AYE
- 23 J. TORTOMASE.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 T. BULLERMANN.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 B. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....
- 8 J. DWYER.....AYE
- 10 S. WOLFE.....AYS
- 12 J. GRIFFIN.....AYE
- 14 A. KALLIN.....AYS
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 B. KRAMER.....AYE
- 26 S. KLEIN.....AYS
- 28 P. JASKE.....AYE
- 30 K. NELSON.....AYS
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-33

EXHIBIT "A"

**Mallards Landing Condominiums
Plan of Operation**

**Barker Road (east side of Barker Road; just north of Watertown Road)
Town of Brookfield, Wisconsin**

Mallards Landing Condominiums ("Mallards Landing") shall be a Planned Unit Development of high-end condominium residential homes located on Barker Road in the Town of Brookfield, just north of Bluemound Road and Watertown Road.

There shall be four condominium buildings each consisting of two side-by-side residential homes for a total of eight homes. Each home shall be two-story, with at least a two-car garage.

Mallards Landing features a pond which will be located just to the east of the homes. The homes will each have a lower level walk-out to the pond. The pond creates a beautiful, natural habitat for birds and wildlife and it shall also handle water on-site from storm run-off.

Mallards Landing's location will provide owners great access to freeways, shops, restaurants and all the fine amenities which Bluemound Road and other areas of Brookfield provide its residents.

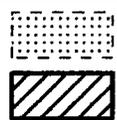
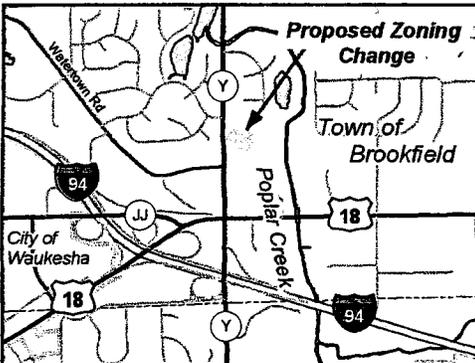
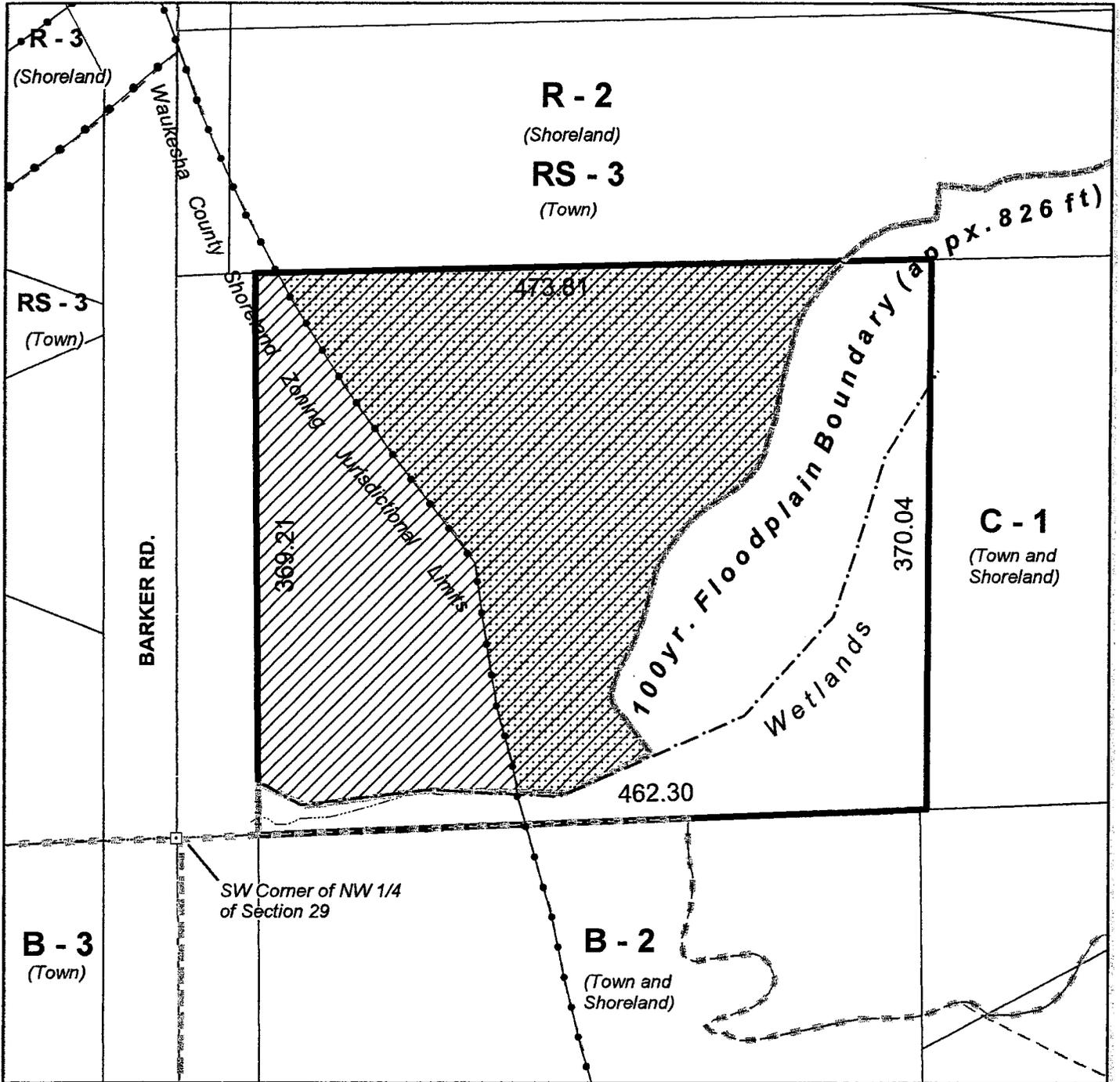
Mallards Landing shall have a single tennis court located at the northwest portion of the site. Additionally, the property is located just to the north of the Brook Club, which will provide active homeowners a conveniently located amenity.

MALLARDS LANDING
TOWN OF BROOKFIELD, WISCONSIN



ZONING MAP AMENDMENT

PART OF THE NW 1/4 OF SECTION 29
TOWN OF BROOKFIELD



CONDITIONAL SHORELAND ZONING CHANGE FROM R-2 TO R-3 (1.5 AC)
CONDITIONAL TOWN ZONING CHANGE FROM RS-3 TO RM-2 W/PUD OVERLAY (2.41 AC)

FILE.....SZT-1526

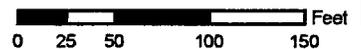
DATE.....10-25-04

AREA OF CHANGE.....2.41 ACRES

TAX KEY NUMBER.....BKFT 1122.993



1 inch equals 100 feet



Prepared by the Waukesha County
Dept. of Parks and Land Use

159-0-079