

ENROLLED ORDINANCE 162-2

AMEND THE TOWN OF VERNON DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF VERNON BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 27, T5N, R19E, TOWN OF VERNON, FROM THE AD-10 AGRICULTURAL DENSITY-10 AND C-1 CONSERVANCY DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (CZ-1641)

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 a recommendation for approval thereon reported to the Land Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.69 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Town of Vernon District Zoning Map of the Waukesha County Zoning Code, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on February 26, 1959, is hereby amended to conditionally rezone certain lands from the AD-10 Agricultural Density-10 and C-1 Conservancy Districts to the R-1 Residential and C-1 Conservancy Districts, located in part of the SW ¼ of Section 27, T5N, R19E, Town of Vernon, 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 (CZ-1641), subject to the following conditions:

1. The rezoning shall not be in full force and effect until the Town of Vernon Planning Commission and the Waukesha County Department of Parks and Land Use-Planning and Zoning Division have approved and recorded the Certified Survey Map submitted concurrent with this rezoning petition in substantial conformity with the presentation made to the Plan Commission at their meeting of February 8, 2007, except as further restricted herein, and as modified and further restricted by the comments and concerns of the Plan Commission at the hearing and in their meeting(s) following the public hearing.
2. The lands to be rezoned, including all lands designated as C-1 Conservancy District, shall not exceed a density of one (1) unit per five (5) acres. Therefore, there shall be no more than four (4) residential units on the entire 23+/- acres, provided any future lot complies with all Town and County Ordinances. This condition is considered null and void if, and when the Town and County Land Use Plans are amended to allow a greater density.
3. Prior to the rezoning being in full force and effect, the applicant shall obtain approval of soil boring logs and data from the County Environmental Health Division and Town Engineer. Such borings and logs must demonstrate that the soil conditions on proposed Lots 1 and 2 are suitable for residential development with approvable on-site sanitation systems, to the satisfaction of the County Environmental Health Division and Town Engineer. Said soil logs and data must also demonstrate that there are no basement elevation restrictions caused by hydric soil conditions, seasonal high ground water conditions, or any other condition deemed unacceptable by the County Environmental Health Division, Planning and Zoning Division or Town Board. No assurance of sanitary

systems or basement elevation approval is included herein.

4. Prior to the rezoning being in full force and effect, the applicant shall obtain SEWRPC concurrence with all the Primary Environmental Corridor boundary and the applicant shall provide written evidence of same to the Town Planner and the Waukesha County Department of Parks and Land Use-Planning and Zoning Division.
5. Subject to the applicant satisfying all of the aforementioned conditions within one (1) year of granting this conditional approval.
6. Professional Fees. Applicant shall, on demand, reimburse the Town of Vernon for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions. This condition is not enforceable by Waukesha County.
7. Payment of Charges. Any unpaid bills owed to the Town of Vernon by the Subject Property Owner or his or her agents, tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval. This condition is not enforceable by Waukesha County.

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

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 the provisions of this Ordinance are hereby repealed.

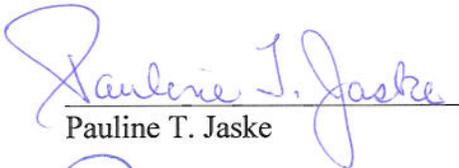
AMEND THE TOWN OF VERNON DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF VERNON BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 27, T5N, R19E, TOWN OF VERNON, FROM THE AD-10 AGRICULTURAL DENSITY-10 AND C-1 CONSERVANCY DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (CZ-1641)

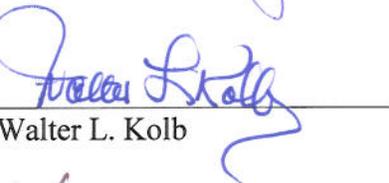
Presented by:  
Land Use, Parks, and Environment Committee

  
William A. Mitchell, Chair

  
Keith Hammitt

  
Keith Harenda

  
Pauline T. Jaske

  
Walter L. Kolb

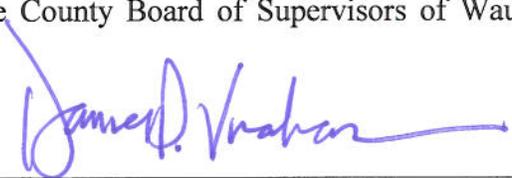
  
Vera Stroud

  
Peter M. Wolff

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

Date: 4/27/07,   
Kathy Nickolaus, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_  
Date: 4-30-07,   
Daniel P. Vrakas, County Executive

February 14, 2007

Mr. Richard Mace  
Department of Parks and Land Use  
1320 Pewaukee Road, Room 230  
Waukesha, WI 53188

Re: Link Rezone, Town of Vernon  
R.A. Smith File #1069151

Dear Mr. Mace:

This letter is to advise you that the Town Attorney has approved the Vernon Plan Commission conditions of approval of the Link rezoning, S103 W24870 Forest Home Avenue, Town of Vernon, to R-1 subject to the following conditions:

1. The rezoning shall not be in full force and effect until the Town of Vernon Planning Commission and County Zoning Agency have approved and recorded the Certified Survey Map submitted concurrent with this rezoning petition in substantial conformity with the presentation made to the Plan Commission at their meeting of February 8, 2007, except as further restricted herein, and as modified and further restricted by the comments and concerns of the Plan Commission at the hearing and in their meeting(s) following the public hearing.
2. Lot 2 of said CSM shall have development rights for no more than 3 residential dwelling units, in accordance with the density limitations of the Town of Vernon Master Plan (as amended), and the Waukesha County Development Plan.
3. Prior to the rezoning being in full force and effect, the Applicant shall obtain approval of soil boring logs and data from the County Environmental Health Division and Town Engineer. Such borings and logs must demonstrate that the soil conditions on Lots 1 and 2 are suitable for residential development with approvable on-site sanitation systems, to the satisfaction of the County Environmental Health Division and Town Engineer. Said soil logs and data must also demonstrate that there are no basement elevation restrictions caused by hydric soil conditions, seasonal high ground water conditions, or any other condition deemed unacceptable by the County Environmental Health Division or Town Board. No assurance of sanitary systems or basement elevation approval is included herein.
4. Prior to the rezoning being in full force and effect, the Applicant shall obtain SEWRPC concurrence with all environmental corridor boundaries and isolated natural resource area boundaries, and the Applicant shall provide written evidence of same to the Town Planner and County Zoning Agency.

262-786-1777  
FAX 262-786-0826  
16745 W. Blucmound Road  
Suite 200  
Brookfield, WI 53005-5938

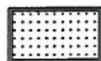
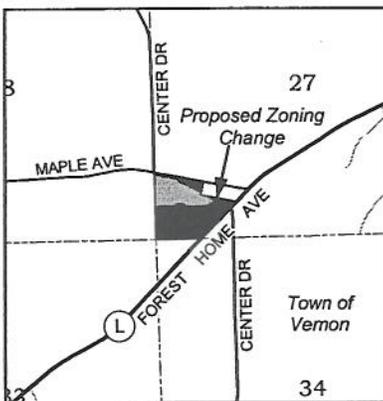
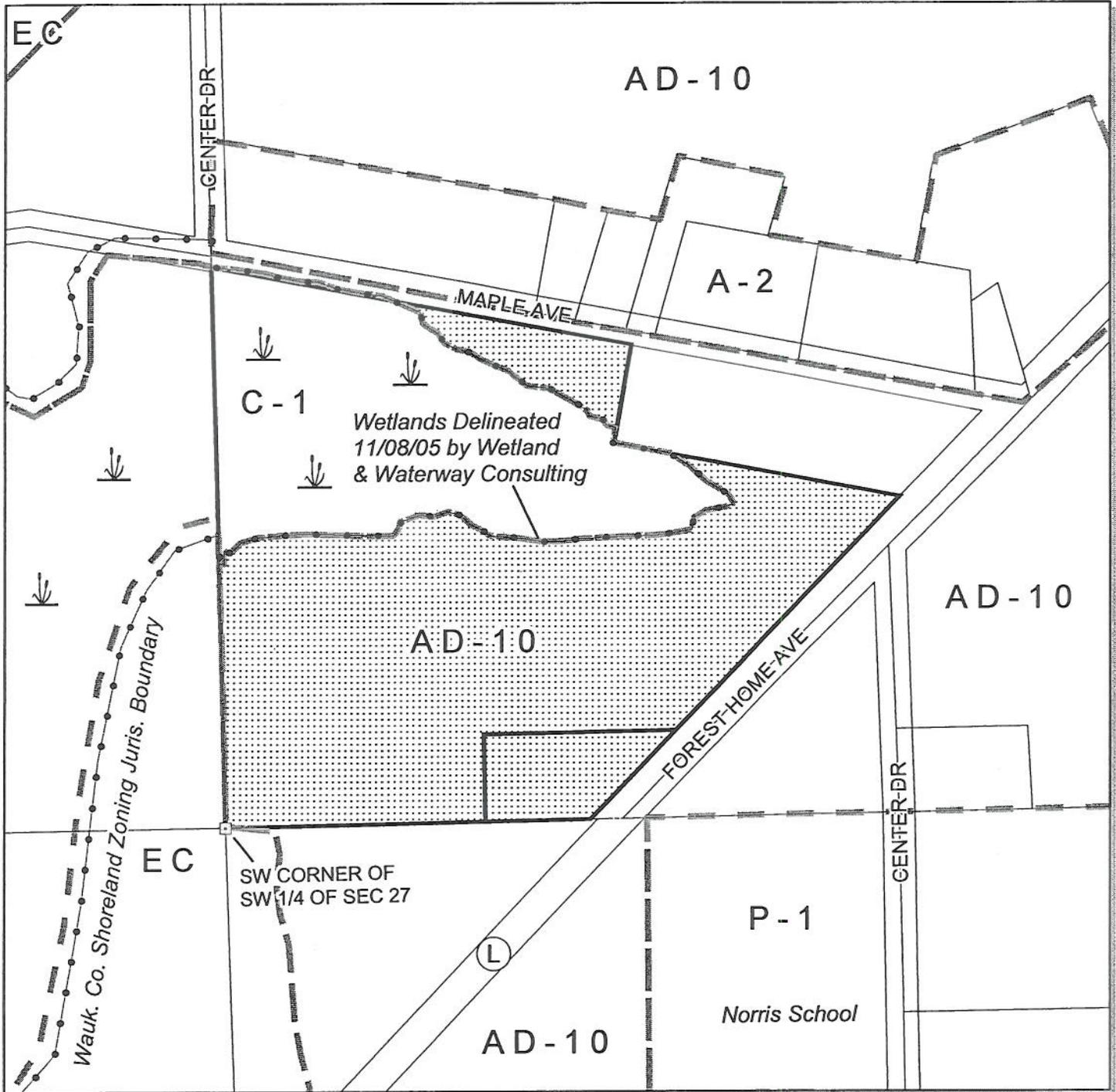
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# ZONING MAP AMENDMENT

PART OF THE SW 1/4 OF SECTION 27  
TOWN OF VERNON



CONDITIONAL COUNTY ZONING CHANGE FROM AD-10 AGRICULTURAL TO R-1 RESIDENTIAL

FILE.....CZ-1641

DATE.....03-15-07

AREA OF CHANGE.....15.7 ACRES

TAX KEY NUMBER.....VNT 2123.994.002 & .003



1 inch equals 300 feet  
0 50 100 200 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use

10.

161-0-109

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/24/07

(ORD) NUMBER-1610109

- |                         |                          |
|-------------------------|--------------------------|
| 1 K. HERRO.....AYE      | 2 R. THELEN.....AYE      |
| 3 T. ROLFS.....AYE      | 4 R. HUTTON.....AYE      |
| 5 J. MARCHESE.....AYE   | 6 D. BROESCH.....AYE     |
| 7 J. JESKEWITZ.....AYE  | 8 J. DWYER.....AYE       |
| 9 P. HAUKOHL.....       | 10 S. WOLFF.....AYE      |
| 11 K. HARENDA.....AYE   | 12 T. SCHELLINGER....AYE |
| 13 J. MORRIS.....       | 14 S. WIMMER.....        |
| 15 D. SWAN.....AYE      | 16 R. STEVENS.....AYE    |
| 17 J. BEHREND.....AYE   | 18 B. MORRIS.....AYE     |
| 19 W. MITCHELL.....AYE  | 20 P. WOLFF.....AYE      |
| 21 W. KOLB.....AYE      | 22 G. BRUCE.....AYE      |
| 23 J. TORTOMASI.....AYE | 24 J. VITALE.....AYE     |
| 25 K. CUMMINGS.....AYE  | 26 F. RUF.....AYE        |
| 27 D. PAULSON.....AYE   | 28 P. JASKE.....AYE      |
| 29 T. BULLERMANN.....   | 30 K. NILSON.....AYE     |
| 31 V. STROUD.....AYE    | 32 P. GUNDRUM.....       |
| 33 K. HAMMITT.....AYE   | 34 R. SINGERT.....AYE    |
| 35 P. MEYER.....AYE     |                          |

TOTAL AYES-30

TOTAL NAYS-00

CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-30