

ENROLLED ORDINANCE 162-42

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE, FOR THE TOWN OF VERNON BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF THE NW ¼ OF SECTION 14, TOWN OF VERNON, WAUKESHA COUNTY, WISCONSIN, FROM THE RRD-5 RURAL RESIDENTIAL DENSITY DISTRICT 5 AND THE C-1 CONSERVANCY DISTRICT TO THE A-2 RURAL HOME AND THE C-1 CONSERVANCY DISTRICTS (SZ-1655)

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 Shoreland and Floodland Protection Ordinance, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on June 23, 1970, is hereby amended, to conditionally rezone certain lands located in part of the SW ¼ of the NW ¼ of Section 14, Town of Vernon, Waukesha County, Wisconsin, from the RRD-5 Rural Residential Density District 5 and the C-1 Conservancy District to the A-2 Rural Home and C-1 Conservancy Districts, 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-1655), subject to the following conditions:

1. 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 Parcel 1 are suitable for residential development with an approvable on-site sanitation system. 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. No assurance of a sanitary system or basement elevation is included herein.
2. Prior to the rezoning being in full force and effect, the applicant shall obtain SEWRPC (Southeastern Wisconsin Regional Planning Commission) concurrence with all wetland boundaries, and the applicant shall provide written evidence of same to the Town Planner and the County Zoning Agency (Waukesha County Department of Parks and Land Use - Planning and Zoning Division).
3. 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.

4. 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.
5. Subject to the Applicant satisfying all of the aforementioned conditions within one (1) year of granting this conditional approval.
6. Condition No. 3 and Condition No. 4 are only enforceable by the Town of Vernon.

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.

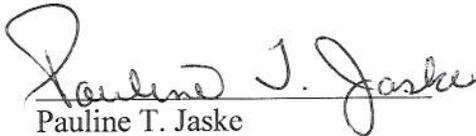
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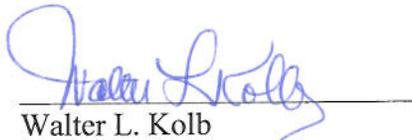
Presented by:  
Land Use, Parks, and Environment Committee

  
William A. Mitchell, Chair

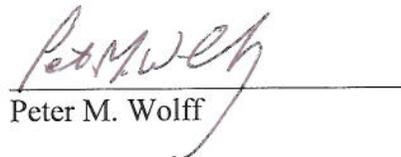
{absent}  
Keith Hammitt

{absent}  
Keith Harenda

  
Pauline T. Jaske

  
Walter L. Kolb

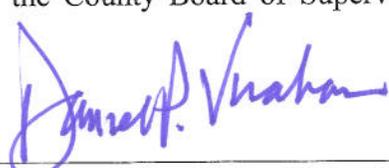
  
Vera Stroud

  
Peter M. Wolff

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

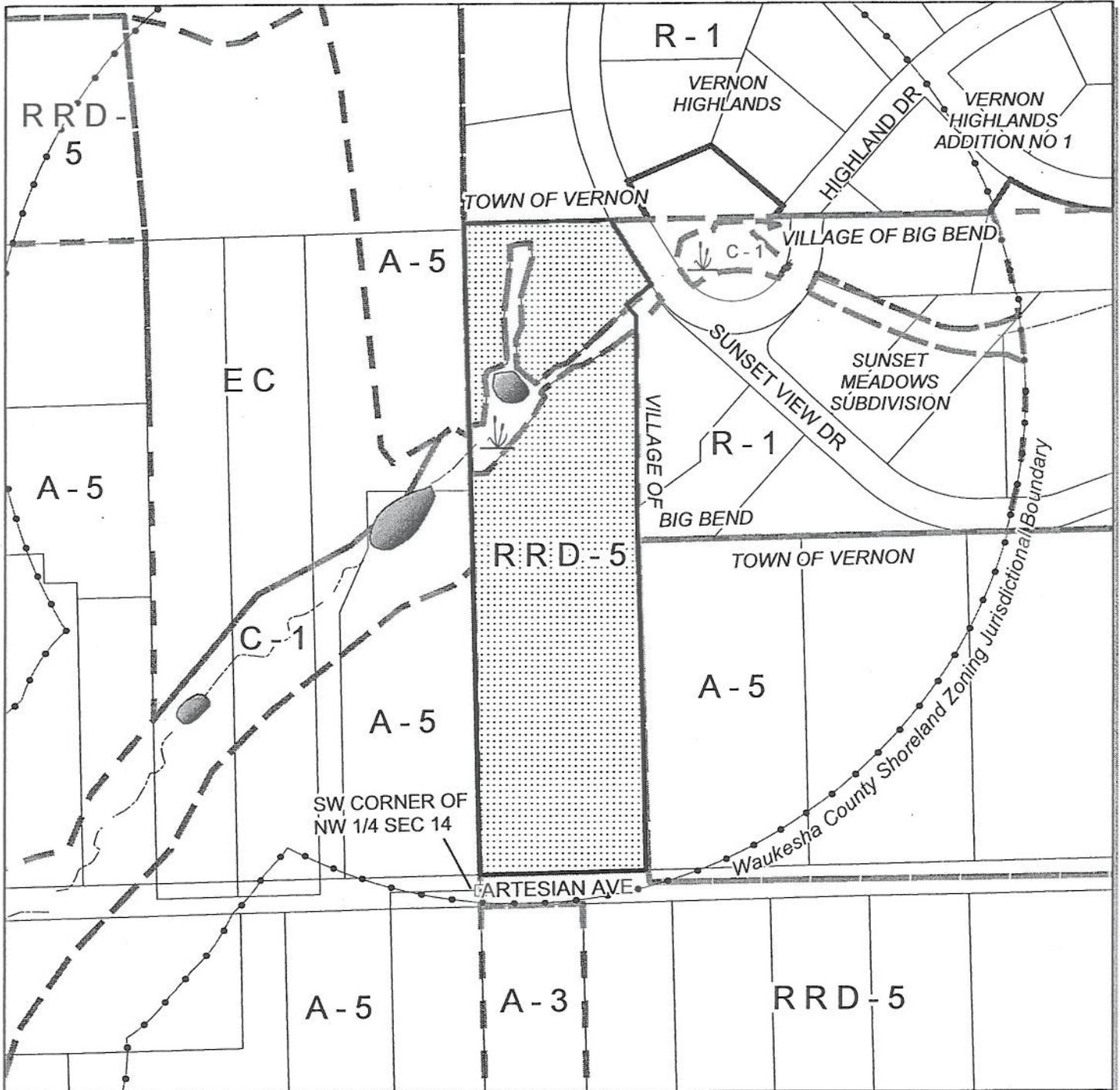
Date: 8-31-07,   
Kathy Nickolaus, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_  
Date: 9-4-07,   
Daniel P. Vrakas, County Executive

# ZONING MAP AMENDMENT

PART OF THE NW 1/4 OF SECTION 14  
TOWN OF VERNON



CONDITIONAL SHORELAND ZONING CHANGE FROM RRD-5 RURAL RESIDENTIAL TO A-2 RURAL HOME

FILE.....SZ-1655  
 DATE.....07-19-07  
 AREA OF CHANGE.....9.3 ACRES  
 TAX KEY NUMBER.....VNT 2070.995



1 inch equals 300 feet  
 0 50 100 200 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use

162-0-037

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/28/07

(ORD) NUMBER-1620037

1 K. HERRO.....AYE  
 3 T. ROLFS.....AYE  
 5 J. MARCHESE.....AYE  
 7 J. JESKEWITZ.....AYE  
 9 P. HAUKOHL.....AYE  
 11 K. HARENDA.....  
 13 J. MORRIS.....AYE  
 15 D. SWAN.....AYE  
 17 J. BEHREND.....AYE  
 19 W. MITCHELL.....AYE  
 21 W. KOLB.....AYE  
 23 J. TORTOMASI.....AYE  
 25 K. CUMMINGS.....AYE  
 27 D. PAULSON.....AYE  
 29 T. BULLERMANN.....AYE  
 31 V. STROUD.....AYE  
 33 K. HAMMITT.....AYE  
 35 P. MEYER.....AYE

2 R. THELEN.....AYE  
 4 R. HUTTON.....  
 6 D. BROESCH.....AYE  
 8 J. DWYER.....AYE  
 10 S. WOLFF.....AYE  
 12 T. SCHELLINGER....AYE  
 14 S. WIMMER.....AYE  
 16 R. STEVENS.....AYE  
 18 B. MORRIS.....AYE  
 20 P. WOLFF.....AYE  
 22 G. BRUCE.....  
 24 J. VITALE.....AYE  
 26 F. RUF.....AYE  
 28 P. JASKE.....AYE  
 30 K. NILSON.....AYE  
 32 P. GUNDRUM.....AYE  
 34 R. SINGERT.....AYE

TOTAL AYES-32

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-32