

ENROLLED ORDIDNANCE 174-024

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF GENESEE ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 9 AND PART OF THE NW ¼ OF SECTION 10, T6N, R18E, TOWN OF GENESEE, WAUKESHA COUNTY, WISCONSIN, FROM THE R-1 RESIDENTIAL DISTRICT TO THE A-2 RURAL HOME DISTRICT (RZ36)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Genesee Town Board on Monday, March 11, 2019; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Genesee Zoning Code, adopted by the Town of Genesee on July 23, 2015, is hereby amended to rezone from the R-1 Residential District to the A-2 Rural Home District, certain lands located in part of the NE ¼ of Section 9 and part of the NW ¼ of Section 10, T6N, R18E, Town of Genesee, Waukesha County, Wisconsin, 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 RZ36, is hereby approved.


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

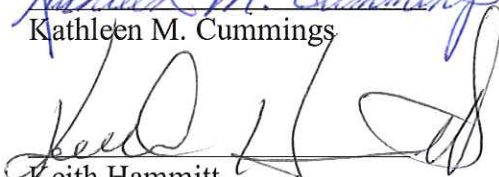
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF GENESEE ZONING CODE BY
REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 9
AND PART OF THE NW ¼ OF SECTION 10, T6N, R18E, TOWN OF GENESEE,
WAUKESHA COUNTY, WISCONSIN, FROM THE R-1 RESIDENTIAL
DISTRICT TO THE A-2 RURAL HOME DISTRICT (RZ36)

Presented by:
Land Use, Parks, and Environment Committee


David D. Zimmermann, Chair


Kathleen M. Cummings


Keith Hammitt


William A. Mitchell

absent
Thomas J. Schellinger


Steve Whittow

absent
Chuck Wood

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

Date: 5/30/19, 
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 5/30/19, 
Paul Farrow, County Executive

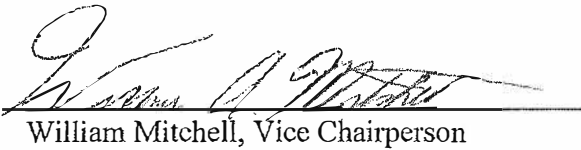
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Genesee Zoning Code hereby recommends approval of RZ36 in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

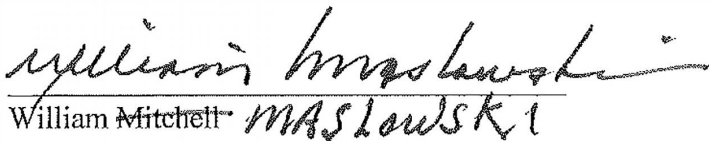
April 18, 2019

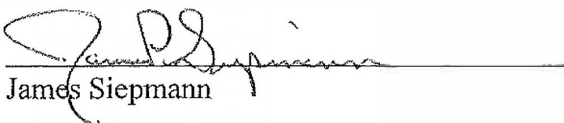

Robert Peregrine, Chairperson


William Mitchell, Vice Chairperson


Thomas Michalski

Absent _____
Richard Morris


William Mitchell MASLOWSKI


James Siepmann

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: April 18, 2019

FILE NO.: RZ36

TAX KEY NO's.: GNT 1473.001, GNT 1473.980.002, GNT 1473.002, GNT 1473.003,
GNT 1473.004.001, GNT 1473.005.001, GNT 1473.006 and GNT 1473.007

PETITIONER: Town of Genesee Board
P.O. Box 42
Genesee Depot, WI 53127

OWNERS: James and Shirley Sanderson Revocable Trust, W310 S2560 Cregennan Bae
Benjamin and Erin PENCHACEK, W310 S2580 Cregennan Bae
Timothy and Charmaine Reynolds, W310 S2614 Cregennan Bae
Dean and Nancy Millikin, S26 W31127 Cregennan Bae
Jay and Ruthann Smith, S26 W31207 Cregennan Bae
Richard and Helen Hogan, S26 W31291 Cregennan Bae
Peggy J. Henry, S26 W31393 Cregennan Bae

LOCATION:

A total of eight parcels, located in part of the NE ¼ of Section 9 and part of the NW ¼ of Section 10, T6N, R18E, Town of Genesee. More specifically, the properties are located on the south and east sides of Cregennan Bae (Road).

PRESENT ZONING CLASSIFICATION:

R-1 Residential District, EC Environmental Corridor and C-1 Conservancy.

PRESENT LAND USE:

Residential.

PROPOSED ZONING:

A-2 Rural Home District, EC Environmental Corridor and C-1 Conservancy.

PROPOSED LAND USE:

Residential.

PUBLIC HEARING DATE:

March 11, 2019.

PUBLIC REACTION:

None.

TOWN PLAN COMMISSION:

On March 11, 2019, the Town Plan Commission, unanimously recommended approval of the rezoning request.

TOWN BOARD ACTION

On March 11, 2019, the Town Board unanimously approved the rezoning request.

COMPLIANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF GENESEE LAND USE PLAN:

The properties are designated in the Suburban Density Residential II category on the Comprehensive Development Plan for Waukesha County and Town of Genesee Land Use Plan (3-4.9 acres/dwelling unit). The proposed zoning amendment is consistent with both plans.

OTHER CONSIDERATIONS:

The Town of Board of Genesee is proposing to amend eight properties from the R-1 Residential District to the A-2 Rural Home District. The subject properties, located south and west of Cregennan Bae, contain single-family residences and various accessory buildings. The lots are part of the Strawberry Fields subdivision and range from three to 21 acres. The properties located north of Cregennan Bae, also within Strawberry Fields subdivision, are zoned A-2 Rural Home District (minimum 3-acres). Single-family subdivisions with 1-acre lots are located to the south and southwest and are zoned R-1 Residential.

Cregennan Bae is a local road with a rural setting, with properties ranging from 2.3 to 21 acres. The road runs from east to west and does not extend south into the smaller lot subdivisions. The amendment will place all lots within the Strawberry Fields subdivision in the same zoning category and will allow the subject properties an increase of permissible accessory building square footage. The A-2 District allows up to 2% of the lot size in accessory building square footage whereas the R-1 District allows up to 1,000 sq. ft. The zoning amendment results in an increase of accessory building square footage on all of the subject properties. The proposed zoning district is also more appropriately aligned with the Town and County Land Use Plan designations of Suburban Density Residential II.

STAFF RECOMMENDATION

It is the opinion of the Planning and Zoning Division Staff that the request be approved. The proposed zoning district is consistent with the other properties in the area and fits the rural setting. In addition, the A-2 District is consistent with the Suburban Density Residential II designation, as identified on the Town and County Land Use Plans.

Respectfully submitted,

Rebekah Leto

Rebekah Leto
Senior Land Use Specialist

Attachments: Town Ordinance No. 19-2
Map

ORDINANCE 19-2

**An Ordinance to amend the Zoning Map of the Town of Genesee
from R-1 Residential District to A-2 Rural Home District on lands located in the NE ¼ of Section 9
and part of the NW ¼ of Section 10, T6N, R18E, Town of Genesee, Waukesha County Wisconsin**

The Town Board of Genesee, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Town of Genesee Zoning Map is hereby amended to change the zoning classification from R-1 Residential District to A-2 Rural Home District on the following described parcels of land:

Located in part of the NE ¼ of Section 9 and part of the NW ¼ of Section 10, T6N, R18E, Town of Genesee. More specifically, the properties are located on the south and east sides of Cregennan Bae and all but one (1) lot are part of the Strawberry Fields Subdivision and includes the following properties/owners:

James & Shirley Sanderson Revocable Trust, W310 S2560 Cregennan Bae (Tax Key No. GNT 1473.001); James & Shirley Sanderson Revocable Trust, W310 S2560 Cregennan Bae (Tax Key No. GNT 1473.980.002); Benjamin & Erin Pechacek, W310 S2580 Cregennan Bae (Tax Key No. GNT 1473.002); Timothy & Charmaine Reynolds, W310 S2614 Cregennan Bae (Tax Key No. GNT 1473.003); Dean & Nancy Millikin, S26 W31127 Cregennan Bae (Tax Key No. GNT 1473.004.001); Jay & Ruthann Smith, S26 W31207 Cregennan Bae (Tax Key No. GNT 1473.005.001); Richard & Helen Hogan, S26 W31291 Cregennan Bae (Tax Key No. GNT 1473.006); and Peggy J Henry, S26 W31393 Cregennan Bae (Tax Key No. GNT 1473.007). All addresses have a Wales, Wisconsin 53183 mailing address.

Section 2: Severability.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 3: Effective Date.

This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

This ordinance passed this 11 day of March, 2019.

BY THE TOWN BOARD OF THE
TOWN OF GENESEE:

Sharon L. Leair
DEPT OF PARKS & RECREATION
Sharon L. Leair, Town Chairman

ATTEST:

Meri Majeskie
Meri Majeskie, Town Clerk



Voting Results for Ordinance 174-O-025

Approved by the Board of Supervisors, County of Waukesha, Wisconsin, on May 28, 2019. Ordinance 174-O-025 is effective as of the date of this meeting. Waukesha County, Wisconsin, is a Republican Party State. The Adjutant General's Office.

Passed By Majority Vote

AYE: 25 NAY: 0

ABSENT: 0

D1 - Foti	AYE
D2 - Zimmermann	Motion
D3 - Morris	AYE
D4 - Batzko	AYE
D5 - Dondlinger	AYE
D6 - Walz	AYE
D7 - Grant	AYE
D8 - Michalski	AYE
D9 - Heinrich	AYE
D10 - Swan	AYE
D11 - Howard	AYE
D12 - Wolff	AYE
D13 - Decker	AYE

D14 - Wood	AYE
D15 - Mitchell	Second
D16 - Crowley	AYE
D17 - Paulson	AYE
D18 - Nelson	AYE
D19 - Cummings	AYE
D20 - Schellinger	AYE
D21 - Gaughan	AYE
D22 - Wysocki	AYE
D23 - Hammitt	AYE
D24 - Whittow	AYE
D25 - Johnson	AYE