

ENROLLED ORDINANCE 170-37

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 11, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE A-2 RURAL HOME DISTRICT (ZT-1811)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Delafield Town Board on May 12, 2015, 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 Delafield Zoning Code, adopted by the Town of Delafield on July 20, 1998, is hereby amended to rezone from the A-1 Agricultural District to the A-2 Rural Home District, certain lands located in part of the NW¼ of Section 11, T7N, R18E, Town of Delafield, 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 ZT-1811, 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 Delafield.

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ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

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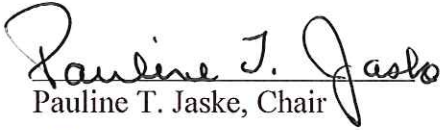
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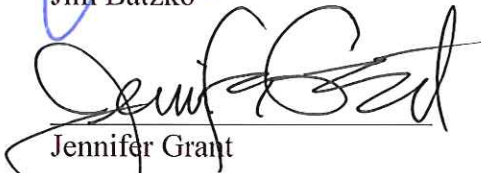
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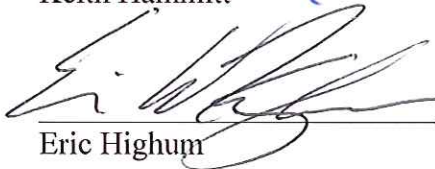
Presented by:
Land Use, Parks, and Environment Committee


Pauline T. Jaske, Chair


Jim Batzko


Jennifer Grant


Keith Hammitt


Eric Highum


William Mitchell


Thomas J. Schelling

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

Date: 7/28/2015, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____
Date: 8/4/15, 
Paul Farrow, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-07/28/15 NUMBER-1700037

- | | |
|--------------------------|--------------------------|
| 1 R. KOLB.....AYE | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS..... | 4 J. BATZKO.....AYE |
| 5 J. BRANDTJEN.....AYE | 6 J. WALZ.....AYE |
| 7 J. GRANT.....AYE | 8 E. HIGHUM.....AYE |
| 9 J. HEINRICH.....AYE | 10 D. SWAN.....AYE |
| 11 C. HOWARD.....AYE | 12 P. WOLFF.....AYE |
| 13 P. DECKER.....AYE | 14 C. PETTIS.....AYE |
| 15 B. MITCHELL.....AYE | 16 M. CROWLEY.....AYE |
| 17 D. PAULSON.....AYE | 18 L. NELSON.....AYE |
| 19 K. CUMMINGS.....AYE | 20 T. SCHELLINGER....AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE |
| 23 K. HAMMITT..... | 24 S. WHITTOW.....AYE |
| 25 G. YERKE.....AYE | |

TOTAL AYES-23

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS

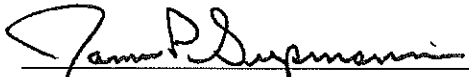
TOTAL VOTES-23

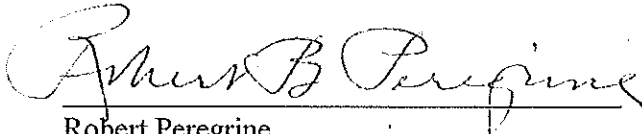
COMMISSION ACTION

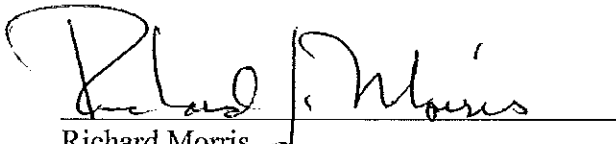
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends approval of ZT-1811 (Richard and Gloria Reindl) in accordance with the attached "Staff Report and Recommendation".

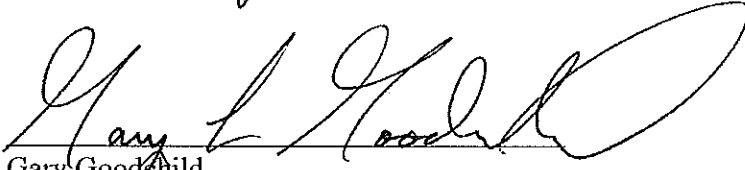
PARK AND PLANNING COMMISSION

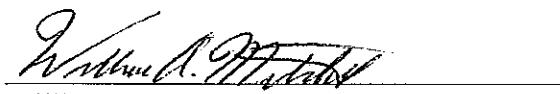
June 18, 2015

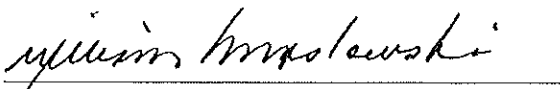

James Siepmann, Chairperson

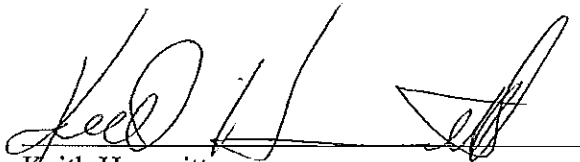

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

DATE: June 18, 2015

FILE NO.: ZT-1811

PETITIONER: Richard and Gloria Reindl
N35 W29710 North Shore Drive
Pewaukee, WI 53072

TAX KEY NO.: DELT 0762.993

LOCATION:
Parcel A, Certified Survey Map No. 3273, part of the NW ¼ of Section 11, T7N, R18E, Town of Delafield. More specifically the property is located at N35 W29710 North Shore Drive, containing approximately 3.2 acres.

EXISTING ZONING:
A-1 Agricultural District.

EXISTING LAND USE:
Residential.

PROPOSED ZONING:
A-2 Rural Home District.

PROPOSED LAND USE:
Residential.

PUBLIC HEARING DATE:
May 5, 2015.

PUBLIC REACTION:
None.

TOWN PLAN COMMISSION ACTION:
The Town of Delafield Plan Commission, at their meeting of May 5, 2015 recommended approval of the request to the Town Board.

TOWN BOARD ACTION
On May 12, 2015, the Town of Delafield Board approved the rezoning request.

CONFORMANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF DELAFIELD COMPREHENSIVE DEVELOPMENT PLAN:
The Waukesha County Comprehensive Development Plan and the Town of Delafield Comprehensive Plan designate the lands in the Suburban I Density Residential category, which calls for a maximum density of 1.5 acres per dwelling unit. The proposal complies with the plan recommendations.

STAFF ANALYSIS:

The petitioner would like to rezone his property which contains a single-family residence, to bring it into a conforming zoning district. The property is located on the Village of Hartland/Town of Merton municipal boundary and is located immediately west of North Shore Middle School and north of C.T.H. "KE". The existing A-1 Agricultural District designation requires a minimum parcel size of 40 acres, whereas the property is only 3.2 acres in size. The proposed zoning district, the A-2 Rural Home District, requires a 3 acre minimum lot size. The parcel would conform to the A-2 area and width requirements. In addition, the A-2 District impervious surface standards are geared more towards smaller lot sizes than the A-1 standards. The A-1 District requires 95% open space per parcel, whereas the A-2 District requires 85% open space. The zoning change would enable the petitioner to construct an accessory building.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning is consistent with Town and County Plan recommendations and will bring the petitioners land into a conforming zoning district.

Respectfully submitted,

Jason Fruth

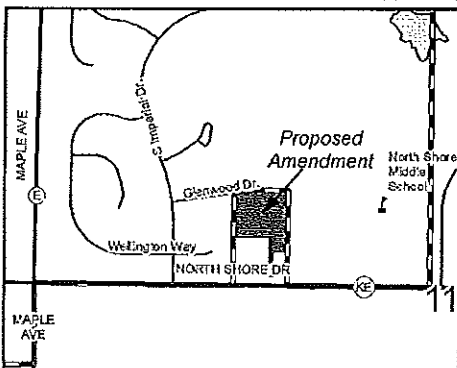
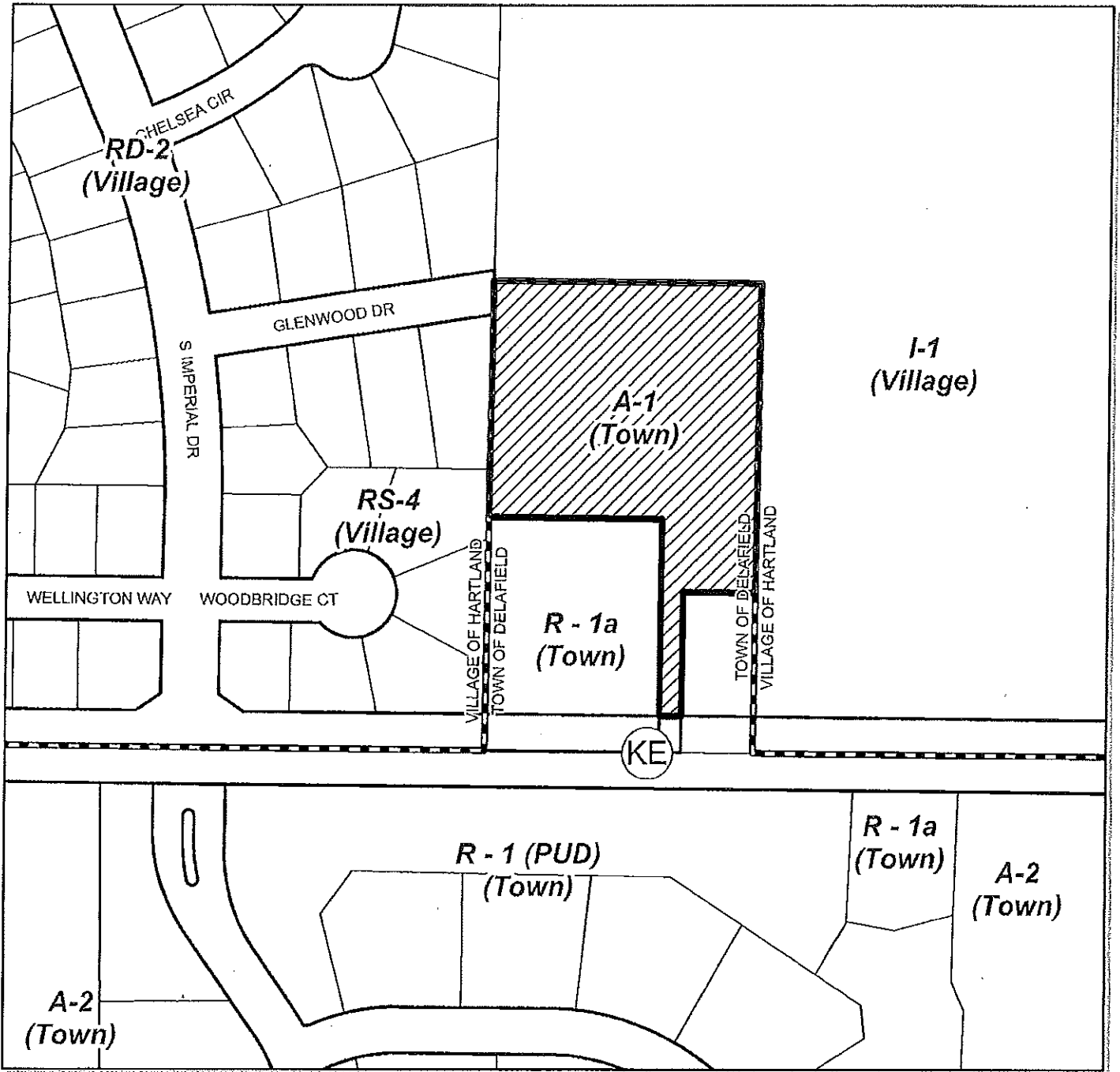
Jason Fruth
Planning and Zoning Manager


Attachments: Map and Town Ordinance

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1811 Reindl dlt.doc

ZONING AMENDMENT

PART OF THE NW 1/4 OF SECTION 11
TOWN OF DELAFIELD

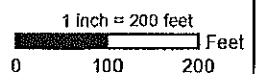


 TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO A-2 RURAL HOME DISTRICT

FILE.....ZT-1811
 DATE OF PLAN COMM. CONSIDERATION.....06/18/15
 AREA OF CHANGE.....3.18 ACRES
 TAX KEY NUMBER.....DELT 0762.993



Prepared by the Waukesha County Department of Parks and Land Use



State of Wisconsin

Town of Delafield

Waukesha County

Ordinance No. 2015-02

An Ordinance to amend the Zoning Map of the Town of Delafield from A-1 to A-2 on lands located in the Southeast ¼ of the Northwest ¼ of Section 11, Town 7 North Range 18 East, Town of Delafield, Waukesha County Wisconsin

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

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from A-1 to A-2 on the following described parcel of land:

Parcel A of CSM 3273 found in Volume 24 page 305, located in the Northwest ¼ of Section 11, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin.

Section 2: Severability.

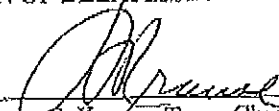
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, 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.

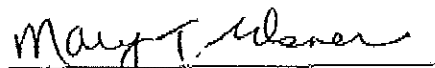
This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

This ordinance passed this 12th day of May, 2015.

BY THE TOWN BOARD OF THE TOWN OF DELAFIELD:


Lawrence G. Krause, Town Chairman

ATTEST:


Mary T. Elsner
Town Clerk/Treasurer

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