

ENROLLED ORDINANCE 179-25

APPROVE TOWN OF DELAFIELD ORDINANCE NO. 2024-02 WHICH AMENDS THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN THE NE ¼ OF SECTION 31, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE A-3 SUBURBAN HOME DISTRICT (RZ146)

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 14, 2024; 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 Town of Delafield Ordinance No. 2024-02 which amends the District Zoning Map for the Town of Delafield Zoning Code, adopted by the Town of Delafield on July 20, 1998, to rezone from the A-1 Agricultural District to the A-3 Suburban Home District, certain lands located in the NE ¼ of Section 31, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin, as 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, 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.

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Presented by:
Land Use, Parks, and Environment Committee


Christine M. Howard, Chair



Wayne Euclide

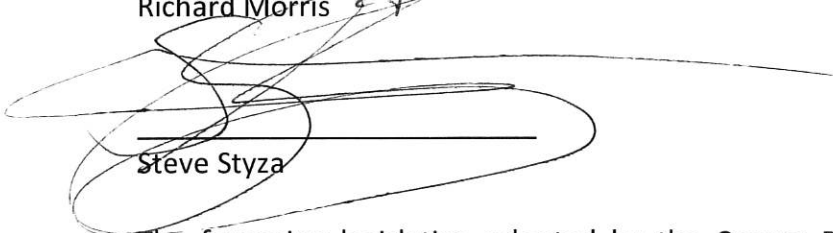

Robert L. Kolb

Absent

Johnny Koremenos


Brian Meier


Richard Morris



Steve Styza

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

Date: 7/29/2024, 
Margaret Wartman, County Clerk

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

Approved: X
Vetoed: _____


Date: 7/29/24, 
Paul Farrow, County Executive

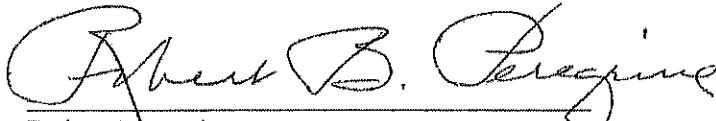
COMMISSION ACTION

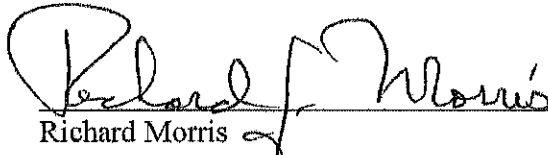
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends **approval** of **RZ146 (Ericson Living Trust)** in accordance with the attached "Staff Report and Recommendation".


PARK AND PLANNING COMMISSION

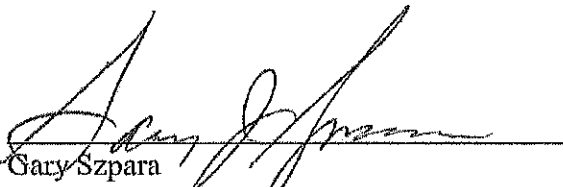
June 20, 2024

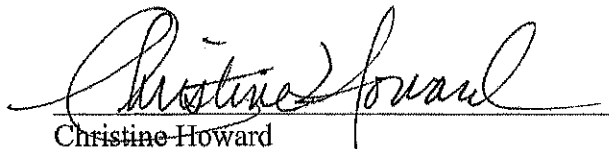

James Siepmann, Chairperson


Robert Peregrine


Richard Morris


William Groskopf


Gary Szpara


Christine Howard

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

DATE: June 20, 2024

FILE NO.: RZ146

OWNER: Ericson Living Trust
c/o Sune and Jean Ericson
W333 S271 Glen Oaks Drive
Delafield, WI 53018-3103

TAX KEY NO.: DELT 0841.030.002

LOCATION:
The property is located in part of the NE ¼ of Section 31, T7N, R18E, Town of Delafield. More specifically, the property is located on Cushing Park Road, containing approximately 2.57 acres.

EXISTING ZONING:
A-1 Agricultural District

PROPOSED ZONING:
A-3 Suburban Home District

EXISTING USE(S):
Vacant land.

REQUESTED USE(S):
Building site for single family residential use.

PUBLIC HEARING DATE:
May 7, 2024

PUBLIC COMMENT:
None

TOWN PLAN COMMISSION AND BOARD ACTION:
On May 7, 2024, the Town of Delafield Plan Commission recommended unanimous approval of the rezone. On May 14, 2024, the Town of Delafield Board recommended unanimous approval of the rezone.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF DELAFIELD CDP:

The town and county plans depict the property in the Suburban Density Residential 1 category which is a 1.5 to 2.9 acres per dwelling unit category. The parcel to be rezoned is approximately 2.5 acres in area. The rezoning and future development of the lot is consistent with the density category.

STAFF ANALYSIS:
The subject 2.5-acre parcel contains frontage on Cushing Park Road. The existing zoning designation of the lot is A-1 Agricultural District. The town's A-1 district requires a 40-acre minimum lot size and open space standards assume a larger lot size. Therefore, the owners wish to rezone the parcel to match the designation of the parcels immediately to the north. The A-3 minimum lot size is two acres and minimum lot width is 200'. The parcel meets both of these standards.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning brings the parcel into a zoning district that is aligned with the parcel's size which will make development of the parcel more feasible.

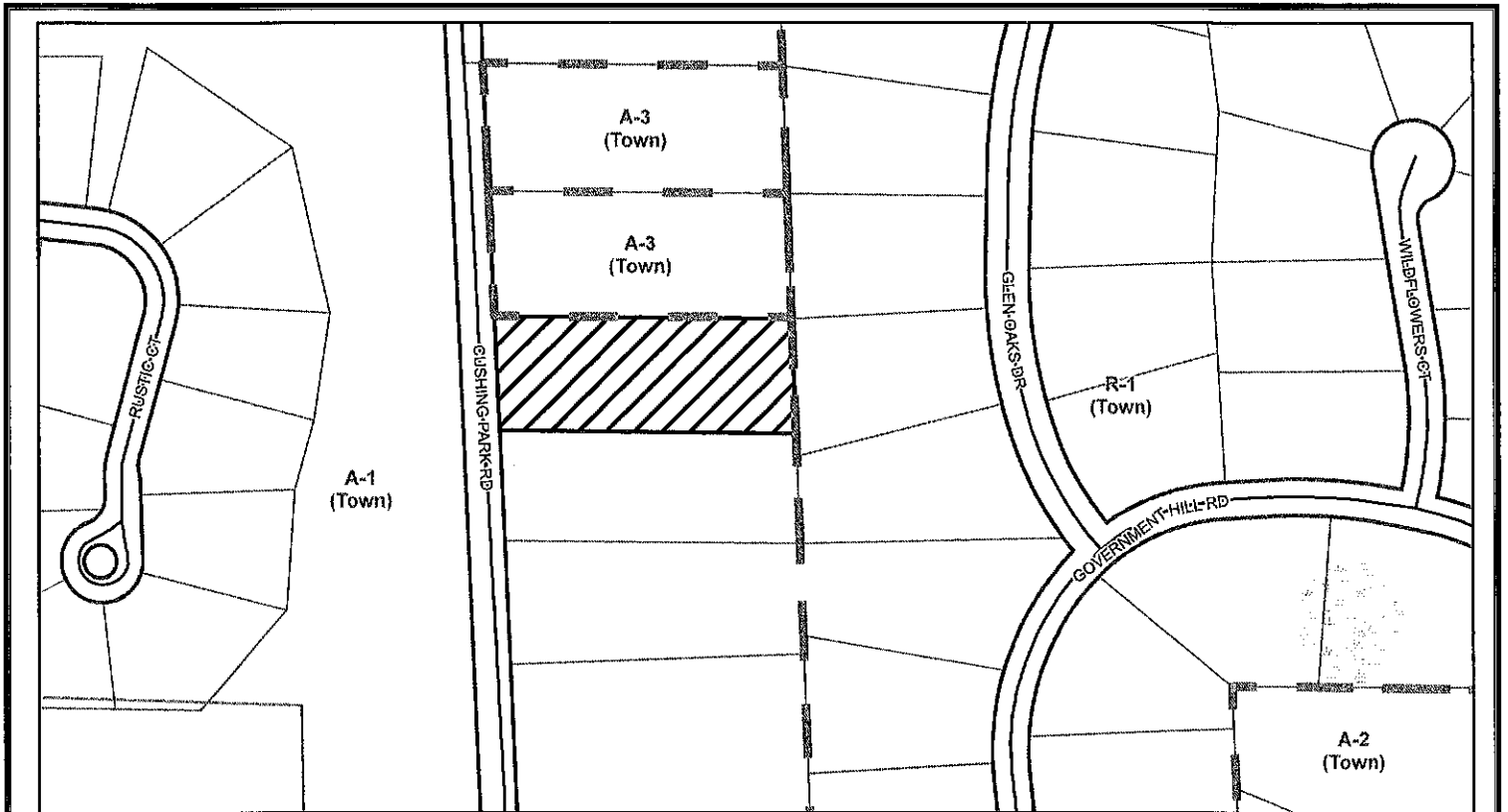
Respectfully submitted,

Jason Fruth

Jason Fruth
Planning & Zoning Manager

Attachments: Rezone Map
 Town Ordinance No. 2024-02




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ZONING AMENDMENT

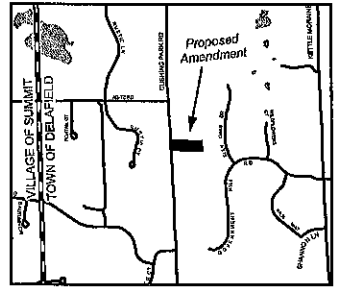
PART OF THE NE1/4 SEC 31,
T7N, R18E, TOWN OF DELAFIELD

0 130 260
Feet

 TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO A-3 SUBURBAN HOME DISTRICT
 EC Environmental Corridor Overlay
 C-1 Conservancy Overlay

FILE.....RZ146
 DATE OF PLAN COMMISSION.....06/20/24
 AREA OF CHANGE.....2.57 ACRES
 TAX KEY NUMBER.....DELT 0841.030.002

N



STATE OF WISCONSIN

TOWN OF DELAFIELD

WAUKESHA COUNTY

ORDINANCE NO. 2024-02

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF DELAFIELD
FROM A-1 TO A-3 ON LANDS LOCATED IN THE NORTHEAST ¼ OF SECTION 31,
T7N, R18E, 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-3 on the following described parcel of land:

Part of the Northeast ¼ of Section 31, T7N R18E, commencing at the North ¼ corner of said section, thence S02°32'52"E along the west line of said Section, 660.33 feet to the point of beginning; thence S89°15'34"E, 570.96 feet; thence S01°44'23"E 207.00 feet; thence N89°15'34"W, 568.03 feet; thence N02°32'52"W, 207.15 feet to the point of beginning, excluding the westerly 33 feet for road purposes.

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.

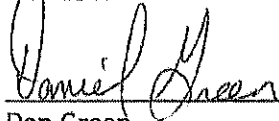
This ordinance passed this 14th day of May 2024.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:



Edward Kranick, Town Chairman

ATTEST:



Dan Green
Town Administrator/Clerk/Treasurer

VOTE RESULTS

24 YES 0 NO 0 ABSTAIN 1 ABSENT

Ordinance 179-O-025

Ordinance 179-O-025: Approve Town of Delafield Ordinance No. 2024-02 Which Amends the District Zoning Map of the Town of Delafield Zoning Code by Rezoning Certificate No. 2024-02, from the A-1 Agricultural District to the A-3 Suburban Home District (RZ146)

Passed By Majority Vote

D1 - Styza	S	AYE	D10 - Thieme	AYE	D19 - Enriquez	AYE
D2 - Euclide	AYE	D11 - Howard	M	AYE	D20 - Schellinger	AYE
D3 - Morris	AYE	D12 - Wolff	AYE	D21 - Gaughan	AYE	
D4 - Batzko	AYE	D13 - Leisemann	AYE	D22 - Szpara	AYE	
D5 - Grant	ABSENT	D14 - Mommaerts	AYE	D23 - Hammitt	AYE	
D6 - Walz	AYE	D15 - Kolb	AYE	D24 - Bangs	AYE	
D7 - LaFontain	AYE	D16 - Crowley	AYE	D25 - Johnson	AYE	
D8 - Koremenos	AYE	D17 - Meier	AYE			
D9 - Heinrich	AYE	D18 - Nelson	AYE			

4th Meeting, 179th Year of the County Board of Supervisors - July 23 2024 07:36:50 PM
July 23, 2024

