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2  
3 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING  
4 ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART  
5 OF THE W ½ OF THE SW ¼ OF SECTION 1 AND THE E ½ OF THE SE ¼ OF SECTION 2,  
6 T7N, R18E, TOWN OF DELAFIELD, FROM THE A-1 AGRICULTURAL AND A-2 RURAL  
7 HOME DISTRICTS TO THE R-2 RESIDENTIAL AND A-2 RURAL HOME DISTRICTS  
8 (ZT-1413)  
9

10  
11 WHEREAS the subject matter of this Ordinance having been approved by the Delafield Town  
12 Board on June 12, 2001, after Public Hearing, and the giving of requisite notice of said hearing,  
13 and duly referred to and considered by the Waukesha County Park and Planning Commission, and  
14 a recommendation for approval, thereon reported to the Land Use, Parks and Environment  
15 Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the  
16 Wisconsin State Statutes.

17  
18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES  
19 ORDAIN that the District Zoning Map for the Town of Delafield Zoning Ordinance, adopted by  
20 the Town of Delafield on July 20, 1998, is hereby amended to conditionally rezone from the A-1  
21 Agricultural and A-2 Rural Home Districts to the R-2 Residential and A-2 Rural Home Districts,  
22 certain lands consisting of approximately 115 acres, located in part of the W ½ of the SW ¼ of  
23 Section 1 and the E ½ of the SE ¼ of Section 2, T7N, R18E, Town of Delafield, and more  
24 specifically described in the "Staff Report and Staff Recommendation" and map on file in the  
25 office of the Waukesha County Department of Parks and Land Use, and made a part of this  
26 Ordinance by reference (ZT-1413) and subject to the following condition:  
27

28 The project must be a Planned Unit Development (PUD).  
29

30 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this  
31 Ordinance with the Town Clerk of Delafield.  
32

33 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
34 approval and publication.  
35

36 BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of  
37 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE W 1/2 OF THE SW 1/4 OF SECTION 1 AND THE E 1/2 OF THE SE 1/4 OF SECTION 2, T7N, R18E, TOWN OF DELAFIELD, FROM THE A-1 AGRICULTURAL AND A-2 RURAL HOME DISTRICTS TO THE R-2 RESIDENTIAL AND A-2 RURAL HOME DISTRICTS (ZT-1413)

Presented by:  
Land Use, Parks, and Environment Committee

Paul G. Vrakas  
Paul G. Vrakas, Chair

Pauline T. Jaske  
Pauline T. Jaske

James Jeskewitz  
James Jeskewitz

Walter L. Kolb  
Walter L. Kolb

Karen J. McNelly  
Karen J. McNelly

Daniel F. Meissner  
Daniel F. Meissner

Ronald V. Rydberg  
Ronald V. Rydberg

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

Date: August 17, 2001 Patricia E. Madden  
Patricia E. Madden, County Clerk

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

Approved: ✓  
Vetoed: \_\_\_\_\_  
Date: 8-20-01 D. M. Finley  
Daniel M. Finley, 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 (ZT-1413 Siepmann Realty/Wiese Farm a/k/a Prairie Wind Farm) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

July 12, 2001

  
Betty Willert, Chairperson

  
Vybanusonis

  
Mareth Kipp

  
Ellen Gennrich

  
Walter Kolb

  
Joseph LaPorte

  
Walter Baade

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

**FILE NO:** ZT-1413

**TAX KEY NUMBER:** DELT 728.998 and 728.998.002

**DATE:** July 12, 2001

**NAME OF PETITIONER:** Siepmann Realty Corporation  
Mr. James Siepmann  
W240 W1221 Pewaukee Road  
Waukesha, WI 53188

**LOCATION OF PROPERTY:**

The property is located in parts of Sections 1 and 2, T7N, R18E, Town of Delafield, and more specifically, west of C.T.H. "KE", south of the Canadian Pacific Railway, and immediately adjacent to and east of Hartridge Subdivision in the Village of Hartland (115 acres).

**PRESENT ZONING:**

A-1 Agricultural (20 acres minimum parcel size) and A-2 Rural Home (three acres minimum parcel size) Districts.

**PROPOSED ZONING:**

R-2 Residential and A-2 Rural Home Districts.

**PRESENT LAND USE:**

A farm, woodlands and wetlands.

**PROPOSED LAND USE:**

Residential subdivision with significant common open space.

**PUBLIC HEARING DATE:**

May 15, 2001.

**PUBLIC REACTION:**

Three persons expressed concern with respect to surface water runoff and traffic being directed through the new development into the existing development to the east and west and concern for the preservation of as many trees as possible.

**TOWN PLAN COMMISSION ACTION:**

The Town of Delafield Plan Commission, at their meeting of June 5, 2001, recommended in favor of the rezoning to the Town Board.

**TOWN BOARD ACTION:**

The Town of Delafield Board, at their meeting on June 12, 2001, approved the rezoning conditioned on the project being a Planned Unit Development (PUD).

156-0-028

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

The Town of Delafield Land Use Plan calls for this area of the Town to be developed with residential uses. The County Development Plan was recently amended to the Low Density Residential category to provide for the development of this land as a cluster concept serviced with sewer. The proposed development and rezoning comply with both plans.

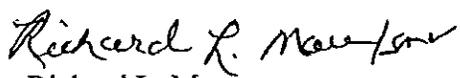
**OTHER CONSIDERATIONS:**

The property in question includes a significant portion of the former Wiese Farm which is being acquired by Siepmann Development Corporation for the development of a 66-unit residential Planned Unit Development (PUD) on 133 acres while the former owner, Mr. Wiese and family, will retain the remainder 21-acre parcel for a farmette. The residences in the development will be single-family homes with a minimum of 2,300 sq.ft. and attached garages on 133 acres. Seven (7) of the lots are located in the Village of Hartland immediately adjacent to the Hartridge Subdivision. The open space areas to the north side of the property will be dedicated to the Lake Pewaukee Sanitary District to be maintained as a wetland. The district already owns lands being restored to wetland condition to the east and northeast of the subject property. The remainder of the open space in the subdivision will be retained in private ownership owned in common by the property owners in the subdivision. Some of the lots which lie in the Environmental Corridor will be Deed restricted in order to protect existing vegetation as much as possible. The property will be served by sanitary sewer with individual wells serving each of the lots. Water storage tanks will also be installed in the development in accordance with the Town of Delafield Fire Department requirements. The southwest and south central part of the property, which is being developed into the 66-acre subdivision, is identified as Primary Environmental Corridor on the Land Use Plan and a considerable amount of that area is being protected in common open space. The farmette restrictions will allow livestock to be maintained on that portion of the property, although limited in number. The issue of surface water runoff will be addressed during the platting stage of this project. With respect to traffic, this subdivision does contain a road that connects with both the Hartridge Subdivision and the development to the east of the project, and will connect with C.T.H. "KE". Through traffic will be discouraged by virtue of the curvilinear nature of the street designed for the project.

**STAFF RECOMMENDATION:**

It is the opinion of the staff that this request be **approved**. We feel the proposed development is sensitive to the environmental quality of the site and the majority of the Primary Environmental Corridor will be protected in common open space. Other lots which will be located within the corridor will be Deed restricted in order to protect and preserve as much of the environmental quality of the project as possible. The development is in conformance with the Town of Delafield Land Use Plan and the Waukesha County Development Plan and represents a sound land use connecting two existing residential subdivisions.

Respectfully submitted,

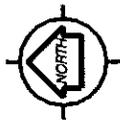
  
Richard L. Mace  
Planning and Zoning Manager

KM:smv

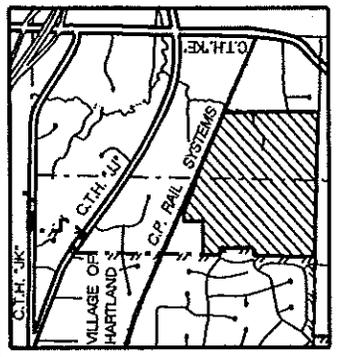
Attachments: Map

**ZONING CHANGE**  
 PART OF THE SW 1/4 OF SECTION 1  
 & THE SE 1/4 OF SECTION 2  
 TOWN OF DELAFIELD

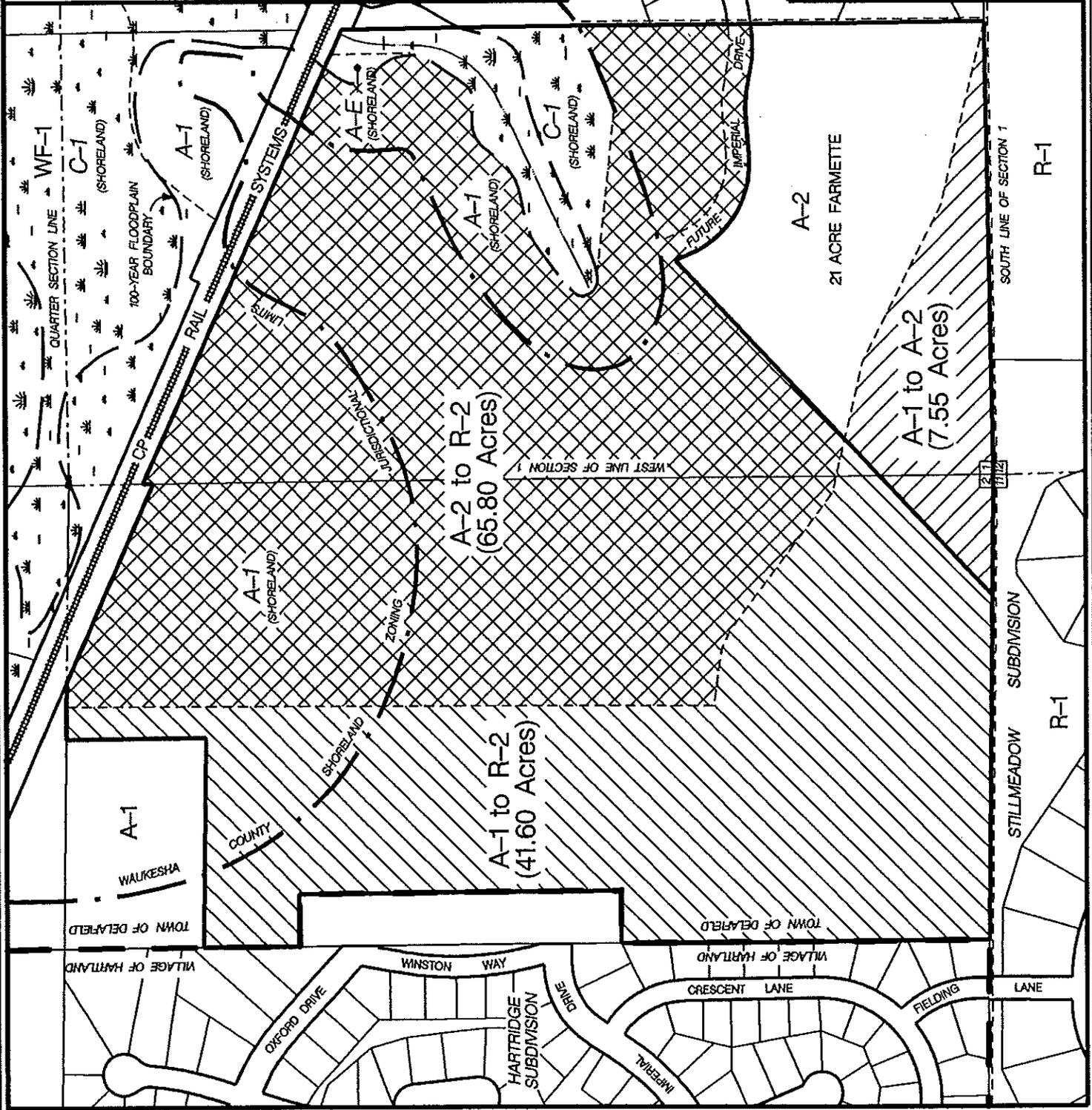
FILE .....ZT-1413  
 DRAWN .....7-12-01  
 SCALE .....1" = 400'  
 AREA .....114.55 ACRES



GRAPHIC SCALE IN FEET  
 PREPARED BY THE WAUKESHA COUNTY  
 DEPARTMENT OF PARKS AND LAND USE



ZONING CHANGE LOCATION  
 T7N R18E SECTIONS 1 & 2





Conceptual Site Plan  
Wiese Property  
Waukesha County, WI

156-0-028

TESKA  
ASSOCIATES  
INC.

6  
SIEPMANN REALTY  
CORPORATION

2T-1413

State of Wisconsin

Town of Delafield

Waukesha County

Ordinance Number 01-522

**An Ordinance to rezone lands located in the Southwest ¼ of Section 1 and the Southeast ¼ of Section 2, T7N, R18E from A-1 and A-2 to R-3 and A-2**

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

Section 1:

The zoning map of the Town of Delafield is hereby amended to change the zoning classification from A-1 and A-2 to R-3 on the following described property:

All that part of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 1 and the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 2, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin bounded and described as follows: Commencing at the southeast corner of the Southeast Quarter (SE 1/4) of Section 2 being marked by a concrete monument with brass cap; thence North 89°21'35" West along the south line of said Southeast Quarter (SE 1/4) 339.185 feet to the place of beginning of the lands hereinafter described; thence continuing North 89°21'25" West along said south line 991.591 feet to the southeast corner of Hartridge Addition No. 6 a recorded subdivision in Volume 43 of Plats on page 377 as Document No. 1052025; thence North 0°32'47" West along the east line of said Hartridge Addition No. 6 Subdivision 919.711 feet to an existing iron pipe; thence North 0°28'38" West along said east subdivision line 136.145 feet; thence North 89°31'22" East along the existing Corporate Limits 150.000 feet; thence North 0°26'20" West along the existing Corporate Limits 923.150 feet; thence South 89°31'22" West along the existing Corporate Limits 150.000 feet; thence North 0°25'55" West 278.044 feet along the east subdivision line of Hartridge Addition No. 5 to the southwest corner of Certified Survey Map No. 4434 recorded in Volume 35 of Certified Survey Maps on pages 198-199 as Document No. 1236754; thence South 89°14'06" East along the south line of said map 600.000 feet; thence North 0°27'53" West along the east line of said map 400.000 feet to the north line of the Southeast Quarter (SE 1/4) of Section 2; thence South 89°14'06" East along said north line 163.073 feet to the southwesterly line of the CP Rail Systems (formerly Chicago, Milwaukee & St. Paul Railroad) right of way; thence South 66°06'27" East along said southwesterly right of way line 2041.895 feet to the east line of the West One-half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 1 and the west line of Somerset Moors a recorded subdivision in Volume 49 of Plats on page 48 as Document No. 2528234; thence South 00°37'27" East along said east line 1141.973 feet to the south right of way line of Imperial Drive as mapped and dedicated in the Somerset Moors Plat; thence South 82°47'33" West along the future south right of way of Imperial Drive 16.174 feet; thence westerly 84.900 feet along said future right of way line and the arc of a curve of radius 283.000 feet; center lies to the north, chord bears North 88°36'47" West 84.582 feet; thence North 80°01'07" West along said right of way line 100.000 feet; thence westerly 66.750 feet along said right of line and the arc of a curve of radius 267.000 feet; center lies to the south, chord bears North 87°10'50" West 66.576 feet; thence South 85°39'27" West along said right of way line 100.000 feet; thence northwesterly 353.971 feet along said right of way line and the arc of a curve of radius 283.000 feet; center lies to the north, chord bears North 58°30'37" West 331.344 feet; thence North 22°40'41" West along said right of way line 42.565 feet; thence South 46°31

21" West 1328.835 feet to the place of beginning. Containing a net area of 112.570 acres or 4,903,579 square feet of land.

Section 2:

The zoning map of the Town of Delafield is hereby amended to change the zoning classification from A-1 and A-2 to A-2 on the following described property:

All that part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 1, and the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 2, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin bounded and described as follows: Beginning at the southeast corner of the Southeast Quarter (SE 1/4) of Section 2 being marked by a concrete monument with brass cap; thence North 89°21'35" West along the south line of said Southeast Quarter (SE 1/4) 339.185 feet; thence North 46°31'21" East 1328.835 feet to the future southerly right of way line of Imperial Drive; thence South 22°40'41" East along said right of way line 42.565 feet; thence southeasterly 353.971 feet along said right of way line and the arc of a curve of radius 283.000 feet; center lies to the north, chord bears South 58°30'37" East 331.344 feet; thence North 85°39'27" East along said right of way line 100.000 feet; thence easterly 66.750 feet along said right of way line and the arc of a curve of radius 267.000 feet; center lies to the south, chord bears South 87°10'50" East 66.576 feet; thence South 80°01'07" East along said future right of way line 100.000 feet; thence easterly 84.900 feet along said right of way line and the arc of a curve of radius 283.000 feet; center lies to the north, chord bears South 88°36'47" East 84.582 feet; thence North 82°47'33" East along said right of way line 16.174 feet to the intersection of Imperial Drive with the west line of Somerset Moors, a recorded subdivision in Volume 49 of Plats on page 48 as Document No. 2528234 in the Waukesha County Registry; thence South 00°37'27" East along the west subdivision line of said Somerset Moors 669.800 feet to the south line of the Southwest Quarter (SW 1/4) of Section 1; thence South 88°59'08" West along said south quarter line 1296.855 feet to the place of beginning. Containing a net area of 21.000 acres or 914,760 square feet of land.

Section 3: The zoning change shall be contingent on the lands described in Section 1 above being developed as a Residential Planned Unit Development

Section 4: 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.

156-0-028<sup>2</sup>

Section 5: Effective date

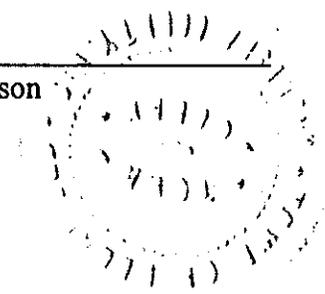
This Ordinance shall take effect immediately upon publication as provided by law.

Dated this 12<sup>TH</sup> day of JUNE, 2001.

TOWN OF DELAFIELD



Paul L. Kanter, Town Chairperson



ATTEST:

  
Janet S. Jahnke, Town Clerk

Published the \_\_\_ day of \_\_\_\_\_, 2001.

igb w:\1011605\0010607Zoning

156-0<sup>3</sup>-028

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/14/01

(ORD) NUMBER-1560028

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 S. WOLFF.....AYE
- 11 B. TESMER.....AYE
- 13 E. LA MONTE.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....
- 19 C. SEITZ.....AYE
- 21 W. KOLB.....AYE
- 23 E. KRAUS.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 J. MAAS.....AYE
- 31 V. STROUD.....AYE
- 33 P. GUNDRUM.....AYE
- 35 K. McNELLY.....AYE

- 2 C. WILSON.....AYE
- 4 D. MEISSNER.....AYE
- 6 D. BROESCH.....
- 8 J. DWYER.....AYE
- 10 P. HAUKOHL.....AYE
- 12 J. WILLIAMS.....AYE
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 J. ARNDT.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 R. RYDBERG.....AYE
- 26 P. VRAKAS.....AYE
- 28 P. JASKE.....
- 30 M. THOMAS.....
- 32 C. WICHGERS.....
- 34 R. SINGERT.....AYE

TOTAL AYES-30

TOTAL NAYS-00

CARRIED   X  

DEFEATED \_\_\_\_\_

UNANIMOUS   X  

TOTAL VOTES-30