

Enrolled 157-18
PROPOSED ORDINANCE 157-17

1
2
3 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING
4 ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN THE NW ¼ OF
5 SECTION 25, T7N, R18E, LOT 33, SHEPARD'S PASS SUBDIVISION, TOWN
6 OF DELAFIELD, FROM THE R-2 RESIDENTIAL (PUD) DISTRICT
7 TO THE A-2 RURAL HOME (PUD) DISTRICT
8 (ZT-1446)
9

10
11 WHEREAS the subject matter of this Ordinance having been approved by the Delafield Town
12 Board on March 26, 2002, after Public Hearing, and the giving of requisite notice of said
13 hearing, and duly referred to and considered by the Waukesha County Park and Planning
14 Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and
15 Environment Committee and the Waukesha County Board of Supervisors, as required by Section
16 60.61 of the 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 rezone from the R-2 Residential
21 (PUD) District to the A-2 Rural Home (PUD) District, certain lands consisting of approximately
22 10 acres, located in NW ¼ of Section 25, T7N, R18E (Lot 33, Shepard's Pass Subdivision), and
23 more specifically described in the "Staff Report and Staff Recommendation" and map on file in
24 the office of the Waukesha County Department of Parks and Land Use, and made a part of this
25 Ordinance by reference (ZT-1446).
26

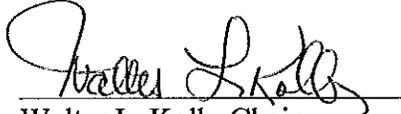
27 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
28 this Ordinance with the Town Clerk of Delafield.
29

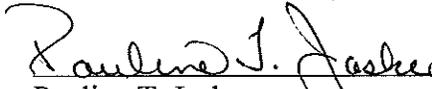
30 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
31 approval and publication.
32

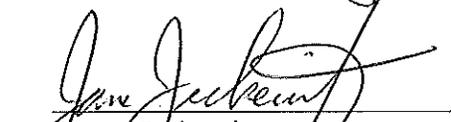
33 BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of
34 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING
ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN THE NW ¼ OF
SECTION 25, T7N, R18E, LOT 33, SHEPARD'S PASS SUBDIVISION, TOWN
OF DELAFIELD, FROM THE R-2 RESIDENTIAL (PUD) DISTRICT
TO THE A-2 RURAL HOME (PUD) DISTRICT
(ZT-1446)

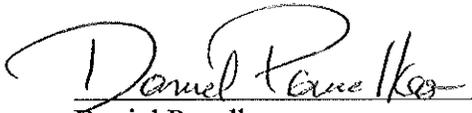
Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair


Pauline T. Jaske


James Jeskewitz

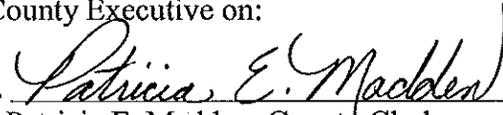

Scott J. Klein


Daniel Pavelko


Vera Stroud

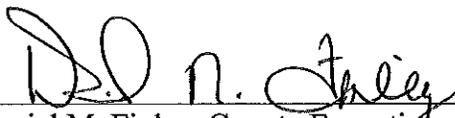

Matt Thomas

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

Date: June 14, 2002, 
Patricia E. Madden, County Clerk

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

Approved:
Vetoed:
Date: 6-17-02


Daniel M. Finley, County Executive

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

DATE: May 9, 2002

FILE NO.: ZT-1446

PETITIONER/OWNER: Mr. Lloyd Williams
Delafield Property Group, LLC
W289 N520 Elmhurst Drive
Waukesha, Wisconsin 53188

TAX KEY NOS.: DELT 0818.053

LOCATION:

The NW ¼ of Section 25, T7N, R18E, Lot 33 Shepard's Pass Subdivision, in the Town of Delafield, and more specifically located at the southeast corner of Elmhurst Road and Northview Road, containing approximately 10 acres.

PRESENT ZONING:

R-2 Residential Planned Unit Development (PUD) District.

PROPOSED ZONING:

A-2 Rural Home Planned Unit Development (PUD) District.

PRESENT LAND USE:

Vacant Lot.

PROPOSED LAND USE:

Residence with possibility of keeping domestic livestock.

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

The Waukesha County Development Plan (WCDP) designates this parcel as Suburban Density II category, permitting residential densities of 3-4.9 acres/D.U. The Town of Delafield Land Use Plan designates the subject property as Residential. The rezoning conforms with both Plans.

PUBLIC HEARING DATE:

March 19, 2002.

PUBLIC REACTION:

No public comment was heard and no letters were received for or against the proposal.

157-0-018

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

On March 19, 2002, the Town of Delafield Plan Commission recommended approval of the request to the Town Board of Supervisors to amend the zoning map for Lot 33 of Shepherd's Pass Subdivision. On March 26, 2002, the Town Board approved the rezoning to the A-2 Rural Home Planned Unit Development (PUD) District.

STAFF ANALYSIS:

The petitioner suggested the rezoning would allow future owner(s) of the parcel to have up to five domesticated animals on the lot. He advised that the parcel would remain as part of the homeowners association with the Shepard's Pass Subdivision, but would allow for the keeping of domesticated animals, which is in keeping with the rural character of the area. The lot cannot be divided as it was part of the Subdivision and the density standards resulting from that project. The R-2 category does not allow the keeping of livestock.

STAFF RECOMMENDATION:

The Planning Staff recommends approval of the request. This proposal will accommodate the keeping of domestic animals (i.e., horses) on a large parcel within the subdivision and in keeping with the rural character. The amendment also is in conformance with the Town and County Land Use Plans.

Respectfully submitted,

Richard L. Mace

Richard L. Mace
Planning and Zoning Manager

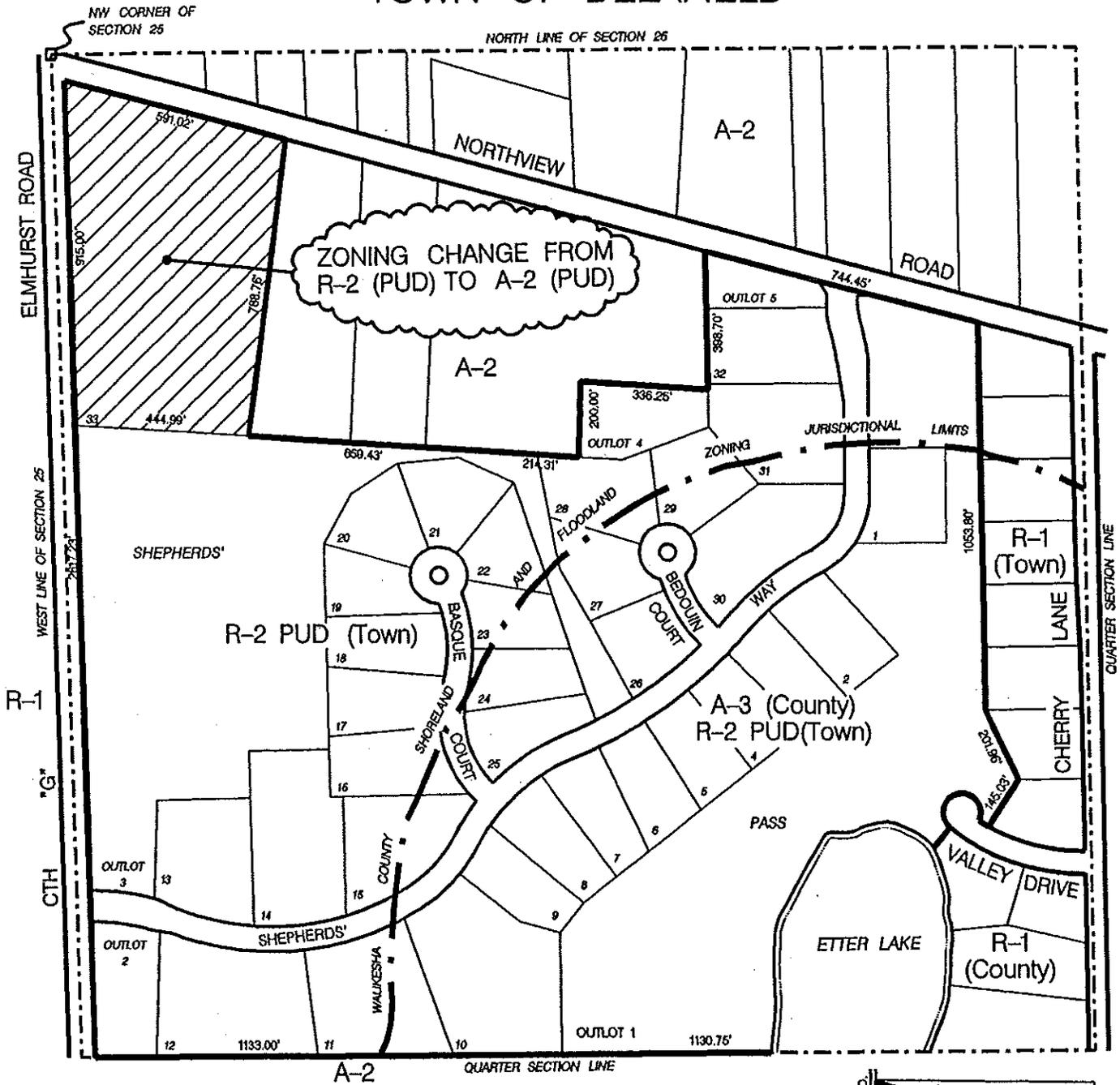
RLM:smv

Attachments: Map

N:\PLU NEW FILE SYSTEM (IN-PROGRESS)\PLANNING & ZONING\REZONES (RZ)\STAFF REPORTS\SAMPLE.DOC

ZONING CHANGE

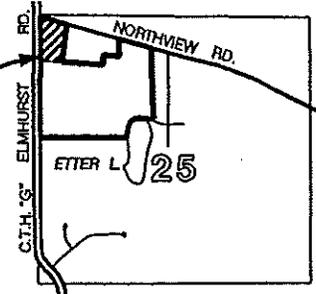
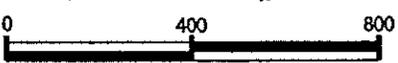
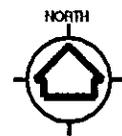
PART OF THE NW 1/4 OF SEC 25
TOWN OF DELAFIELD



FILE.....ZT-1446
 DRAWN.....5-09-02
 SCALE.....1" = 400'
 AREA OF CHANGE.....10.08 ACRES

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

PROPOSED REZONE



157-0-018

5.

CJ-1774

Ordinance No. 2002-03-007

An Ordinance
to rezone lands located in the Northwest 1/4
of Section 25, Town 7 North, Range 18 East
from R-2 PUD to A-2 PUD

The Town Board 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 R-2 PUD to A-2 PUD on the following described property:

Lot 33, Shepherds' Pass, a subdivision located in the Northwest Quarter (NW 1/4) of Section 25, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin

Section 2:

The zoning map amendment described in Section 1 is subject to the lands remaining a part of a Residential Planned Unit Development in accordance with Section 17.05 5. AM. of the Town Zoning Code, and shall not be split or subdivided.

Section 3: 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 4: Effective Date.

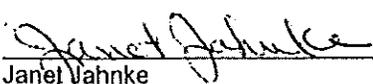
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This ordinance passed this 26th day of March, 2002.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:

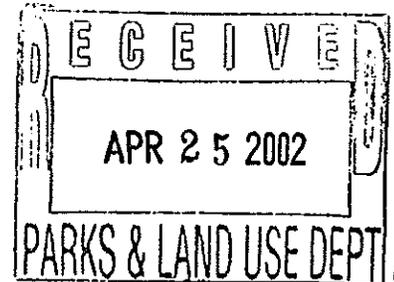

Paul L. Kanter, Town Chairman

ATTEST:


Janet Jahnke
Town Clerk

Published or posted on the _____ day of _____, 2002.

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157-0-018

b.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-06/11/02

(ORD) NUMBER-1570018

1 K. HERRO.....AYE
 3 D. STAMSTA.....AYE
 5 J. MARCHESE.....AYE
 7 J. JESKEWITZ.....AYE
 9 P. HAUKOHL.....AYE
 11 K. HARENDA.....AYE
 13 J. MORRIS.....AYE
 15 D. SWAN.....AYE
 17 J. BEHREND.....AYE
 19 M. SONNENTAG.....AYE
 21 W. KOLB.....AYE
 23 P. PRONOLD.....AYE
 25 K. CUMMINGS.....AYE
 27 D. PAULSON.....AYE
 29 M. THOMAS.....AYE
 31 V. STROUD.....AYE
 33 D. PAVELKO.....AYE
 35 C. SEITZ.....AYE

2 R. THELEN.....AYE
 4 H. CARLSON.....AYE
 6 D. BROESCH.....AYE
 8 J. DWYER.....AYE
 10 S. WOLFF.....AYE
 12 J. GRIFFIN.....AYE
 14 J. LA PORTE.....AYE
 16 R. MANKE.....AYE
 18 D. FANFELLE.....AYE
 20 M. KIPP.....AYE
 22 G. BRUCE.....AYE
 24 A. SILVA.....AYE
 26 S. KLEIN.....AYE
 28 P. JASKE.....AYE
 30 K. NILSON.....AYE
 32 P. GUNDRUM.....AYE
 34 R. SINGERT.....AYE

TOTAL AYES-35

TOTAL NAYS-00

CARRIED X

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-35