

ENROLLED ORDINANCE 162-60

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE, BY CONDITIONALLY REZONING CERTAIN LANDS ANNEXED BY THE CITY OF WAUKESHA, LOCATED IN PART OF THE NE ¼ AND NW ¼ OF SECTION 29, T6N, R19E, CITY OF WAUKESHA FROM THE A-1 AGRICULTURAL DISTRICT, A-E EXCLUSIVE AGRICULTURAL CONSERVANCY DISTRICT AND OTHER UNZONED LANDS TO THE R-3 RESIDENTIAL DISTRICT AND C-1 CONSERVANCY DISTRICT (SVZ-1567A)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission after Public Hearing and the giving of requisite notice of said hearing and the recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.

THE WAUKESHA COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the lands annexed by the City of Waukesha under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23, 1970, are hereby amended to conditionally rezone from the A-1 Agricultural District, A-E Exclusive Agricultural Conservancy District and other unzoned lands to the R-3 Residential and C-1 Conservancy Districts, certain lands located in part of the NE ¼ and NW ¼ of Section 29, T6N, R19E, City of Waukesha, 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 (SVZ-1567A), subject to the following conditions:

1. There shall be no increase in flood staging as a result of this project, and flood storage compensation must be provided at a minimum ratio of one (1) cubic foot for every one (1) cubic foot lost. Compensatory storage must be provided prior to any floodplain fill commencing.
2. All terms and conditions of the SEWRPC review letter dated June 13, 2007 and the DNR correspondence dated July 10, 2007 regarding the proposed floodplain fill must be adhered to.
3. The modification of the floodplain must be in accordance with the November 9, 2006 Floodplain Analysis Report prepared by Graef, Anhalt, Schloemer & Associates and the Master Grading Plan dated May 3, 2007 prepared by Ellena Engineering Consultants, LLC.
4. A Letter of Map Revision based on fill (LOMR-F) must be obtained from FEMA and presented to the Waukesha County Planning and Zoning division for the proposed floodplain fill prior to Waukesha County certifying no objection to the associated Final Plat for the phase of the development that will encompass the creation of residential dwelling units within the previously mapped 100-year floodplain.
5. For all proposed residences within the development, lowest floor elevations, including exposed basements, must be constructed a minimum of two (2) feet above the 100-year floodplain elevation.

6. If basements are proposed for any structures within the area to be rezoned, basement floors must be constructed a minimum of one-foot above the estimated seasonal high groundwater elevation.
7. As-built topographic information for the cut and fill areas must be submitted to the Waukesha County Planning and Zoning Division. Cross-sections must be surveyed along each of the excavated and filled areas prior to and after excavating or filling, and calculations must be provided verifying the total volume of fill placed below the 100-year flood elevation and the total volume of excavation below the 100-year flood elevation.
8. All proposed structures within the development must be located a minimum of 50 feet from the new boundaries of the 100-year floodplain.
9. Floodplain Preservation Restrictions must be added to any future land division document restricting various disturbance activities within the modified floodplain area.
10. Proper erosion control methods must be implemented during the full duration of any land disturbing activities.
11. Lands to be graded within the modified 100-year floodplain must be re-vegetated in a manner consistent with Primary Environmental Corridor lands. A re-vegetation plan must be provided to the Waukesha County Planning and Zoning Division prior to the rezone becoming effective and prior to Waukesha County certifying no objection to the Final Plat. The re-vegetation plan must be implemented within six (6) months of fill or grading occurring. Documentation of implementation shall be provided to the Waukesha County Planning and Zoning Division.
12. The petitioner shall secure all required regulatory permits from the DNR, U.S. Army Corps of Engineers and the City of Waukesha prior to the rezoning becoming effective.

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

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 provisions of this Ordinance are hereby repealed.

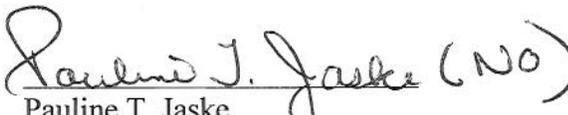
AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE, BY CONDITIONALLY REZONING CERTAIN LANDS ANNEXED BY THE CITY OF WAUKESHA, LOCATED IN PART OF THE NE ¼ AND NW ¼ OF SECTION 29, T6N, R19E, CITY OF WAUKESHA FROM THE A-1 AGRICULTURAL DISTRICT, A-E EXCLUSIVE AGRICULTURAL CONSERVANCY DISTRICT AND OTHER UNZONED LANDS TO THE R-3 RESIDENTIAL DISTRICT AND C-1 CONSERVANCY DISTRICT (SVZ-1567A)

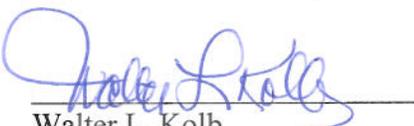
Presented by:
Land Use, Parks, and Environment Committee


William A. Mitchell, Chair

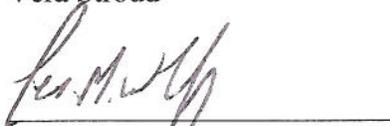
Absent
Keith Hammitt

Absent
Keith Harenda


Pauline T. Jaske (NO)


Walter L. Kolb

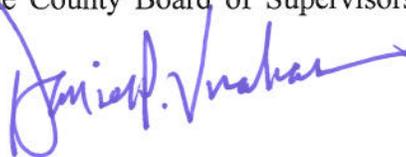
Vera Stroud
Vera Stroud


Peter M. Wolff

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

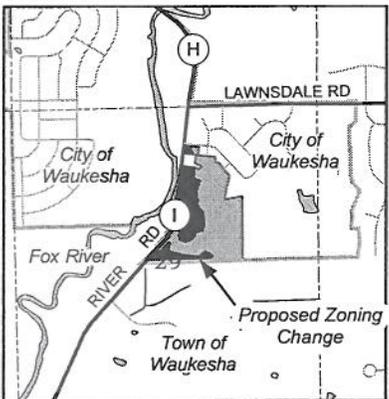
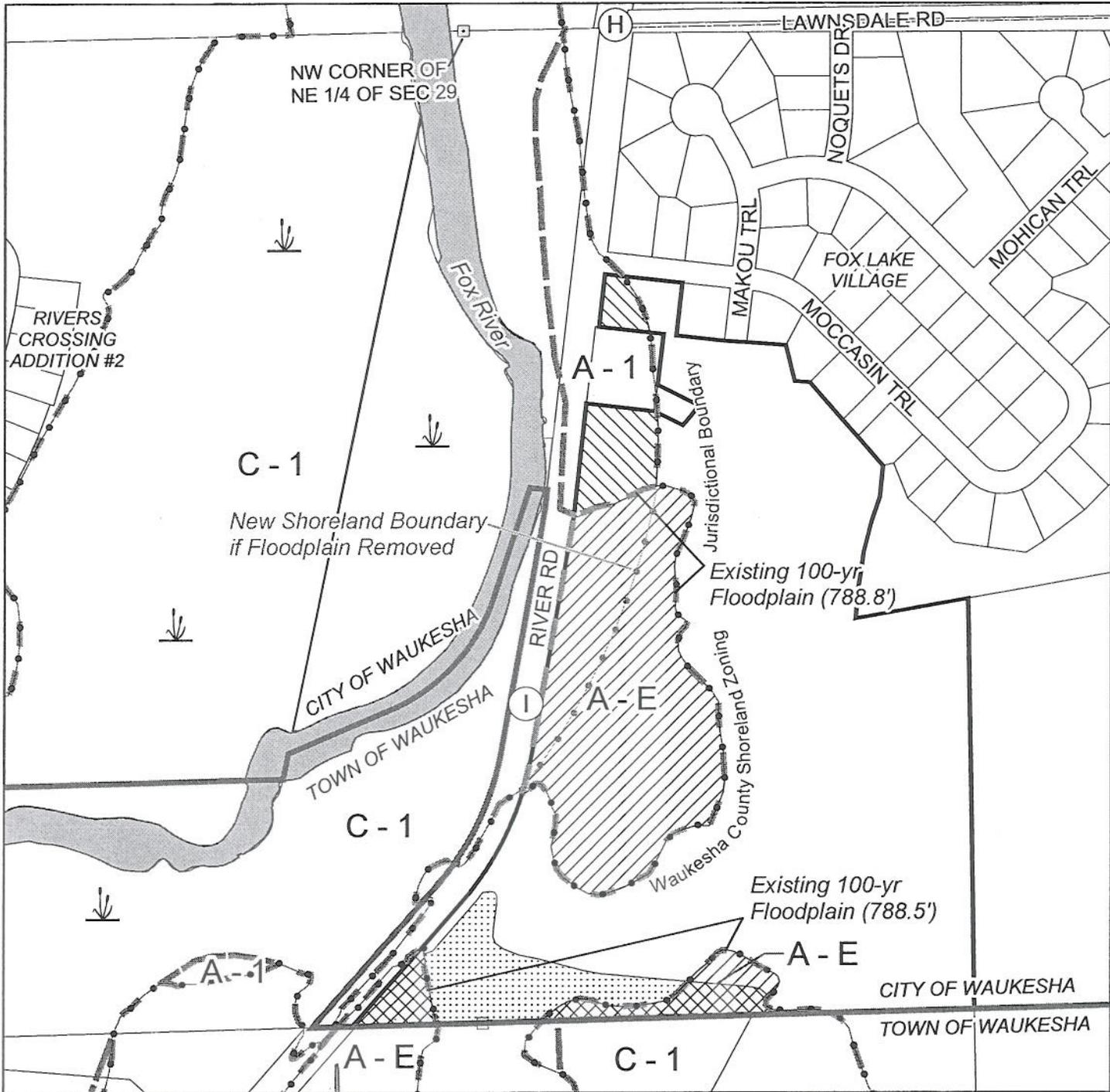
Date: 10-26-07 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____
Date: 10-29-07 
Daniel P. Vrakas, County Executive

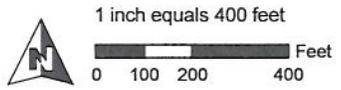
ZONING MAP AMENDMENT

PART OF THE NW AND NE 1/4 OF SECTION 29
CITY OF WAUKESHA



-  CONDITIONAL SHORELAND ZONING CHANGE FROM A-1 AGRICULTURAL TO R-3 RESIDENTIAL (1.5 AC)
-  CONDITIONAL SHORELAND ZONING CHANGE FROM A-E AGRICULTURAL TO R-3 RESIDENTIAL (9.5 AC)
-  CONDITIONAL SHORELAND ZONING CHANGE FROM A-E AGRICULTURAL TO C-1 CONSERVANCY (1.4 AC)
-  CONDITIONALLY ESTABLISH C-1 SHORELAND ZONING (2.4 AC)

FILE.....SVZ-1567A
 DATE.....09-20-07
 AREA OF CHANGE.....14.8 ACRES
 TAX KEY NUMBER.....WAKG 1409.006.001



Prepared by the Waukesha County
Department of Parks and Land Use

162-0-059

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-10/23/07

NUMBER-1620059

1 K. HERRO.....NAY
 3 T. ROLFS.....NAY
 5 J. MARCHESE.....AYE
 7 J. JESKEWITZ.....AYE
 9 P. HAUKOHL.....AYE
 11 K. HARENDA.....AYE
 13 J. HEINRICH.....AYE
 15 D. SWAN.....AYE
 17 J. BEHREND.....AYE
 19 W. MITCHELL.....AYE
 21 W. KOLB.....AYE
 23 J. TORTOMASI.....AYE
 25 K. CUMMINGS.....NAY
 27 D. PAULSON.....AYE
 29 T. BULLERMANN.....AYE
 31 V. STROUD.....AYE
 33 K. HAMMITT.....AYE
 35 P. MEYER.....NAY

2 R. THELEN.....AYE
 4 R. HUTTON.....AYE
 6 D. BROESCH.....
 8 J. DWYER.....AYE
 10 S. WOLFF.....AYE
 12 T. SCHELLINGER....AYE
 14 S. WIMMER.....AYE
 16 R. STEVENS.....AYE
 18 B. MORRIS.....AYE
 20 P. WOLFF.....AYE
 22 G. BRUCE.....
 24 J. VITALE.....AYE
 26 F. RUF.....NAY
 28 P. JASKE.....NAY
 30 K. NILSON.....NAY
 32 P. GUNDRUM.....AYE
 34 R. SINGERT.....NAY

TOTAL AYES-25

TOTAL NAYS-08

CARRIED X

DEFEATED

UNANIMOUS

TOTAL VOTES-33