

ENROLLED ORDINANCE 180-38

APPROVE TOWN OF GENESEE ORDINANCE NO. 25-5 WHICH AMENDS THE
DISTRICT ZONING MAP OF THE TOWN OF GENESEE
ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼
OF SECTION 27, T6N, R18E, TOWN OF GENESEE, WAUKESHA COUNTY, WISCONSIN,
FROM THE A-2 RURAL HOME DISTRICT TO THE
CEM CEMETERY DISTRICT
(RZ162)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Genesee Town Board on May 27, 2025; 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 Genesee Ordinance No. 25-5 which amends the District Zoning Map for the Town of Genesee Zoning Code, adopted by the Town of Genesee on June 13, 2022, to rezone from the A-2 Rural Home District to the CEM Cemetery District, certain lands located in part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee, 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 Genesee.

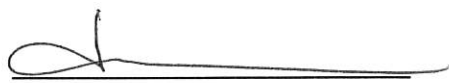
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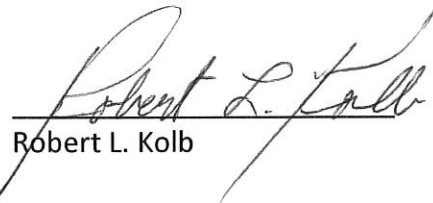
Presented by:

Land Use, Parks, and Environment Committee


Christine M. Howard, Chair



Wayne Euclide


John G. Gscheidmeier


Robert L. Kolb


Absent

Johnny Koremenos


Brian Meier


Steve Styza

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

Date: 09-26-2025 
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

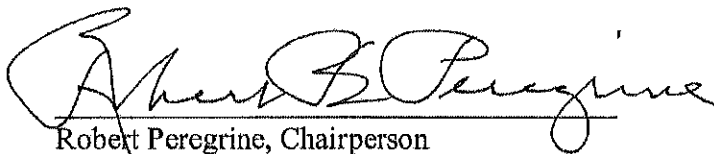
Date: 10/2/2025 
Paul Farrow, County Executive

COMMISSION ACTION


The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the District Zoning Map of the Town of Genesee Zoning Code, hereby recommends approval of **RZ162 (Town of Genesee Board_Genesee Cemetery Association)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

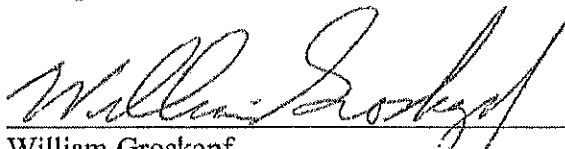
August 21, 2025



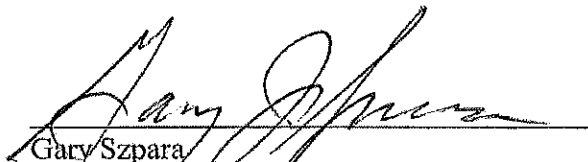
Robert Peregrine, Chairperson



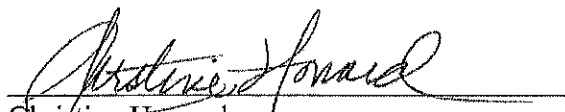
James Siepmann



William Groskopf



Gary Szpara



Christine Howard

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

DATE: August 21, 2025

FILE NO.: RZ162

TAX KEY NO.: GNT 1545.988.001

OWNER: Genesee Cemetery Association
W298 S5705 Cliffside Court
Waukesha, WI 53189-9033

PETITIONER: Town of Genesee Board
Genesee Town Hall
P.O. Box 242
Genesee Depot, WI 53127

LOCATION:
Part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee. More specifically, the property is located at W303 S5078 Seville Lane, containing approximately 4.5 acres.

EXISTING ZONING:
A-2 Rural Home District (town).

PROPOSED ZONING:
CEM Cemetery District.

EXISTING LAND USE:
Cemetery.

PROPOSED LAND USE:
Cemetery

PUBLIC HEARING DATE:
March 24, 2025.

PUBLIC REACTION:
None.

TOWN PLAN COMMISSION:
On March 24, 2025, the Town Plan Commission unanimously recommended approval of the rezoning request.

TOWN BOARD ACTION:
On May 27, 2025, the Town Board unanimously approved the rezoning request.

COMPLIANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN (CDP) AND THE TOWN OF GENESEE LAND USE PLAN (LUP):

The town and county land use plans designate the property in the Suburban Density II Residential category which calls for rural residential type uses at densities of 3.0 to 4.9 acres per dwelling unit. The plan envisions institutional use types such as churches, schools and cemeteries in residential and rural residential settings. The continued use of the property as a cemetery is consistent with plan recommendations.

STAFF ANALYSIS:

Genesee Cemetery is located on the south side of Seville Ln., just east of STH 83 on the south end of unincorporated Genesee. The site contains approximately 4.5 acres and has a loop road system that serves the property. The property is surrounded by rural residential uses. The cemetery's origins date to the mid-1800s. A Conditional Use permit was authorized in 2000 to allow for two-acre expansion. No changes to the property are being proposed at this time; this is only a request to rezone the lands.

The Town of Genesee recently adopted amendments to the town zoning ordinance that include removing cemeteries as a category in the Conditional Use section of the code. Alternatively, the town has created a new zoning district for cemeteries to accommodate this use type. Therefore, the town is proposing to amend the zoning of the existing Genesee Cemetery Association property from the A-2 Rural Home District to the new CEM Cemetery District category which will make the cemetery a permitted use.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends **approval** of the rezone request. The designation of an existing cemetery in the newly created Cemetery District makes the long existing cemetery use a legal permitted use and will allow subsequent improvements to the property to be made via a Site Plan/Plan of Operation process.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning & Zoning Manager

Attachments: Town Ordinance No. 25-5
Map

N:\PRKANDLU\Planning and Zoning\Rezoning\PROJECT FILES\Genesee\RZ162 Genesee Cemetery Assoc\Staff Report and Exhibits\RZ162 Genesee Cemetery Assoc.docx

STATE OF WISCONSIN

TOWN OF GENESEE

WAUKESHA COUNTY

ORDINANCE 25-5

**An Ordinance to amend the Zoning Map of the Town of Genesee
from A-2 Rural Home District to CEM Cemetery District on lands located in the
NE ¼ of Section 27, T6N, R18E, Town of Genesee,
Waukesha County Wisconsin**

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

Section 1:

The Town of Genesee Zoning Map is hereby amended to change the zoning classification from A-2 Rural Home District to CEM Cemetery District on the following described parcel of land:

Part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee. More specifically, the property is also known as Tax Key No. GNT 1545.988.001 (See Exhibit A).

Section 2: Severability.

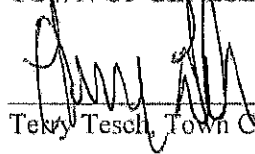
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, 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 27 day of May, 2025.

BY THE TOWN BOARD OF THE
TOWN OF GENESEE:


Terry Tesch, Town Chairman

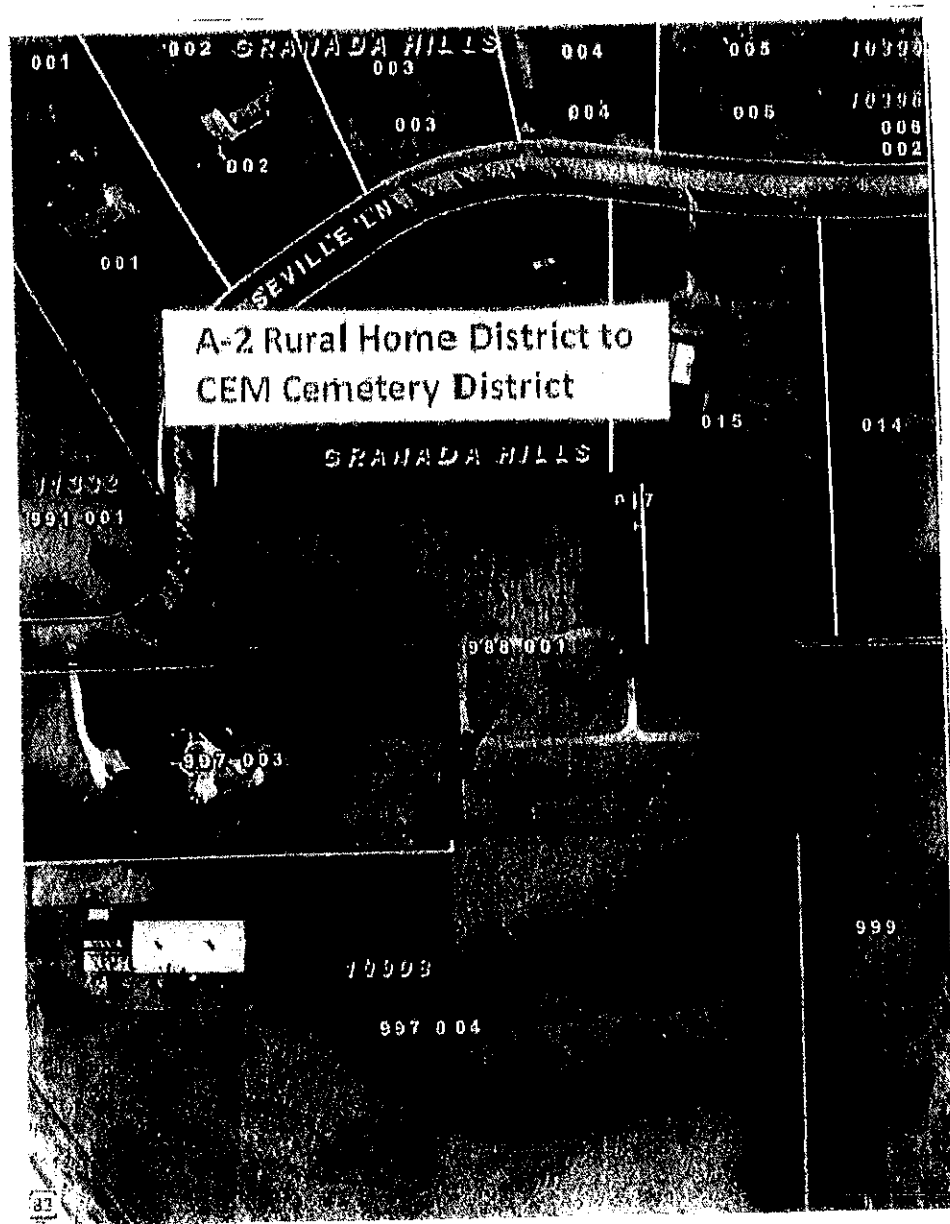
ATTEST:

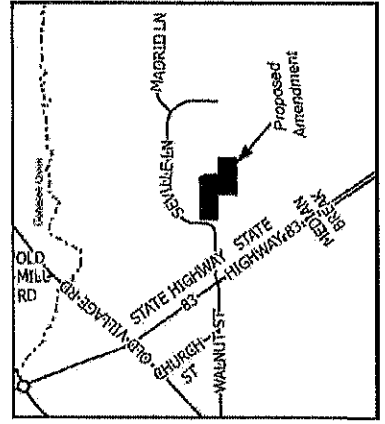
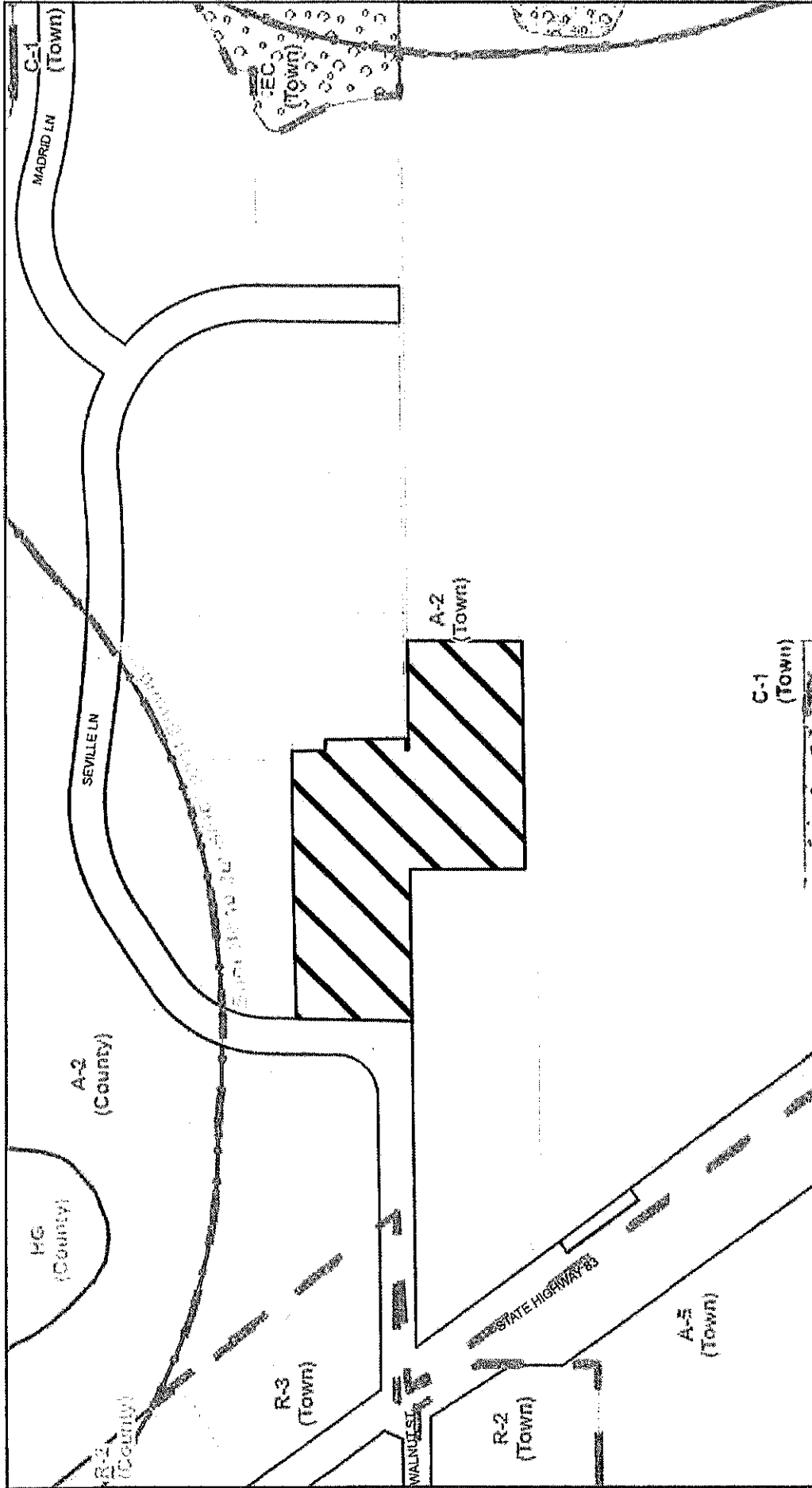

Meri Majeskie, Town Clerk

Exhibit A

Zoning Map Amendment

Genesee Cemetery Association, c/o Martha Ryan, W298S5705 Cliffside Court, Waukesha, Wisconsin from the A-2 Rural Home District to the CEM Cemetery District consistent with the updated Town of Genesee Zoning Code. The property is described as part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee. More specifically, the property is located at W303 S5078 Seville Lane.





ZONING AMENDMENT

PART OF NE1/4, SE1/4 SEC 27 T6N R18E,
TOWN OF GENESSEE

0 1,500 3,000 Feet

FILE.....RZ182

DATE OF PLAN COMMISSION.....08/21/25

AREA OF CHANGE.....4.4 ACRES

TAX KEY NUMBER.....GNT 1545988001

TOWN ZONING CHANGE FROM A-2 RURAL HOME DISTRICT TO CEM CEMETERY DISTRICT

EC Environmental Corridor Overlay

C-1 Conservancy Overlay

Referred on: 09/02/25

File Number: 180-O-039

Referred to: LU

7

VOTE RESULTS

Consent Agenda

22 AYE 0 NAY 0 ABSTAIN 3 ABSENT

Majority Vote of Members Present

Passed

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

09 23 2025 County Board Mtg (ID 3091)



Waukesha County Board of Supervisors

September 23, 2025 07:26:43 PM

OpenMeeting

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