

ENROLLED ORDINANCE 180-75

APPROVE TOWN OF DELAFIELD ORDINANCE NO. 2025-07 WHICH AMENDS THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 33, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE A-2 RURAL HOME DISTRICT (RZ168)

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 December 12, 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 Delafield Ordinance No. 2025-07 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-2 Rural Home District, certain lands located in part of the NE ¼ of Section 33, 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.

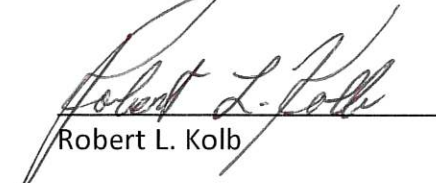
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Presented by:
Land Use, Parks, and Environment Committee

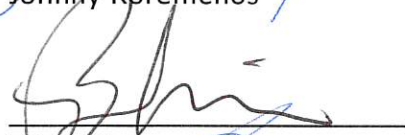

Christine M. Howard, Chair



Wayne Euclide


John G. Gscheidmeier

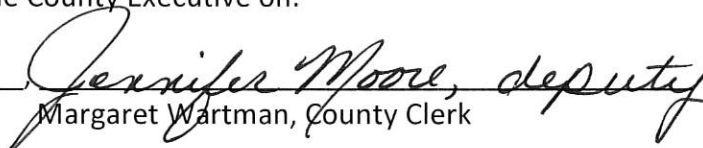

Robert L. Kolb


Johnny Kremenos


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: 3-27-2026 
Margaret Wartman, County Clerk

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

Approved: X
Vetoed: _____

Date: 4/7/2026 
Paul Farrow, County Executive

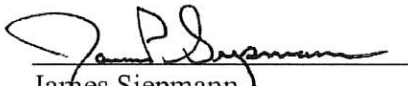
COMMISSION ACTION

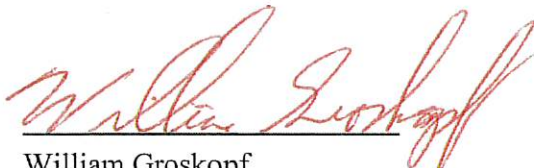
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the amend the District Zoning Map of the Town of Delafield Zoning Code, hereby recommends **approval** of **RZ168 (Rogers)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

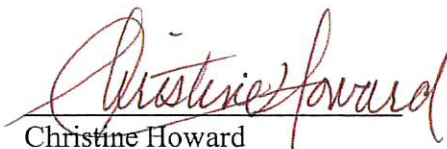
February 26, 2026


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: February 26, 2026

FILE NO.: RZ168

OWNER: Cary and Pollyanna Rogers
W310 S231 Maple Avenue
Delafield, WI 53188

TAX KEY NO.: DELT 0849.997.009

LOCATION:

The property is described as Lot 1, Certified Survey Map No. 8603, being a part of the NE ¼ of Section 33, T7N, R18E, Town of Delafield. More specifically, the property is located at the Maple Avenue address cited above containing approximately 4 acres.

EXISTING ZONING:

A-1 Agricultural District, WF-1 Wetland-Floodplain District (Town)

PROPOSED ZONING:

A-2 Rural Home District (Town) with WF-1 Wetland-Floodplain District (to remain unchanged)

EXISTING USE(S):

Residential (single-family residence)

REQUESTED USE(S):

Residential (construct accessory building)

PUBLIC HEARING DATE:

December 2, 2025

PUBLIC COMMENT:

No public comment.

TOWN PLAN COMMISSION AND BOARD ACTION:

On December 2, 2025, the Town of Delafield Plan Commission unanimously recommended approval of the rezone. On December 12, 2025, the Town of Delafield Board unanimously recommended approval of the rezone as recommended by the Plan Commission.

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

The town and county plans designate the parcel in the Suburban Density II Residential (3.0-4.9 acres per dwelling unit) category. The proposal is consistent with the density recommendations of both plans.

STAFF ANALYSIS:

The proposal is to rezone approximately 2.8 acres of the subject parcel from the Town of Delafield's A-1 Agricultural District, which is a 40-acre minimum district, to the Town's A-2 Rural Home District, which is a three-acre minimum category. The property is located on the west side of Maple Avenue in the southwest portion of the town. This request was prompted by the petitioner's desire to construct an accessory building (see Exhibit A). The change in zoning designation would allow for the building to

be constructed while adhering to the A-2 district's open space requirements. Existing improvements include a single-family residence with an attached garage, a shed, a poly-structure, and a patio. There is also an approximately 1.13-acre wetland complex that is located to the west of the residence.

The subject property sits amongst similarly sized parcels on Maple Avenue that are also zoned A-1 Agricultural District. The adjacent A-1 lots are likely to be candidates for rezoning to the A-2 district in the future. The surrounding area is zoned with a variety of single-family residential zoning designations. Other areas west of Maple Avenue consist of 1.5 acre lots that are zoned A-3 Suburban Home District. Immediately west of the subject parcel is a subdivision with 3-4 acre lots that is zoned A-2 Rural Home District.

The Town's A-1 Agricultural District requires an open space of 95%. The construction of the proposed accessory building would not comply with the open space requirements under the A-1 limitations. The A-1 open space requirement was established for conforming lots within that district that contain 40 acres or more. The A-2 Rural Home District requires an open space of 85%, which is a more customary requirement for lots of the subject parcel's size.

As noted above, the town and county plans designate the lands as Suburban Density II Residential, which requires 3.0-4.9 acres per dwelling unit. This land use designation is consistent with the use and size of the parcel. Finally, the town has been consistently rezoning smaller parcels out of the A-1 District over the past several years, recognizing that the 40-acre parcel size minimum is often out of sync with existing parcel sizes and land use plan recommendations.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning will place the parcel in a zoning category that better aligns with the parcel's size. The rezoning will allow the property a more reasonable open space requirement.

Respectfully submitted,



Kassie Slotty
Senior Land Use Specialist

Attachment: Town Ordinance No. 2025-07
 Rezone Map
 Exhibit A, site plan

ORDINANCE NO. 2025-07

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF DELAFIELD
FROM A-1 TO A-2 ON LANDS LOCATED IN THE TOWN'S ZONING JURISDICTION
AT W310 S231 MAPLE AVE, TAX KEY DELT 0849.997.009, 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 for approximately 2.88 acres of the 4.01 parcel identified as DELT 0849.997.009 is hereby amended to change the zoning classification from A-1 to A-2 on the following described parcel of land:

Lot 1 of Certified Survey Map No. 8603, being a part of the Northeast ¼ of the Northeast ¼ of Section 33, Town 7 North, Range 18 East, in the Town of Delafield, Waukesha County, Wisconsin.

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.

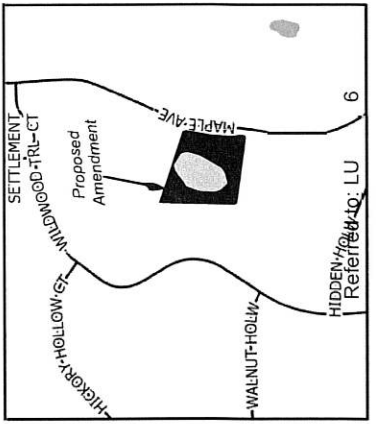
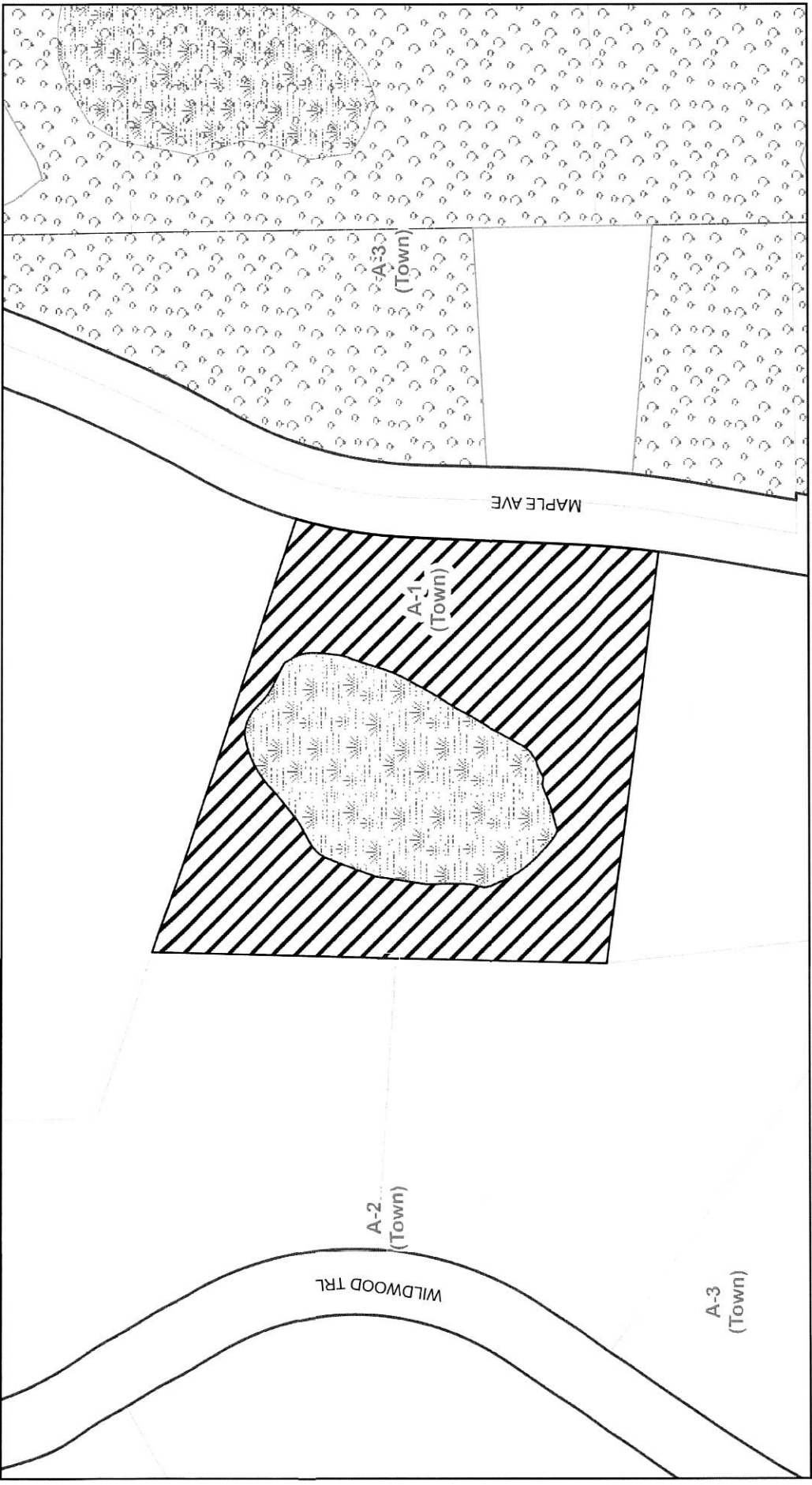
This ordinance passed this 2nd day of December 2025.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:


Edward T. Kranick (Dec 17, 2025 11:54:31 CST)
Edward Kranick, Town Chairman

ATTEST:


Michelle Luedtke
Town Administrator/Clerk/Treasurer



TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO A-2 RURAL HOME DISTRICT

Isolated Natural Resource Area (INRA)
WF-1 Wetland Floodplain District (to remain)

FILE.....	RZ168
DATE OF PLAN COMMISSION.....	02/26/26
AREA OF CHANGE.....	2.8 ACRES
TAX KEY NUMBER.....	DELT0849997009

ZONING AMENDMENT

PART OF NE1/4 SEC 33 T7N R18E,
TOWN OF DELAFIELD

0 140 280

Feet


Referred on: 3/3/26

VOTE RESULTS

23 AYE 0 NAY 0 ABSTAIN 2 ABSENT

Consent Aгена

19 Yes Votes Needed

 **Passed**

D1 - Styza	AYE	D10 - Thieme	ABSENT	D19 - Enriquez	AYE
D2 - Euclide	AYE	D11 - Howard	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	S AYE	D16 - Crowley	AYE	D25 - Johnson	AYE
D8 - Koremenos	AYE	D17 - Meier	AYE		
D9 - Heinrich	AYE	D18 - Nelson	AYE		

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