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2
3 AMEND THE ZONING DISTRICT MAP OF THE TOWN OF DELAFIELD ZONING
4 ORDINANCE AND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
5 PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD,
6 BY REZONING CERTAIN LANDS LOCATED IN THE SW ¼ AND THE SE ¼ OF
7 SECTION 23, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN,
8 FROM THE A-1 AGRICULTURAL DISTRICT TO THE R-1A RESIDENTIAL DISTRICT
9 (TOWN) AND THE R-1 RESIDENTIAL DISTRICT (COUNTY) (ZT-1502)

10
11 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
12 the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of
13 requisite notice of said hearing and the recommendation thereon reported to the Land Use, Parks
14 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha
15 County, Wisconsin, as required by Sections 60.61 and 59.692 of the Wisconsin State Statutes.

16
17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
18 ORDAIN that the Town of Delafield Zoning District Map of the Town of Delafield, adopted on
19 July 20, 1998, and the Waukesha County Shoreland and Floodland Protection Ordinance District
20 Zoning Map for the Town of Delafield, Waukesha County, Wisconsin, adopted on June 23,
21 1970, is hereby amended to rezone from the A-1 Agricultural District to the R-1A Residential
22 District (Town) and the R-1 Residential District (County), certain lands located in part of the SW
23 ¼ and the SE ¼ of Section 23, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin,
24 and more specifically described in the "Staff Report and Recommendation" and map on file in
25 the office of the Waukesha County Department of Parks and Land Use and made a part of this
26 Ordinance by reference (SZT-1502).

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

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

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35 provisions of this Ordinance are hereby repealed.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance hereby recommends approval of SZT-1502 (Mary Van Veghel) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

November 20, 2003


Betty Willert, Chairperson


Vy Janusonis


Mareth Kipp


Ellen Gennrich


Joseph LaPorte

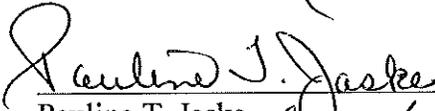

Walter Kolb

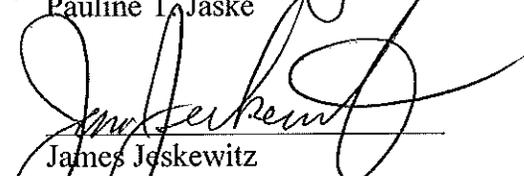

Walter Baade

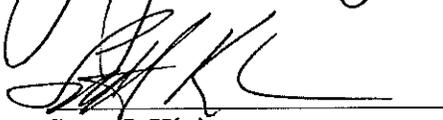
AMEND THE ZONING DISTRICT MAP OF THE TOWN OF DELAFIELD ZONING ORDINANCE AND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD, BY REZONING CERTAIN LANDS LOCATED IN THE SW ¼ AND THE SE ¼ OF SECTION 23, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE R-1A RESIDENTIAL DISTRICT (TOWN) AND THE R-1 RESIDENTIAL DISTRICT (COUNTY) (ZT-1502)

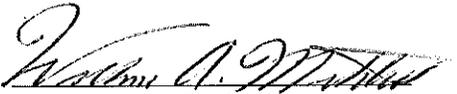
Presented by:
Land Use, Parks, and Environment Committee

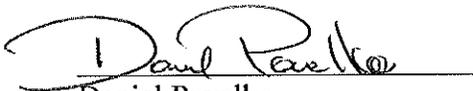

Walter L. Kolb, Chair


Pauline T. Jaske


James Jaskewitz


Scott J. Klein


William A. Mitchell


Daniel Pavelko


Vera Stroud

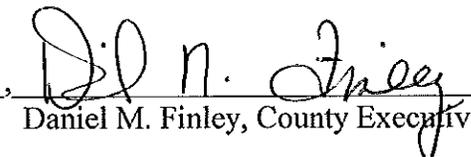
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 1-16-2004, 
Kathy Nickolaus, County Clerk

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

Approved:

Vetoed:

Date: 1-16-04, 
Daniel M. Finley, County Executive

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

FILE NO.: SZT-1502

TAX KE NO.: DELT 0810.998

DATE: November 20, 2003

PETITIONER: Jane E. Turner 1999 Living Trust
Represented by: Maryann Van Veghel
W295 N1765 Prairie Woods Court
Pewaukee, WI 53072

LOCATION:

The property is located in the SW ¼ and the SE ¼ of Section 23, T7N, R18E, of the Town of Delafield, and more specifically on the west side of Glen Cove Road, immediately adjacent to and south of the Wisconsin Electric Power Company easement, containing 2.7 acres of land.

PRESENT ZONING:

A-1 Agricultural District under both Town and County Shoreland and Floodland Protection Ordinance.

PRESENT LAND USE:

Residence and two small out buildings.

PROPOSED ZONING:

R-1a Residential District, under the Town of Delafield Ordinance, and R-1 Residential District, under the Waukesha County Shoreland and Floodland Protection Ordinance.

PROPOSED LAND USE:

Division of land to create two separate parcels.

PUBLIC HEARING DATE:

September 30, 2003.

PUBLIC REACTION:

None.

TOWN PLAN COMMISSION:

The Town of Delafield Plan Commission, at their meeting of October 7, 2003, recommended approval of the request.

TOWN BOARD ACTION:

The Town of Delafield Board, at their meeting of October 14, 2003, approved the rezoning request in accordance with the recommendations of the Plan Commission.

158-0-116

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

The County Development Plan indicates this area is recommended to be in the Low Density Residential category (20,000 sq.ft. to 1.4 acres per dwelling unit). The proposed rezoning and division of land is in conformance with that recommendation.

OTHER CONSIDERATIONS:

The property in question is an existing developed piece of land lying to the west side of Glen Cove Road and surrounded by existing residentially developed lands. A fairly new cluster development is located to the east, south and west of the subject site. The lots in this new subdivision are approximately $\frac{3}{4}$ of an acre to one acre in size, with common open space, resulting in an overall density of 1.5 acres or less. Immediately to the north on Glen Cove Road are a series of older lots which have been developed over time, many of which front on Pewaukee Lake with 50 ft. of width by approximately 12,000 to 15,000 sq.ft. in area or more. There may be some parcels which are considerably smaller than that. This parcel essentially is an island of A-1 lands surrounded entirely by residentially developed parcels with R-1a or similar residential categories. Soils on the parcel are suitable for residential development purposes and sewer is available in this area of the Town. Topography is sloping to the north, east and southeast, and the existing house sits on top of a ridge that runs east-west through the site. An existing residence and two small sheds lie on the parcel.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff this request be **approved**. We feel that the proposed division of this land to create two parcels, each having in excess of one acre of land is appropriate and in conformance with the surrounding uses and parcel sizes and represents a future use in conformance with the County Development Plan.

Respectfully submitted,



Richard L. Mace
Planning and Zoning Manager

RLM:smv

Attachments: Map

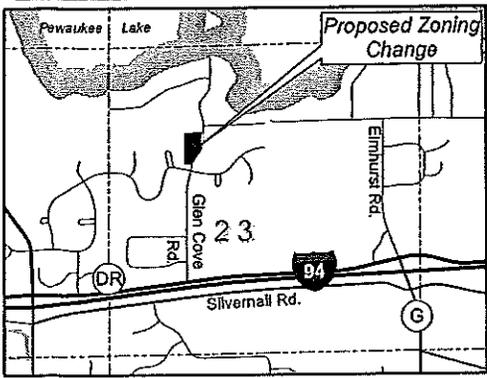
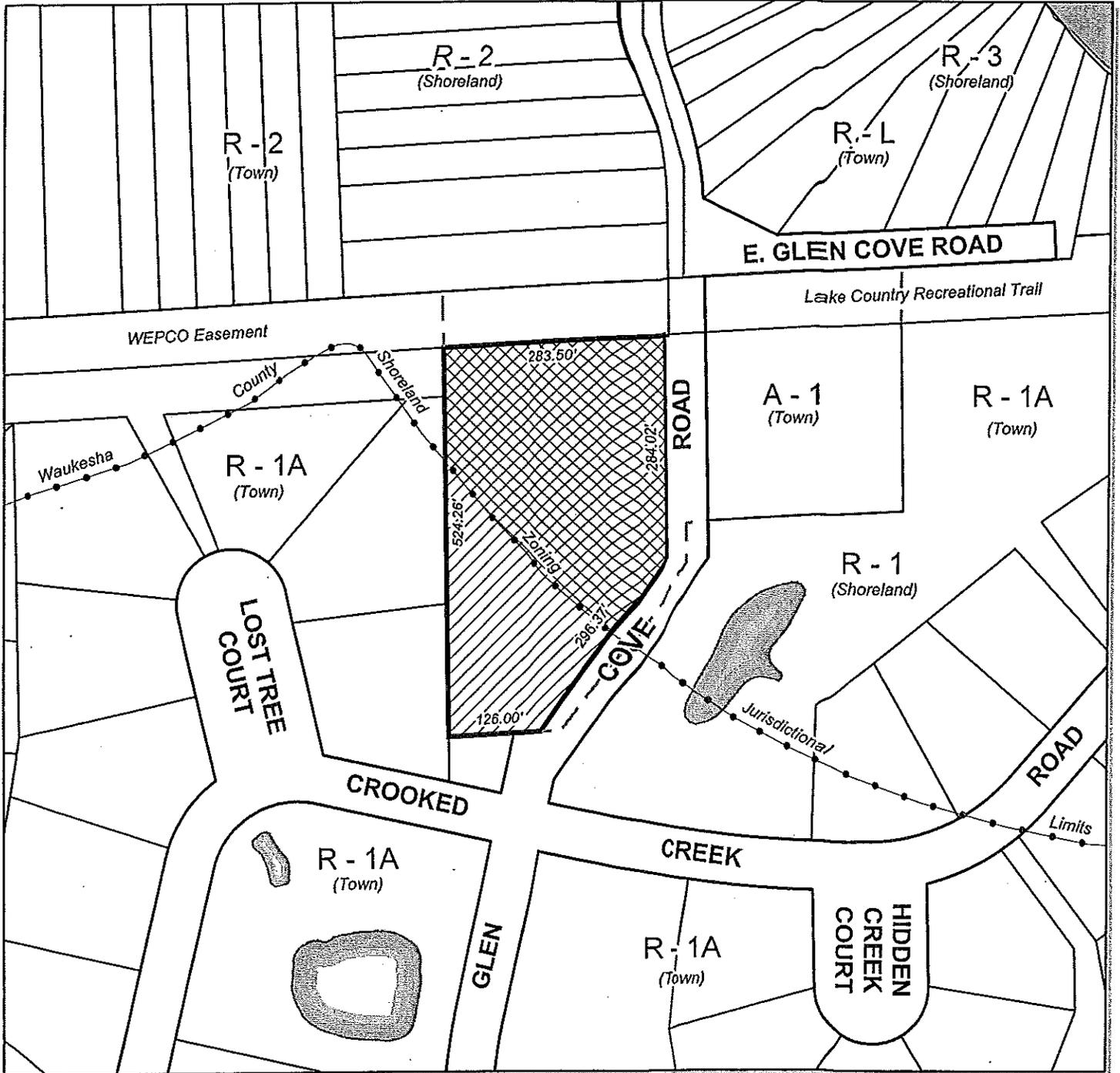
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158-0-116

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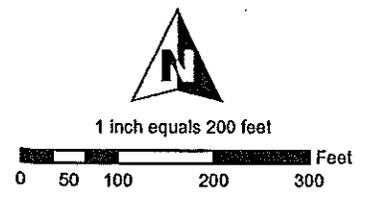
ZONING MAP AMENDMENT

PART OF THE SOUTHWEST & SOUTHEAST 1/4 OF SECTION 23
TOWN OF DELAFIELD



	TOWN ZONING CHANGE FROM A-1 TO R-1a (0.92 AC.)
	TOWN ZONING CHANGE FROM A-1 TO R-1a & SHORELAND
	ZONING CHANGE FROM A-1 TO R-1 (1.78 AC.)
FILE.....	SZT-1502
DATE.....	11-20-03
AREA OF CHANGE.....	2.7 ACRES
TAX KEY NUMBER.....	DELT 0810.998

Prepared by the Waukesha County Department of Parks and Land Use



158-0-116

Ordinance No. 2003-009

**An Ordinance to rezone lands located in the
Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 of
Section 23, Town 7 North, Range 18 East
from A-1 to R1-A (Turner Trust Property)**

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 A-1 to R1-A on the following described property:

All that part of the Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 23, Town 7 North, Range 18 East, Town of Delafield, Waukesha County Wisconsin; bounded and described as follows: Commencing at the southwest corner of said Northwest 1/4 of Section 23; thence North 01°15'20" East along the west line of High Ridge East, a recorded subdivision, 1116.018 feet to a point on the north line of High Ridge East; thence North 87°58'38" East along said north line 1290.900 feet to the northeast corner of Outlot 2, High Ridge East, the place of beginning of the land hereinafter described: thence South 00°32'00" West along the east line of High Ridge East, 524.262 feet to the northwest corner of Outlot 3, High Ridge East; thence North 87°58'38" East along said north line and north line extended 126.000 feet to a point on the westerly right-of-way line of Glen Cove Road; thence North 33°58'00" East along said right-of-way line 296.373 feet; thence North 00°40'00" West along said right-of-way line 284.017 feet to a point on the south line of the W.E.P. Company easement; thence South 87°58'38" West along the said south line 283.500 feet to the place of beginning; containing a gross area of 131,819 square feet (3.026 acres) of land.

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 and posting or publication as provided by law.

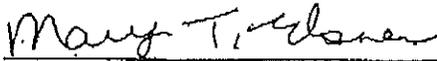
This ordinance passed this 28th day of October, 2003

TOWN OF DELAFIELD:



Paul L. Kanter, Town Chairperson

ATTEST:



Mary T. Elsner, Town Clerk

Published this _____ day of _____, 2003.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-01/13/04

^{ORD}
~~(RES)~~ NUMBER-158016

- 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 W. MITCHELL.....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 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....NAY
- 32 P. GUNDRUM.....
- 34 R. SINGERT.....

TOTAL AYES-32

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-33