



A PERFECT ENVIRONMENT

Residential Recreational Responsible

Chair
Ron Troy
Supervisors
Edward Kranick
Steve Michels
Joe Woelfle
Magalie Miller
Clerk/Treasurer
Dan Green

TOWN OF DELAFIELD PLAN COMMISSION MEETING

Tuesday, June 7, 2022, 6:30 p.m.

Town of Delafield Town Hall W302 N1254 Maple Avenue, Delafield, WI 53018

Prior to the start of the scheduled Plan Commission meeting there will be two public hearings in front of the Plan Commission, Town Board and a representative of the Waukesha County Department of Parks and Land Use, Planning and Zoning Division to solicit public input on the following

1. Establishment of a Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts, all located in the SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25 and the NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T7N, R18E, Town of Delafield.
2. Request by Dan Studer, W289 N106 Elmhurst Road for a zoning amendment to the Waukesha County Shoreland and Floodland Protection Ordinance from C-1 Conservancy Overlay District to A-2 Rural Home District to accommodate a residential driveway for a future home located south of his residence.

The regularly scheduled Plan Commission meeting will begin immediately following the conclusion of the public hearing.

AGENDA

1. Call to Order and Pledge of Allegiance
2. Approval of the minutes of May 3, 2022.
3. Communications (for discussion and possible action): None
4. Unfinished Business: None
5. New Business:
 - A. Waukesha County Dept. of Parks and Land Use, Re: Consideration and possible recommendation on the establishment of Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction and establishment of proposed zoning districts to include A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts, all located in the SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25 and the NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T7N, R18E, Town of Delafield
 - B. Dan Studer, W289 N106 Elmhurst Road, Re: Consideration and possible recommendation to Waukesha County on a zoning amendment under Waukesha County Shoreland and Floodland Zoning from C-1 Conservancy Overlay District to A-2 Rural Home District.
6. Discussion:

A. None

7. Announcements and Planning Items: Next meeting: Joint Plan Commission and Town Board Training & Closed Session Discussion: June 14, 2022 @ 5:30 PM. Next regular meeting: July 12, 2022 @ 6:30 PM.
8. Adjournment

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that members of and possible a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Town Clerk Dan Green (262) 646-2398.

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, MAY 3, 2022, 6:30 P.M.**

Video Link: <https://www.youtube.com/watch?v=FuZtMT47JR4>

First order of business: Call to Order and Pledge of Allegiance

Chairman Fitzgerald called the meeting to order at 6:30 p.m. and led all in the Pledge of Allegiance.

Members present: Supervisor Kranick, Commissioner Dickenson, Commissioner Diderrich, Commissioner Frank, Commissioner Janusiak, Town Chairman Troy and Plan Commission Chairman Fitzgerald.

Also present: Engineer Tim Barbeau and Administrator Dan Green.

Second order of business: Approval of the minutes of April 12, 2022.

Motion made by Chairman Troy to approve the April 12, 2022, minutes. Seconded by Commissioner Dickenson. Motion passed 7-0.

Third order of business: Communications (for discussion and possible action):

Fourth order of business: Unfinished Business: None

Fifth order of business: New Business:

- A. Dylan Bloch, Wellnest Chiropractic W307 N1497 Golf Road, Suite 102, Re: Consideration and possible action on a request for approval of a site plan, plan of operation and sign for operation within the Ridgepoint Center facility located at W307 N1497 Golf Road.

Engineer Barbeau explained the property is located in the office building across from the Highway Department. The unit is on the east side of the building. The use is intended to have clients for short periods of time, and would not require substantial parking at any one time. The use will be for a chiropractor/wellness office. The use meets the B1 zoning requirements. The engineer reviewed the hours of operation and the number of employees in the building. The applicant does not plan to change the exterior except for the sign, which they have requested approval for. The engineer recommends approval of the site plan and plan of operation. The engineer recommended that the sign be approved later, either by the Plan Commission or by staff.

Motion by Supervisor Kranick approve the request from Dylan Bloch, Wellnest Chiropractic, to approve a site plan and plan of operation within the Ridgepoint Center facility located at W307N1497 Golf Road, with staff approving the sign application. Seconded by Chairman Troy. Motion passed 7-0.

- B. Chip Turner, N30 W29417 Hillcrest Dr., owner, by Tim Rigsby, agent, Re: Consideration and possible action on a request for an increase in height for installation of a cupola on the house at N30 W29417 Hillcrest Drive.

Engineer Barbeau explained the owners are remodeling the existing house and would like to install a 5'x5' cupola, 8 feet in height. The maximum height for the town is 45 feet, and cupolas are part of the home's overall height. For every foot of additional height past 45 feet, there must be an additional 1 foot of side yard setback. Based on the initial review, the applicant would have to reduce the height of the cupola from 8 feet to 7 feet to meet these criteria.

Chairman Troy questioned how far the existing home is from the lot line and what the current setback is. After review, the engineer discovered the proposed home, with the extended deck would be 14 feet from the lot line, giving no additional setback to allow any further height than 45 feet. The commission accepted the installation of a cupola, so long as the height was limited to 45 feet.

- C. John and Kathleen Zautcke Thomas, W283 N3312 Lakeside Road, Re: Consideration and possible action on a Certified Survey Map to combine parcels into one lot at W283 N3312 Lakeside Road.

Engineer Barbeau explained the proposed CSM is required by Waukesha Count to eliminate a lot line running through the property from an old plat. The requirement is due to a requested change from the homeowners, requiring the owner to clean up the property lines for both Waukesha County and the town. The approval of the CSM should be subject to any technical corrections by the engineer.

Motion by Supervisor Kranick to approve the request from John and Kathleen Zautcke Thomas for a Certified Survey map to combine parcels into one lot at W283N3312 Lakeside Road, subject to any technical corrections from Engineer Barbeau. Seconded by Commissioner Frank. Motion passed 7-0.

Sixth Order of Business Discussion:

- A. Tom Beaudry, 229 Lynndale Road, LLC, owner, by Joe Galbraith, Galbraith-Carnahan Architects Re: Conceptual review of Lake Country Toy Box, condominium garages for storage of vehicles, watercraft and motorsports.

Joe Gabrath, 6404 W. North Ave, Wauwatosa stated he represented Tom Beaudry. The parcel is currently where Cassandra's motorsports is located. The owner would like to split the land into two parcels. The eastern parcel would house storage condos. Condos would be purchased to store cars and would include an office and a restroom, along with a mezzanine. The target market is for higher end clients, and would not be a rented product. The total evaluation is expected to be approximately \$20 million. Mr. Gabrath explained that the units would be clustered with up to six units in one building. The site is sloped, and the units would be built into the slope. Each building will have a garage door and a front office area with a door. The mezzanine will overlook the garage area with an outdoor deck. The upper windows would be clear glass, with large, glass overhead frosted glass doors. The remainder would be an insulated metal panel. The material would be similar to office building construction.

Chairman Troy asked what section of the code they were looking at, when they created the concept plans. They stated they were reviewing the M-1 code. Chairman Fitzgerald stated the Town created an ordinance for storage units with a dozen different standards. He suggested this type of garage condos may not qualify under the conditional use ordinance. He encouraged the applicants to look at the ordinance and see what needs to be tweaked.

Commissioner Janusiak questioned if there would be living space in these units, and suggested prohibiting overnight stays and setting hours of operations. The applicant explained there were no showers in the units, only half baths. The commission discussed the possibility of refrigerators and microwaves in the units. Commissioner Diderrich asked about the floor drains and whether there would be holding tanks on site. The applicant explained the floor drains would be for washing cars in the units and other technical uses. They stated there would be adequate holding tanks on site. Chairman Troy expressed concerns about holding tanks with that number of units. Mr. Gabrath stated they may need to meter the holding tanks, to ensure each condo owner is paying for the maintenance of those tanks.

The commission discussed other storage uses and lighting on the site. The applicant explained the property will not be brightly lit. They wanted to bring a concept plan forward to see if the Plan Commission would be receptive to this type of use. Chairman Fitzgerald stated it would come down to the hours of operation and the actual use of these units. He stated if it requires a Conditional Use Permit, there will be standards that have to be met.

Commissioner Janusiak questions if we are obligated to inform other communities when this comes forward. Engineer Barbeau explained that a Conditional Use would require a notice to those within 300 feet of the property.

No action was taken on this item.

Seventh Order of Business: Announcements and Planning Items: Next meeting: June 7, 2022.

Eighth Order of Business: Adjournment

Motion by Chairman Troy to adjourn the May 3, 2022, Plan Commission meeting at 7:33 p.m. Seconded by Commissioner Frank. Motion passed 7-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Delafield Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **June 7, 2022**, at **6:30 p.m.** at the Delafield Town Hall, located at W302 N1254 Maple Avenue, Delafield, WI, 53018, to consider a comprehensive rezoning request **(RZ101), Waukesha County Department of Parks and Land Use, 515 W. Moreland Blvd., Rm AC230, Waukesha, WI 53188.** The Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction is proposed to be established over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts. There are 19 properties affected. The properties are located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE ¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield.

Immediately following the above public hearing, another Joint Public Hearing will be held by the Town of Delafield Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, to consider the rezoning request **(RZ100)** of **Daniel Studer and Sheyenne Brown Studer** (owners) and **Jon Spheeris** (applicant) to rezone two small areas equating to 1,359 sq. ft. from the C-1 Conservancy Overlay District to the A-2 Rural Home District to accommodate a residential driveway for a future home site. The property is described as Lot 1, Certified Survey Map No. 6889, part of the SW ¼ of Section 25, T6N, R18E, Town of Delafield. More specifically, the property is located at W289 N106 Elmhurst Road, Waukesha, WI 53188-9420 (Tax Key No. DELT 0819.992.001).

For additional information regarding this public hearing, please contact Rebekah Leto, Senior Planner of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Lake Country Now on
Wednesday, May 18, 2022 and
Wednesday, May 25, 2022.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Fee Pd. \$ _____ Receipt No. _____ Appl received by RL Petition No. CU101

**HONORABLE BOARD OF SUPERVISORS/COMMON COUNCIL/BOARD OF TRUSTEES IN
THE TOWN/CITY/VILLAGE OF _____ WAUKESHA COUNTY, WISCONSIN:**

I/We, the undersigned, owner(s) of the property described below, located in the Town/City/Village of Delafield do hereby petition to amend the MAP of the County Zoning Code and/or the County Shoreland and Floodland Protection Ordinance on this date, 5/2/2022, in the following manner:

Existing Zoning Classification(s): Not Established

Proposed Zoning Classification(s): HG High Groundwater District, A-1 Agricultural District
A-2 Rural Home District, EC-Overlay District, C-1 Conservancy Overlay District,

Existing Use(s) of the subject property: Residential, Agricultural

Proposed Use(s) of the subject property: Residential, Agricultural

Tax Key No(s). see attached

Address of subject premises: see attached

Legal Description of the subject property: NW 1/4 and NE 1/4 of Section 36 and the SE and SW 1/4 of Section 29, T7N, R18E, Town of Delafield

Reasons/Conditions which justify a change in the zoning (attach additional pages, if necessary):

The DNR, at the request of a property owner, conducted a navigability study on a waterway and determined the pond to be navigable. The amendment is to incorporate the County's Shoreland and Floodland Jurisdictional boundary 1,000 ft. from the Ordinary High Water Mark of the pond.

Owner: Multiple Applicant: Waukesha County Department of Parks and Land Use
515 W. Moreland Blvd, Rm AC230
Waukesha, WI 53188

Daytime Phone No.(_____) _____ Daytime Phone No.(262) 548-7790

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Co. Park and Planning Commission) meeting: n/a

The following information **must be** submitted with this application:

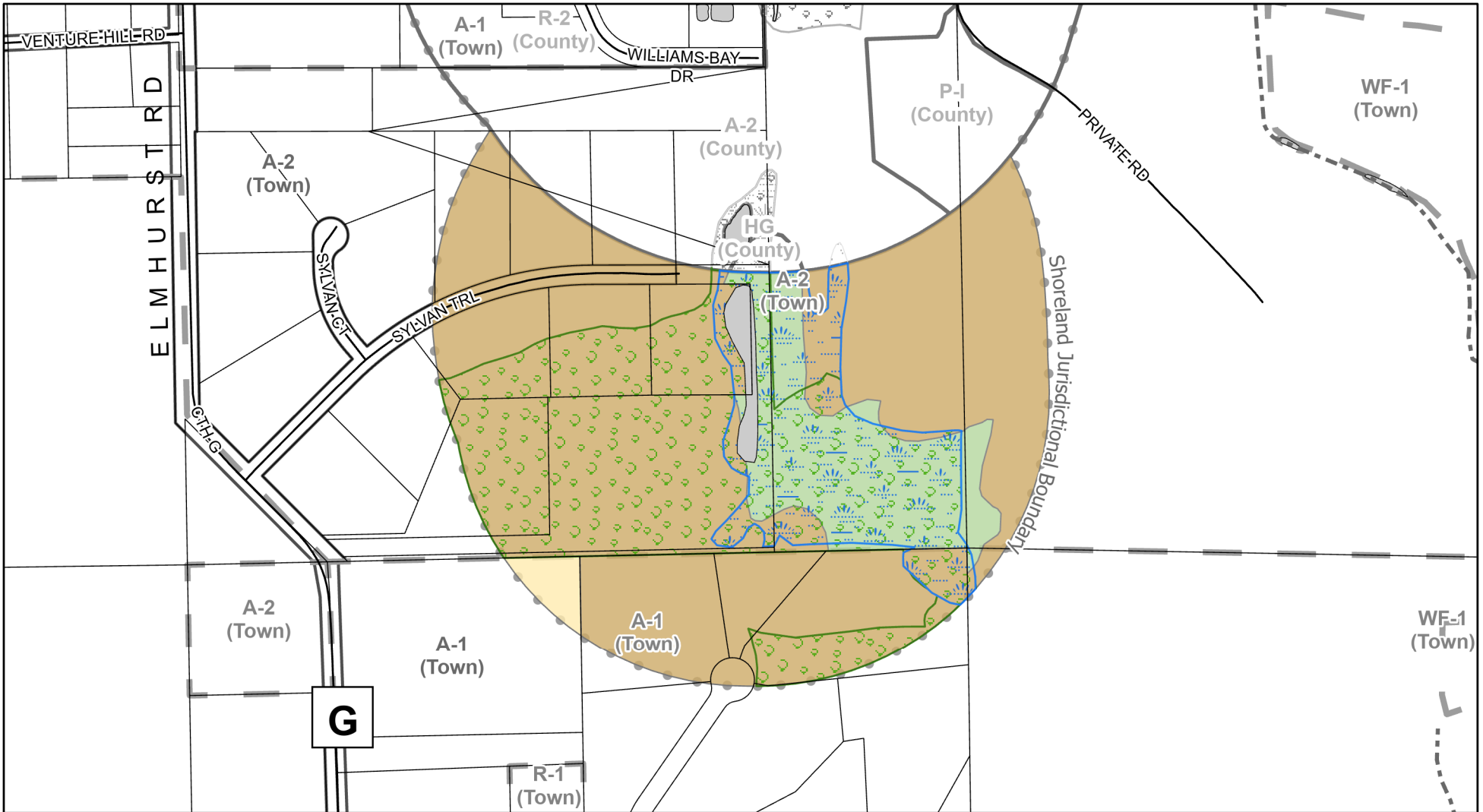
1. One electronic copy of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location **and** use of the buildings on the subject property, and the **use of all** properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that **all** of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat.; and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

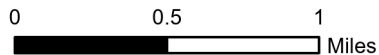
Signature of Owner Jason Fruth Date of Filing 5/2/2022






Signature of Applicant _____ Date of Filing _____



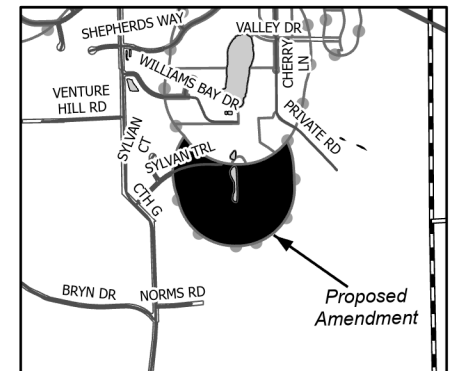
ZONING AMENDMENT

PART OF THE SW 1/4, SECTION 25,
TOWN OF DELAFIELD



-  Shoreland Zoning amendment to establish A-1 Zoning
-  Shoreland Zoning amendment to establish A-2 Zoning
-  Shoreland Zoning amendment to establish HG Zoning
-  Shoreland Zoning amendment to establish C-1 Conservancy (Wetlands) Overlay Zoning
-  Shoreland Zoning amendment to establish EC Environmental Corridor Overlay Zoning

FILE.....RZ101
 DATE OF PLAN COMMISSION.....5/19/22
 AREA OF CHANGE.....64.4 ACRES
 TAX KEY NUMBER.....MULTIPLE



Plan Commission Report for June 7, 2022

Waukesha County – Establishment of Shoreland jurisdiction and establishment of zoning districts within the Shoreland district. Agenda Item No. 5. A.

Applicant:	Waukesha County
Project:	Establishment of Shoreland jurisdiction and establishment of zoning districts within the Shoreland district.
Requested Action:	Recommendation to Town Board
Zoning:	A-2 (Town) TBD (County)
Location:	Lands located south and east of Sylvan Trail and Sylvan Court

Report

Background

A few years ago, a resident was installing a driveway on a portion of his land that included a 66 foot wide strip of land east of the east end of Sylvan Trail and continuing south along his east lot line. In doing so, a neighbor expressed concern regarding a potential wetland/pond that may be affected. The WDNR was contacted and subsequently determined that the wetland/pond was navigable. State law provides that Counties have shoreland and floodland zoning jurisdiction within 1000 feet of a navigable lake or pond and 300 feet from a navigable river or stream. By the WDNR's determination that the pond is navigable, the County has shoreland zoning jurisdiction.

Current Action

The County is now formally recognizing that they have jurisdiction, and establishing the jurisdictional boundary as well as the zoning districts within the boundary. The districts to be placed on the properties affected include:

- A-1 (in a small area in the southwest corner of their jurisdiction adjacent to lands in the Town that are zoned A-1.
- A-2 for much of the jurisdictional area, subject to several overlay districts. Similar to what the Town had the land zoned prior to the navigability determination, except for a small portion of land in the southeast corner that was zoned A-1.
- HG (High Groundwater) district in lands that coincide with existing Pella soils (ground water at/near the surface)
- C-1 Conservancy Overlay that corresponds with the mapped wetland
- EC Environmental Corridor Overlay which corresponds with the 2015 version of the Environmental Corridor as mapped by SEWRPC.

Staff Recommendation:

The WDNR determines the navigability of lakes, ponds, rivers and streams. Once the determination is made, I am not aware of a method to challenge or appeal the determination. By State Statute, the County has zoning jurisdiction in the designated shoreland areas. The proposed underlying zoning (A-1 and A-2) reflects what existed as Town zoning prior to the navigability determination. The County and Town's zoning categories for A-1 and A-2 are similar in terms of uses, but not for all requirements (i.e. setbacks, open space).

In the southeast corner of their jurisdiction, the County is proposing A-2 zoning for a small portion of an existing parcel (Tax Key No. DELT 0861-999) that the Town has zoned as A-1. I suggest that the small corner be designated A-1 to match the balance of the land. I have contacted the County to get their input on this suggestion.

The designation of HG, C-1 and EC zones on existing properties will add additional restrictions to those properties; however, the preservation of environmentally sensitive lands follows the recommendations of the County and Town land use plan.

I recommend that the Town acknowledge that shoreland and floodland protection jurisdiction is being designed in the subject area. I further recommend that the Pan Commission provide a positive recommendation for the establishment of the zoning district designations as proposed, subject to the southeast corner being revised from A-2 to A-1 on the parcel known as tax Key No. DELT 0861-999.

Tim Barbeau, Town Engineer
May 25, 2022

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Delafield Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **June 7, 2022**, at **6:30 p.m.** at the Delafield Town Hall, located at W302 N1254 Maple Avenue, Delafield, WI, 53018, to consider a comprehensive rezoning request **(RZ101), Waukesha County Department of Parks and Land Use, 515 W. Moreland Blvd., Rm AC230, Waukesha, WI 53188.** The Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction is proposed to be established over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts. There are 19 properties affected. The properties are located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE ¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield.

Immediately following the above public hearing, another Joint Public Hearing will be held by the Town of Delafield Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, to consider the rezoning request **(RZ100) of Daniel Studer and Sheyenne Brown Studer (owners) and Jon Spheeris** (applicant) to rezone two small areas equating to 1,359 sq. ft. from the C-1 Conservancy Overlay District to the A-2 Rural Home District to accommodate a residential driveway for a future home site. The property is described as Lot 1, Certified Survey Map No. 6889, part of the SW ¼ of Section 25, T6N, R18E, Town of Delafield. More specifically, the property is located at W289 N106 Elmhurst Road, Waukesha, WI 53188-9420 (Tax Key No. DELT 0819.992.001).

For additional information regarding this public hearing, please contact Rebekah Leto, Senior Planner of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Lake Country Now on
Wednesday, May 18, 2022 and
Wednesday, May 25, 2022.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

DEPT OF PARKS & LAND USE

APR 01 2022

RECEIVED

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Fee Pd. \$ 550 Receipt No. 1003683.002 Appl received by EA Petition No. RZ100

HONORABLE BOARD OF SUPERVISORS/COMMON COUNCIL/BOARD OF TRUSTEES IN
THE TOWN/CITY/VILLAGE OF Delafield WAUKESHA COUNTY, WISCONSIN:

I/We, the undersigned, owner(s) of the property described below, located in the
Town/City/Village of Delafield do hereby petition to
amend the MAP of the County Zoning Code and/or the County Shoreland and Floodland
Protection Ordinance on this date, April 1, 2022, in the following manner:

Existing Zoning Classification(s): C-1 Conservancy Overlay (Wetlands) (county to be established)

Proposed Zoning Classification(s): A-2 Rural Home District (county to be established)

Existing Use(s) of the subject property: residential

Proposed Use(s) of the subject property: residential

Tax Key No(s). DELTO819992001

Address of subject premises: 2289 N106 Elmhurst Rd., Delafield 53188

Legal Description of the subject property: see attached

Reasons/Conditions which justify a change in the zoning (attach additional pages, if necessary):

minor rezoning of part of a driveway that is
existing from C-1 to A-2 and rezoning of lands proposed to be part of a driveway
to access a future home site.

Owner: Daniel Studer & Shyenne Marie Brown-Studer

Applicant: Jon Sphaeris

2289 N106 Elmhurst Rd
Delafield, W. 53188

115 E Wisconsin Ave. Suite A
Oconomowoc, W. 53066

Daytime Phone No. (714) 405-1026

Daytime Phone No. (262) 490-5558

Email address and/or fax number if you would like a copy of the staff report forwarded to you
prior to the (Co. Park and Planning Commission) meeting: luckydans1@yahoo.com
jon@cb-elite.com

The following information **must be** submitted with this application:

1. Three (3) copies of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of **all** properties within 300 feet of the subject property.

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Waukesha Co. Park and Planning Commission) meeting: _____

The following information **must be** submitted with this application:

1. One electronic copy of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of all properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that all of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site as necessary and to claim to this application void if the property has been parted against trespassing pursuant to Wis. Stat. and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

Signature of Owner Tom Lee

Date of Filing 4-1-2022

Signature of Applicant Jon Sheehan

Date of Filing 4-1-2022

NPFRANDJL Planning and Zoning Services FORM Zoning Map amendment application blank.doc

Revised 02/16/22

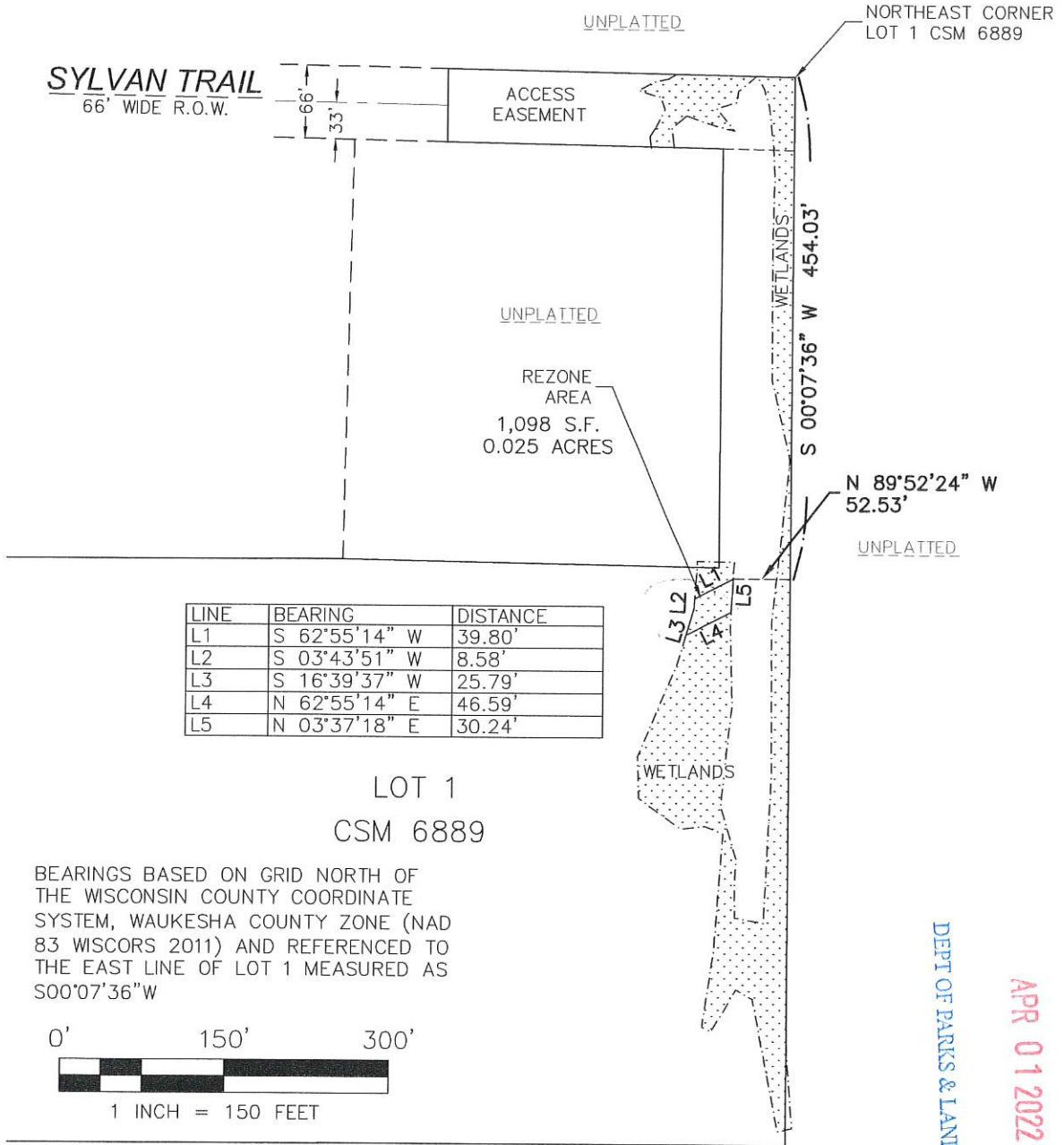
RECEIVED

APR 01 2022

DEPT OF PARKS & LAND USE

REZONE EXHIBIT A

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.



DEPT OF PARKS & LAND USE

APR 01 2022

RECEIVED


CLIENT STUDER	LOCATION W289N106 ELMHURST RD WAUKESHA, WI	DATE 3/31/2022	 LAND SURVEYING • LAND PLANNING 111 W. 2ND STREET OCONOMOWOC, WI 53066 WWW.LANDTECHWI.COM (262) 367-7599
PROJECT REZONE		REV.	
LAYOUT EXHIBIT-1		REV.	
DRAWING 22074 REZONE_EX.DWG	DRAWN BY MTD	CHECKED BY JDD	JOB NO. 22074

EXHIBIT A

REZONE AREA DESCRIPTION

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6889; THENCE S 00°07'36" W, ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP 454.03 FEET; THENCE N 89°52'24" W, 52.53 FEET TO THE POINT OF BEGINNING; THENCE S 62°55'14" W, 39.80 FEET; THENCE S 03°43'51" W, 8.58 FEET; THENCE S 16°39'37" W, 25.79 FEET; THENCE N 62°55'14" E, 46.59 FEET; THENCE N 03°37'18" E, 30.24 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 1,098 SQUARE FEET, 0.025 ACRES.

RECEIVED

APR 01 2022

DEPT OF PARKS & LAND USE

Prepared By:

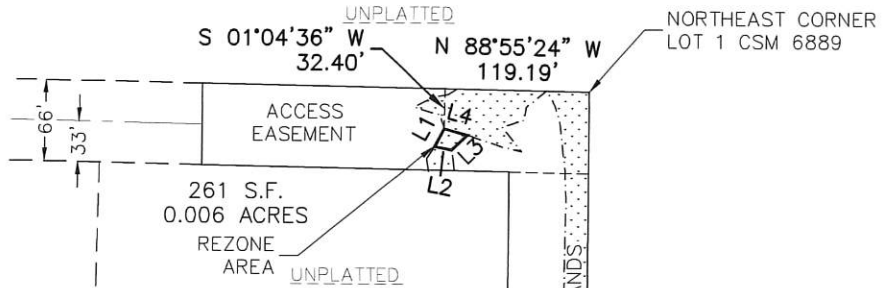


111 WEST 2ND STREET
OCONOMOWOC, WISCONSIN
262-367-7599

REZONE EXHIBIT B

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

SYLVAN TRAIL
66' WIDE R.O.W.

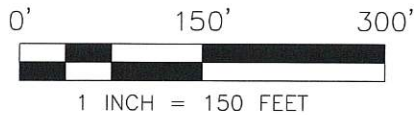


LINE	BEARING	DISTANCE
L1	S 27°10'12" W	16.30'
L2	S 78°49'49" E	14.30'
L3	N 46°54'52" E	17.44'
L4	N 74°29'25" W	20.05'

LOT 1
CSM 6889



BEARINGS BASED ON GRID NORTH OF
THE WISCONSIN COUNTY COORDINATE
SYSTEM, WAUKESHA COUNTY ZONE (NAD
83 WISCORS 2011) AND REFERENCED TO
THE NORTH LINE OF LOT 1 MEASURED
AS N88°55'24"W



DEPT OF PARKS & LAND USE

APR 01 2022

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CLIENT STUDER	LOCATION W289N106 ELMHURST RD WAUKESHA, WI	DATE 3/31/2022	 LAND SURVEYING • LAND PLANNING 111 W. 2ND STREET OGDONOWOOD, WI 53066 WWW.LANDTECHWI.COM (262) 367-7599
PROJECT REZONE		REV.	
LAYOUT EXHIBIT-2		REV.	
DRAWING 22074_REZONE_EX2.DWG	DRAWN BY MTD	CHECKED BY JDD	JOB NO. 22074

EXHIBIT B

REZONE AREA DESCRIPTION

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6889; THENCE N 88°55'24" W, ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP 119.19 FEET; THENCE S 01°04'36" E, 32.40 FEET TO THE POINT OF BEGINNING; THENCE S 78°49'49" E, 14.30 FEET; THENCE N 46°54'52" E, 17.44 FEET; THENCE N 74°29'25" W, 20.05 FEET TO THE POINT OF BEGINNING.

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OCONOMOWOC, WISCONSIN
262-367-7599

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Delafield Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **June 7, 2022**, at **6:30 p.m.** at the Delafield Town Hall, located at W302 N1254 Maple Avenue, Delafield, WI, 53018, to consider a comprehensive rezoning request **(RZ101), Waukesha County Department of Parks and Land Use, 515 W. Moreland Blvd., Rm AC230, Waukesha, WI 53188.** The Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction is proposed to be established over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts. There are 19 properties affected. The properties are located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE ¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield.

Immediately following the above public hearing, another Joint Public Hearing will be held by the Town of Delafield Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, to consider the rezoning request **(RZ100) of Daniel Studer and Sheyenne Brown Studer (owners) and Jon Spheeris** (applicant) to rezone two small areas equating to 1,359 sq. ft. from the C-1 Conservancy Overlay District to the A-2 Rural Home District to accommodate a residential driveway for a future home site. The property is described as Lot 1, Certified Survey Map No. 6889, part of the SW ¼ of Section 25, T6N, R18E, Town of Delafield. More specifically, the property is located at W289 N106 Elmhurst Road, Waukesha, WI 53188-9420 (Tax Key No. DELT 0819.992.001).

For additional information regarding this public hearing, please contact Rebekah Leto, Senior Planner of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Lake Country Now on
Wednesday, May 18, 2022 and
Wednesday, May 25, 2022.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE

Fee Pd. \$ 550 Receipt No. 1003683 Appl received by EA Petition No. Z100

HONORABLE BOARD OF SUPERVISORS/Common Council/Board of Trustees in
THE TOWN/CITY/VILLAGE OF Delafield WAUKESHA COUNTY, WISCONSIN:

I/We, the undersigned, owner(s) of the property described below, located in the
Town/City/Village of Delafield do hereby petition to
amend the MAP of the County Zoning Code and/or the County Shoreland and Floodland
Protection Ordinance on this date, April 1, 2022, in the following manner:

Existing Zoning Classification(s): C-1

Proposed Zoning Classification(s): A-2

Existing Use(s) of the subject property: residential

Proposed Use(s) of the subject property: residential

Tax Key No(s). DEL T0819992001

Address of subject premises: 2289 N106 Elmhurst Rd., Delafield 53188

Legal Description of the subject property: see attached

Reasons/Conditions which justify a change in the zoning (attach additional pages, if necessary):

minor rezoning of part of a drive that is
existing from C-1 to A-2

Owner: Daniel Studer +
Shyenne Marie Brown-Studer Applicant: Jon Sphaeris

2289 N106 Elmhurst Rd 195 E Wisconsin Ave. Suite A

Delafield, Wis. 53188 Oconomowoc, Wis. 53066

Daytime Phone No. [REDACTED] Daytime Phone No. (262) 490-5558

Email address and/or fax number if you would like a copy of the staff report forwarded to you
prior to the (Co. Park and Planning Commission) meeting: [REDACTED]

The following information **must be** submitted with this application:

1. Three (3) copies of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of **all** properties within 300 feet of the subject property.

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APR 01 2022

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Waukesha Co. Park and Planning Commission) meeting: _____

The following information **must be** submitted with this application:

1. One electronic copy of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of all properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that all of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site, as necessary and related to this application, even if the property has been posted against trespassing pursuant to Wis. Stat., and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

Signature of Owner Tom Lee

Date of Filing 4-1-2022

Signature of Applicant Jon Sheehan

Date of Filing 4-1-2022

NPFRANDJL Planning and Zoning Services\FORM Zoning Map amendment application blank.doc

Revised 02/16/22

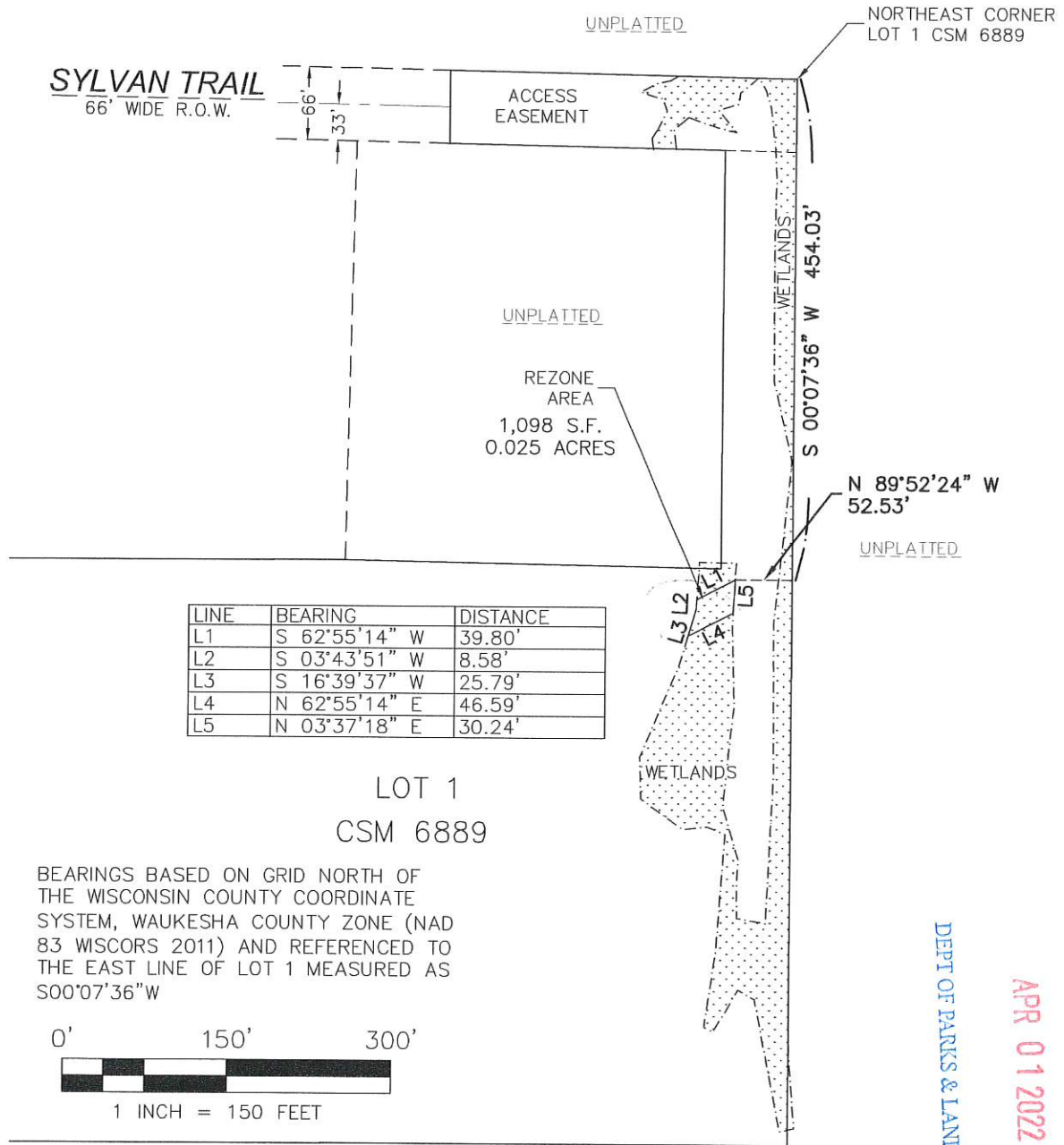
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LAYOUT EXHIBIT-1		REV.	
DRAWING 22074 REZONE_EX.DWG	DRAWN BY MTD	CHECKED BY JDD	JOB NO. 22074

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HAVING AN AREA OF 1,098 SQUARE FEET, 0.025 ACRES.

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Prepared By:

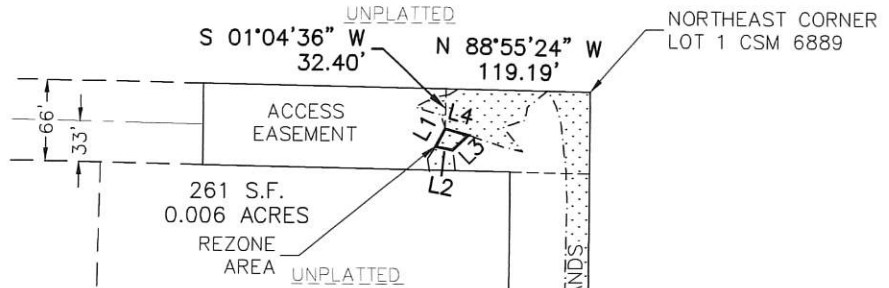


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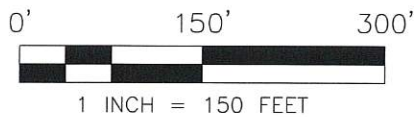


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LOT 1
CSM 6889




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Plan Commission Report for June 7, 2022

Studer Zoning Amendment (County) Agenda Item No. 5. B.

Applicant: Dan Studer

Project: Zoning Amendment from C-1 to A-2,
County Shoreland/Floodland zoning.

Requested Action: Recommendation to Town Board

Zoning: C-1 (County) to A-2 (County)

Location: W289 N106 Elmhurst Road

Report

This action is the second part of a two-step process. The first step is for Waukesha County to establish zoning on the Studer lands as part of the establishment of Shoreland Zoning on a number of properties located at the east end of Sylvan Trail. The County is proposing to designate a portion of the Studer land as C-1 Conservancy Overlay District based on the presence of wetlands. The request from Mr. Studer is to rezone two small portions of his land from C-1 to A-2 in order to accommodate a driveway between the east end of Sylvan Trail and a larger expanse of his property located east and south of the east end of Sylvan Trail. A portion of the driveway is already in place and was permitted by the WDNR for construction a few years ago. Mr. Studer plans to use the driveway for access to a future home site. The site would be created by a land split at some time in the future. The Studer lands, which includes "legs" to Elmhurst Road and to Sylvan Trail total 11.38 acres. The amount of land to be rezoned totals 1,359 square feet (.03 acres).

Staff Recommendation:

I have no objection to the requested rezoning. Prior to designation of the land as C-1, the Town's zoning designation was A-2 Rural Home District. The zoning only applies to a small portion of land. The effect of the rezoning is that it allows a driveway from Sylvan Trail to the larger expanse of Mr. Studer's property. The land where Mr. Studer may propose a land split in the future will be rezoned to EC (Environmental Corridor) and will be limited to a 5 acre density. Adequate land is available for him to split the land and he will be subject to County zoning restrictions for the land split.

I recommend that the Town Plan Commission provide a positive recommendation for the rezoning of two small areas of land on the Studer property (1,359 sq. ft.), as depicted on the drawings prepared by Land Tech Surveying, dated 3/31/22, from C-1 Conservancy to A-2 Rural Home District under Waukesha County Shoreland and Floodland Protection ordinance, subject to the County establishing zoning districts on this land, prior to action on this matter.