

Ordinance No. 2007-001

**An Ordinance
to amend the Zoning Map
of the Town of Delafield from R-2 PUD to A-2 on lands located in the Northwest 1/4 of Section 25,
known as Outlot 4, Shepherds Pass subdivision.**

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

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from R-2 PUD to A-2 on the following described parcels of land:

Outlot 4, Shepherds Pass, a subdivision recorded in the Waukesha County Register of Deeds

Section 2:

The rezoning of these lands is conditioned upon satisfaction of the following items:

- A. A deed restriction shall be placed on the land known as Outlot 4 to include the restrictions set forth in the Shepherds Pass subdivision and reflected on the Certified Survey Map required in Condition B, with the following clarifications:
- a. No building, septic system or mound system shall be placed in the area known as Outlot 4.
 - b. The lands known as Outlot 4 can be made part of a land split or land combination.
 - c. Shepherds Pass Homeowner's Association approval is not needed for any improvements.
 - d. Perimeter lot fencing, meeting the requirements of the Town Code, shall be allowed on lands known as Outlot 4.
 - e. Restriction No. 22 related to large animals being prohibited on outlots shall not apply to those lands known as Outlot 4.
 - f. Restriction paragraphs 15, 16 and 17 shall not apply
- B. A Certified Survey Map shall be prepared combining the existing Hilgart homestead land and Outlot 4 into one parcel, or if approved by the Town, combining Outlot 4 and a parcel of land split off from Mr. Hilgart's homestead land. The Certified Survey Map shall clearly show the area known as Outlot 4 and a note stating that no building shall be placed in said area. The Map shall also indicate a 30 foot offset line outside of the land known as Outlot 4.

Section 3: 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 4: 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 14th day of February, 2007.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:



Paul L. Kanter, Town Chairman

ATTEST:



Mary T. Elsner, CMC, WCMC
Town Clerk