

Ordinance No. 2008-002

An Ordinance to amend the Zoning Map of the Town of Delafield from A-1 to R-2 for lands located in the Southeast ¼ of Section 10, Township 7 North, Range, 18 East, Town of Delafield, Waukesha County, Wisconsin, also known as Tax Key No. DELT 0760-995 and W300 N3401 Maple Avenue.

WHEREAS, the landowners have petitioned the Town of Delafield to amend the zoning map of the Town of Delafield in order for them to bring their legal, non-conforming lot into conformance with the current zoning code, and

WHEREAS, based on the existing lot width, existing public road location and proposed zoning, the land could not be split further, and

WHEREAS, it is the recommendation of the Plan Commission that the land be restricted such that it may never be split in the future,

NOW, THEREFORE, 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 A-1 to R-2 on the following described parcel of land:

All that part of the Southeast ¼ of Section 10, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the East Quarter corner of said Section 10; thence due South along the east line of said Southeast Quarter of Section 10 and the centerline of Maple Avenue (formerly CTH E) right-of-way 552.09 feet to the place of beginning of the land hereinafter to be described: thence continuing due south along said section line and right-of-way centerline 205.00 feet; thence North 88 46' West along an existing fence line and fence line extended 425.10 feet; thence due North 195.85 feet; thence due East, 425.00 feet to the place of beginning; containing 1.9554 acres of land. Excepting and reserving the easterly 50.00 feet for road right-of-way purposes.

Section 2: As a condition of the rezoning the land shall never be split into two or more parcels.

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 11th day of March, 2008.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:



Paul L. Kanter, Town Chairman

ATTEST:



Mary T. Elsner, CMC, WCMC
Town Clerk