

**STATE OF WISCONSIN      VILLAGE OF RICHFIELD      WASHINGTON COUNTY**  
**ORDINANCE O2021-06-01**

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**AN ORDINANCE TO REZONE A PORTION OF PROPERTY IDENTIFIED BY TAX KEY:  
V10\_117100B FROM A-1, EXCLUSIVE AGRICULTURAL DISTRICT TO  
RS-1B, SINGLE FAMILY CLUSTER/OPEN SPACE RESIDENTIAL DISTRICT**

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WHEREAS, the property owner, Mr. Tracy Weber is acting as the petitioner to rezone the following parcel of land, Tax Key: V10\_117100B from A-1, Exclusive Agricultural District and UC, Upland Conservancy District to Rs-1b, Single Family Cluster/Open Space Residential District and UC, Upland Conservancy District; and

WHEREAS, the property is proposed to be rezoned so the owner can develop a single-family subdivision; and

WHEREAS, this proposed rezoning is consistent with the Village's Future Land Use Map; and

WHEREAS, the rezoning petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Village Board conducted a public hearing on June 17, 2021; and

WHEREAS, the Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is consistent with the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE BE IT RESOLVED, the Village of Richfield Village Board, Washington County, Wisconsin ORDAINS AS FOLLOWS:

**Section 1. Zoning Map Change**

The subject property is hereby rezoned as described above and depicted in Exhibit A, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject property.

**Section 2. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

**Section 3. Severability.** 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 become effective upon passage and publication/posting.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest:

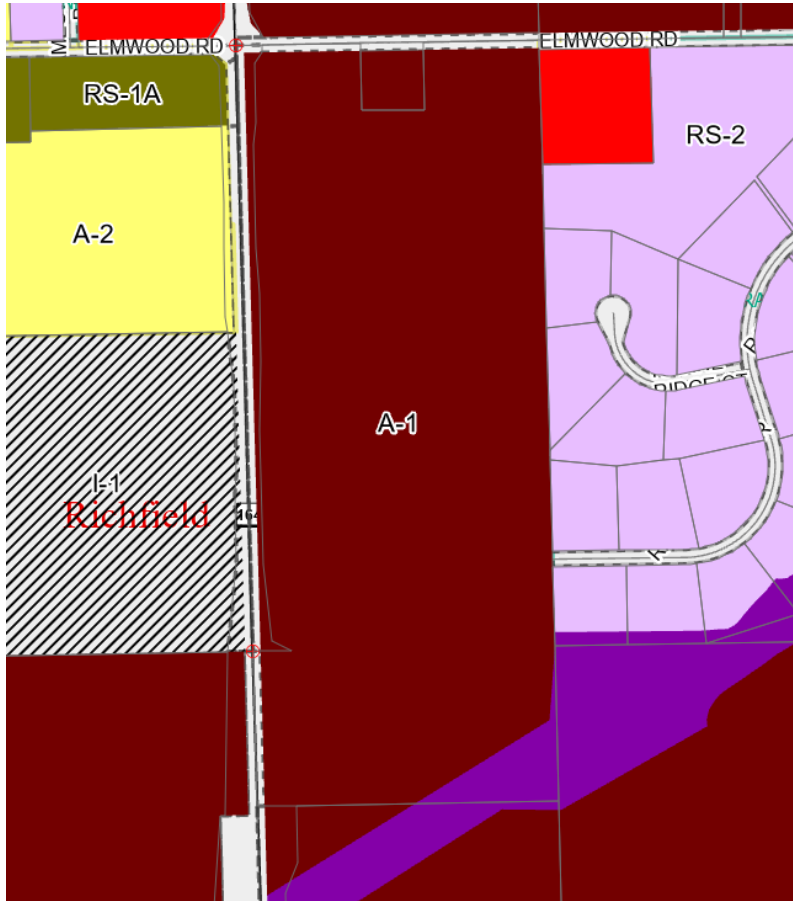
\_\_\_\_\_  
John Jeffords, Village President

\_\_\_\_\_  
Jim Healy, Village Clerk/Administrator

# Exhibit A

Tax Key: V10\_117100B

A-1, Exclusive Agricultural District & UC, Upland Conservancy District to Rs-1b, Single-Family Cluster/Open Space Residential District & UC, Upland Conservancy District



## Legal Description of area to be rezoned:

The lands to be rezoned Rs-1B single-family cluster/open space residential district are hereafter described as follows: (per Chicago Title Insurance Company Commitment No. CO-10910, dated March 16, 2021)

The West 1/2 of the Southwest 1/4 and the West 1/2 of the Northwest 1/4 of Section 28, in Township 9 North, Range 19 East, in the Town of Richfield, Washington County, Wisconsin,

EXCEPTING therefrom those lands lying South of a line commencing 678.54 feet South 01°31' 55" East of the West 1/4 corner of said Section 28, and running 1322.37 feet North 88°59' 24" East.

ALSO EXCEPTING therefrom that part of the Northwest 1/4 of the Northwest 1/4 of said Section 28, bounded and described as follows: Commencing at the North 1/4 corner of said Section 28, thence South 89°06' 55" West, along the North line of the Northwest 1/4 of said Section 28, 1833.60 feet to the point of

beginning of the lands to be described, thence continuing along the North line of the Northwest 1/4, South 89°06' 55" West, 275.00 feet to a point, thence South 00°53' 05" East, 295.00 feet to a point, thence North 89°06' 55" East, 275 00 feet to a point; thence North 00°53' 05" West, 295.00 feet to the point of beginning.

ALSO EXCEPTING therefrom that part conveyed to Washington County by deed dated February 6, 1963 and recorded in said Register's office on February 15, 1963 in Volume 372, Page 337 as Document No 266535.

ALSO EXCEPTING therefrom that part conveyed to the State of Wisconsin Department of Transportation by Warranty Deed recorded February 29, 2016 as Document No. 1399931.

ALSO EXCEPTING therefrom the following lands which are designated as "Primary Environmental Corridor" (PEC) due to steep slopes, said lands are bounded and described as follows: Commencing at the west 1/4 corner of said Section 28; thence South 01°31'55" East, a distance of 678.54 feet; thence North 88°59'24" East, a distance of 1322.37 feet; to the point of beginning of lands hereafter described; thence South 88°59'24" West, a distance of 524.97 feet; thence North 18°02'20" East, a distance of 162.57 feet; thence North 69°54'19" East, a distance of 496.42 feet; thence South 01°30'45" East, a distance of 316.00 feet to the point of beginning; said described primary environmental corridor contains 114,683 s.f. (2.6328 acres), more or less of land.