



REZONING PETITION

TO: The Honorable President and Members of the Village Board for the Village of Sussex

I (we), the undersigned, being the owner(s) of all the area herein described, hereby petitions the Village Board of the Village of Sussex, Wisconsin, to rezone the following described property:

Address: W239 N7542 Maple Avenue (approximately 33.15 acres)
(Please attach a legal description)

Current zoning: RS-2 Requested zoning: PDO Overlay

Purpose of rezoning:

To facilitate the concept plan and preliminary plat approval of the project.

Please provide the following:

Site Plan/Survey/Plot Plan, drawn to scale of one inch equals one hundred (100) feet, showing the area to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts and the location and existing use of all properties within two hundred (200) feet of the area proposed to be rezoned.

Needed at time of submittal:

Rezoning application fee of \$500.00

Signature of Thomas Ennen
Owner, Thomas Ennen

Signature of Erika Ennen
Owner, Erika Ennen

1478 W. Sand Pebble Dr
Oro Valley, AZ 85737
Address, City, St & Zip

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Contact Name : George B. Erwin, III Address: 2300 N. Mayfair Rd., #1175, Milwaukee, WI 53226

Phone #: (414) 258-4300 E-mail: gbe@sdelaw.com

For office use only

Payment received: 9/28/2016 Plan Commission recommendation:
Date filed with Village Clerk: Publish dates:
Public Hearing date: Village Board date:

REZONING EXHIBIT "B"

LEGAL DESCRIPTION:

That part of the Northwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 19 East, Town of Lisbon, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of the Southwest 1/4 of said Section 14; Thence North 89°00'14" East along the North line of said Southwest 1/4 436.00 feet to the place of beginning of lands hereinafter described;

Thence continuing North 89°00'14" East along said North line 892.65 feet to a point on the West line of "Certified Survey Map No. 10450"; Thence South 00°16'06" West along said West line 1314.02 feet to a point on the North line of "Pine Ridge Subdivision"; Thence South 88°44'42" West along said North line and its extension 1323.29 feet to a point on the West line of said Southwest 1/4; Thence North 00°01'47" East along said West line 1.86 feet to a point; Thence North 88°30'47" East 435.58 feet to a point; Thence North 00°01'47" East 100.02 feet to a point; Thence North 00°23'13" West 161.35 feet to a point; Thence North 00°01'47" East 58.80 feet to a point; Thence North 67°32'13" West 213.84 feet to a point; Thence North 86°38'13" West 237.00 feet to a point on the West line of said 1/4 Section; Thence North 00°01'47" East along said West line 590.95 feet to a point; Thence North 89°00'14" East 436.00 feet to a point; Thence North 00°01'47" East 300.00 feet to the point of beginning of this description

Said Parcel contains 1,444,270 Square Feet (or 33.1559 Acres) of land, more or less.

Date: 10/5/2016



Andrew J. Miazga, P.L.S.
Professional Land Surveyor, S-2826
TRIO ENGINEERING, LLC
12660 W. North Avenue, Building "D"
Brookfield, WI 53005
Phone: (262)790-1480 Fax: (262)790-1481

**NARRATIVE IN SUPPORT OF
PETITION FOR PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT (PDO)**

Hidden Hills

Currently the Development has not adopted a specific name for the subdivision but for purposes of this presentation we will assume that it is Hidden Hills. The materials presented herewith are in support of a planned development overlay district designation for the project. The project consists of an approximately 33 acre site located on Maple Avenue. Total area is 33.15 acres; 32.58 acres after deducting for additional Maple Avenue right-of-way in connection with the development. The following provides general characteristics of the proposed subdivision:

- Total Area = 33.15 acres; 32.58 acres after deducting Maple Avenue right-of way
- Density = 1.26 lots/acre
- Proposed Zoning = Rs-2 PDO
- Minimum Lot Size = 20,000 s.f.
- Average Lot Size = 26,805 s.f. (excluding existing residence)
- Lot Width = 100' minimum
 - 110'+ width is typical
 - Lot width at cul-du-sacs = 90' min. at front setback; 100' at 40' from front lot line
- Setbacks:
 - Front = 30'
 - Side = 15'
 - Rear = 25'
- Area of Open Space/Tree Preservation Area = 8.3 acres

I. Relationship of Proposed PDO to Village's Adopted Master Plan

There are a number of matters in the Village's Master Plan which are impacted by the planned development district designation. The subject property includes woodlands. Under the cultural and natural resource portion of the Master Plan contemplated developments require an

inventory of existing trees. That ordinance was subsequently embodied in the tree preservation ordinance. The tree preservation ordinance will be complied with under the PDO.

Secondly, there are a number of housing and residential initiatives detailed in the Master Plan. They each recognize that the Village of Sussex is essentially surrounded by a number of existing communities and its borders are fixed. The growth that can be anticipated is based on a limited supply of land. The plan asserts that the future growth potential should be directed in a way that affords a number of housing options within the single family category. As housing develops away from the center of the Village, clustered subdivisions to minimize impact on the community's rural character and sensitive land are to be encouraged. The lot density should not jeopardize the health and safety or physically negatively effect surrounding manmade and natural environments. If there are subdivisions proposed in isolated natural resource areas, they should be designed in a way to preserve those portions of the land that are suitable to be preserved while maintaining the objective of facilitating growth needs for the future given the finite availability of future lands for development.

The comprehensive plan was codified by the Land Division and Development Chapter 18 and specifically codified under 18.0204 and titled land suitability. A land suitability analysis mandates that the Planning Commission determines suitability of lands by reason of flooding and adequate drainage, suitability of soils or unfavorable topography or slopes. At 18.0204(l), lands having a slope greater than 12 percent should be maintained as open space unless the Planning Commission finds that the lands may be graded or sloped below 12 percent through an approved Grading Plan. The intent of the Village embodied in the ordinance is to balance growth with protection of environmentally sensitive land. *The PDO sought for the subject land is in furtherance of the Planning Commission's objective of protecting and maintaining the slopes of lands greater than 12 percent.* The PDO as sought proposes (i) a 30 foot setback versus a 40 foot setback at the front lot line, (ii) a 90 foot width in cul-du-sacs versus a 100 foot width at setback, and finally (iii) a 60 foot right-of-way versus a 66 foot right-of-way. In all instances the effect of the PDO changes are to accomplish the following:

A. Maximize the tree preservation areas. By reducing the building pad by potentially bringing the homes closer to the road right-of-way, we expand and enhance the availability of lands suitable for tree preservation. As a result, more than one-fourth of the site would be held in tree preservation. This balances growth with protecting the environmental futures.

B. The reduced setbacks minimize the intrusion into slope areas.

C. The tree preservation promotes visual attractive development by ensuring a maximum tree canopy.

D. These changes facilitate the protection of the unique topography features of the site and preserves the old growth wooded areas.

Areas to be included in the PDO are all of the lands sought to be included in the subdivision. The proposed zoning of RS2 PDO would have minimum lot sizes of 20,000 square feet with an average lot size of 26,805 square feet. At 40 lots with an average price of home and lot package of \$650,000 would generate approximately \$28,000,000 in estimated value of the fully improved subdivision.

There would be a storm water feature which would be transferred to the Village to be maintained in the future.

Deed Restrictions would be put of record to ensure high quality development, and provide an enforcement mechanism to protect the tree preservation areas as well as compliance with other deed restrictions that are placed of record as approved by the Village. Individual home and lot packages would be developed pursuant to those deed restrictions. Those deed restrictions would anticipate homes at a *minimum* of 2200 to 2500 square feet single story and 2500 to 2800 square feet two story construction.

Appended hereto is a legal description of the boundary of the subject property included in the proposed PDO and its relationship with the surrounding property. The attached also includes the location of public and private roads, driveways and public facilities.

The proposed plat identifies the size, arrangement and location of individual building sites and proposed building sites in the subdivision.

The proposed plat identifies all open space areas and areas intended to be reserved and/or dedicated for public uses.

There are no architectural plans, elevation or prospective drawings associated with the design and character of proposed residential lots.

In summary the proposed planned development overlay district is consistent in all respects with the intent and purpose of the comprehensive plan in that it identifies and preserves lands that contain isolated natural resource features consisting of high slope and woodlands. The cluster type development minimizes intrusions within those high slope areas, provides for adequate drainage for surface and storm water, is accessible by public utilities, proposed public streets are suitable and meet the minimum standards of all applicable ordinances and administrative regulations of the Village.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George B. Erwin, III", is written over the typed name. The signature is stylized and cursive.

George B. Erwin, III

Brian Tetting