

STATE OF WISCONSIN

VILLAGE OF DOUSMAN

WAUKESHA COUNTY

ORDINANCE NO. 378

AN ORDINANCE TO AMEND THE LAND USE PLAN OF THE VILLAGE OF DOUSMAN PERTAINING TO LANDS ON THE NORTH SIDE OF WILSON AVENUE BETWEEN THE PROPERTIES WITH THE ADDRESS OF 116 AND 194 WILSON AVENUE TAX KEY NUMBER DOUV 0711-947

WHEREAS, the Village Board adopted a Land Use Plan of the Village of Dousman, also known as the Comprehensive Plan, on April 5, 2006; and

WHEREAS, the consideration of the amendment has been initiated by the petition of Diane Blank, owner of a vacant 5.62-acre property between 116 and 194 Wilson Avenue (a/k/a known as DOUV 0711-947), as part of a process to initiate the construction of one (1) single family home on the property as allowed within a Primary Environmental Corridor, outside of the delineated wetland and floodplain areas on the subject property; and

WHEREAS, the petition specifically requests to amend the base land use designation of the Land Use Plan for the above referenced property from Light Industrial to Small Lot Single Family with the Primary Environmental Corridor overlay designation remaining the same over the entire property; and

WHEREAS, the Village of Dousman Plan Commission recommended the Village of Dousman Land Use Plan be amended to provide consistency between the Land Use Plan and application of the Zoning Code, as required by the State of Wisconsin Comprehensive Planning Law (Statute Section 66.1001); and

WHEREAS, the Plan Commission found that the Land Use Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001 (2) of the Wisconsin Statutes and that the Comprehensive Plan with the proposed amendment, is internally consistent. Furthermore, the Plan Commission finds the proposed land use designation is consistent with adjacent land use designation of Small Lot Single Family south of Wilson Avenue.

WHEREAS, on Monday, March 8, 2021, a public hearing was held by the Village of Dousman Village Board to take public testimony regarding said amendment after publication and mailing of notice as required by Section 66.1001 of State of Wisconsin Statutes; and

WHEREAS, upon due consideration of all the information received for this matter, and the recommendation of the Village of Dousman Plan Commission, the Village of Dousman Village Board finds that the changes to the Village of Dousman Land Use Plan will not be contrary to the public health, safety or welfare, and will promote the public health, safety and welfare of the Village of Dousman, will not be hazardous, harmful, noxious, offensive or nuisance by reason of noise, dust, smoke, traffic congestion, odor or other similar factors; and will not for any other reason cause substantial adverse effect on the property values and the general desirability of the affected properties.

NOW, THEREFORE, the Village Board of the Village of Dousman, Waukesha County, DOES HEARBY ORDAIN AS FOLLOWS;

SECTION 1:

The Comprehensive Plan for the Village of Dousman entitled "Land Use Plan, Village of Dousman, Waukesha County, Wisconsin", adopted by the Village Board of the Village of Dousman on April 5, 2006, is hereby amended with amendment No. 4 as follows:

- A. Map 5, "Proposed Land Uses, Village of Dousman", page 21, shall be amended by changing the base land use designation for the property, as shown on Exhibit A, from Light Industrial to Small Lot Single Family with the Primary Environmental Corridor overlay designation remaining the same over the entire property.
- B. All other maps within the Land Use Plan providing the land use designation of the property highlighted on Exhibit A shall also be amended.
- C. The written descriptions of the land use designation of Small Lot Single Family on pages 20 and 23 of the Land Use Plan shall remain as written.

SECTION 2: 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 decisions 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, section 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 3: EFFECTIVE DATE

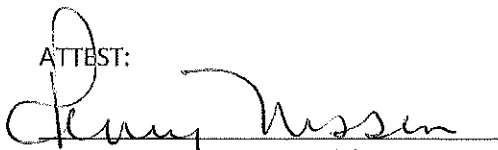
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 8th day of March, 2021

VILLAGE OF DOUSMAN


Jack Nissen, Village President

ATTEST:


Penny Nissen, Village Clerk/Treasurer

Draft prepared by Bruce Kaniewski, Village Planner
March 3, 2021