

Enrolled Ordinance 157-103

PROPOSED ORDINANCE 157-105

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2
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
4 ORDINANCE OF THE TOWN OF LISBON, BY CONDITIONALLY REZONING CERTAIN
5 LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 11, T8N, R19E, TOWN OF
6 LISBON, FROM THE A-1 AGRICULTURAL AND A-E EXCLUSIVE AGRICULTURAL
7 DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS
8 (SZ-1466)
9

10
11 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
12 the Waukesha County Park and Planning Commission, after Public Hearing, and giving the
13 requisite notice of said hearing, and the recommendation thereon reported to the Land Use, Parks
14 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha
15 County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.
16

17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
18 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance District
19 Zoning Map for the Town of Lisbon, Waukesha County, Wisconsin, adopted by the Waukesha
20 County Board of Supervisors on June 23, 1970, is hereby amended to conditionally rezone from
21 the A-1 Agricultural and A-E Exclusive Agricultural Districts to the R-1 Residential and C-1
22 Conservancy Districts,
23 certain lands located in part of the SW ¼ of Section 11, T8N, R19E, Town of Lisbon, and more
24 specifically described in the "Staff Report and Recommendation" and map on file in the office
25 of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance
26 by reference (SZ-1466) and subject to the following condition.
27

28 Only one access point shall be allowed from the subdivision onto Plainview Road,
29 excluding the parcel containing the existing residence/buildings.
30

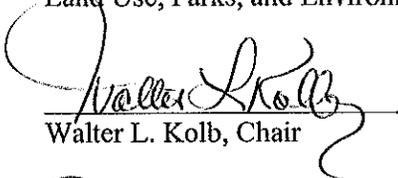
31 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
32 this Ordinance with the Town of Lisbon Clerk.
33

34 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
35 approval and publication.
36

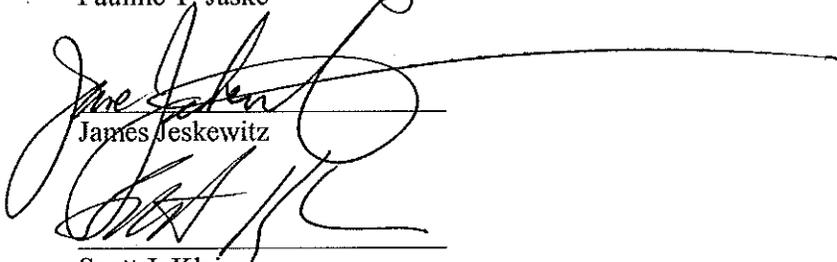
37 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of
38 provisions of this Ordinance are hereby repealed.

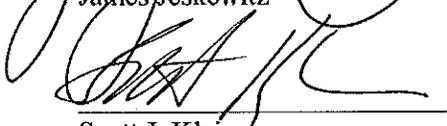
AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE OF THE TOWN OF LISBON, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 11, T8N, R19E, TOWN OF LISBON, FROM THE A-1 AGRICULTURAL AND A-E EXCLUSIVE AGRICULTURAL DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (SZ-1466)

Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair

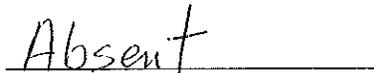

Pauline T. Jaske


James Jeskewitz

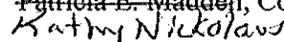

Scott J. Klein


Daniel Pavelko

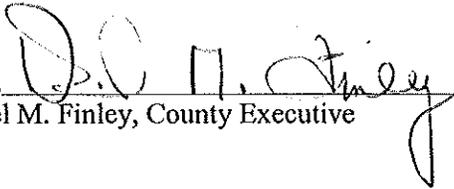

Vera Stroud


Matt Thomas

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 1-28-03, 
Patricia E. Madden, County Clerk


The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:
Vetoed:
Date: 1-31-03, 
Daniel M. Finley, County Executive

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: December 19, 2002

FILE NO: SZ-1466

PETITIONER/OWNER: Frank Gross
N80 W23792 Plainview Road
Sussex, Wisconsin 53089

TAX KEY NO.: LSBT 0187.998.006

LOCATION:

Part of the SW ¼ of Section 11, T8N, R19E, Town of Lisbon, located at the Plainview Road address cited above containing a total of approximately 34 acres of which 19.6 acres will be rezoned (the remaining lands are outside of the County's zoning jurisdiction and are not proposed to be rezoned).

EXISTING ZONING CLASSIFICATION:

A-1 Agricultural District and A-E Exclusive Agricultural Conservancy District.

REQUESTED ZONING CLASSIFICATION:

R-1 Residential District, requiring a minimum lot size of one acre and a minimum average width of 150', and C-1 Conservancy District. No amendments are required from the Town as the areas to be rezoned are entirely within the County's shoreland and floodland zoning jurisdiction.

EXISTING USES: Residential, agricultural and conservancy lands.

REQUESTED USES: Residential and conservancy lands.

CONFORMANCE WITH THE WAUKESHA COUNTY LAND DEVELOPMENT PLAN (WCLDP):

The WCLDP designates the property as Low Density Urban Residential (20,000 square feet to 1.4 acres of lot area per dwelling unit) and Primary Environmental Corridor in the area of the proposed zoning change. The proposal conforms with the plan.

PUBLIC HEARING DATE: November 7, 2002

PUBLIC REACTION:

There were three comments made by the public regarding the fact that the proposed lots are too small and too narrow, there are groundwater and drainage concerns, and the traffic volumes would increase with a new development. It should be noted the current Town zoning allows lots 30,000 square feet in size and 120' in width. The Plan Commission indicated they would address these concerns when the Developer submitted a Subdivision Plat.

157-0-107

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

On November 7, 2002, the Town of Lisbon Plan Commission recommended approval of the request to the Town Board of Supervisors. On November 11, 2002, the Town of Lisbon Board of Supervisors recommended approval of the request to Waukesha County.

STAFF ANALYSIS:

There is a large conservancy area to the north of the subject property, the southern edge of which is on the petitioner's property. He has farmed some of that conservancy area in the past and that is why a portion of the subject property is zoned A-E. The remainder of the subject lands in the County's zoning jurisdiction are zoned A-1. The petitioner would like to rezone the lands so they are consistent with the Town's zoning classifications (R-2 and Conservancy) and the Waukesha County Development Plan in order to develop residential lots on the property. The petitioner may consider County acquisition of the Conservancy lands at some point in the future. The 100-year floodplain encompasses a portion of the property, and there are two wetland areas and drainage ditches on the site as well. The A-E lands will be rezoned to C-1 and the A-1 lands will be rezoned to R-1.

The zoning/land uses surrounding the subject property are: C-1/Conservancy to the northeast and north, A-E and A-1/Conservancy and Residential to the northwest; and A-2 (Town)/Residential to the east, west, and south. Generally, the soil types north of the floodplain boundary line are unsuitable for development. The soil types south of the floodplain boundary line are suitable for development purposes. The petitioner had monitoring wells and soil tests done in the early 1990's, but will have new soil tests done in conjunction with his proposed development. Access for the development would have to be approved by the Town Engineer.

STAFF RECOMMENDATION:

Based upon the above information, the Planning and Zoning staff recommends **approval** of the petitioner's request to amend the County zoning map as requested. The request is in conformance with the WCLDP and is consistent with the Town's zoning for this property which is a factor to consider in this case as there is very little County zoning jurisdiction in the area, other than the conservancy zoned lands to the north. In addition, the Conservancy area will benefit from the rezoning as no development will be allowed in the C-1 area.

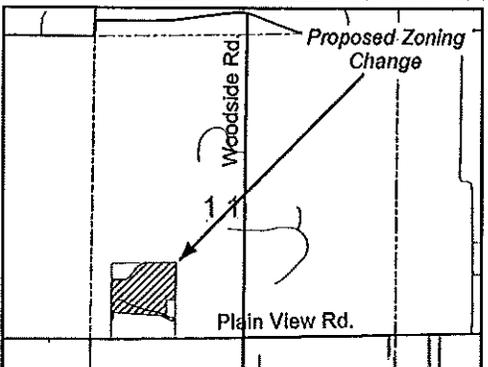
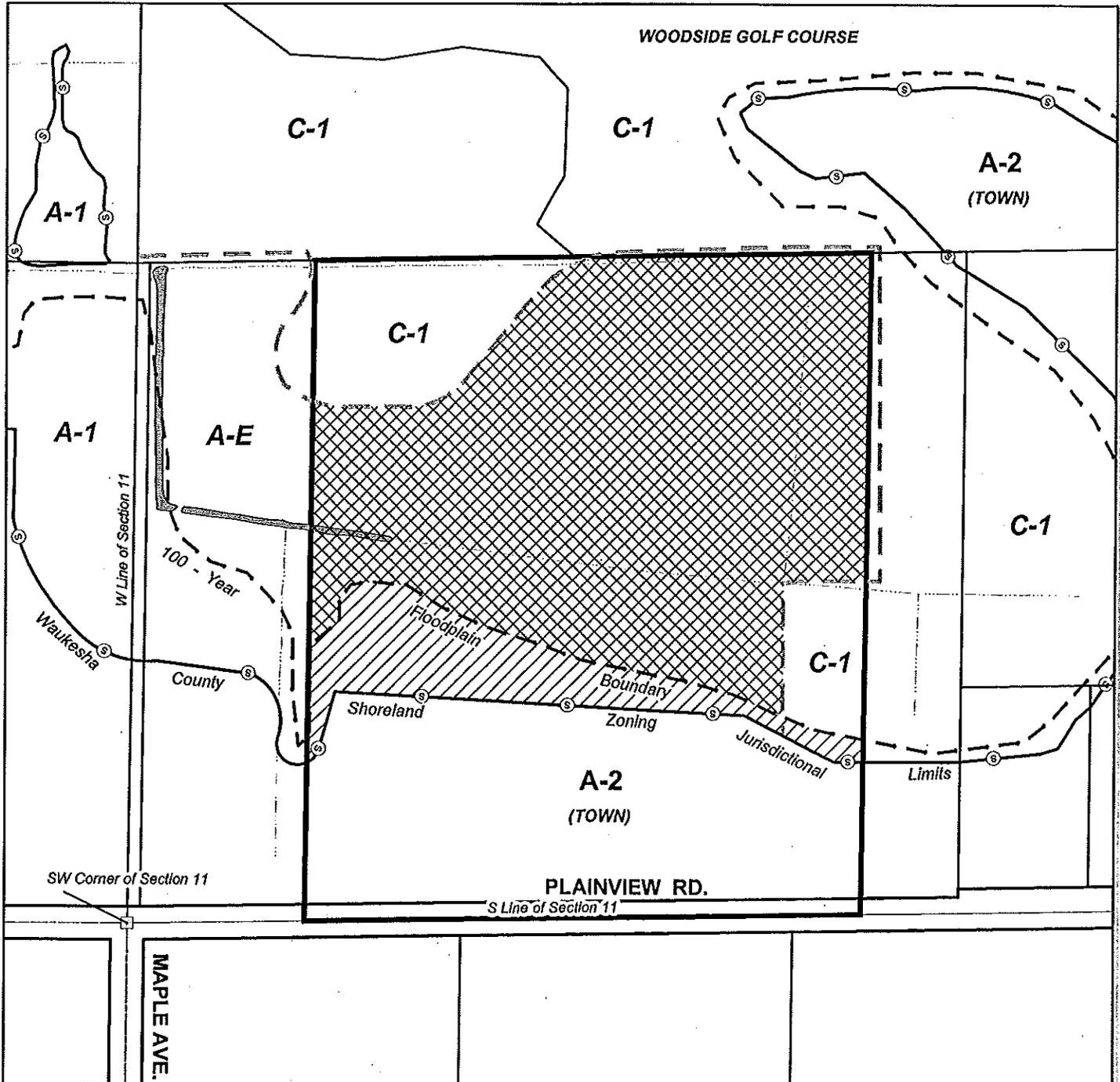
Respectfully submitted,



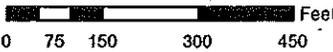
Sandy Scherer
Senior Planner

ZONING MAP AMENDMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 11 TOWN OF LISBON



	ZONING CHANGE FROM A-1 TO R-1 (2.85 ACRES)
	ZONING CHANGE FROM A-E TO C-1 (16.72 ACRES)
FILE.....	SZ-1466
DATE.....	12-19-02
AREA OF CHANGE.....	19.6 ACRES
TAX KEY NUMBER.....	LSBT 0187.998.006


 1 inch equals 300 feet


Prepared by the Waukesha County Department of Parks and Land Use

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-01/28/03

(ORD) NUMBER-1570107

1 K. HERRO.....AYE
 3 D. STAMSTA.....
 5 J. MARCHESE.....AYE
 7 J. JESKEWITZ.....AYE
 9 P. HAUKOHL.....AYE
 11 K. HARENDA.....
 13 J. MORRIS.....AYE
 15 D. SWAN.....AYE
 17 J. BEHREND.....AYE
 19 M. SONNENTAG.....
 21 W. KOLB.....AYE
 23 P. PRONOLD.....AYE
 25 K. CUMMINGS.....AYE
 27 D. PAULSON.....AYE
 29 M. THOMAS.....AYE
 31 V. STROUD.....
 33 D. PAVELKO.....AYE
 35 C. SEITZ.....AYE

2 R. THELEN.....AYE
 4 H. CARLSON.....AYE
 6 D. BROESCH.....AYE
 8 J. DWYER.....AYE
 10 S. WOLFF.....AYE
 12 J. GRIFFIN.....AYE
 14 J. LA PORTE.....AYE
 16 R. MANKE.....AYE
 18 D. FANFELLE.....AYE
 20 M. KIPP.....AYE
 22 G. BRUCE.....AYE
 24 A. SILVA.....AYE
 26 S. KLEIN.....AYE
 28 P. JASKE.....AYE
 30 K. NILSON.....AYE
 32 P. GUNDRUM.....AYE
 34 R. SINGERT.....AYE

TOTAL AYES-31

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-31