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2
3 AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND
4 AND FLOODLAND PROTECTION ORDINANCE, BY CONDITIONALLY REZONING
5 CERTAIN LANDS LOCATED IN PART OF THE W ½ OF THE NE ¼ OF SECTION 8, T8N,
6 R17E, TOWN OF OCONOMOWOC, FROM THE A-T AGRICULTURAL LAND
7 PRESERVATION TRANSITION DISTRICT TO THE R-1 RESIDENTIAL DISTRICT
8 (SCZ-1437)
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 the giving of
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 and 59.69 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 adopted on
19 June 23, 1970, is hereby amended to conditionally rezone from the A-T Agricultural Land
20 Preservation Transition District to the R-1 Residential District, certain lands located in part of the
21 W ½ of the NE ¼ of Section 8, T8N, R17E, Town of Oconomowoc, and more specifically
22 described in the "Staff Report and Recommendation" and map on file in the office of the
23 Waukesha County Department of Parks and Land Use and made a part of this Ordinance by
24 reference (SCZ-1437), subject to the following conditions:
25

- 26 1. A maximum of fifteen (15) lots shall be allowed and the development occur
27 substantially in conformance with the plan (3/18/02) for a conservation design,
28 open space subdivision.
29
30 2. No buildings, structures, septic systems, stormwater management facilities or
31 other improvements shall be allowed within the Primary Environmental Corridor.
32 A Site Plan shall be submitted for review and approval by the Staff showing
33 building envelopes, primary and secondary septic locations and stormwater
34 management measures outside of the corridor.
35
36 3. Vehicular access to S.T.H. 67 shall be prohibited.
37
38 4. The project shall be divided using the Subdivision Plat Procedure and a Drainage
39 and Stormwater and Erosion Control Plan shall be submitted to and approved by
40 the Waukesha County Parks and Land Use, Land Resources Division.
41

42 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
43 this Ordinance with the Town Clerk of Oconomowoc.
44

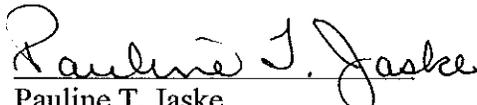
45 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
46 approval and publication.
47

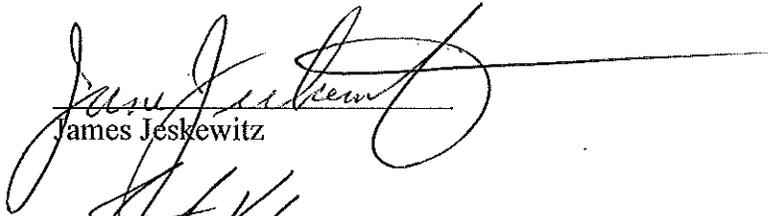
48 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of
49 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE W 1/2 OF THE NE 1/4 OF SECTION 8, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE A-T AGRICULTURAL LAND PRESERVATION TRANSITION DISTRICT TO THE R-1 RESIDENTIAL DISTRICT (SCZ-1437)

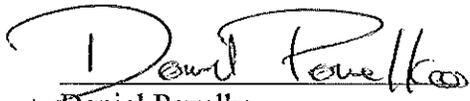
Presented by:
Land Use, Parks, and Environment Committee

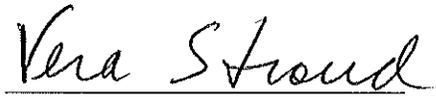

Walter L. Kolb, Chair

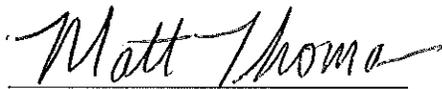

Pauline T. Jaske


James Jeskewitz

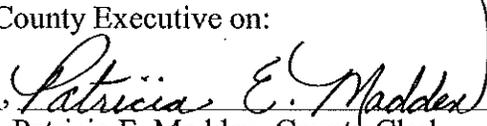

Scott J. Klein


Daniel Pavelko

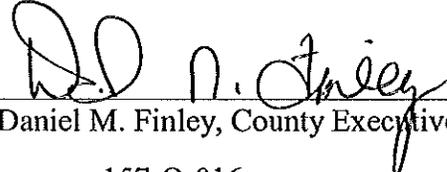

Vera Stroud


Matt Thomas

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

Date: June 14, 2002 
Patricia E. Madden, County Clerk

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

Approved:
Vetoed:
Date: 6-17-02 
Daniel M. Finley, County Executive

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

FILE NO: SCZ-1437

TAX KEY NUMBER: OCOT 461.995

DATE: May 9, 2002

NAME OF PETITIONER: Bill Minett
426 East Wisconsin Avenue
Oconomowoc, Wisconsin 53066

LOCATION OF PROPERTY:

Part of the W ½ of the NE ¼ of Section 8, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin; located on the south side of C.T.H "CW", approximately 500' east of its intersection with S.T.H. 67, consisting of approximately 46 acres.

PRESENT ZONING:

A-T Agricultural Land Preservation Transition, 35-acre minimum parcel size.

PROPOSED ZONING:

R-1 Residential District, permitting development with one acre minimum lot sizes and conditioned upon no more than 15 lots being created.

PRESENT LAND USE:

Farmland on the eastern half with heavy tree coverage, steep slopes and the Ashippun River running through the western half of the property.

PROPOSED LAND USE:

15 lot residential subdivision development.

PUBLIC HEARING DATE:

March 28, 2002

PUBLIC REACTION:

Residents in the area were concerned with the development of the property with less than three (3) acre lot sizes, the traffic speed on C.T.H. "CW" in this area, areas labeled as conservancy were included in the density calculations and that drainage from the property will cause drainage problems on the property to the west.

TOWN PLANNING COMMISSION ACTION:

The Town of Oconomowoc Plan Commission, at their meeting on April 1, 2002, voted to conditionally approve the rezoning request subject to the following conditions:

1. Documentation be submitted to the Town Planner that an Access Permit has been issued by the Department of Public Works to C.T.H. "CW".
2. A maximum of 15 lots permitted.

157-0-016

3. All building envelopes shall be located outside the Primary Environmental Corridor (PEC).
4. The wetland delineation report be submitted to the Town of Oconomowoc for review and approval.
5. Vehicular access to S.T.H. 67 shall be prohibited.
6. The Developer comply in all respects with the Waukesha County Stormwater Management and Erosion Control Ordinance.
7. A Site Plan be submitted with building envelopes, primary and secondary septic fields.

TOWN BOARD ACTION:

The Town of Oconomowoc Board, at their meeting on April 15, 2002, voted to approve the rezoning request in accordance with the Town Plan Commission's recommendation.

COMPLIANCE WITH THE TOWN OF OCONOMOWOC LAND USE PLAN AND THE WAUKESHA COUNTY DEVELOPMENT PLAN:

The Town of Oconomowoc Land Use Plan designates this area in the 3 to 5 acre Agriculture Density category, and the Waukesha County Development Plan designates the area in the Suburban II Density category, allowing residential development at 3 to 4.9 acres per dwelling unit. The proposed change is consistent with both plans.

OTHER CONSIDERATIONS:

The applicant is proposing to purchase the 46 acre property, which contains a foundation of a barn and two silos near C.T.H. "CW". The parcel has varying terrains through areas that are still presently farmed, with approximately 15 acres of the site containing the Ashippun River, adjacent floodplains and wetlands, and steep topography with heavy tree coverage. The petitioner is proposing to divide the property into 15 lots, varying from 1 to 1.5 acres in size, with approximately 23 acres of open space and one access road extending from C.T.H. "CW" to the eastern property line. As proposed, the petitioner intends on preserving all of the Ashippun River, floodplain, wetlands and a significant portion of the PEC in common ownership by the lot owners of the subdivision. At the hearing, it was discussed whether the petitioner had considered creating three (3) acre lots. The petitioner indicated they had shown Planning Staff a layout showing eleven (11), three (3) acre lots, but this would leave significant portions of wetlands, floodplains and the PEC in private ownership, which both the Planning Staff and the petitioner agreed is not the best way to preserve these sensitive areas. Soil tests have been conducted which indicate the site will support conventional septic systems. All building sites and septic systems are proposed to remain outside of the PEC. The Waukesha County Department of Public Works has reviewed the site distances and has indicated that existing drives on the property to the west and trees and brush to the east would need to be removed before a final determination can be made regarding the proposed access.

STAFF RECOMMENDATION:

It is the opinion of the staff this request be approved in accordance with the Town of Oconomowoc Board action subject to the following conditions:

157-0-016

4.

1. A maximum of fifteen (15) lots shall be allowed and the development occur substantially in conformance with the plan (3/18/02) for a conservation design, open space subdivision.
2. No buildings, structures, septic systems, stormwater management facilities or other improvements shall be allowed within the Primary Environmental Corridor. A Site Plan shall be submitted for review and approval by the Staff showing building envelopes, primary and secondary septic locations and stormwater management measures outside of the corridor.
3. Vehicular access to S.T.H. 67 shall be prohibited.
4. The project shall be divided using the Subdivision Plat Procedure and a Drainage and Stormwater and Erosion Control Plan shall be submitted to and approved by the Waukesha County Parks and Land Use, Land Resources Division.

It is felt, as conditioned, the development of the property will protect the most environmentally sensitive areas of the property: the Ashippun River, wetlands, floodplains, steep terrain, and mature tree and ground cover, through the clustering of development on approximately half of the property, while providing future development access to the east, which meets the intent of the Town of Oconomowoc Land Use Plan and the Waukesha County Development Plan.

Respectfully submitted,

Brian P. Depies/smc

Brian P. Depies
Senior Land Use Specialist

BPD:smv

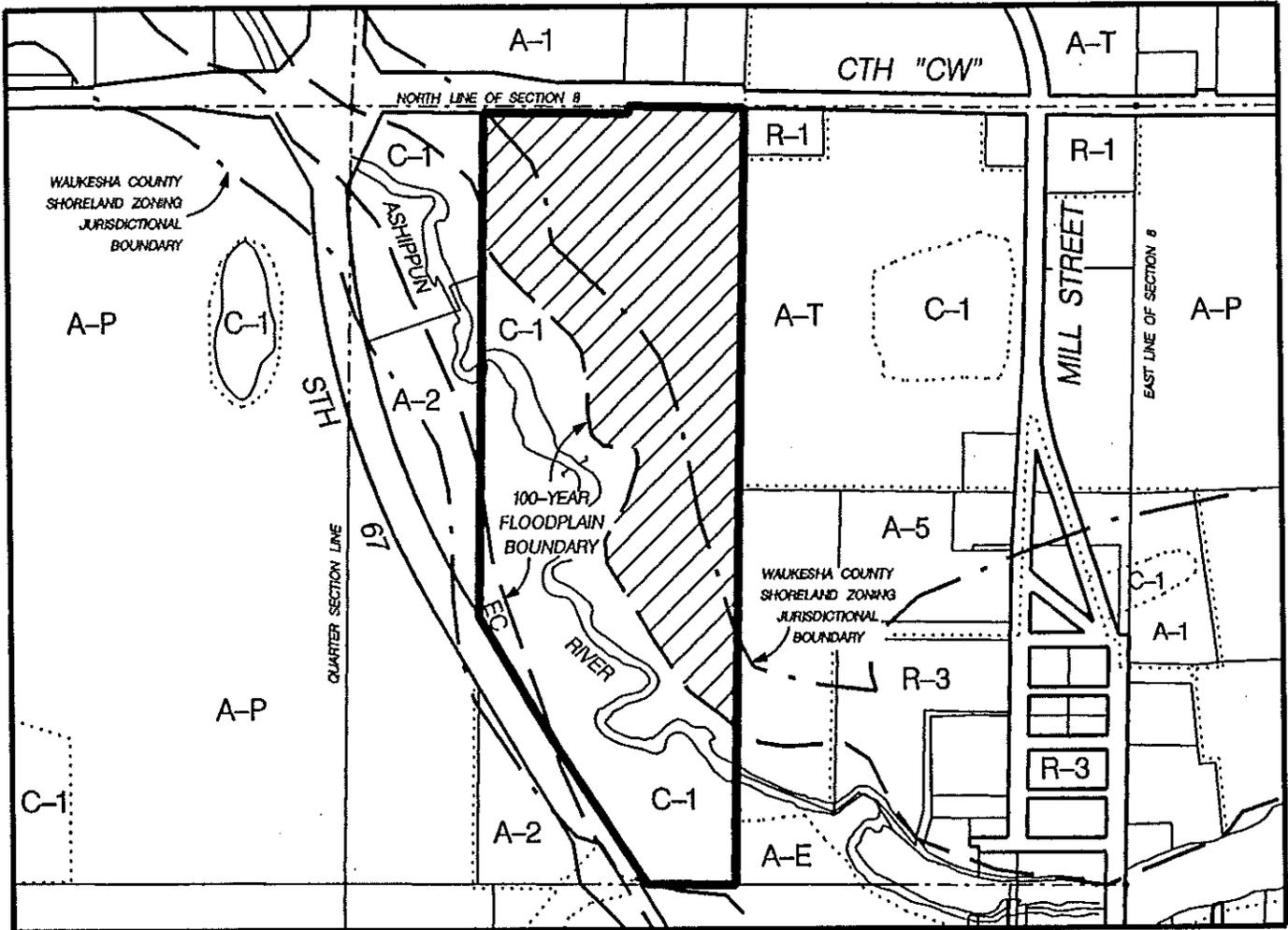
N:\PLU NEW FILE SYSTEM (IN-PROGRESS)\PLANNING & ZONING\REZONES (RZ)\STAFF REPORTS\1437_OCT(KLUG-MINNETT).DOC

157-0-016

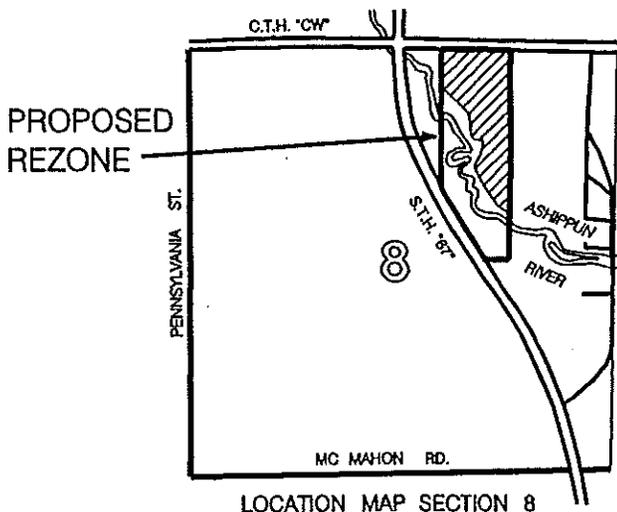
5.

ZONING CHANGE

PART OF THE NE 1/4 OF SECTION 8
TOWN OF OCONOMOWOC



ZONING CHANGE FROM A-T (AG. LAND PRESERVATION TRANSITION)
TO CONDITIONAL R-1 (25.19 Ac)



LOCATION MAP SECTION 8

FILE.....SCZ-1437

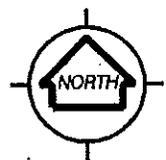
DRAWN.....5-9-02

SCALE.....1" = 600'

AREA OF CHANGE.....25.19 ACRES



GRAPHIC SCALE IN FEET



PREPARED BY THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-06/11/02

(ORD) NUMBER-1570016

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

- 2 R. THELEN.....NAY
- 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-34

TOTAL NAYS-01

CARRIED X

DEFEATED

UNANIMOUS

TOTAL VOTES-35