

Enrolled 158-134
PROPOSED ORDINANCE ~~158-136~~

1
2
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
4 ORDINANCE DISTRICT ZONING MAP IN THE CITY OF OCONOMOWOC BY
5 REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ AND THE
6 NE ¼ OF SECTION 33, T8N, R17E, CITY OF OCONOMOWOC, FROM THE
7 A-T AGRICULTURAL LAND PRESERVATION TRANSITION
8 DISTRICT TO THE R-3 RESIDENTIAL DISTRICT
9 (SVZ-1511)
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 a 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 adopted on
19 June 23, 1970, for the City of Oconomowoc, Waukesha County, is hereby amended to rezone
20 certain lands located in part of the SE ¼ and the NE ¼ of Section 33, T8N, R17E, City of
21 Oconomowoc, from the A-T Agricultural Land Preservation Transition District to the R-3
22 Residential District, and more specifically described in the "Staff Report and Recommendation"
23 and map on file in the office of the Waukesha County Department of Parks and Land Use, and
24 made a part of this Ordinance by reference (SVZ-1511).
25

26 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
27 this Ordinance with the City of Oconomowoc.
28

29 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
30 approval and publication.
31

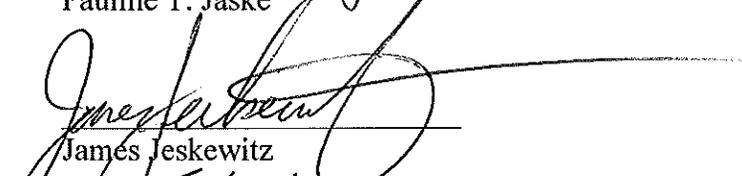
32 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of
33 provisions of this Ordinance are hereby repealed.

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
ORDINANCE DISTRICT ZONING MAP IN THE CITY OF OCONOMOWOC BY
REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ AND THE
NE ¼ OF SECTION 33, T8N, R17E, CITY OF OCONOMOWOC, FROM THE
A-T AGRICULTURAL LAND PRESERVATION TRANSITION
DISTRICT TO THE R-3 RESIDENTIAL DISTRICT
(SVZ-1511)

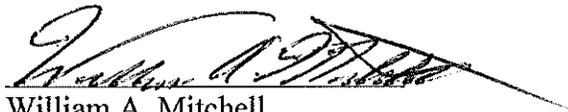
Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair


Pauline T. Jaske


James Jeskewitz

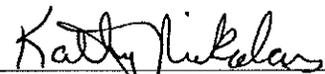

Scott J. Klein


William A. Mitchell


Daniel Pavelko

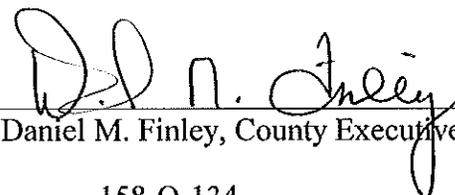

Vera Stroud

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

Date: 2-27-04, 
Kathy Nickolaus, County Clerk

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

Approved:
Vetoed:
Date: 3-3-04


Daniel M. Finley, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of (SVZ-1511 Mark Neumann/Welch Hanson) in accordance with the attached "Staff Report and Recommendation."

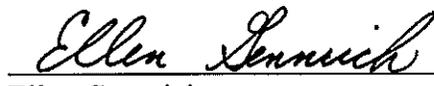
PARK AND PLANNING COMMISSION

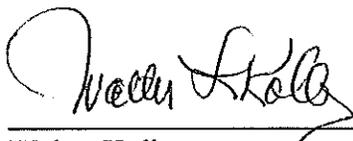
January 22, 2004

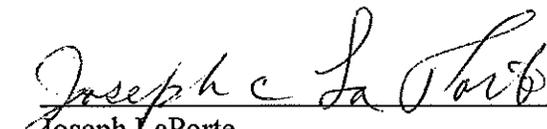

Betty Willert, Chairperson


Vy Janusonis


Mareth Kipp


Ellen Gennrich


Walter Kolb


Joseph LaPorte


Walter Baade

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

DATE: January 22, 2004

FILE NO.: SVZ-1511

OWNER: Mark Neumann
W330 N6233 Hasslinger Drive
Nashotah, WI 53058

Ronald Thurow
W372 N4923 Sheldon Road
Oconomowoc, WI 53066

Scott O'Kalien
W372 N4897 Sheldon Road
Oconomowoc, WI 53066

Oconomowoc Cemetery Association
P.O. Box 432
Oconomowoc, WI 53066

Daniel W. Hicks
W195 Lang Road
Oconomowoc, WI 53066

Monark Supply Company
P.O. Box 226
Oconomowoc, WI 53066

PETITIONER: Jeff Herrmann, Welch Hanson Associates, Inc.
355 Austin Circle, Suite 100
Delafield, WI 53018

TAX KEY NO.: OCOT0564.999.001, OCOT0564.013, OCOT0564.001,
OCOT0564.002, OCOT0564.003, OCOT0564.004,
OCOT0564.997, OCOT0564.014, OCOT0564.027,
OCOT0561.369, and OCOT0561.348.

LOCATION: Being a part of the NE ¼, SE ¼, and SW ¼ of the SE ¼ and the SE ¼
of the NE ¼ of Section 33, all in T8N, R17E, City of Oconomowoc,
and more specifically located north, west and east of the plated
Sheldon Road. The property consists of 57.21 acres

PRESENT ZONING: A-T Agricultural Land Preservation Transition District, requiring a
thirty-five (35) acre minimum lot size.

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PROPOSED ZONING: R-3 Residential District, requiring a 20,000 sq. ft. minimum lot size (14,000 sq. ft. with “sewer reduction”).

PRESENT LAND USE: The property presently contains a single-family residence, several outbuildings and vacant lands.

PROPOSED LAND USE: The property is proposed to be subdivided into one hundred and thirteen (113) residential lots and ninety-eight (98) condominium units.

CONFORMANCE WITH THE WAUKESHA COUNTY LAND DEVELOPMENT PLAN AND THE CITY OF OCONOMOWOC LAND USE PLAN:

The property is designated Medium Density Residential and High Density Residential under the Waukesha County Land Development Plan, and suburban residential, urban residential and commercial-mixed/flexible use under the City of Oconomowoc Comprehensive Master Plan. The proposed zoning change is in conformance with both plans.

PUBLIC HEARING DATE:

January 14, 2004.

PUBLIC REACTION:

None.

CITY OF OCONOMOWOC PLANNING COMMISSION ACTION:

The City of Oconomowoc Plan Commission, at their January 14, 2004, meeting, unanimously recommended approval of this request.

COMMON COUNCIL ACTION:

The City of Oconomowoc Common Council will take action on this request on January 20, 2004.

STAFF ANALYSIS:

The property is proposed to be subdivided into one hundred and thirteen (113) residential lots, with the ability to construct ninety-eight (98) condominium units in an outlot, to be known as Thurow’s Golden View Estate. There will be one access to S.T.H. 16 to the south and an emergency access right-of-way to Lapham Street to the north. Streets are not planned to extend to the east and west due to the S.T.H. 67 bypass to the east and a cemetery to the west. With the platting of the lands, approximately 4.8 acres will be transferred to the cemetery to the west, 15.8 acres of open space will be dedicated to the City for park purposes, a portion of Sheldon Avenue will be vacated, and an extension of Lapham Street, south of S.T.H. 16, will be extended through the property, for a possible future connection to Lapham Street to the north. The subdivision will be served with municipal sewer and water. The single-family lots will range in size from 10,000 to 10,500 sq. ft. range. The lots will have minimums of an 80’ width, 25’ setback, 9’ offsets, and floor area ratio of 40%. Since the lot size, width, setback, offset and floor area ratio do not meet the normal lot provisions of the Waukesha County Shoreland and Floodland Protection Ordinance, the applicant has applied for and received a Conditional Use through the City of Oconomowoc for a cluster residential development, which is comparable to the planned unit development requirements of the Waukesha County Shoreland and Floodland Protection Ordinance which would allow the reduced dimensions.

The property is currently zoned Suburban Residential and Urban Commercial, and the property is proposed to be rezoned to the Suburban Residential District and Urban Residential District under the City of Oconomowoc Zoning Ordinance. The western half of the property is within 1,000' of a public body of water, and four (4) acres to the north falls within 300' of a navigable stream, placing approximately 39.28 acres within the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance. The area contains sixty-one (61) residential lots and up to ninety-eight (98) condominium units. Since the planned unit development provisions of the Waukesha County Shoreland and Floodland Protection Ordinance limit the total number of units within this area to one hundred and fifty-two (152), at least seven (7) units within the condominium platting process must be located outside of the Shoreland and Floodland Protection Ordinance Jurisdictional limits, which based on the proposed Development Plan, does not appear to be a problem. Wetlands and floodplain areas to the north will remain undisturbed and will be dedicated to the City of Oconomowoc.

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends **approval** of this request. The site will be served with municipal sewer and water and is in conformance with the Waukesha County Land Development Plan and the City of Oconomowoc Land Use Plan. The proposed development will add lands to the cemetery to the west, and preserve wetlands, floodplain and open spaces through the dedication of lands to the City of Oconomowoc, which is in conformance with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance.

Respectfully submitted,



Brian P. Depies
Senior Land Use Specialist

BPD

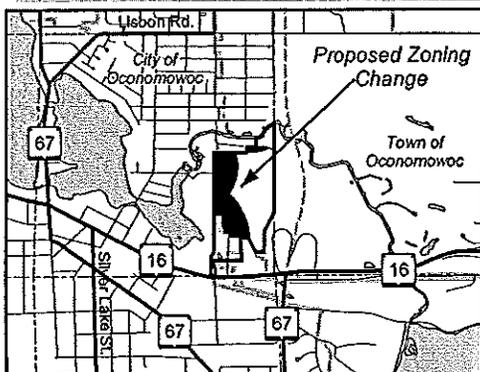
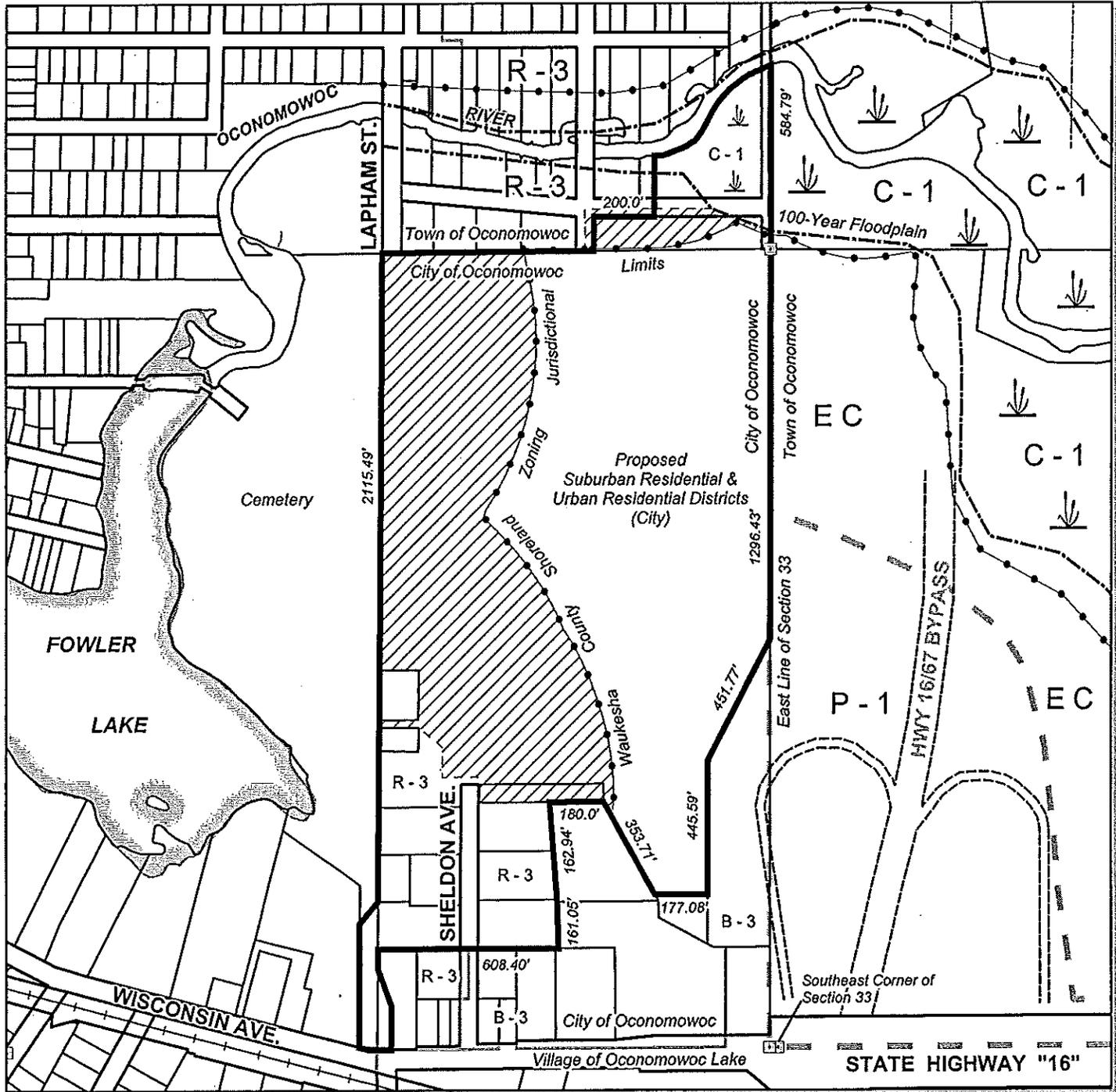
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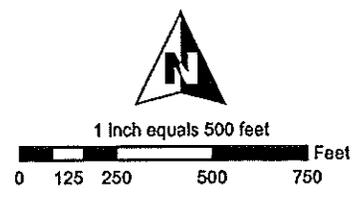
ZONING MAP AMENDMENT

PART OF THE SE 1/4 & NE 1/4 OF SECTION 33
CITY OF OCONOMOWOC (T8N R17E)



 SHORELAND ZONING CHANGE FROM A-T (AG. LAND PRES. TRANSITION DISTRICT) TO R-3 (RESIDENTIAL DISTRICT)

FILE.....SVZ-1511
 DATE.....1-22-04
 AREA OF CHANGE.....23.0 ACRES
 TAX KEY NUMBER.....(Multiple Parcels)



Prepared by the Waukesha County Department of Parks and Land Use

158-0-134

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/24/04

(ORD) NUMBER-1580134

1 K. HERRO.....AYE
3 D. STAMSTA.....AYE
5 J. MARCHESE.....
7 J. JESKEWITZ.....AYE
9 P. HAUKOHL.....NAY
11 K. HARENDA.....AYE
13 J. MORRIS.....AYE
15 D. SWAN.....AYE
17 J. BEHREND.....AYE
19 W. MITCHELL.....AYE
21 W. KÖLB.....AYE
23 P. PRONOLD.....
25 K. CUMMINGS.....
27 D. PAULSON.....AYE
29 M. THOMAS.....
31 V. STROUD.....AYE
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 B. MORRIS.....AYE
20 M. KIPP.....AYE
22 G. BRUCE.....AYE
24 A. SILVA.....NAY
26 S. KLEIN.....NAY
28 P. JASKE.....AYE
30 K. NILSON.....AYE
32 P. GUNDRUM.....AYE
34 R. SINGERT.....AYE

TOTAL AYES-28

TOTAL NAYS-03

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-31