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2
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
4 ORDINANCE DISTRICT ZONING MAP IN THE CITY OF OCONOMOWOC BY
5 CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE
6 SW ¼ OF SECTION 6, AND PARTS OF THE NW ¼ AND SW ¼ OF SECTION 7, T7N,
7 R17E, CITY OF OCONOMOWOC, FROM THE A-E EXCLUSIVE AGRICULTURAL
8 CONSERVANCY DISTRICT TO THE R-3 RESIDENTIAL AND C -1
9 CONSERVANCY DISTRICTS (SVZ-1512)
10
11

12 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
13 the Waukesha County Park and Planning Commission after Public Hearing and the giving of
14 requisite notice of said hearing and a recommendation thereon reported to the Land Use, Parks
15 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha
16 County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
19 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on
20 June 23, 1970, for the City of Oconomowoc, Waukesha County, is hereby amended to
21 conditionally rezone certain lands located in part of the SW ¼ of Section 6, and parts of the NW
22 ¼ and SW ¼ of Section 7, T7N, R17E, City of Oconomowoc, from the A-E Exclusive
23 Agricultural Conservancy District to the R-3 Residential and C-1 Conservancy Districts, and
24 more specifically described in the "Staff Report and Recommendation" and map on file in the
25 office of the Waukesha County Department of Parks and Land Use, and made a part of this
26 Ordinance by reference (SVZ-1512), subject to the following condition:
27

28 The Department of Natural Resources shall approve the filling activities proposed
29 on the site.
30

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

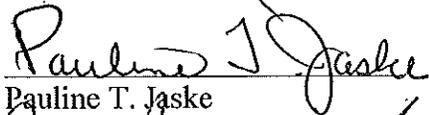
34 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
35 approval and publication.
36

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38 provisions of this Ordinance are hereby repealed.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 DISTRICT ZONING MAP IN THE CITY OF OCONOMOWOC BY
CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE
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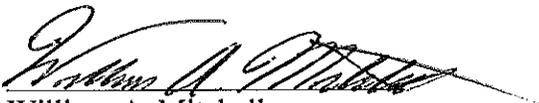
Presented by:
Land Use, Parks, and Environment Committee

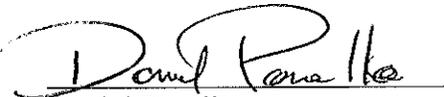

Walter L. Kolb, Chair

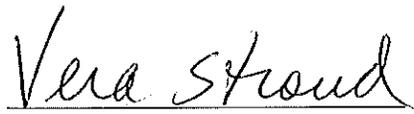

Pauline T. Jaske


James Jeskewitz

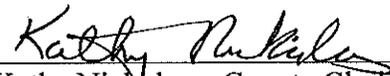

Scott J. Klein


William A. Mitchell

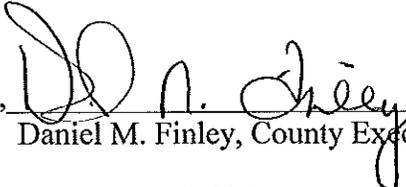

Daniel Pavelko


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 Nicklaus, 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

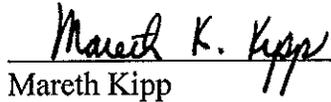
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of (SVZ-1512 WE Properties, LLC/Wozniak Co.) in accordance with the attached "Staff Report and Recommendation."

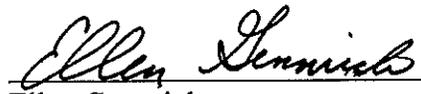
PARK AND PLANNING COMMISSION

January 22, 2004


Betty Willert, Chairperson

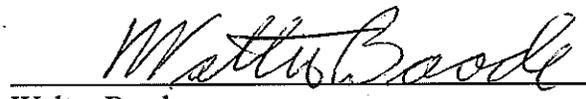

Vy Vanusonis


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-1512

OWNER: WE Properties LLC
434 North Lake Road
Oconomowoc, WI 53066

PETITIONER: Todd Wozniak
N22 W27847 Edgewater Drive
Pewaukee, WI 53072

TAX KEY NO.: OCOC0599.996, OCOC0602.999.004

LOCATION:
Being part of the SW ¼ of Section 6, and parts of the NW ¼ and SW ¼ of Section 7, all in T7N, R17E, City of Oconomowoc, and more specifically located north of C.T.H. "B" and south of the Oconomowoc River. The property consists of 153.8 acres

PRESENT ZONING:
A-E Exclusive Agricultural Conservancy District, requiring a thirty-five (35) acre minimum lot size.

PROPOSED ZONING:
R-3 Residential District, requiring a 20,000 sq. ft. minimum lot size (14,000 sq. ft. with "sewer reduction") and C-1 Conservancy.

PRESENT LAND USE:
The property is presently vacant and farmed, with wetlands and 100-year floodplain along the northern edge of the property.

PROPOSED LAND USE:
The property is proposed to be subdivided into one hundred and ninety (190) residential lots, resulting in a gross density of 35,261 sq. ft. per dwelling unit.

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

The Land Use Plan for the City of Oconomowoc designates the upland portions of this property in the Suburban Residential category, which allows roughly three (3) units per acre. The Waukesha County Development Plan labels the property as Suburban I Density Residential (1.5 to 2.9 acres of lot area per dwelling unit), Primary Environmental Corridor and Isolated Natural Resource Area, but since the City of Oconomowoc has adopted a Land Use Plan for this area, State Statute indicates the City's Plan takes precedence and the County Plan is accordingly revised.

PUBLIC HEARING DATE:
January 14, 2004.

158-0-135

PUBLIC REACTION:

Two members of the public raised questions whether the filling of the lands would affect their properties.

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 be taking action on this request on January 20, 2004. It should be noted, the city's position is advising only under the Shoreland Ordinance.

STAFF ANALYSIS:

The property is proposed to be subdivided into one hundred and ninety (190) residential lots to be known as Waters Edge Subdivision. The subdivision will be served with municipal sewer and water. The single-family lots would range in size, with a majority of lots ranging in size from 15,000 sq.ft. to 20,000 sq.ft. The proposed overall density would be 1.24 dwelling units per acre or roughly 35,200 sq. ft per dwelling unit. Access to the property will be obtained from C.T.H. "B" to the south and Riverline Drive to the east. No road extensions are planned to the north and west due to the Oconomowoc River, 100-year floodplain, wetlands and existing residential development along Morgan Road.

The property has been rezoned to the Suburban Residential District under the City of Oconomowoc's Zoning Ordinance. The northern portions of the property, which are within 300' of the Oconomowoc River and extending to the edge of the wetlands (approximately 600' from the Oconomowoc River based on current mapping) fall under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance and are currently zoned A-E Exclusive Agricultural Conservancy District. Based on a remapping of this area within the Town of Summit, it appears that a pond to the northwest and a pond to the southwest of this development have been determined to be state waters by the Wisconsin Department of Natural Resources (DNR), and therefore Waukesha County's Jurisdictional limits would extend to the western portions of this development, encompassing a total of approximately fifty-one (51) acres. The development, as proposed, will meet the requirements of the Waukesha County Shoreland and Floodland Protection Ordinance.

The developers are proposing to fill 18,800 sq.ft. of the 100-year floodplain with 3,184 cu.ft. of fill on the rear portions of three (3) lots within the northwestern portion of the development. To compensate the filling activities, the developer will be doing a 3,184 cu.ft. cut within the outlot adjacent to these lots. The developer is proposing this transfer of flood storage capacity to ensure that lots will have enough area to construct a residence and still be seventy-five (75) feet from the 100-year floodplain, which is a requirement of the Waukesha County Shoreland and Floodland Protection Ordinance. Wetlands on the property have been staked out and will not be affected by the proposed filling activities.

Areas designated as Primary Environmental Corridor and Isolated Natural Resource Area on the Waukesha County Land Development Plan will be placed within outlots and remain undisturbed, with the exception of thirteen (13) lots that will be located in the Isolated Natural Area. It should be noted the Isolated Natural Resource Area was not field verified by the Southeastern Wisconsin Regional Planning Commission.

158-0-135

4.

Lands to the east of the development are within the Riverline Subdivision, which consist of lots in the three-quarter ($\frac{3}{4}$) acre size, while lots to the west are approximately two (2) acres in size, but are substantially shielded from the development by the Isolated Natural Resource area. Lands to the south were recently divided into fifteen (15) acre residential/farmette lots.

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends approval of this request subject to DNR approval of the filling activities proposed. The site will be served with municipal sewer and water and is in conformance with the City of Oconomowoc Land Use Plan and County Plan as revised according to statute. The proposed development is consistent with the existing development to the east, will preserve wetlands and will compensate for areas filled within the 100-year floodplain, which is in conformance with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance.

Respectfully submitted,

Handwritten signature of Brian Depies in cursive script.

Brian P. Depies
Senior Land Use Specialist

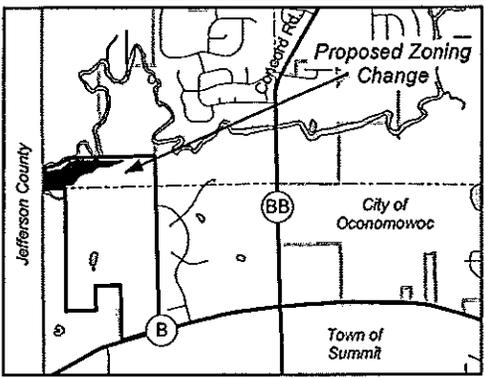
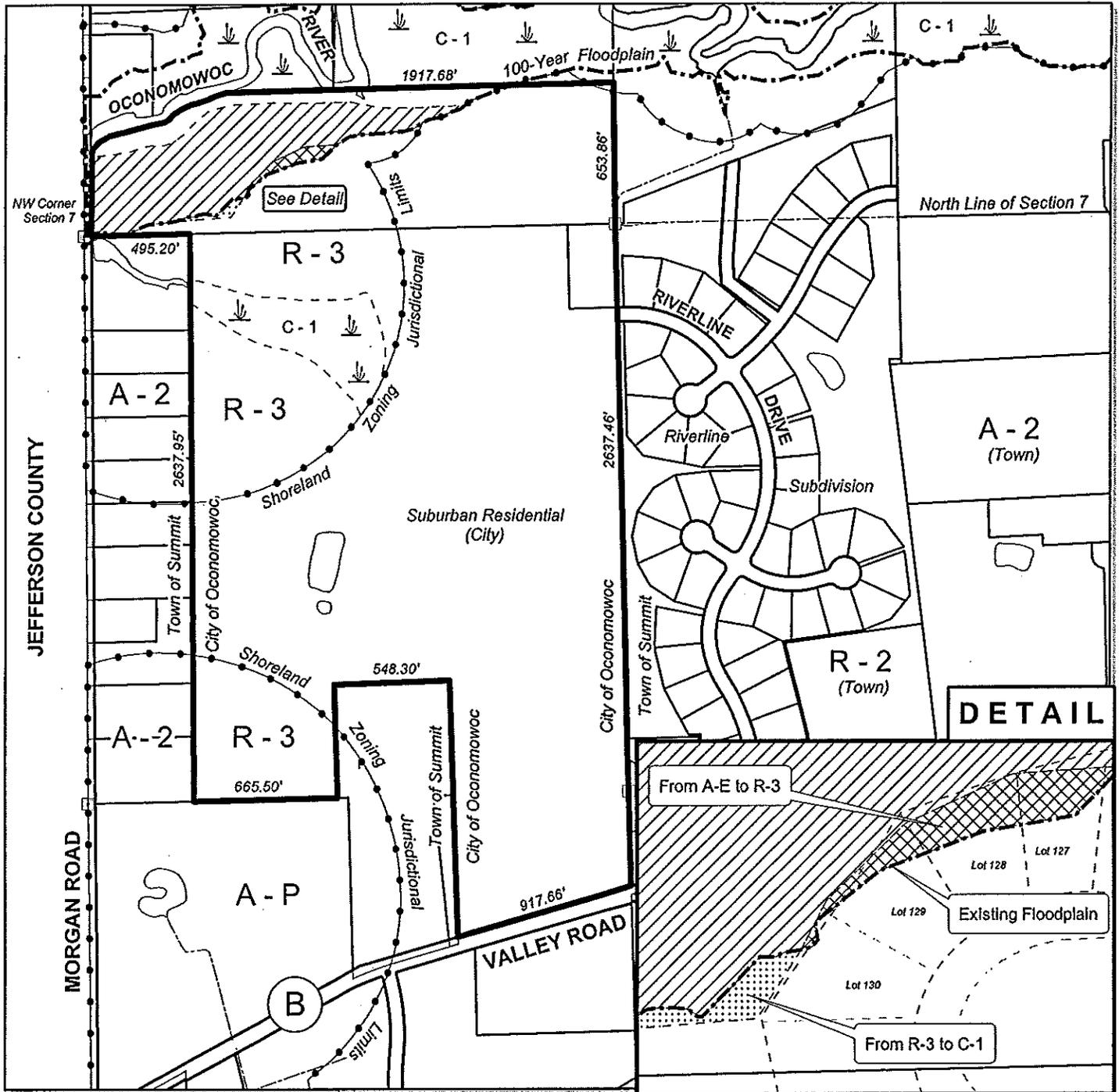
N:\PLU FILES\PLANNING & ZONING\REZONES (RZ)\STAFF REPORTS\1512 (WE PROPERTIES _ WOZNIAK)_OCC.DOC

158-0-135

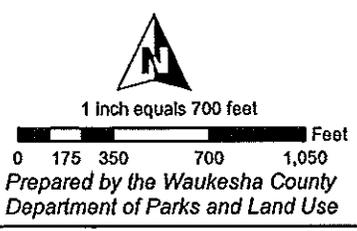
5.

ZONING MAP AMENDMENT

PART OF THE SW 1/4 OF SECTION 6 & THE NW & SW 1/4 OF SECTION 7
CITY OF OCONOMOWOC (T7N R17E)



	SHORELAND ZONING CHANGE FROM A-E TO C-1 (10.4 ACRES)
	SHORELAND ZONING CHANGE FROM A-E TO R-3 (0.4 ACRES)
	SHORELAND ZONING CHANGE FROM R-3 TO C-1 (0.2 ACRES)
FILE.....	SVZ-1512
DATE.....	1-22-04
AREA OF CHANGE.....	11.0 ACRES
TAX KEY NUMBER.....	(Multiple Parcels)



158-0-135

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/24/04

(ORD) NUMBER-1580135

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....
- 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 W. MITCHELL.....AYE
- 21 W. KOLB.....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.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....NAY
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-30

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-31