

Enrolled 158-156  
PROPOSED ORDINANCE ~~158-160~~

1  
2  
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION  
4 ORDINANCE DISTRICT ZONING MAP IN THE TOWN OF OCONOMOWOC, NOW  
5 ANNEXED BY THE CITY OF OCONOMOWOC BY REZONING CERTAIN LANDS  
6 LOCATED IN PART OF THE NE ¼ OF SECTION 31, T8N, R17E, CITY OF  
7 OCONOMOWOC, FROM THE A-T AGRICULTURAL LAND PRESERVATION  
8 TRANSITION DISTRICT TO THE R-3 RESIDENTIAL DISTRICT (SVZ-1518)  
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 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 Town of Oconomowoc (now annexed by the City of Oconomowoc),  
20 Waukesha County, is hereby amended to rezone certain lands located in part of the NE ¼ of  
21 Section 31, T8N, R17E, City of Oconomowoc, from the A-T Agricultural Land Preservation  
22 Transition District to the R-3 Residential District, and more specifically described in the "Staff  
23 Report and Recommendation" and map on file in the office of the Waukesha County  
24 Department of Parks and Land Use, and made a part of this Ordinance by reference (SVZ-1518).  
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

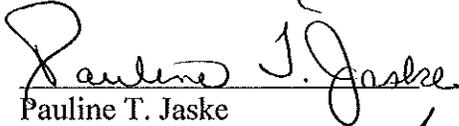
29 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
30 approval and publication.  
31

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33 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF BROOKFIELD ZONING ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PARTS OF THE NW ¼, SW ¼ AND SE ¼ OF SECTION 31, T7N, R20E, TOWN OF BROOKFIELD, FROM THE Rs-3 SINGLE FAMILY RESIDENTIAL DISTRICT (TOWN) TO THE Rs-4 SINGLE FAMILY RESIDENTIAL DISTRICT (TOWN) (ZF-1517) (512-1518)

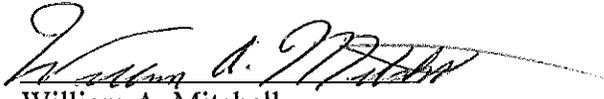
Presented by:  
Land Use, Parks, and Environment Committee

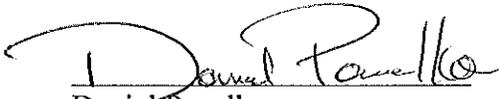
  
Walter L. Kolb, Chair

  
Pauline T. Jaske

  
James Jeskewitz

  
Scott J. Klein

  
William A. Mitchell

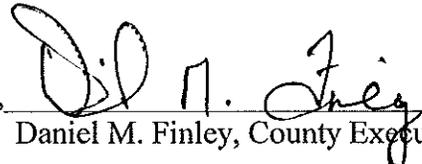
  
Daniel Pavelko

  
Vera Stroud

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

Date: 4-16-04,   
Kathy Nickolaus, County Clerk

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

Approved:   
Vetoed:   
Date: 4-19-04,   
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-1518 Mike Herro/Jennifer O'Leary) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

March 18, 2004

Absent

Betty Willert, Chairperson

  
Vymanusonis

Absent - left at 2:15 PM  
Mareth Kipp

Absent

Ellen Gennrich

  
Walter Kolb

Absent - left at 12:00 PM  
Joseph LaPorte

  
Walter Baade

  
Robert Hamilton

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

**DATE:** March 18, 2004

**FILE NO.:** SVZ-1518

**OWNER:** Mike Herro  
156A Wisconsin Avenue  
Oconomowoc, WI 53066

**PETITIONER:** Jennifer O'Leary  
Welch Hanson Associates  
355 Austin Circle Suite 100  
Delafield, WI 53018

**TAX KEY NO.:** OCOC 0553.989

**LOCATION:**  
Being a part of the NE ¼ of Section 31, all in T8N, R17E, City of Oconomowoc, and more specifically located east of Reddelien Road, south of Marks Road, and west of Capital Drive.

**PRESENT ZONING:**  
A-T Agricultural Land Preservation 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").

**PRESENT LAND USE:**  
The property is presently vacant and farmed, with wetlands along the northeastern edge of the property.

**PROPOSED LAND USE:**  
The property is proposed to be subdivided into eighty eight (88) residential lots, resulting in gross density of 28,000 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. This Plan amendment to the City's Plan was adopted by Resolution No. 03-R1587 on April 16, 2003. The Waukesha County Development Plan labels the property as Industrial and Isolated Natural Resource Area, but since the City of Oconomowoc has adopted a Land Use Plan and amendment for this area, State Statute indicates the City's Plan takes precedence and the County Plan is accordingly revised.

**PUBLIC HEARING DATE:**  
February 11, 2004.

158-0-157

**PUBLIC REACTION:**

One member of the public raised concerns about the environmental impact the proposed project would have on Lac La Belle and wetlands. Additional concerns were the increased traffic, possible springs on the property, architectural control and the perceived decrease in surrounding property values.

**CITY OF OCONOMOWOC PLANNING COMMISSION ACTION:**

The City of Oconomowoc Plan Commission, at their February 11, 2004 meeting, unanimously recommended approval of this request to the Common Council.

**COMMON COUNCIL ACTION:**

The City of Oconomowoc Common Council, at their February 17, 2004 meeting, unanimously recommended approval of the request to Waukesha County.

**STAFF ANALYSIS:**

The property, which consists of farmland and a small area of wetlands and tree coverage, is proposed to be subdivided into eighty eight (88) residential lots. The subdivision will be served with municipal sewer and water. The single-family lots will range in size, with a majority of lots ranging in size from 12,000 sq. ft. to 16,000 sq. ft. The proposed overall density would be 1.57 dwelling units per acre, or roughly 28,000 sq. ft. per dwelling unit. Access to the property will be obtained from Marks Road to the north, Capital Drive and Chaffee Road to the east, and Reddelien Road to the southwest. As part of the subdivision, the developers are proposing to vacate the northern 1,200 feet of Reddelien Road and construct a 100' wide collector street through the property, which will ultimately connect to a reconfigured Capital Drive intersection. Wetlands along the northern portion of the property will remain undisturbed as part of the development.

The property has been rezoned to the Suburban Residential District under the City of Oconomowoc's Zoning Ordinance. Approximately ten (10) acres of the property in the northeastern quadrant are within 1,000' of Lac La Belle, placing them under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance. A total of seven (7) lots currently proposed fall within the County's Jurisdiction and will therefore need to comply with the requirements of the Shoreland and Floodland Protection Ordinance.

**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 City of Oconomowoc Land Use Plan and County Plan as revised according to statute. The proposed subdivision will preserve wetlands and provide for improved traffic flow by the construction of a new intersection and a collector street through the development, which is in conformance with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance.

Respectfully submitted,

*Brian Depies / Kab*

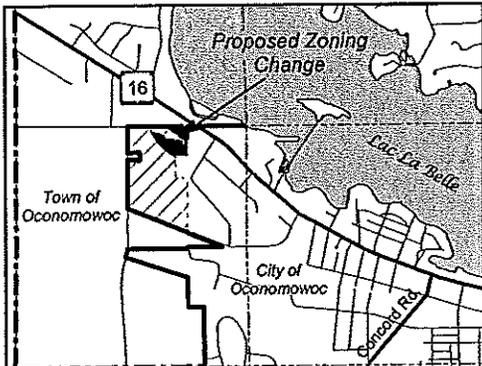
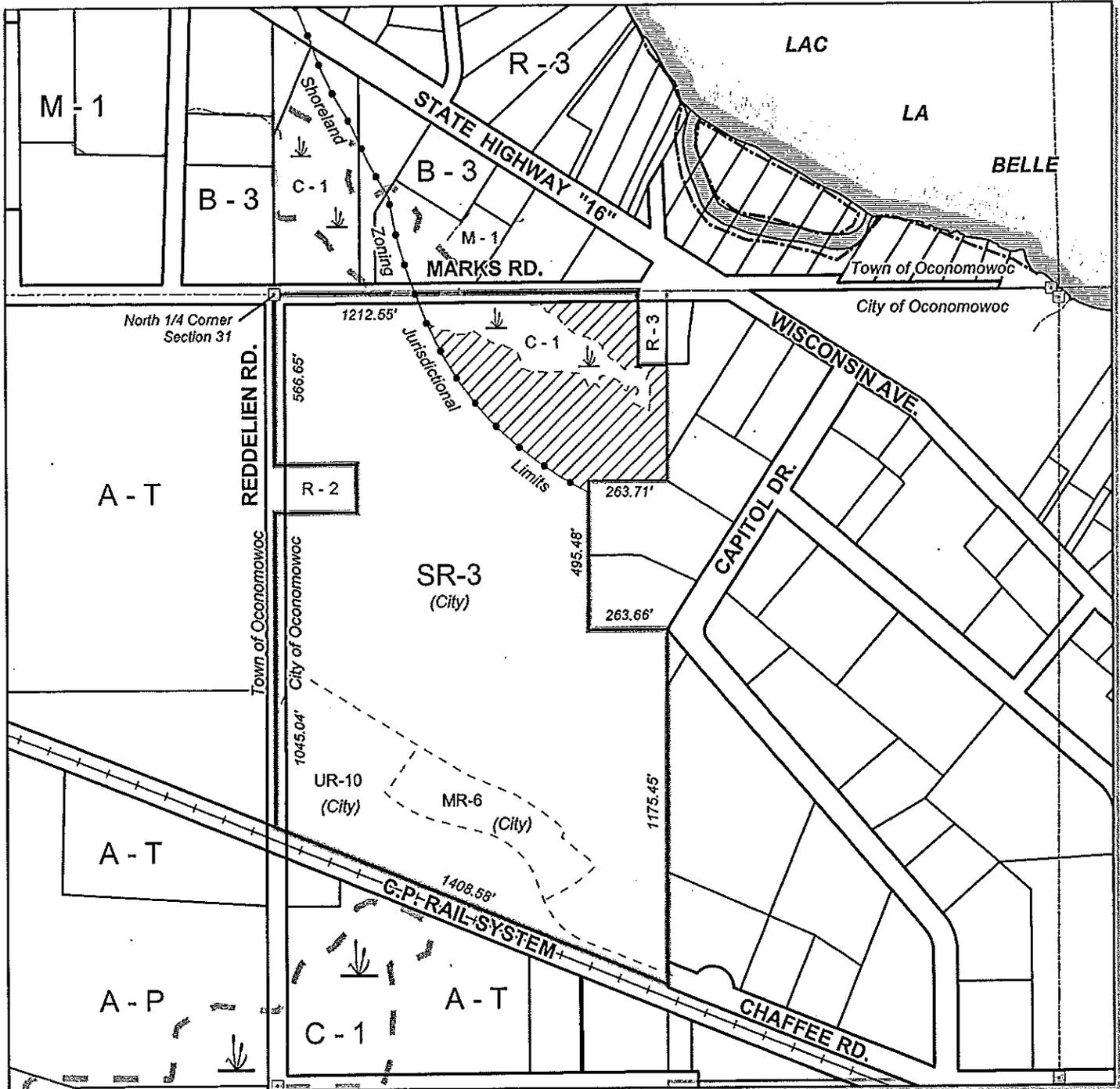
Brian P. Depies  
Senior Land Use Specialist

Attachment: Map

158-0-157

# ZONING MAP AMENDMENT

PART OF THE NE 1/4 OF SECTION 31  
CITY OF OCONOMOWOC (T8N R17E)



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

FILE.....SVZ-1518

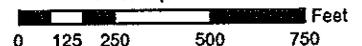
DATE.....3-18-04

AREA OF CHANGE.....6.0 ACRES

TAX KEY NUMBER.....OCOC 0553.989



1 inch equals 500 feet



Prepared by the Waukesha County Department of Parks and Land Use

158-0-167

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/13/04

(ORD) NUMBER-1580157

1 K. HERRO.....  
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.....  
19 W. MITCHELL.....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.....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.....AYE  
32 P. GUNDRUM.....AYE  
34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-33