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2
3 AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE
4 WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC
5 BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART
6 OF THE NE ¼ OF SECTION 10, T8N, R17E, TOWN OF OCONOMOWOC,
7 FROM THE A-1 AGRICULTURAL DISTRICT TO THE M-1
8 LIMITED INDUSTRIAL DISTRICT (CZ-889C)
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 for approval thereon reported to the Land
14 Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors,
15 Waukesha County, Wisconsin, as required by Section 59.69 of the Wisconsin State Statutes.
16

17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
18 ORDAIN that the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning
19 Code, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on
20 February 26, 1959, is hereby amended to conditionally rezone certain lands from the A-1
21 Agricultural District to the M-1 Limited Industrial District, located in part of the NE ¼ of
22 Section 10, T8N, R17E, Town of Oconomowoc, 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 (CZ-889C),
25 subject to the following conditions:
26

- 27 1. Subject to an updated Deed Restriction being prepared and recorded with the
28 Register of Deeds indicating that the use of this land may be used for the storage
29 of boats, fabrication of trusses and related building components, a wholesale
30 lumber company or similar type use as determined by the Waukesha County Park
31 and Planning Commission and the Town of Oconomowoc Plan Commission.
32
33 2. The area designated as Conservancy on this parcel shall not be disturbed.
34
35 3. A detailed Landscaping Plan, including but not limited to location, type and size
36 of plants shall be prepared by a Registered Landscape Architect and submitted to
37 the Department of Parks and Land Use for review and approval. The purpose of
38 this condition is to properly screen the property from residential properties to the
39 south.
40
41 4. All existing signs in the Township with the name Christiansen Lumber be
42 removed by June 1, 2003.
43

44 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
45 this Ordinance with the Town Clerk of Oconomowoc.
46

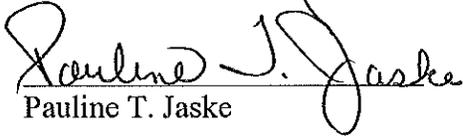
47 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
48 approval and publication.
49

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

AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 10, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE A-1 AGRICULTURAL DISTRICT TO THE M-1 LIMITED INDUSTRIAL DISTRICT (CZ-889C)

Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair


Pauline T. Jaske

Absent
James Jeskewitz

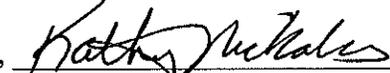

Scott J. Klein


Daniel Pavelko

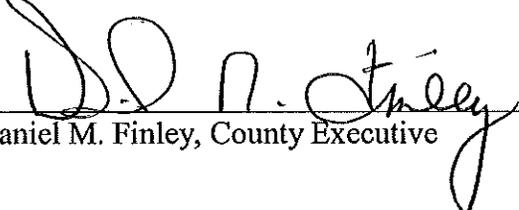

Vera Stroud

Absent
Matt Thomas

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

Date: 5-30-03, 
Kathy Nickolaus, County Clerk

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

Approved: ✓
Vetoed: _____
Date: 5-31-03, 
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 Zoning Code, hereby recommends approval of (CZ-889C Stanley Christiansen) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

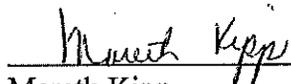
April 17, 2003



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

FILE NO.: CZ-889C

DATE: April 17, 2003

PETITIONER/OWNER: Stanley Christiansen
292 Lac La Belle Dr.
Oconomowoc, WI 53066

TAX KEY NO.: OCOT 0469.994
OCOT 0469.997.003

LOCATION:

The property is located in the NE ¼ of Section 10, T8N, R17E, Town of Oconomowoc and more specifically located on the south side of Mapleton Street, the west side of C.T.H "P" and south of the railroad tracks containing approximately 27 acres.

PRESENT ZONING:

A-1 Agricultural District (was M-1 with conditions but conditions were not complied with).

PROPOSED ZONING:

M-1 Limited Industrial District.

PRESENT LAND USE:

Former Christianson Truss Manufacturing operation.

PROPOSED LAND USE:

Boat storage and wholesale lumber company.

PUBLIC HEARING DATE:

February 20, 2003.

PUBLIC REACTION:

A neighbor located in Saddlebrook Farms was concerned that the existing berms lack vegetation and are not adequately screening the buildings and uses on the site.

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

The Town of Oconomowoc Plan Commission, at their meeting of March 17, 2003, recommended approval of the proposed rezoning subject to the following conditions:

1. Subject to an updated deed being prepared and posted and recorded with the Register of Deeds indicating that the use of this land shall be for the storage of boats, fabrication of trusses and related building components, a wholesale lumber company or similar type use as determined by the Town of Oconomowoc Plan Commission. Any other use (not considered similar) shall be considered a new request for rezoning. The Declaration of Restriction shall be recorded prior to the zoning becoming effective and prior to the issuance of any permit.
2. The area designated as conservancy on this parcel shall not be disturbed.

158-0-011

3. There shall be minimal blacktop and concrete around the existing and any proposed buildings to prevent excessive runoff into the conservancy area. If applicable, Waukesha County Department of Parks and Land Use, Land Resources Division shall review and approve the Erosion Control and Stormwater Management Plans for the entire site.
4. Documentation shall be presented to the Town Clerk, that Waukesha County has approved the existing/proposed sanitary facilities prior to issuance of any permits.
5. A Site Plan shall be reviewed and approved by the Town Plan Commission for the entire site, including but not limited to a Parking Plan, Landscaping Plan, signage, lighting and waste disposal. Each individual tenant will need to submit a Site Plan/Plan of Operation for his or her intended use. Said Site Plan/Plan of Operation will need to be reviewed and approved by the Town Plan Commission, prior to occupancy of the intended space.
6. There shall be no manufacturing of any kind on Sundays or Holidays.
7. A detailed Landscaping Plan, including but not limited to location, type and size of plants for this parcel of land, shall be prepared and submitted to the Town Planner and Waukesha County for review and approval, prior to the issuance of any permits. Extra effort should be taken to provide adequate screening along the south property line, which borders Saddlebrook Farms

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 Industrial category. The Waukesha County Development Plan designates the property in the Industrial category. The proposal complies with both the Town and County Plans.

PENDING ACTIONS ON THE SUBJECT PROPERTY

The petitioner is in violation of the previously imposed rezoning Deed Restrictions, which state that, the "land shall be for the fabrication of trusses and related building components in conjunction with the Christiansen Building Center, their heirs or successors". Further, the Deed Restriction states that no other commercial or manufacturing development of the land in question shall occur and that any such activity shall be considered as a new request for rezoning.

PREVIOUS PLAN COMMISSION ACTIONS ON THE SUBJECT PROPERTY

On May 30, 1989 (CZ-889), the Waukesha County Board of Supervisors approved a conditional rezoning on the property subject to eight conditions.

Subsequently, on September 21, 1990 (CZ-889A), the petitioner applied to rezone the entire parcel but the request was withdrawn before action from the Waukesha County Park and Planning Commission was taken. On January 24, 1995 (CZ-889B), the Waukesha County Board of Supervisors approved another conditional rezoning to rezone the entire parcel from A-P Agricultural Protection to M-1 Limited Industrial and C-1 Conservancy Wetland, subject to five conditions, which replaced the conditions of the May 30, 1989 action. Those conditions have not been met and therefore the rezoning has not taken place for failure to meet the conditions.

On March 17, 2003, the Town of Oconomowoc determined that storage of the boats on the property is a violation of the previous rezoning, which resulted in the 1995 rezoning to M-1 Limited Industrial to now be null and void.

158-0-011

4.

OTHER CONSIDERATIONS:

The Christiansen Building Center was originally located on the north side of the railroad tracks, west of C.T.H. "P". In April 1989, the petitioner requested the rezoning of an approximately 15.6 acres parcel on the south side of the Chicago Northwestern Railroad tracks and west of C.T.H. "P" of which seven acres was owned by the petitioner, to accommodate a portion of the truss construction building facility associated with their business. Subsequent to that time, the farm immediately south was purchased by a developer and developed into 35-acre residential estate parcels. At that time, 20 acres were purchased by Mr. Christiansen of which approximately seven acres were a part of the previous rezoning request. In 1995, the petitioner was approved to rezone all of these acres but the rezone was not effectuated because the petitioner did not meet the required conditions.

On November 4, 2002, the Waukesha County Parks and Land Use received a complaint that the petitioner was storing boats on the property. As stated above, the Town Plan Commission did determine that this was a violation of the previous rezoning conditions and accordingly, the property reverts back to the original A-1 Agricultural District. In order to avoid a violation on the property, Mr. Christianson applied for a rezoning back to M-1 Limited Industrial District. The property is being used for the storage of boats during the winter months and a wholesale lumber company during the summer months. The wholesale lumber company was permitted previously. The property currently is for sale and at this time, it is uncertain if this use will continue on the site.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** with the following conditions:

1. Subject to an updated Deed Restriction being prepared and recorded with the Register of Deeds indicating that the use of this land may be used for the storage of boats, fabrication of trusses and related building components, a wholesale lumber company or similar type use as determined by the Waukesha County Park and Planning Commission and the Town of Oconomowoc Plan Commission.
2. The area designated as Conservancy on this parcel shall not be disturbed.
3. A detailed Landscaping Plan, including but not limited to location, type and size of plants shall be prepared by a Registered Landscape Architect and submitted to the Department of Parks and Land Use for review and approval. The purpose of this condition is to properly screen the property from residential properties to the south.

The proposed land divisions and rezoning as recommended, will result in a land use consistent with other uses in the area and serves to implement the County and Town Land Use Plans.

Respectfully submitted,

Michelle Staff / kab

Michelle J. Staff
Senior Land Use Specialist

MJS:kab

Attachments: Map

WAUKESHA COUNTY BOARD OF SUPERVISORS

EO 158-15

V

DATE-05/25/03

NUMBER-1580011

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.....
 21 W. KOLB.....AYE
 23 P. PRONOLD.....AYE
 25 K. CUMMINGS.....NAY
 27 D. PAULSON.....AYE
 29 M. THOMAS.....AYE
 31 V. STROUD.....AYE
 33 D. PAVELKO.....NAY
 35 C. SEITZ.....

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.....
 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.....NAY

TOTAL AYES-27

TOTAL NAYS-05

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-32