

ENROLLED ORDINANCE 165-85

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 28, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE A-5 MINI FARM DISTRICT TO THE A-3 AGRICULTURAL/ RESIDENTIAL ESTATE DISTRICT (ZT-1711)

WHEREAS the subject matter of this Ordinance having been approved by the Lisbon Town Board on October 11, 2010, after Public Hearing, and the giving of requisite notice of said hearing, and duly referred to and considered by the Waukesha County Park and Planning Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Ordinance, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the A-5 Mini Farm District to the A-3 Agricultural/Residential Estate District, certain lands located in part of the SW ¼ of Section 28, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, and more specifically described in the “Staff Report and Recommendation” and map on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference (ZT-1711), is hereby approved.

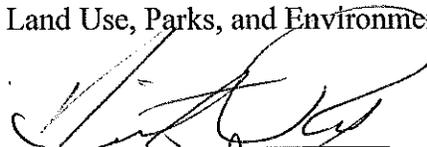
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

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

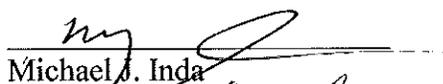
BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

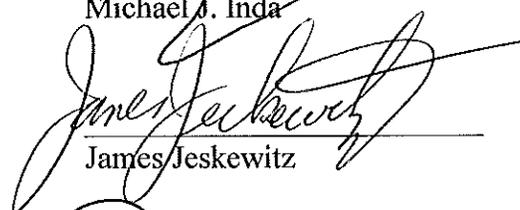
AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING
ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF
SECTION 28, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN,
FROM THE A-5 MINI FARM DISTRICT TO THE A-3 AGRICULTURAL/
RESIDENTIAL ESTATE DISTRICT (ZT-1711)

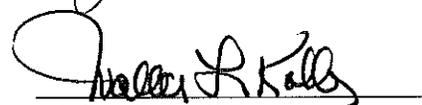
Presented by:
Land Use, Parks, and Environment Committee

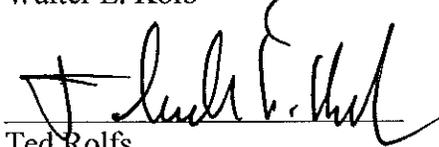

Fritz Ruf, Chair


Robert Hutton


Michael J. Inda


James Jeskewitz

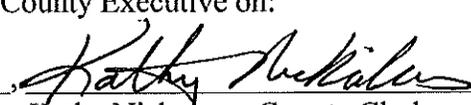

Walter L. Kolb


Ted Rolfs


Thomas J. Schellinger

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

Date: 2-25-11

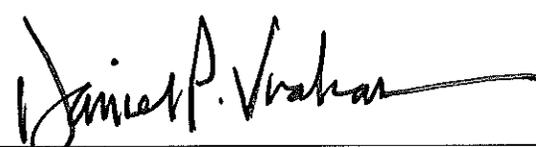

Kathy Nickolaus, County Clerk

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

Approved: +

Vetoed: _____

Date: 2-25-11


Daniel P. Vrakas, County Executive

COMMISSION ACTION

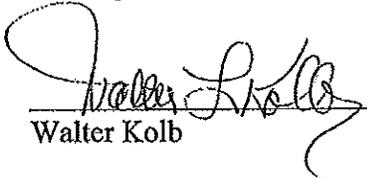
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code hereby recommends approval of ZT-1711 (Virginia Secor) in accordance with the attached "Staff Report and Recommendation".

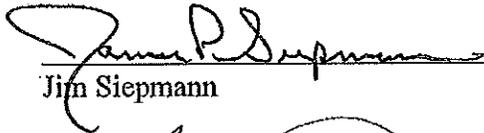
PARK AND PLANNING COMMISSION

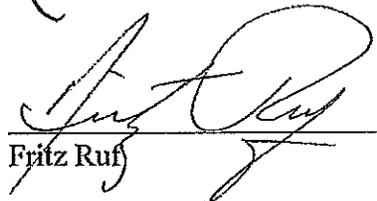
January 6, 2011

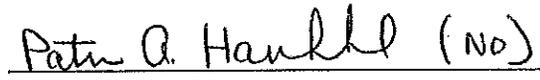

William Mitchell, Chairperson

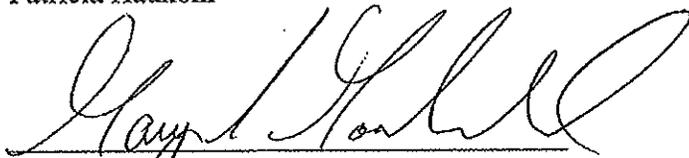

Bob Peregrine, Vice Chairperson


Walter Kolb


Jim Siepmann


Fritz Ruf


Patricia Haukohl


Gary Goodchild

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

DATE: January 6, 2011
FILE NO.: ZT-1711
OWNER: Virginia Secor
W256 N5950 North Hill Drive
Sussex, WI 53089
TAX KEY NO.: LSBT 0255.987

LOCATION:

The property is located in the SW ¼ of Section 28, T8N, R19E, Town of Lisbon. More specifically, the property is located at the North Hill Drive address cited above. The rezone request pertains to the southwesterly-most 5.44 acres of the existing 9.3-acre parcel.

EXISTING ZONING:

A-5 Mini Farm District requiring a minimum lot size of five acres and a minimum average width of 300 feet, and UC Upland Conservancy (Town).

PROPOSED ZONING:

A-3 Agricultural/Residential Estate District which requires a minimum of 3 acres and a minimum average width of 200' and UC Upland Conservancy (Town).

EXISTING LAND USE: Residential and Secondary Environmental Corridor.

REQUESTED LAND USE:

To create a Certified Survey Map and sell the 3.17 acre lot for single-family residential use. The owner would retain ownership of the existing residence and the remainder of the property.

PUBLIC HEARING DATE: October 7, 2010.

PUBLIC REACTION: None.

TOWN PLAN COMMISSION ACTION:

On October 7, 2010, the Town of Lisbon Plan Commission voted unanimously to recommend approval to the Town Board.

TOWN BOARD ACTION:

On October 11, 2010, the Town Board voted unanimously to approve the rezoning.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF LISBON COMPREHENSIVE DEVELOPMENT PLAN:

Both the Town and County Comprehensive Development Plans designate this property as Low Density Residential and Secondary Environmental Corridor. The proposed rezoning of this site for residential use will be consistent with the purpose and intent of the Town and County Development Plans.

STAFF ANALYSIS:

The area of the lot to be rezoned will encompass all of the lands outside of the Secondary Environmental Corridor (SEC), which is approximately 5.44 acres. The petitioner wishes to divide a 3.17-acre lot from the parent parcel to sell for single-family use. The lot would conform to the minimum size and width requirements of the A-3 Agricultural/Residential Estate District, and the building envelope would be located outside of the SEC. The petitioner would retain the remainder of the land. The three-acre lot would be a lot not abutting a public road and would be served by a 33' wide ingress and egress easement. If the rezone proposal is approved, the owner will have a Certified Survey Map prepared for approval and recordation in the Waukesha County Register of Deeds office. The property will be developed with a private on-site waste treatment system and a private well.

Some of the soils on the property may contain slopes in excess of 12%, and should be avoided with any development. The property adjacent to the east is zoned Upland Corridor, the property to the north is zoned Park and Recreation District, and the residential properties to the west and south are part of a subdivision and are zoned R-2 Residential and designated as Low Density Residential on the Comprehensive Development Plans.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved. The proposed use of the property is consistent with the Town and County Comprehensive Development Plans and will remain compatible with the immediate surrounding land uses.

Respectfully submitted,



Sandy Scherer
Senior Planner

Attachments: Town Ordinance
Map

ORDINANCE 08-10

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

**ORDINANCE REZONING PROPERTY FROM THE A-5 MINI FARM DISTRICT
AND UPLAND CORRIDOR DISTRICT ZONING CLASSIFICATION TO THE A-3
AGRICULTURAL/RESIDENTIAL ESTATE AND UPLAND CORRIDOR
DISTRICT ZONING CLASSIFICATION IN THE TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN**

THE TOWN BOARD OF THE TOWN OF LISBON, WAUKESHA COUNTY,
WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1: The following described property of approximately 9.304 acres
is rezoned from A-5 Mini Farm District and Upland Corridor District to the A-3
Agricultural/Residential Estate District and Upland Corridor District zoning classification:

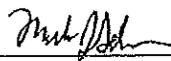
PT of the SW 1/4 of Section 28, T 8N R19E,
Town of Lisbon, Waukesha County, Wisconsin.
9.304 Acres. Tax Key No. LSBT 0255-987.

SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the
provisions of this ordinance are hereby repealed.

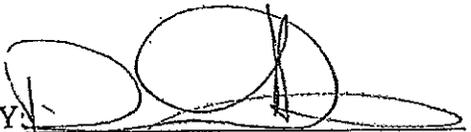
SECTION 3: This ordinance shall take effect upon passage and posting as provided by
law.

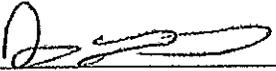
PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha
County, Wisconsin this 22nd day of November, 2010.

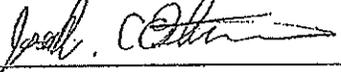
TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
MATTHEW GEHRKE, Chairman

BY: 
RYAN LIPPERT, Supervisor

BY: 
DANIEL HEIER, Supervisor

BY: 
DANIEL FISCHER, Supervisor

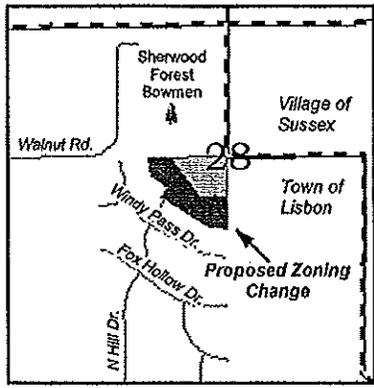
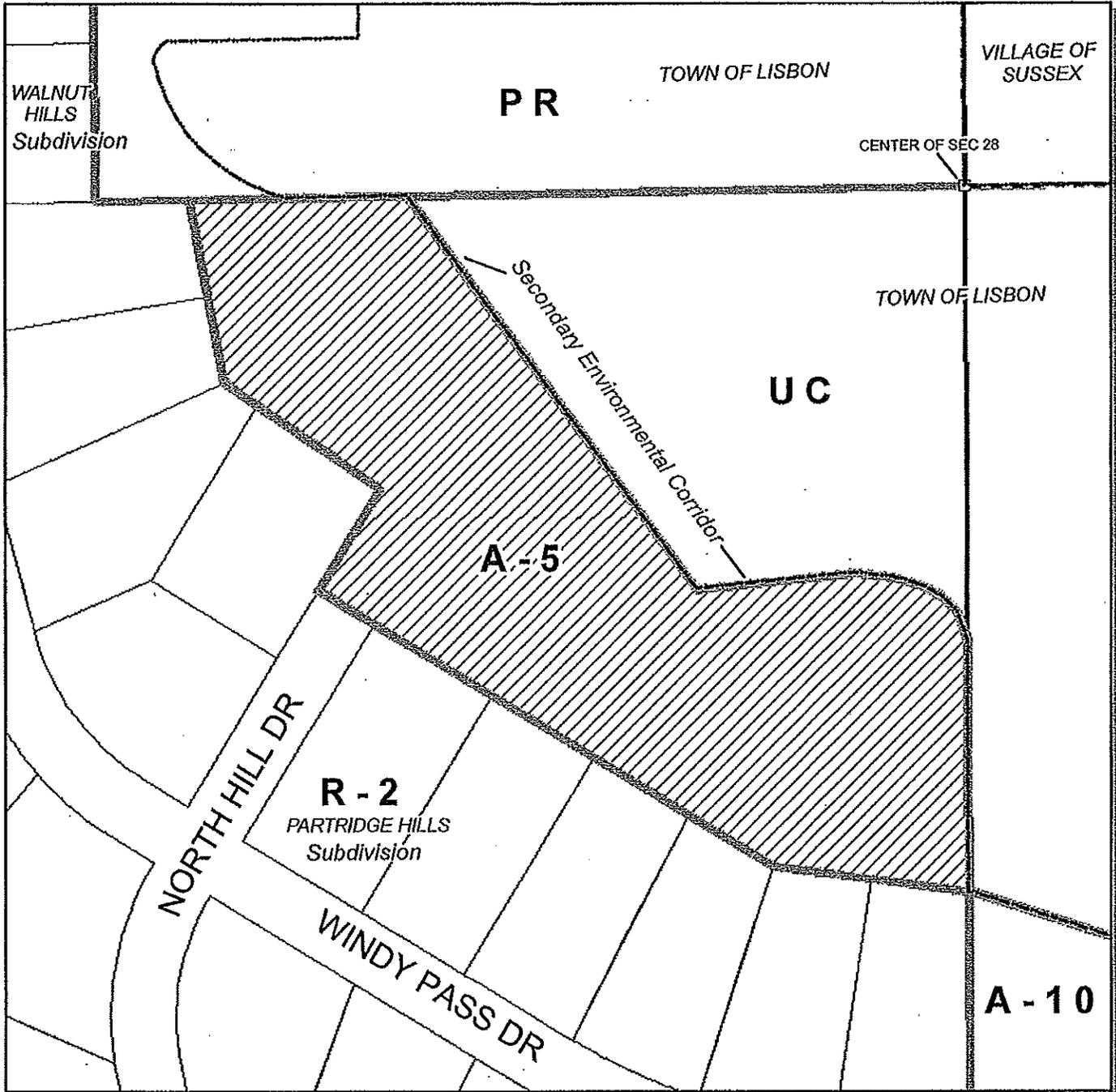
BY: 
JOSEPH OSTERMAN, Supervisor

ATTEST:

BY: 
JEFFREY MUSCHE, Town Clerk

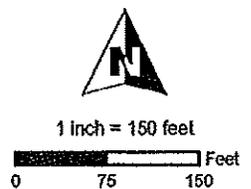
ZONING MAP AMENDMENT

PART OF THE SW 1/4 OF SECTION 28
TOWN OF LISBON



 TOWN ZONING CHANGE FROM A-5 MINI-FARM DISTRICT TO A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT, AREA ZONED UC UPLAND CORRIDOR WILL REMAIN UNCHANGED

FILE.....ZT-1711
 DATE.....01/06/11
 AREA OF CHANGE.....5.44 ACRES
 TAX KEY NUMBER.....LSBT 0255.987



Prepared by the Waukesha County Department of Parks and Land Use

165-0-086

7.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/23/11

(ORD) NUMBER-1650086

1 D. FALSTAD.....AYE
 3 R. HUTTON.....AYE
 5 J. JESKEWITZ.....AYE
 7 P. HAUKOHL.....
 9 J. HEINRICH.....AYE
 11 F. RUF.....AYE
 13 P. DECKER.....AYE
 15 P. MEYERS.....NAY
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 K. CHIAVEROTTI.....AYE
 25 G. YERKE.....AYE

2 T. ROLFS.....
 4 J. DWYER.....AYE
 6 J. BRANDTJEN.....AYE
 8 T. SCHELLINGER.....
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 M. INDA.....AYE
 16 D. PAULSON.....AYE
 18 K. CUMMINGS.....AYE
 20 P. JASKE.....AYE
 22 P. GUNDRUM.....AYE
 24 W. KOLB.....AYE

TOTAL AYES-21

TOTAL NAYS-01

CARRIED_____

DEFEATED_____

UNANIMOUS X

TOTAL VOTES-22