

ENROLLED ORDINANCE 165-99

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF SECTION 19 AND PART OF THE SW ¼ OF SECTION 20, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE PR PARK AND RECREATION DISTRICT TO THE A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT (ZT-1714)

WHEREAS the subject matter of this Ordinance having been approved by the Lisbon Town Board on January 24, 2011 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 PR Park and Recreation District to the A-3 Agricultural/Residential Estate District, certain lands located in part of the SE ¼ of Section 19, and part of the SW ¼ of Section 20, 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-1714, 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.

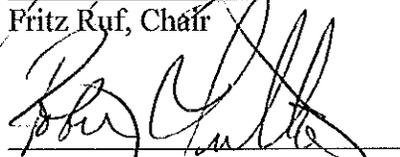
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

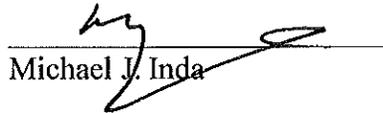
BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING  
ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF  
SECTION 19 AND PART OF THE SW ¼ OF SECTION 20, T8N, R19E, TOWN OF LISBON,  
WAUKESHA COUNTY, WISCONSIN, FROM THE PR PARK AND RECREATION  
DISTRICT TO THE A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT  
(ZT-1714)

Presented by:  
Land Use, Parks, and Environment Committee

  
\_\_\_\_\_  
Fritz Ruf, Chair

  
\_\_\_\_\_  
Robert Hutton

  
\_\_\_\_\_  
Michael J. Inda

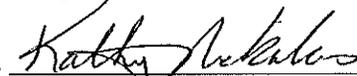
< Absent >  
\_\_\_\_\_  
James Jeskewitz

  
\_\_\_\_\_  
Walter L. Kolb

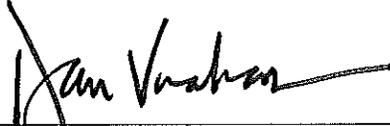
< Absent >  
\_\_\_\_\_  
Ted Rolfs

< Absent >  
\_\_\_\_\_  
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: March 25, 2011,   
\_\_\_\_\_  
Kathy Nickolaus, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_  
Date: 3-25-11,   
\_\_\_\_\_  
Daniel F. Vrakas, County Executive

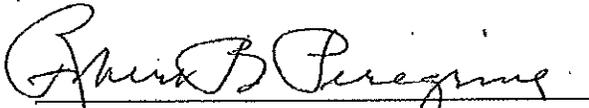
COMMISSION ACTION

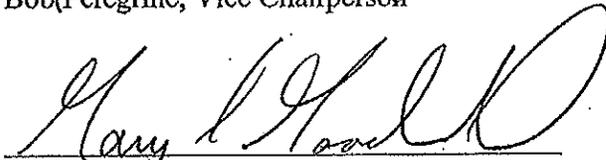
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code, hereby recommends approval of (ZT-1714 Lisbon Land Partnership LLP/John and Marilyn Spitz) in accordance with the attached "Staff Report and Recommendation".

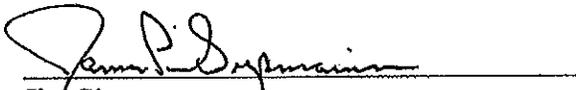
PARK AND PLANNING COMMISSION

February 17, 2011

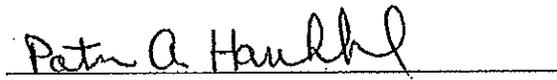
  
William Mitchell, Chairperson

  
Bob Peregrine, Vice Chairperson

  
Gary Goodchild

  
Jim Siepmann

  
Walter Kolb

  
Pat Haukohl

  
Fritz Ruf

165-0-102

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

**DATE:** February 17, 2011

**FILE NO.:** ZT-1714

**OWNER:** John and Marilyn Spitz and  
Lisbon Land Partnership LLP  
W267 N6389 Top-O-Hill Drive  
Sussex, WI 53089.

**TAX KEY NO.:** LSBT 0220.995.003 and 0223.997

**LOCATION:**

Part of the SE ¼ of Section 19, and part of the SW ¼ of Section 20, T8N, R19E, Town of Lisbon. More specifically, the properties are located southeast of the end of Tamnamore Drive and contain 32.16 acres and 36.57 acres.

**EXISTING ZONING:**

PR Park and Recreation District – (Town)

**PROPOSED ZONING:**

A-3 Agricultural/Residential Estate District (3 acre min. lot size, 200 foot min. average width) – Town.

**EXISTING LAND USE:** Golf Course

**REQUESTED LAND USE:**

To divide a 3.1 acre parcel from the 32.16 acre and 36.57 acre parcels for a single family residential lot and utilize the 0.173 acre outlot as an ingress and egress easement to Tamnamore Drive.

**PUBLIC HEARING DATE:** January 6, 2011

**PUBLIC REACTION:** None

**TOWN PLAN COMMISSION ACTION:**

On January 6, 2011, the Town of Lisbon Plan Commission voted unanimously to recommend approval to the Town Board.

**TOWN BOARD ACTION:**

On January 24, 2011, the Town Board voted unanimously to approve the rezoning.

**165-0-102**

**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 indicate this property as Low Density Residential. A rezoning of this site for residential use would be consistent with the purpose and intent of the Town and County Development Plans.

**STAFF ANALYSIS:**

The proposed lot was included in the overall density calculations for Ironwood East and Ironwood West Subdivisions where a total of 83 lots were allowed. The property will be served by a 33' ingress and egress easement and, therefore, must be a minimum of three acres in size and have a minimum average width of 200'. The property will be developed with a private on-site waste treatment system and a private well. The soils on the three acre property contain slopes in excess of 12% in the southern portion of the lot. It is not recommended slopes in excess of 12% be developed. Approval of a zoning change to a residential zoning district (A-3 Agricultural/Residential Estate District) is necessary prior to the Town approving a Certified Survey Map for the land division.

There was previous discussion about gaining direct access to Tamnamore Drive in conjunction with the development of the Olsen property to the north or some other means. A condition of the land use plan amendment for the development of Ironwood East and Ironwood West stated, in part, "and to provide an alternative access to servicing the future 3+ acre lot off of the golf course lands with a public road rather than a private easement if at all possible." While the owner of the Olsen property previously made some attempt to develop, there are currently no proposals to do so and, therefore, the Spitz parcel must be developed utilizing the aforementioned access easement. The easement is also utilized by the golf course to gain access to the northern portion of the course. An access and maintenance agreement will be a condition of approval in conjunction with the review and approval of the Certified Survey Map.

The property to the north is zoned A-10 Agricultural District, and to the east, south and west is zoned PR Parks and Recreation District (Ironwood Golf Course). The lands to the north of the subject property are designated similarly as the subject property on the Town and County Comprehensive Development Plans, and the lands to the east, south and west are designated as Recreational.

**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,

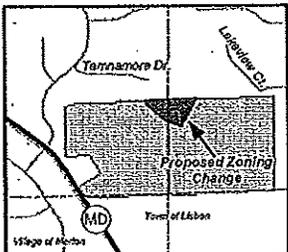
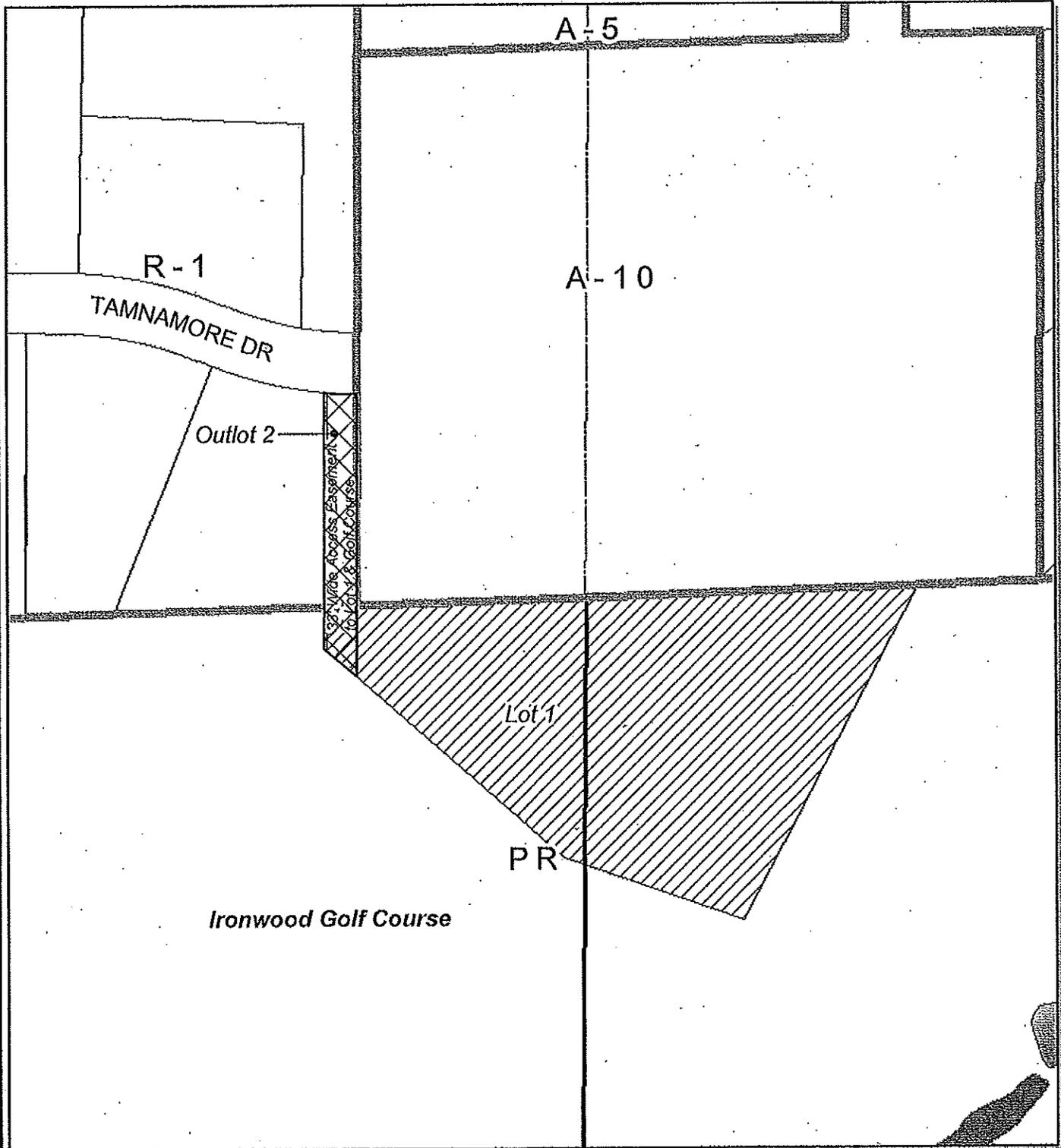
*Sandy Scherer / Kab*

Sandy Scherer  
Senior Planner

Attachments: Town Ordinance and Map

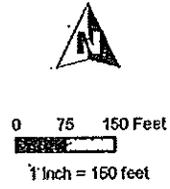
# ZONING MAP AMENDMENT

PART OF THE SE 1/4 OF SECTION 19 & SW 1/4 OF SECTION 20  
TOWN OF LISBON



 TOWN ZONING CHANGE FROM PR PARK AND RECREATION DISTRICT TO A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

FILE.....ZT-1714  
 DATE.....02/17/11  
 AREA OF CHANGE.....3.12 ACRES  
 TAX KEY NUMBER.....LSBT 0220.995.003 & LSBT0223.997



Prepared by the Waukesha County Department of Parks and Land Use

165-0-102

ORDINANCE 04-11

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

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**ORDINANCE REZONING PROPERTY FROM THE PR PARK & RECREATION  
DISTRICT TO THE A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT  
ZONING CLASSIFICATION IN THE TOWN OF LISBON, WAUKESHA  
COUNTY, WISCONSIN**

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

**SECTION 1:** The following described property of approximately 3.10 acres is rezoned  
from PR Park & Recreation District to the A-3 Agricultural/ Residential Estate District  
zoning classification:

PT of the E1/2 of the SE 1/4 of SEC  
19, T 8N R19E, Town of Lisbon,  
Waukesha County, WI. Tax Key No.  
LSBT 0220-995-003.

Also;

PT of the W1/2 of the SW 1/4 SEC 20, T8N  
R19E, Town of Lisbon, Waukesha County,  
WI. Tax Key No: LSBT 0223-997

**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 14<sup>th</sup> day of February, 2011.

TOWN BOARD, TOWN OF LISBON  
WAUKESHA COUNTY, WISCONSIN

165-0-102

BY: Matthew Gehrke  
MATTHEW GEHRKE, Chairman

BY: Ryan Lippert  
RYAN LIPPERT, Supervisor

BY: Daniel Heier  
DANIEL HEIER, Supervisor

BY: Daniel Fischer  
DANIEL FISCHER, Supervisor

BY: Joseph Osterman  
JOSEPH OSTERMAN, Supervisor

ATTEST:

BY: Jeffrey Musche  
JEFFREY MUSCHE, Town Clerk

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/23/11

(ORD) NUMBER-1650102

- 1 D. FALSTAD.....AYE
- 3 R. HUTTON.....AYE
- 5 J. JESKEWITZ.....AYE
- 7 P. HAUKOHL.....AYE
- 9 J. HEINRICH.....AYE
- 11 F. RUF.....AYE
- 13 P. DECKER.....AYE
- 15 P. MEYERS.....AYE
- 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.....
- 8 T. SCHELLINGER.....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 M. INDA.....AYE
- 16 D. PAULSON.....AYE
- 18 K. CUMMINGS.....
- 20 P. JASKE.....AYE
- 22 P. GUNDRUM.....AYE
- 24 W. KOLB.....AYE

TOTAL AYES-22

TOTAL NAYS-00

CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS Y

TOTAL VOTES-22