

ENROLLED ORDINANCE 173-066

AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY REZONING CERTAIN LANDS LOCATED IN PART OF THE N ½ OF THE NW ¼ AND THE NW ¼ OF THE NE ¼ OF SECTION 19, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE R-1 RESIDENTIAL DISTRICT TO THE R-2 RESIDENTIAL DISTRICT WITH EC ENVIRONMENTAL CORRIDOR AND C-1 CONSERVANCY OVERLAY DISTRICTS TO REMAIN UNCHANGED (RZ15)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Oconomowoc Town Board on October 16, 2018; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 59.69, Wisconsin Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on February 26, 1959, is hereby amended to rezone certain lands located in part of the N ½ of the NW ¼ and the NW ¼ of the NE ¼ of Section 19, T8N, R17E, Town of Oconomowoc, from the R-1 Residential District to the R-2 Residential District with EC Environmental Corridor and C-1 Conservancy Overlay Districts, 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 RZ15.

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

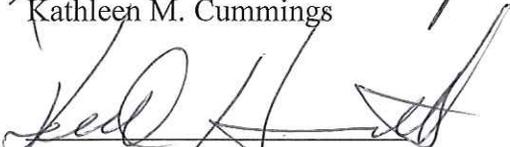
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY REZONING CERTAIN LANDS LOCATED IN PART OF THE N 1/2 OF THE NW 1/4 AND THE NW 1/4 OF THE NE 1/4 OF SECTION 19, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE R-1 RESIDENTIAL DISTRICT TO THE R-2 RESIDENTIAL DISTRICT WITH EC ENVIRONMENTAL CORRIDOR AND C-1 CONSERVANCY OVERLAY DISTRICTS TO REMAIN UNCHANGED (RZ15)

Presented by:  
Land Use, Parks, and Environment Committee

  
David D. Zimmermann, Chair

  
Kathleen M. Cummings

  
Keith Hammitt

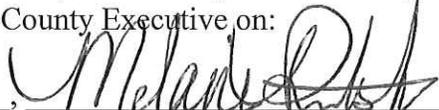
  
William A. Mitchell

  
Thomas J. Schellinger

  
Steve Whittow

  
Chuck Wood

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

Date: 12/21/18,   
Kathleen Novack, County Clerk (acting)

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

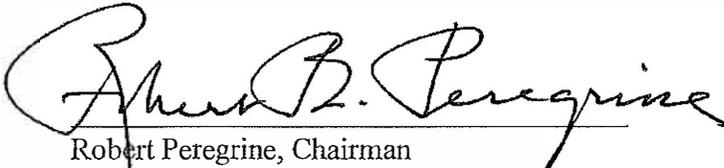
Approved: X  
Vetoed: \_\_\_\_\_  
Date: 12/28/18,   
Paul Farrow, County Executive

COMMISSION ACTION

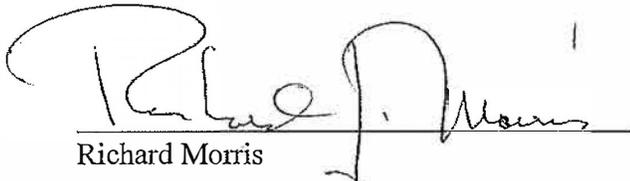
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Zoning Code, hereby recommends **approval** of (RZ15 Town of **conomowoc Board**) in accordance with the attached "Staff Report and Recommendation".

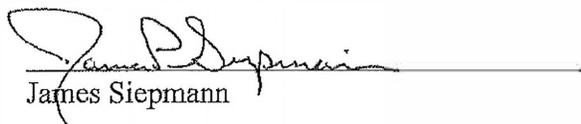
PARK AND PLANNING COMMISSION

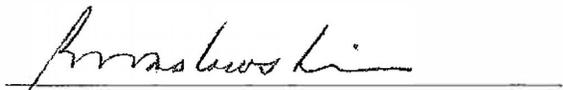
November 15, 2018

  
Robert Peregrine, Chairman

  
William Mitchell

  
Richard Morris

  
James Siepmann

  
William Maslowski

Absent  
Thomas Michalski

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

**DATE:** November 15, 2018

**FILE NO.:** RZ15

**PETITIONER:** Town of Oconomowoc Board  
W359 N6812 Brown Street  
Oconomowoc, WI 53066

**OWNER'S AND TAX KEY NO.'S:**

Roxanne Block, c/o Shirley J. Kortendick, N71 W39491 Lang Road (Tax Key No. OCOT 0505.999.005)  
Glen and Susan Claussen, N71 W39633 Lang Road (Tax Key No. OCOT 0506.997.001)  
Albert and Wendy Lapp, N71 W39777 Lang Road (Tax Key No. OCOT 0506.997.005)  
Arthur and Sherry Hilderbrandt, N71 W39757 Lang Road (Tax Key No. OCOT 0506.997.007)  
David and Brenda Pagel, N71 W39527 Lang Road (Tax Key No. OCOT 0506.997.011)  
Phillip and Erica Dziafkiewicz, N71 W39849 Lang Road (Tax Key No. OCOT 0506.997.012)  
Robert and Kathleen Majeski, N71 W39801 Lang Road (Tax Key No. OCOT 0506.997.013).

All addresses are located in Oconomowoc, WI 53066

**LOCATION:**

Located in part of the N ½ of the NW ¼ and the NW ¼ of the NE ¼ of Section 19, T8N, R17E, Town of Oconomowoc. More specifically the properties are located on the south side of Lang Road, west of Pennsylvania Street and east of S.T.H. 16.

**EXISTING LAND USE:** Residential.

**PROPOSED LAND USE:** Residential.

**EXISTING ZONING:** R-1 Residential District with C-1 Overlay (Wetland) and Environmental Corridor Overlay.

**PROPOSED ZONING:** R-2 Residential District with C-1 Overlay (Wetland) and Environmental Corridor Overlay.

**PUBLIC HEARING DATE:** September 17, 2018.

**PUBLIC REACTION:** None.

**TOWN PLAN COMMISSION AND TOWN BOARD ACTION:**

At their October 1, 2018 meeting, the Town of Oconomowoc Plan Commission recommended to the Town Board approval of the rezone. On October 16, 2018, the Town Board recommended approval of the request (Resolution 2018-13).

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

The Town and County Land Use Plans designate the property as Low Density Residential (20,000 sq. ft. – 1.4 acres per dwelling unit). The subject properties are single-family residential properties, ranging from 0.67 – 2.1 acres per dwelling units. The proposed rezone complies with the density requirements of both Plans.

**STAFF ANALYSIS:**

Lang Road is located in a rural residential area, south of the S.T.H 16 bypass near the Jefferson County line. The residential parcels on this part of Lang Road range from approximately  $\frac{3}{4}$  acres to 2 acres in size and all except the seven (7) subject parcels are zoned R-2 Residential. The R-2 Residential Zoning District requires 30,000 sq. ft. in area and 120 ft. of average width. The seven (7) subject parcels are zoned R-1 Residential, which requires one (1) acre lot sizes and a minimum average width of 150 ft.

Following a land division inquiry made by one of the subject property owners, the Town is seeking rezoning approval to amend the zoning map for the seven (7) parcels noted above from the R-1 Residential District to the R-2 Residential District. Two (2) of the properties contain portions of mapped wetland and Primary Environmental Corridor. These zoning districts are not proposed to change. No opposition was found from the property owners or the surrounding neighbors. The change from R-2 would create enough lot width to allow one additional lot to be divided in the future. The rezone results in little practical change for the other six properties.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning of seven (7) parcels will provide zoning consistency amongst the surrounding residential parcels and is consistent with the spirit and intent of the Ordinance.

Respectfully submitted,

*Rebekah Leto*

Rebekah Leto  
Senior Land Use Specialist

Attachments: Town Resolution 2018-13  
Map

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RESOLUTION NO. 2018-13  
RESOLUTION APPROVING REZONING

RECEIVED  
10/23/2018  
DEPT OF  
PARKS & LAND  
USE

WHEREAS, seven property owners on the south side of Lang Road west of Pennsylvania Street and east of STH 16 have requested their properties to be rezoned from R-1 Residential District to R-2 Residential District zoning in the Town of Oconomowoc, Waukesha County, Wisconsin; and

WHEREAS, their request is attached hereto; and

WHEREAS, the purpose of the rezoning is to bring the zoning of said properties into compliance with the Town of Oconomowoc Comprehensive Land Use Plan 2035 which designates the area in the low-density residential category consisting primarily of single-family detached dwelling units of .67 to 2.10 dwelling units per acre (20,000 square feet to 1.5 acres); and

WHEREAS, there was a joint public hearing by the Town of Oconomowoc Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use, Planning and Zoning Division, on September 17, 2018; and

WHEREAS, the Town Planner and Town Plan Commission recommend to the Town Board that the requested rezoning from R-1 Residential District to R-2 Residential District be approved.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Town Board of the Town of Oconomowoc approves the request of the seven properties on the south side of Lang Road west of Pennsylvania Street and east of STH 16 with Key Numbers listed as follows be rezoned from R-1 Residential District to R-2 Residential District, which will be consistent with the Town of Oconomowoc Comprehensive Land Use Plan 2035 and also consistent with the properties zoned in adjacent areas.

Key Numbers:      OCOT 0505.999.005  
                         OCOT 0506.997.001  
                         OCOT 0506.997.005  
                         OCOT 0506.997.007  
                         OCOT 0506.997.011  
                         OCOT 0506.997.012  
                         OCOT 0506.997.013

BE IT FURTHER RESOLVED that the Town Board requests that Waukesha County accomplish said rezoning.

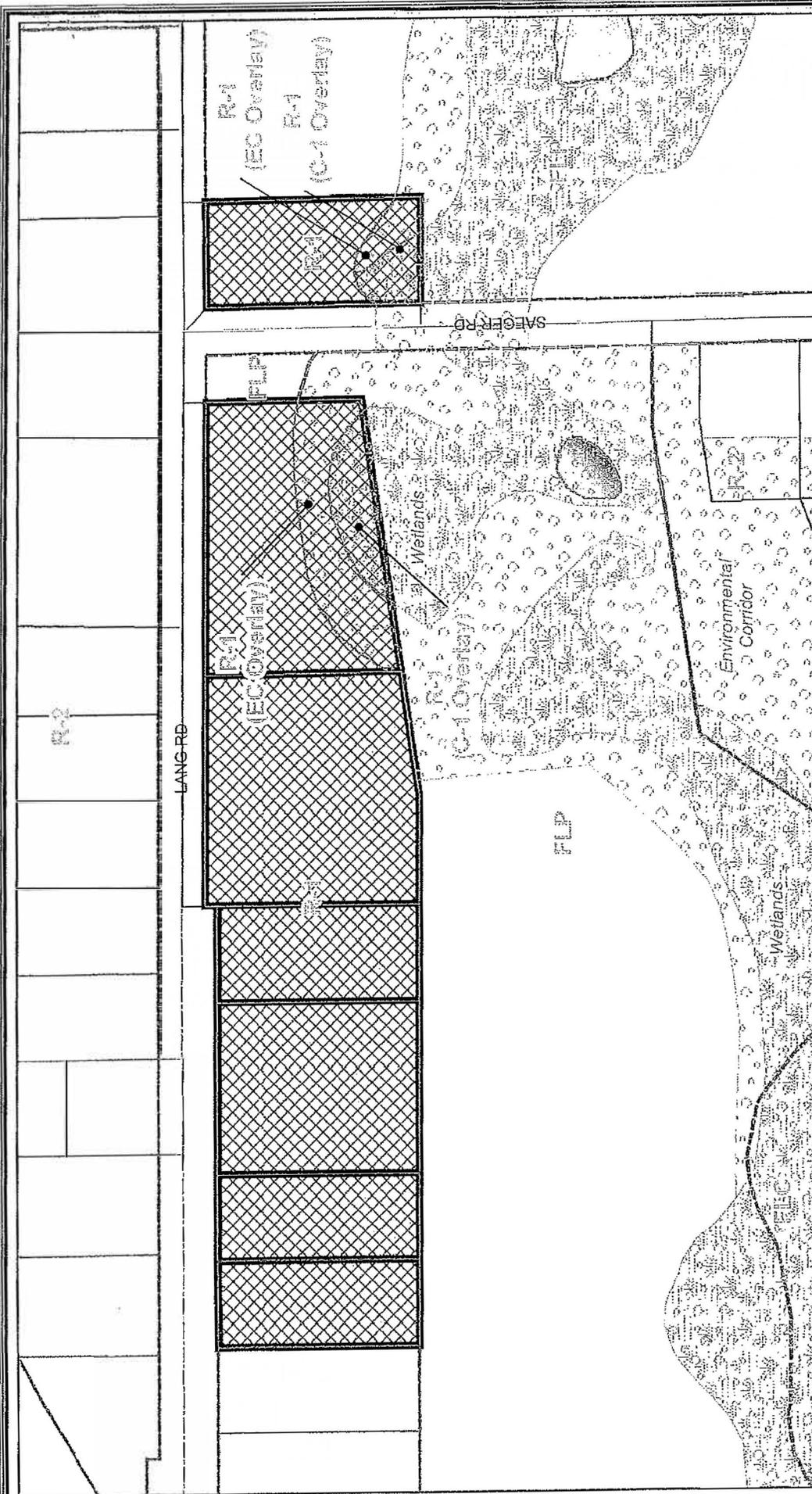
DATED: 10-16-18

TOWN OF OCONOMOWOC

By:   
Robert C. Hultquist, Chairman

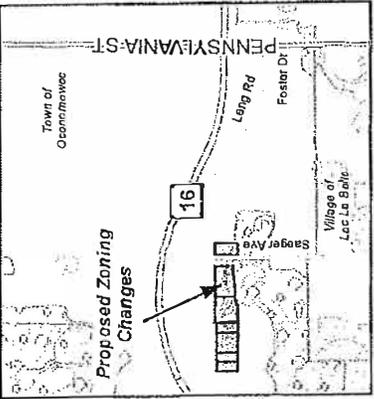
ATTEST:

  
Lori Opitz, Clerk



# ZONING MAP AMENDMENT

## PART OF THE NE 1/4 & NW 1/4 OF SECTION 19 TOWN OF OCONOMOWOC



 COUNTY ZONING CHANGE FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT (9.3 ac)  
 (ENVIRONMENTAL CORRIDOR AND CONSERVANCY OVERLAY WILL NOT BE CHANGING)

FILE.....RZ-15  
 PUBLIC HEARING DATE.....11/15/2018  
 AREA OF CHANGE.....9.3 ACRES  
 TAX KEY NUMBERS.....OCOT 0506.997.005, OCOT 0506.997.007, OCOT 0506.997.011, OCOT 0506.997.012, OCOT 0506.997.013

Prepared by the Waukesha County Department of Parks and Land Use

File Number: 173-O-066

D1 - Foti	(2) AYE	D14 - Wood	AYE
D2 - Zimmermann	(M) AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Gaughan	AYE
D9 - Heinrich	AYE	D22 - Wysocki	AYE
D10 - Swan	Absent	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Whittow	Absent
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

173-0-066

Passed (23 Y - 0 N - 2 Absent)

Majority Vote