

ENROLLED ORDINANCE 170-21

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE A-10 AGRICULTURAL DISTRICT TO THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT (ZT-1807)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on June 2, 2014, 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 60.61, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the A-10 Agricultural District to the R-2 Single Family Residential District, certain lands located in part of the SW ¼ of Section 36, 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-1807, is hereby approved.

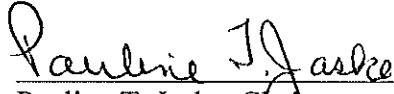
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

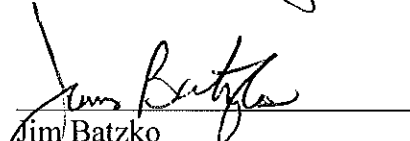
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

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ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

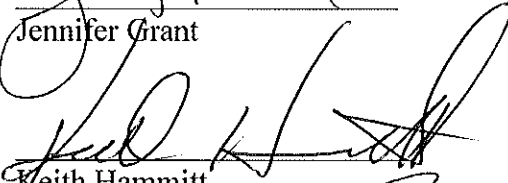
AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY  
REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36,  
T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM  
THE A-10 AGRICULTURAL DISTRICT TO THE R-2 SINGLE  
FAMILY RESIDENTIAL DISTRICT (ZT-1807)


Presented by:  
Land Use, Parks, and Environment Committee

  
Pauline T. Jaske, Chair

  
Jim Batzko

  
Jennifer Grant

  
Keith Hammitt

  
Eric Highum

  
William Mitchell

  
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: 5/26/2015,   
Kathleen Novack, County Clerk

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

Approved: X

Vetoed: \_\_\_\_\_

Date: 5-28-15,   
Paul Farrow, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/26/15

(ORD) NUMBER-170020

- |                          |                         |
|--------------------------|-------------------------|
| 1 R. KOLB.....AYE        | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS.....AYE      | 4 J. BATZKO.....AYE     |
| 5 J. BRANDTJEN.....AYE   | 6 J. WALZ.....AYE       |
| 7 J. GRANT.....AYE       | 8 E. HIGHUM.....AYE     |
| 9 J. HEINRICH.....AYE    | 10 D. SWAN.....AYE      |
| 11 C. HOWARD.....AYE     | 12 P. WOLFF.....AYE     |
| 13 P. DECKER.....AYE     | 14 C. PETTIS.....AYE    |
| 15 B. MITCHELL.....AYE   | 16 M. CROWLEY.....AYE   |
| 17 D. PAULSON.....AYE    | 18 L. NELSON.....AYE    |
| 19 K. CUMMINGS.....AYE   | 20 T. SCHELLINGER...AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE     |
| 23 K. HAMMITT.....AYE    | 24 S. WHITTOW.....AYE   |
| 25 G. YERKE.....AYE      |                         |

TOTAL AYES-25

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS X

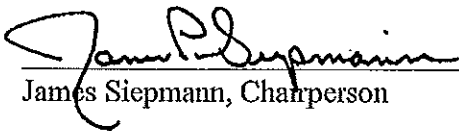
TOTAL VOTES-25

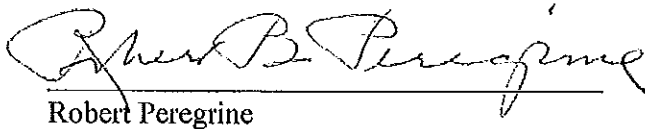
COMMISSION ACTION

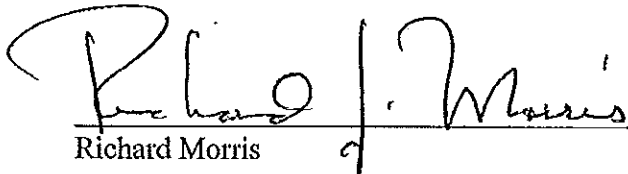
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Ordinance hereby recommends approval of ZT-1807 (Francis Mehringer\_Pam Anderson ) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

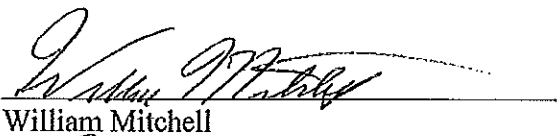
April 23, 2015

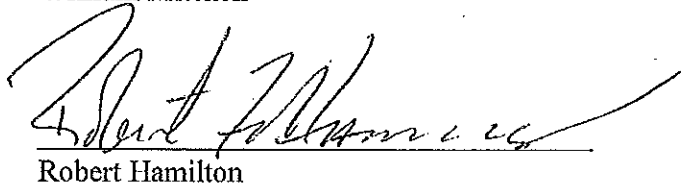
  
James Siepmann, Chairperson

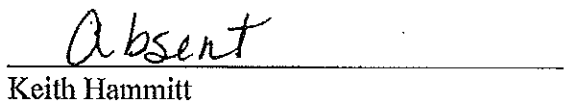
  
Robert Peregrine

  
Richard Morris

  
William Maslowski

  
William Mitchell

  
Robert Hamilton

  
Keith Hammitt

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

**DATE:** April 23, 2015

**FILE NO.:** ZT-1807

**OWNER:** Francis and Mae Mehringer  
N51 W22619 C.T.H. "K"  
Lisbon, WI 53089

**APPLICANT:** Pam Anderson  
N51 W22657 C.T.H. "K"  
Lisbon, WI 53089

**TAX KEY NO'S.:** LSBT 0287.999.002 and LSBT 0287.999.003

**LOCATION:**

The parent parcel is located in part of the SW ¼ of Section 36, T8N, R19E, Town of Lisbon at the C.T.H. "K" address cited above containing 66.6 acres. A Certified Survey Map (refer to Exhibit A) dividing 3.3 acres from the parent parcel was recorded in July 2014, leaving a remnant parcel approximately 63 acres in size. The 3.3 acre Certified Survey Map (CSM) was recorded as Lot 1, CSM No. 11198, Volume 110, Page 108, and is the parcel proposed to be rezoned herein.

**EXISTING ZONING:**

A-10 Agricultural District, which requires a minimum lot size of ten acres and a minimum average width of 300 feet, and C-1 Conservancy. The Conservancy zoning designation will not be amended herein.

**PROPOSED ZONING:**

R-2 Single Family Residential District, which requires a minimum lot size of one acre and a minimum lot width of 150 feet (unsewered).

**EXISTING LAND USE:** Agricultural.

**REQUESTED LAND USE:**

To divide a 3.3 acre parcel from the parent parcel for future single-family residential use by a family member and continue the agricultural use.

**PUBLIC HEARING DATE:** May 22, 2014.

**PUBLIC COMMENT:** None.

**TOWN PLAN COMMISSION ACTION:**

On May 22, 2014, the Town of Lisbon Plan Commission voted unanimously to recommend approval of the rezone request to the Town Board subject to the Town Engineer and Plan Commission comments and recommendations, including the approval of a CSM.

**TOWN BOARD ACTION:**

On June 2, 2014, the Town Board voted unanimously to approve the Ordinance to rezone the subject property as presented per the Town Engineer comments, and including the approval of a CSM. It should be noted that the Town Ordinance was not transmitted to Waukesha County until March 2015.

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

The subject property is designated as Medium Density Residential (a density of 6,000 SF to 19,999 SF per dwelling unit) and Other Open Lands to be Preserved (five acre density unless further soils investigation determines the land is developable at a higher density) on both the Waukesha County and Town of Lisbon Comprehensive Development Plan Maps. The proposed rezoning of this site for one single family residential home site will be consistent with the purpose and intent of the Town and County Comprehensive Development Plans as the lot meets the density and is proposed outside of the hydric soils.

**STAFF ANALYSIS:**

The petitioner has divided a 66.6 acre parcel into two parcels, a 63 acre remnant parcel and a 3.3 acre single-family residential lot, via a CSM (refer to Exhibit A). The remnant parcel was excluded from the CSM by specific action of the Town Plan Commission and the Waukesha County Park and Planning Commission. The 66 acre parent parcel contains a navigable stream, wetland, and floodplain, and well as a large area of hydric soils and some areas of bedrock near the surface. Soil tests were submitted with the CSM, which has already been recorded in the Waukesha County Register of Deeds office. The CSM also shows a 66' road reservation (0.3 acres) granted to the Town of Lisbon so Lot 1 has public road access via Wedgewood Glen Drive to the east. The Town Ordinance contains a typographical error. Lisbon is misspelled "Lisben" in the legal description. Staff has requested a corrected copy from the Town of Lisbon.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** in accordance with the Town's decision. The proposed zoning change will allow for the creation of a new building site that is consistent with the existing town zoning and land use adjacent to the east, as well as the Town and County Comprehensive Development Plans and will not adversely affect surrounding land uses.

Respectfully submitted,

*Sandra L Scherer*

Sandy Scherer  
Senior Planner

Attachments: Town Ordinance  
Rezone Map  
CSM (Exhibit "A")

ORDINANCE 03-14

STATE OF WISCONSIN:      TOWN OF LISBON:      WAUKESHA COUNTY

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**ORDINANCE REZONING THE MEHRINGER PROPERTY  
FROM A-10 AGRICULTURAL TO R-2 SINGLE FAMILY  
RESIDENTIAL THE TOWN OF LISBON, WAUKESHA  
COUNTY, WISCONSIN**

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Whereas, Pam Anderson, petitioned the Town of Lisbon to rezone 3.6 acres of property from A-10 Agricultural to R-2 Single Family Residential and

Whereas, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan land-use element; and

Whereas, the Lisbon Plan Commission and Town Board held a joint Public Hearing on the zoning change May 22, 2014.

NOW, THEREFORE, The Town Board of the Town of Lisbon, Waukesha County, Wisconsin, does ordain as follows:

**SECTION 1:** The following described property is rezoned from A-10 Agricultural to R-2 Single Family Residential

BEING A PART OF SE ¼ OF THE SW ¼ OF SECTION 36,  
TOWNSHIP 8 NORTH, RANGE 19 EAST, TOWN OF  
LISBON, WAUKESHA COUNTY, WISCONSIN

**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 2<sup>nd</sup> Day of June, 2014.

TOWN BOARD, TOWN OF LISBON  
WAUKESHA COUNTY, WISCONSIN

BY:   
MATTHEW GEHRKE, Chairman

MATTHEW GEHRKE, Chairman

BY:   
RYAN LIPPERT, Supervisor

BY:   
HANNAH HEINRITZ, Supervisor

BY:   
STEVEN PANTEN, Supervisor

BY:   
JOSEPH OSTERMAN, Supervisor

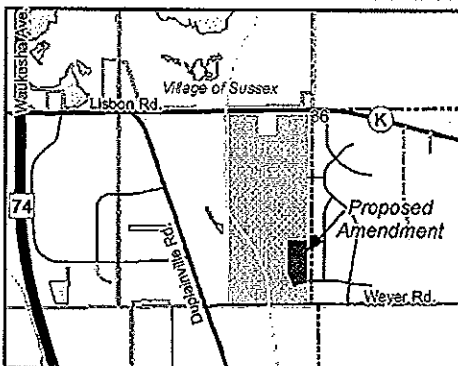
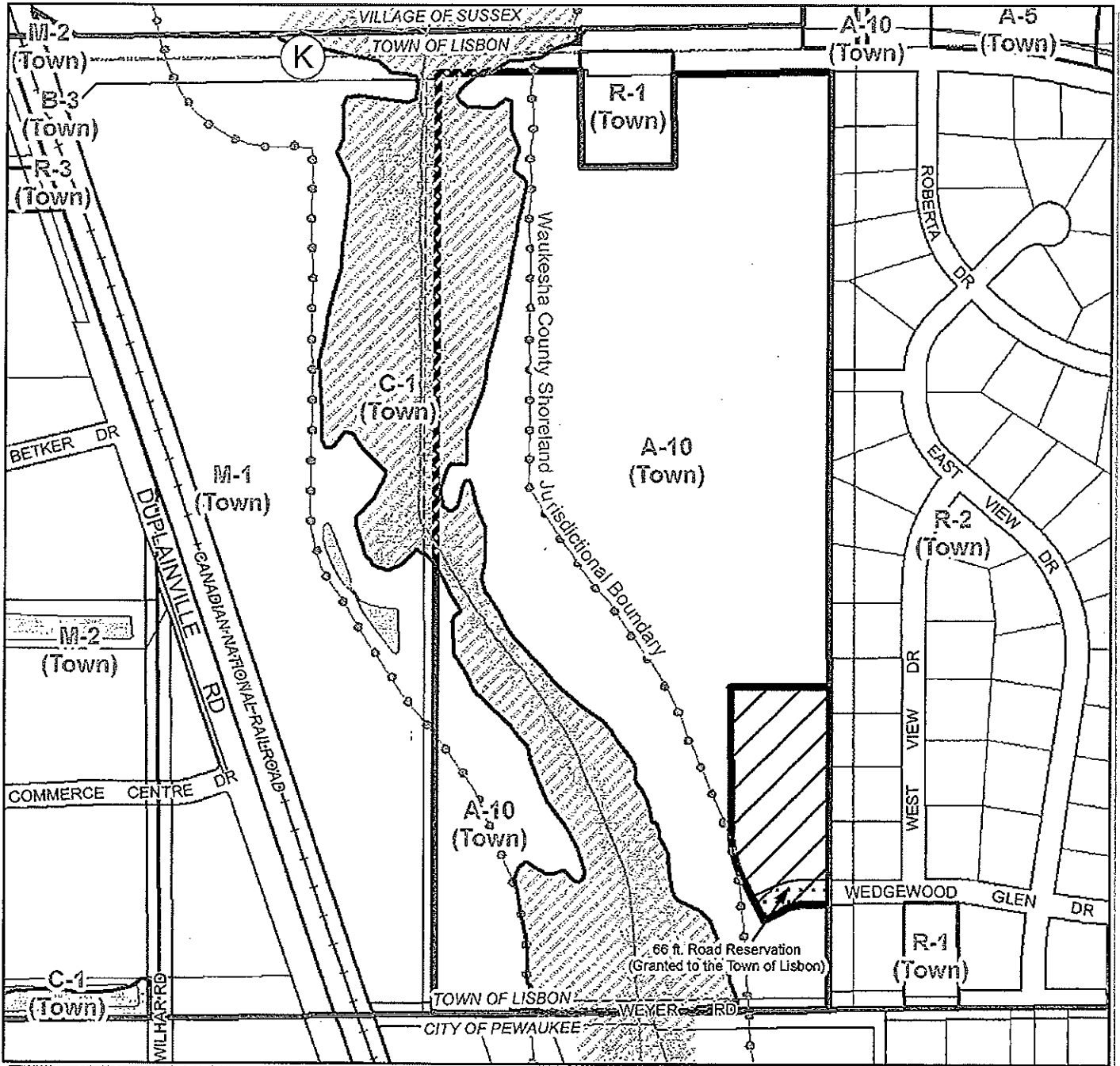
ATTEST:

BY:   
Elizabeth Kraus, Town Clerk



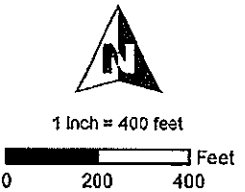
# ZONING AMENDMENT

PART OF THE SW 1/4 OF SECTION 36  
TOWN OF LISBON



 TOWN ZONING CHANGE FROM A-10 AGRICULTURAL DISTRICT TO R-2 SINGLE FAMILY RESIDENTIAL DISTRICT

FILE NUMBER.....ZT-1807  
 DATE OF PLAN COMM. CONSIDERATION.....04/23/15  
 AREA OF CHANGE.....3.65 ACRES  
 TAX KEY NUMBER.....LSBT 0287.999.003



Prepared by the Waukesha County Department of Parks and Land Use

