

ENROLLED ORDINANCE 173-017

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE N ½ OF THE NW ¼ AND PART OF THE NW ¼ OF THE NE ¼ OF SECTION 26, T8N, R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM THE A-T AGRICULTURAL TRANSITION DISTRICT TO THE R-2 RESIDENTIAL DISTRICT (RZ4)

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 May 7, 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 Sections 59.69 and 59.692, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23, 1970, for the Town of Oconomowoc, Waukesha County, Wisconsin, and the Waukesha County Zoning Code adopted by the Waukesha County Board of Supervisors, on February 26, 1959, are hereby amended to conditionally rezone certain lands located in part of the N ½ of the NW ¼ and part of the NW ¼ of the NE ¼ of Section 26, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin from the A-T Agricultural Transition District to the R-2 Residential District, 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 RZ4, is hereby approved, subject to the following conditions:

1. There shall be a maximum of seventy-one (71) dwelling units in substantial conformance with the concept plan submitted by the petitioner.
2. Compliance with all requirements of the Town of Oconomowoc Land Division Ordinance and the Waukesha County Shoreland and Floodland Subdivision Control Ordinance.
3. The subdivision plat shall be reviewed and approved by the Town of Oconomowoc Plan Commission, Town Board and Waukesha County.
4. The development shall comply in all respects with the Waukesha County Stormwater Management and Erosion Control Ordinance.
5. The petitioner shall comply with all requirements of the Waukesha County Department of Public Works regarding all necessary improvements to the intersection of Snyder Lane and Brown Street (C.T.H. “P”).

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 DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE N ½ OF THE NW ¼ AND PART OF THE NW ¼ OF THE NE ¼ OF SECTION 26, T8N, R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM THE A-T AGRICULTURAL TRANSITION DISTRICT TO THE R-2 RESIDENTIAL DISTRICT (RZ4)

Presented by:
Land Use, Parks, and Environment Committee


David D. Zimmermann, Chair

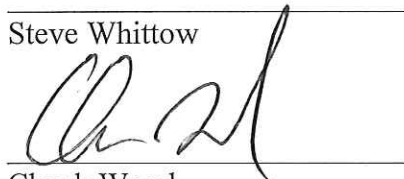
 (NO)
Kathleen M. Cummings


Keith Hammitt

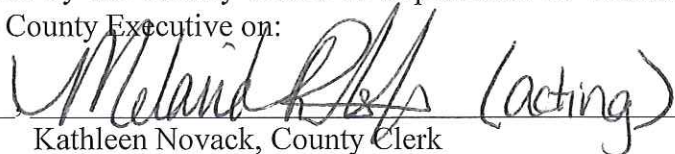

William A. Mitchell

absent
Thomas J. Schellinger

absent
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: 7/2/18  (acting)
Kathleen Novack, County Clerk

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

Approved: X

Vetoed: _____


Date: 7/2/18 
Paul Farrow, County Executive

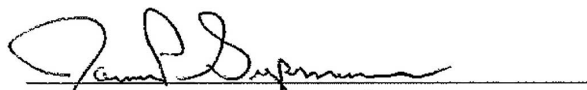
COMMISSION ACTION

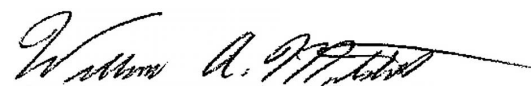
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code for the Town of Oconomowoc, hereby recommends approval of (RZ4 Forward Development Group LLC/F & M Snyder Family, LLC) in accordance with the attached "Staff Report and Recommendation".


PARK AND PLANNING COMMISSION

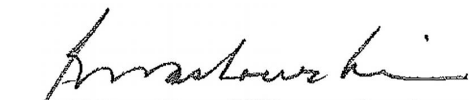
May 17, 2018


Richard Morris, Chairperson


James Siepmann, Vice Chairperson


William Mitchell, Secretary


Robert Peregrine


William Maslowski

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

DATE: May 17, 2018

FILE NO.: RZ4

PETITIONER: Forward Development Group, LLC
161 Horizon Drive, Suite 101A
Verona, WI 53593

OWNER: F & M Snyder Family, LLC
634 David Street
Lake in the Hills, IL 60102

TAX KEY NO.: OCOT 0533.998.001

LOCATION:

Part of the N ½ of the NW ¼ and part of the NW ¼ of the NE ¼ of Section 26, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W359 N6280 Brown Street (C.T.H."P"), containing approximately 80 acres.

EXISTING LAND USE: Agricultural farmland.

PROPOSED LAND USE: 71-lot single-family residential subdivision.

EXISTING ZONING:

A-T Agricultural Transition District

PROPOSED ZONING:

R-2 Residential District.

PUBLIC HEARING DATE:

March 19, 2018.

PUBLIC REACTION:

Many residents spoke in opposition at the public hearing. Residents were generally concerned with increased traffic and safety, no sidewalks or street lamps, the extension of Amy Lane, increased traffic through Lakeview Acres subdivision and Lake Drive and that the development will be occurring in phases. Residents were also concerned that the proposed trail system will lead new lot owners to the Lakeside Acres private park and lake access. Additional inquiries were heard in regard to the private wells and septic systems, stormwater management, minimum home sizes and the overall appearance of homes.

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

At their April 16, 2018 meeting, the Town of Oconomowoc Plan Commission recommended to the Town Board approval of the rezone subject to several conditions. On May 7, 2018, the Town Board recommended approval of the request, subject to conditions incorporated herein (Resolution 2018-6).

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

The property is designated as Low Density Residential (20,000 sq. ft. – 1.4 acres per dwelling unit) on the Comprehensive Development Plan for Waukesha County and the Town of Oconomowoc Land Use Plan. The proposal complies with both plans.

STAFF ANALYSIS:

The petitioners are proposing to rezone 79.5 acres from the A-T Transitional District to the R-2 Residential District to facilitate a 71-lot single-family home subdivision that will be constructed in phases (Exhibit “A”). The subject property is currently farmland and does not contain any structures. The property has frontage along C.T.H. “P” to the west, is south of Snyder Lane and north of Lakeview Acres subdivision. There are new single-family subdivisions to the west of C.T.H. “P” in the City of Oconomowoc, as well as subdivisions to the south and east in the Town. A 79-acre farm parcel exists on the north side of Snyder Lane. The proposed zoning category is consistent with the neighboring subdivisions.

The property is subject to both the Waukesha County Shoreland and Floodland Protection Ordinance and the County Zoning Code. Lands zoned A-T District are generally farmed lands that may also have development potential. The R-2 Residential District requires a 30,000 sq. ft. minimum lot size and an average width of 120 ft. One lot depicted on the provided concept plan does not meet the minimum average width requirement. If the rezone were approved, this would need to be addressed through the plat approval process. A proposed trail through the development outlets to Marina Drive as a benefit for the residents. The Town will need to evaluate through the plat approval process if the trail connection to Marina Drive is appropriate given concerns of trespassing on private property of Lakeview Acres. The lots will be served by private well and septic systems. No environmentally sensitive lands exist on site.

There are two access locations into the development: Snyder Lane on the north side of the development and Amy Lane from the south side of the development. Amy Lane currently dead ends with a temporary “T.” the extension will provide continuity between existing subdivisions and allow for a secondary access into the development, which is important for emergency response services. Snyder Lane will serve as the primary access into the subdivision. The intersection at C.T.H. “P” and Snyder Lane will be re-constructed as a controlled intersection. The reconstructed intersection is likely to require an additional turn lane from Snyder Lane and pedestrian accommodations.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** subject to the Town and County conditions as indicated below:

1. There shall be a maximum of seventy-one (71) dwelling units in substantial conformance with the concept plan submitted by the petitioner.
2. Compliance with all requirements of the Town of Oconomowoc Land Division Ordinance and the Waukesha County Shoreland and Floodland Subdivision Control Ordinance.
3. The subdivision plat shall be reviewed and approved by the Town of Oconomowoc Plan Commission, Town Board and Waukesha County.

4. The development shall comply in all respects with the Waukesha County Stormwater Management and Erosion Control Ordinance.
5. The petitioner shall comply with all requirements of the Waukesha County Department of Public Works regarding all necessary improvements to the intersection of Snyder Lane and Brown Street (C.T.H. "P").

The A-T Agricultural Transitional District is intended to recognize farmland in transitional areas that may have future development value. The Town and County Land Use Plans designates this parcel as residential, which is consistent with the existing surrounding development. In addition, the site has ready access to shopping and services along C.T.H. "P." The proposed zoning change is consistent the intent and purpose of the Waukesha County Codes and Development Plan.

Respectfully submitted,

Rebekah Leto

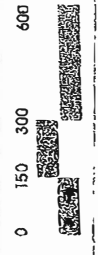
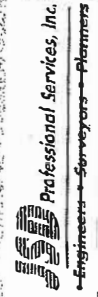
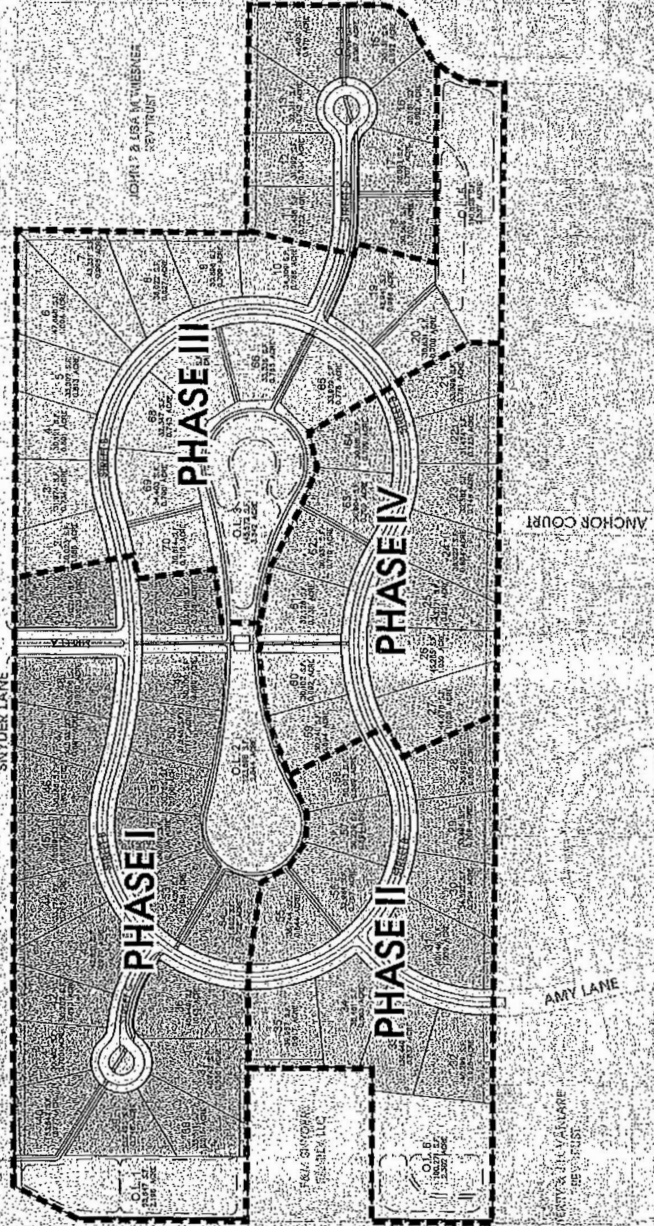
Rebekah Leto
Senior Land Use Specialist

Attachments: Concept Plan (Exhibit "A")
Town Resolution (2018-6)
Map

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\RZ4 Snyder Family Oct.Doc

EXHIBIT "A"

	LOTS	ACRES	LF RD
PHASE I	21	24.9	1,692
PHASE II	12	14.3	1,306
PHASE III	17	21.3	1,500
PHASE IV	21	19.1	1,307
TOTAL	71	79.6	6,805



RECEIVED
FEE \$7,000
DIPLOFARKS, LLC

DATE 12.21.2017

SNYDER FARM CONCEPT PLAN
OCONOMOWOC, WI

RESOLUTION NO. 2018 6a

WHEREAS, F&M Snyder Family LLC, owner of property described as Tax Key No. OCOT 0533.998.001, has requested that the property described by the above tax key number which is shown on Exhibit A attached hereto, containing approximately 71 acres of the identified 79.55-acre parcel, be rezoned from A-T Agricultural Land Preservation Transition District to R-2 Residential District; and

WHEREAS, the proposed use of the subject parcel is compatible with the Town of Oconomowoc Land Use Plan; and

WHEREAS, the owner has agreed to an R-2 Residential District zoning.

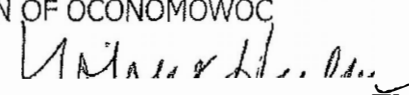
NOW THEREFORE, BE IT HEREBY RESOLVED that the Town Board of the Town of Oconomowoc hereby approves rezoning of the subject 71-acre parcel owned by F&M Snyder Family LLC from A-T Agricultural Land Preservation Transition District to R-2 Residential District; and

BE IT FURTHER RESOLVED that this rezoning is subject to the Town of Oconomowoc Planner's recommendation contained in his Report and Recommendation dated April 8, 2018 (copy attached).


DATED: 5/7/18

TOWN OF OCONOMOWOC

By:


Robert C. Hultquist, Chairma

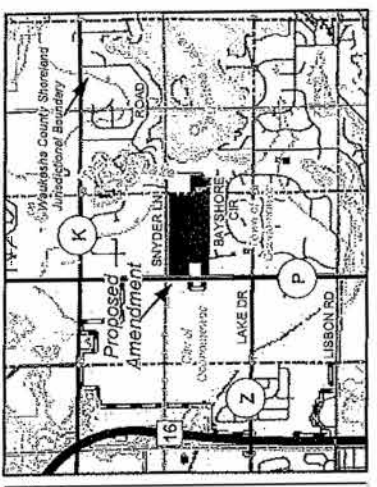
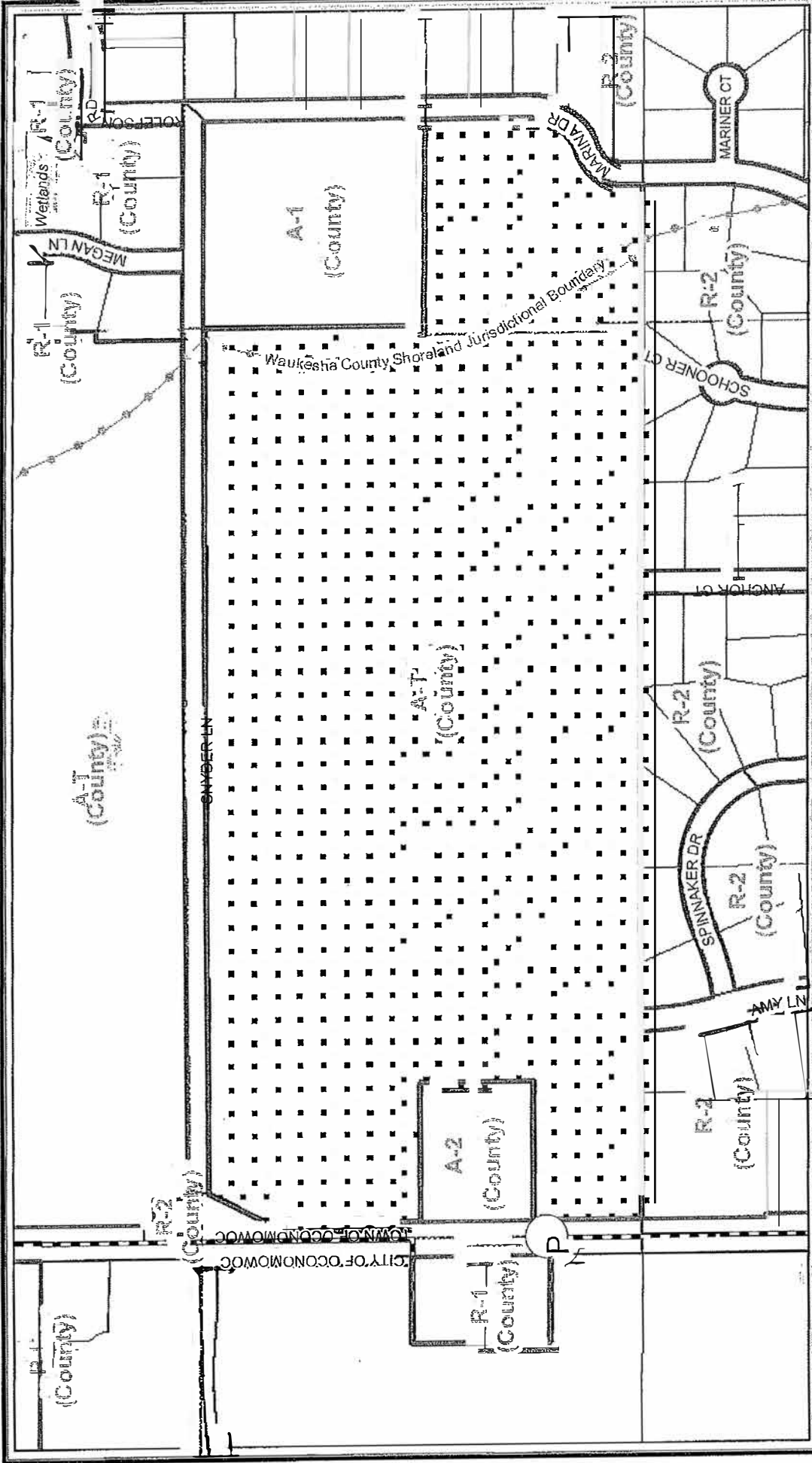
ATTEST:


Lori Opitz, Clerk

RECEIVED

MAY 13 2018

DEPT OF PARKS & LAND USE



CONDITIONAL COUNTY ZONING CHANGE FROM A-T AGRICULTURAL TRANSITION DISTRICT TO R-2 RESIDENTIAL DISTRICT

FILE.....RZ4RZ4
DATE OF PLAN COMMISSION.....05/17/1805/17/18
AREA OF CHANGE...79.5 ACRES79.5 ACRES
TAX KEY NUMBER.....OCOT 0533.998.001OCOT 0533.998.001

Scale: 0 200 400 Feet

ZONING AMENDMENT
 PART OF THE NW 1/4 &
 NE 1/4 OF SECTION 26
 TOWN OF OCONOMOWOC

Roll Call	Discussion	Voting...	Results	Agenda	Setup	Options
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		Notified
D5 - Dondlinger			AYE	D18 - Nelson		AYE
D6 - Walz			AYE	D19 - Cummings		AYE
D7 - Grant			Notified	D20 - Schellinger		AYE
D8 - Michalski			AYE	D21 - Gaughan		AYE
D9 - Heinrich			AYE	D22 - Wysocki		AYE
D10 - Swan			AYE	D23 - Hammitt		AYE
D11 - Howard			AYE	D24 - Whittow		AYE
D12 - Wolff			AYE	D25 - Johnson		AYE
D13 - Decker			AYE			
173-O-017			Passed (23 Y - 0 N - 2 Absent)	Majority Vote		>