

ENROLLED ORDINANCE 173-090

AMEND THE TOWN OF OTTAWA ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OTTAWA BY REZONING CERTAIN LANDS LOCATED IN PART OF THE W ½ OF SECTION 33, T6N, R17E, TOWN OF OTTAWA, FROM THE A-T AGRICULTURAL TRANSITION DISTRICT TO THE AD-10 AGRICULTURAL DENSITY-10 DISTRICT (RZ22)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Ottawa Town Board on December 3, 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, Wis. Stats.


THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Town of Ottawa 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 W ½ of Section 33, T6N, R17E, Town of Ottawa from the A-T Agricultural Transition District to the AD-10 Agricultural Density-10 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 RZ22, 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 Ottawa.

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

AMEND THE TOWN OF OTTAWA ZONING MAP OF THE WAUKESHA COUNTY  
ZONING CODE FOR THE TOWN OF OTTAWA BY REZONING CERTAIN LANDS  
LOCATED IN PART OF THE W ½ OF SECTION 33, T6N, R17E, TOWN OF OTTAWA,  
FROM THE A-T AGRICULTURAL TRANSITION DISTRICT TO THE AD-10  
AGRICULTURAL DENSITY-10 DISTRICT (RZ22)

Presented by:  
Land Use, Parks, and Environment Committee

  
David D. Zimmermann, Chair

  
Kathleen M. Cummings

  
Keith Hammitt

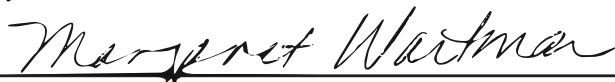
  
William A. Mitchell

  
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: March 1, 2019,   
Margaret Wartman, County Clerk

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

Approved:   X  

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

Date: 3/4/2019,   
Paul Farrow, County Executive

**COMMISSION ACTION**

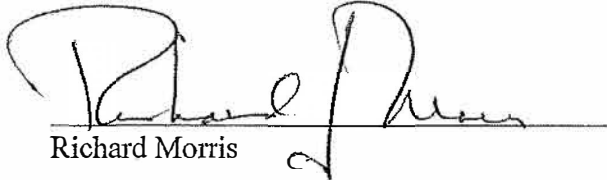
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Zoning Code, hereby recommends **approval** of (**RZ22 Riehle**) in accordance with the attached "Staff Report and Recommendation."

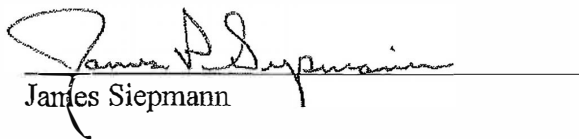
**PARK AND PLANNING COMMISSION**


**January 17, 2019**

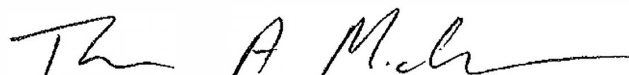
  
Robert Peregrine, Chairman

  
William Mitchell, Vice Chairman

  
Richard Morris

  
James Siepmann

  
William Maslowski

  
Thomas Michalski

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

**DATE:** January 17, 2019

**FILE NO.:** RZ22

**OWNER/PETITIONER:** John Riehle  
W377 S5944 CTH CI  
Dousman, WI 53118

**TAX KEY NO.:** Part of OTWT 1714.999.001

**LOCATION:**

The property is located in the W ½ of Section 33, T6N, R17E, Town of Ottawa. More specifically, the property is located at the C.T.H. “CI” address cited above.

**LOT SIZE(S):** 44.1 acres, excluding the road ROW of C.T.H. “CI”

**EXISTING USE(S):** Residential and agricultural.

**REQUESTED USE(S):**

The petitioner would like to convey 4.7 acres as shown on the 2015 aerial exhibit and the Plat of Survey (both attached) to an adjacent landowner to the west (Hoehn), who currently owns 5.4 acres. The conveyance would reduce the petitioner’s lot size to 39.4 acres. In order to convey the land, the land must first be rezoned as proposed on the Zoning Map also attached.

**EXISTING ZONING DISTRICT CLASSIFICATION(S):**

A-T Agricultural Transition District under the Waukesha County Zoning Code, which requires a minimum lot size of 20 acres and a minimum average width of 300 feet.

**PROPOSED ZONING DISTRICT CLASSIFICATION(S):**

The property is proposed to be rezoned to the AD-10 Agricultural Density-10 District (10 acre density, one acre minimum lot size), and the proposed conveyance would conform with the AD-10 zoning requirements, if the zoning amendment is approved.

**SOIL TYPES:** The soils are well drained agricultural soils.

**CONFORMANCE WITH THE WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLAN (WCCDP) AND THE TOWN OF OTTAWA COMPREHENSIVE DEVELOPMENT PLAN (CDP):**

The WCCDP designates the property as Rural Density and Other Agricultural Land (5.0 – 34.9 acre density). The Town’s CDP designates the parcel as Agricultural 10 Acre Density. The proposal conforms with both plans as the Town’s more restrictive ten acre density will be met with the conveyance as proposed.

**PUBLIC HEARING DATE:** December 3, 2018.

**PUBLIC REACTION:** None.

**TOWN PLAN COMMISSION ACTION:**

On December 3, 2018, the Town Plan Commission unanimously recommended approval of the rezoning request to the Waukesha County Park and Planning Commission in accordance with the Town Planner's recommendation.

**STAFF ANALYSIS:**

As noted above, the petitioner would like to convey 4.7 acres as shown on the 2015 aerial exhibit and the Plat of Survey to an adjacent landowner to the west (Hoehn). The conveyance would reduce the petitioner's parcel size to 39.4 acres and would increase Hoehn's parcel size to 10.1 acres.

The proposed conveyance complies with the Town and County CDPs and the transfer meets the AD-10 zoning, however, the 4.7 acres to be conveyed is currently zoned A-T which requires a 20 acre lot size, and therefore, a zoning change is necessary prior to the transfer being finalized so the conveyance is conforming with the zoning. The zoning change must be approved by the Waukesha County Board of Supervisors prior to any conveyance documents being executed by Waukesha County Tax Listing. The adjacent zoning districts are AD-10 to the west and north and A-T to the south and east (remainder of the petitioner's parcel).

**STAFF RECOMMENDATION:**

Based on the above analysis, the Planning and Zoning Division Staff recommends **approval** of the rezoning request. The proposed use of the property is consistent with the Town and County Comprehensive Development Plans, will remain compatible with the immediate surrounding zoning categories and land uses, and the pending conveyance will comply with the Waukesha County Zoning Code.

Respectfully submitted,

*Sandra L. Scherer*

Sandy Scherer  
Senior Planner

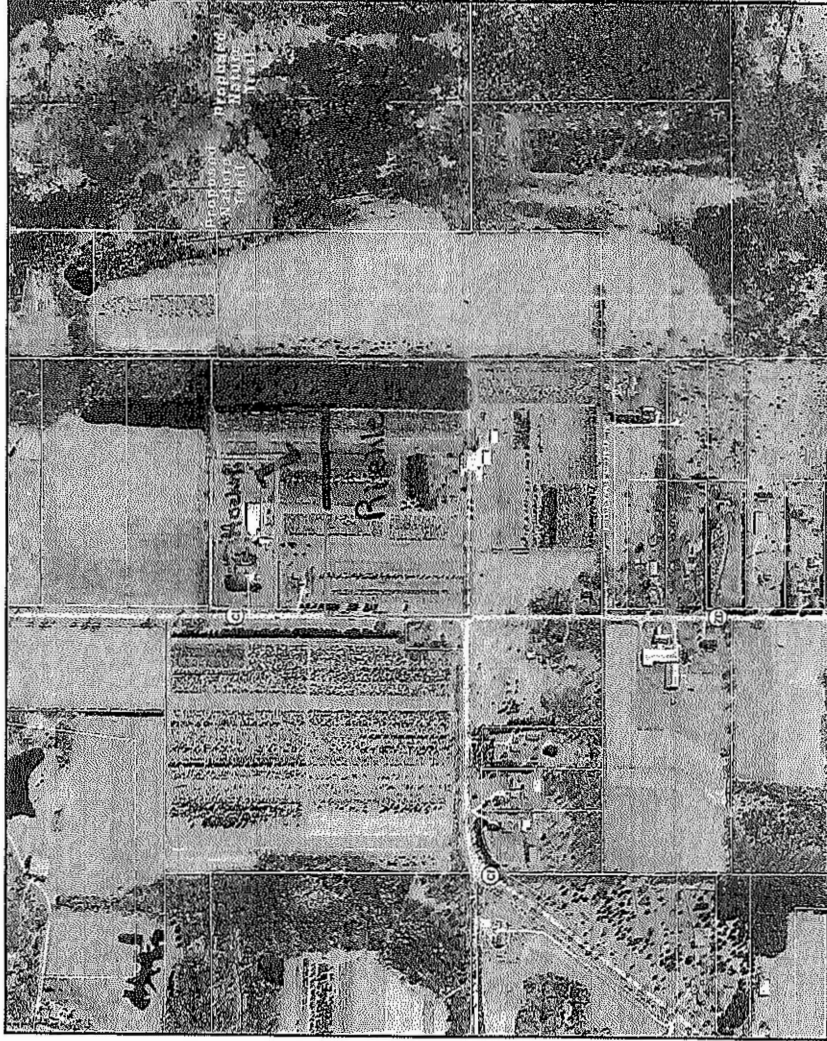
Attachments: 2015 aerial exhibit  
Plat of Survey  
Zoning Map

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\RZ22 Riehle owt.doc



LAND INFORMATION SYSTEMS DIVISION

# 2015 Aerial



Legend

Plats	<all other values>
	Assessor Plat
	Condo Plat
	CSM
	Subdivision Plat
	Municipal Boundary_1K
	Railroad_1K
	TaxParcel_1K_Labels
	SimultaneousConveyance
	Assessor Plat
	CSM
	Condo Plat
	Subdivision Plat
	TaxParcel_1K
	Catline_1K
	<all other values>
	EA-Enhanced_Line
	PL-DA
	PL-Extended_Tra_Line
	PL-LA
	PL-Miscellaneous_Line
	PL-Note
	PL-Original_Parcel_Line
	PL-PFT
	PL-Tra_Line
	PL-Tra_Line
	ROW_CL
	RR_CL
	RW_Radius
	SD-SD_Block_O_100
	SD-SD_Block_O_200
	Streets
	Waterbodies_1K_Labels
	Waterlines_1K_Labels
	FlowCenterline
	Other
	UnderRoad
	Visible
	Waterlines_use_1K
	FlowCenterline

0 666.67 Feet

The information and depictions herein are for informational purposes and Wisconsin County specifically disclaims accuracy in this reproduction and specifically advises and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Wisconsin County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores the warning.

Notes:

Printed: 7/13/2018

File Number: 173-0-090

Proposal #2

RECEIVED

AUG 12 2018

DEPT OF PARKS & LAND USE

Survey For: John F. Riehle

# Plat of Survey

Location: W377 S5944 County Road "CI" Town of Ottawa, Waukesha County, Wisconsin

Description: Being a part of the SE 1/4 of the NW 1/4 of Section 33, T6N, R17E, Town of Ottawa, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Concrete Monument with Brass Cap that marks the Northeast corner of said NW 1/4; Thence S00°52'15"W, along the East line of said NW 1/4, a distance of 1329.66 feet; Thence N88°53'40"W, a distance of 271.00 feet, to a Set 3/4"x18" Iron Rebar (1.502 lbs/in ft) (Set 3/4" Rebar) that marks the POINT OF BEGINNING of the lands to be described; Thence continue N88°53'40"W, a distance of 253.06 feet, to the 3/4" Iron Pipe that marks the Northeast corner of Certified Survey Map No. 2057, as recorded in the Waukesha County Register of Deeds Office as Document No. 878835 (CSM #2057); Thence S00°51'35"W, along the East line of said CSM #2057, a distance of 332.32 feet, to a Found 1 1/2" Iron Pipe that marks the Southeast corner of said CSM #2057; Thence N88°53'38"W, along the South line of said CSM #2057, a distance of 226.52 feet, to a Found 1" Iron Pipe that marks the Northeast corner of Lot 1 of Certified Survey Map No. 7105, as recorded in the Waukesha County Register of Deeds Office as Document No. 1856880 (CSM #7105); Thence S00°54'01"W, along the East line of said CSM #7105, a distance of 250.12 feet, to a Found 1" Iron Pipe that marks the Southeast corner of said CSM #7105; Thence S88°52'59"E, a distance of 479.76 feet, to a Set 3/4" Rebar; Thence N00°51'35"E, a distance of 582.54 feet, to the POINT OF BEGINNING, containing 204,094 Square Feet or 4.685 Acres of land, more or less.

The intent of this description is for transfer of ownership between adjacent parcels and is not intended to create a separate parcel of land.

Subject to all rights, reservations, restrictive covenants, and easements recorded or unrecorded.

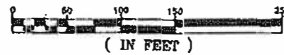
### LEGEND

- 1 1/2" I.D. IRON PIPE FOUND
- 1" I.D. IRON PIPE FOUND
- 3/4" I.D. IRON PIPE FOUND
- 3/4"x18" IRON REBAR (1.502 lbs/in ft) SET
- ⊕ SECTION CORNER FOUND AS NOTED
- (R) RECORDED AS

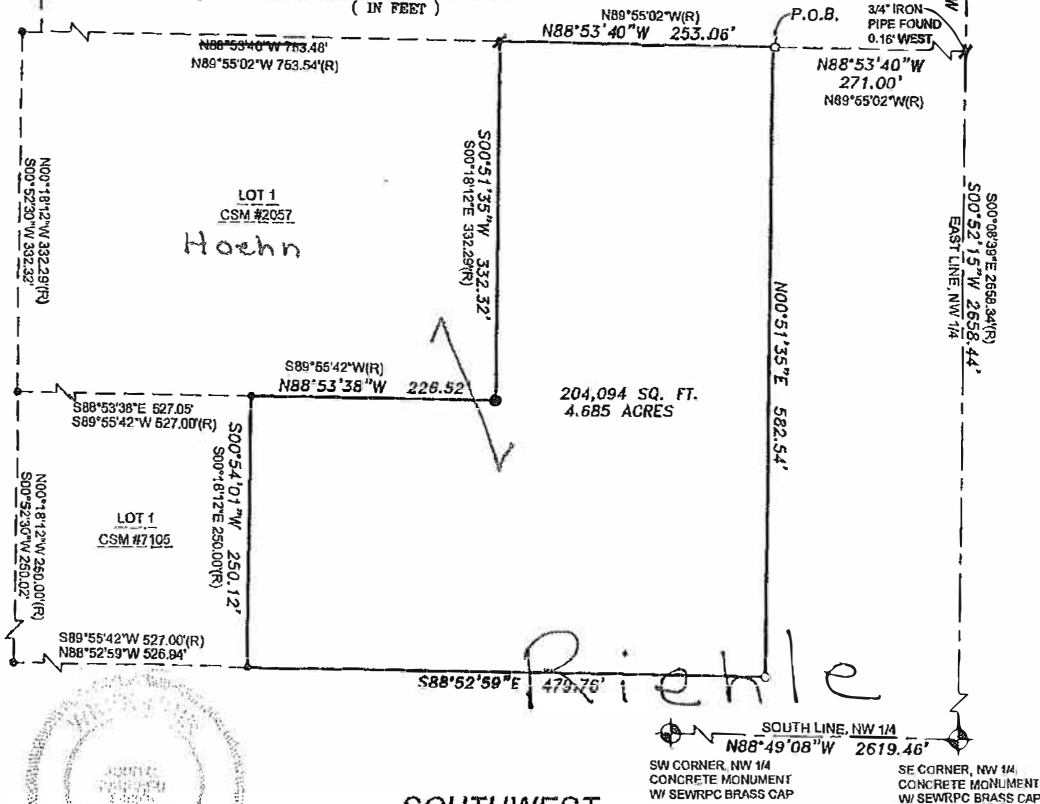


BEARING BASIS:  
ALL BEARINGS REFER TO  
THE EAST LINE, NW 1/4  
WHICH HAS AN ASSUMED  
BEARING OF S00°52'15"W

### GRAPHIC SCALE



LOT 3 CSM #8539



**SOUTHWEST**  
SURVEYING & ASSOCIATES, Inc.

P.O. BOX K, PALMYRA, WI 53156  
262-495-4910  
920-674-4884

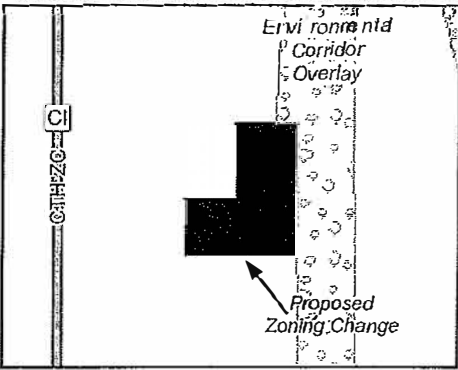
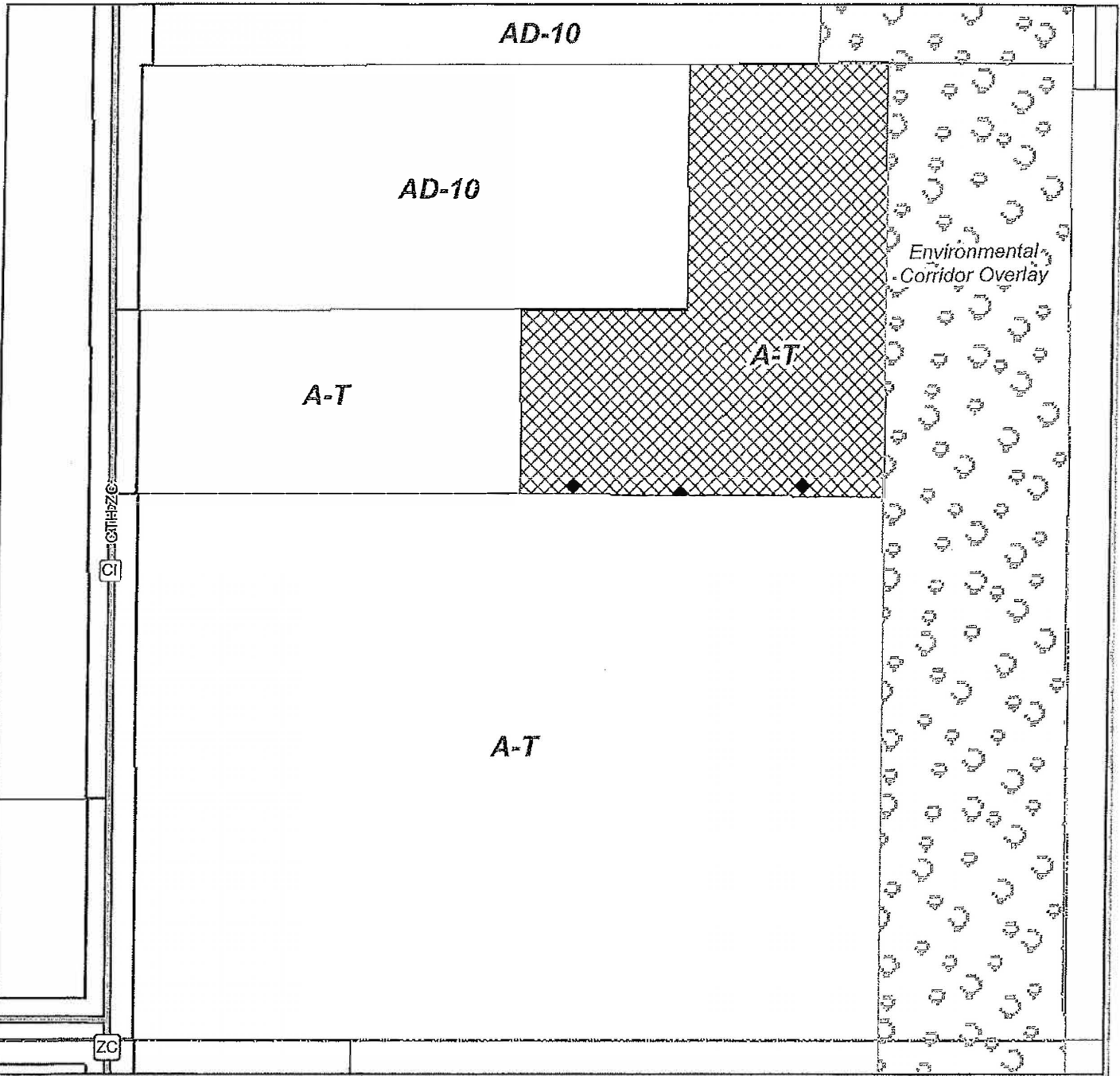
State of Wisconsin )  
Jefferson County ) I certify that I have surveyed the above described (property) and the above map is a true  
representation thereof and shows the size and location of the Property, its exterior boundaries, the location and  
dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments,  
if any to the best of my knowledge and belief.


THIS IS A JOHN C. KANHARD AUTHORIZED  
PRINT ONLY IF SIGNATURE APPEARS IN  
RED INK OR BLACK LINE PRINT.  
JOHN C. KANHARD, Professional Land Surveyor


SHEET 1 OF 1  
DATE: June 12, 2018  
REVISED: AUGUST 1, 2018  
JOB NO: R-218112

# ZONING AMENDMENT

PART OF THE NW 1/4 OF SECTION 33,  
TOWN OF OTTAWA



 ZONING AMENDMENT FROM A-T AGRICULTURAL TRANSITION DISTRICT TO AD-10 AGRICULTURAL DENSITY 10-ACRE DISTRICT (4.7 AC)


 ENVIRONMENTAL CORRIDOR OVERLAY

FILE.....RZ22

DATE OF PLAN COMMISSION.....1/17/19

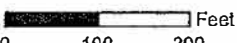
AREA OF CHANGE.....4.7 ACRES

TAX KEY NUMBER.....OTWT1714.999.001



Prepared by the Waukesha County Department of Parks and Land Use

1 inch = 200 feet

 0 100 200 Feet





## Voting Results for Ordinance 173-O-090

Approved The Board Of Ordinance Zoning Code For The Town Of Oconomowoc, Wisconsin, Located In Part Of The W 1/2 Of Section 15, T18N, R17E, Town Of Oconomowoc, From The A-1 Agricultural Transition District To The A-2 Agricultural District To District (R22)

Passed By Majority Vote

AYE: 25 NAY: 0 ABSTAIN: 0 ABSENT: 0

D1 - Foti	AYE	D14 - Wood	AYE
D2 - Zimmermann	Motion	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	AYE	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Whittow	AYE
D12 - Wolff	Second	D25 - Johnson	AYE
D13 - Decker	AYE		