

ENROLLED ORDINANCE 170-36

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF SECTION 18, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO THE A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT (ZT-1740A)

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 January 12, 2015, 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 60.62, 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 R-1 Suburban Single Family Residential District to the A-3 Agricultural/Residential Estate District, certain lands located in part of the SE ¼ of Section 18, 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-1740A, is hereby approved.

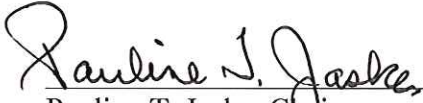
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.


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ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.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 SE ¼ OF SECTION 18, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO THE A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT (ZT-1740A)

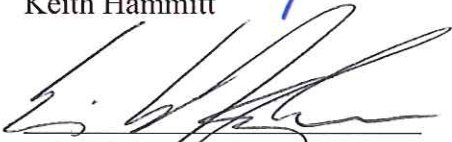
Presented by:
Land Use, Parks, and Environment Committee


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: 7/28/2015, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____
Date: 8/4/15, 
Paul Farrow, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-07/28/15

NUMBER-1700036

- | | |
|--------------------------|-------------------------|
| 1 R. KOLB.....AYE | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS..... | 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..... | 24 S. WHITTOW.....AYE |
| 25 G. YERKE.....AYE | |

TOTAL AYES-23

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS

~~_____~~

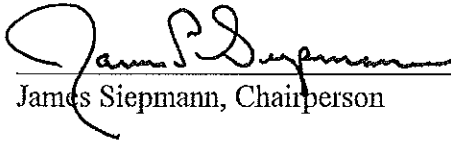
TOTAL VOTES-23

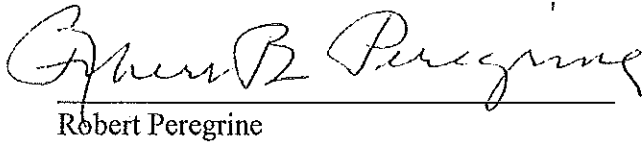
COMMISSION ACTION

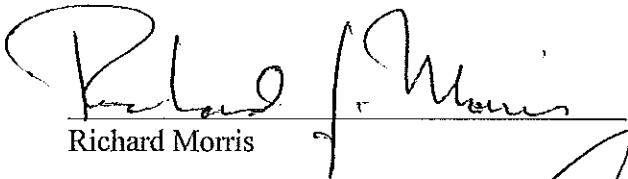
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code hereby recommends approval of ZT-1740A (Joseph Scharfle) in accordance with the attached "Staff Report and Recommendation".

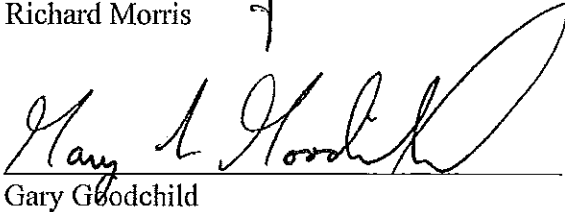
PARK AND PLANNING COMMISSION

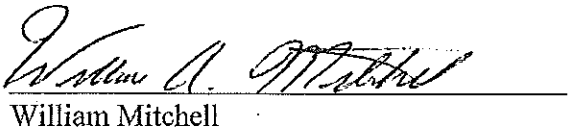
June 18, 2015

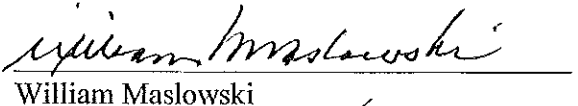

James Siepman, Chairperson

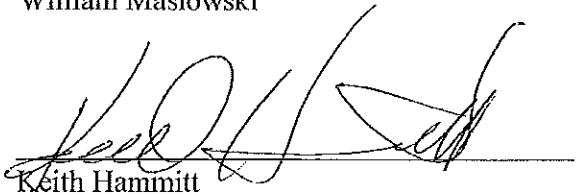

Robert Peregrine


Richard Morris


Gary Godchild


William Mitchell


William Maslowski


Keith Hammitt

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

DATE: June 18, 2015

FILE NO: ZT-1740A

PETITIONERS/OWNERS: Joseph Schartle
Karl J Scheibengraber, etal
N75 W27133 Oakwood Road
Hartland, WI 53029

OWNERS (Lot 7): Rory and Susan Huf
W232 N7504 W. Stoneridge Ct.
Sussex, WI 53089

TAX KEY NOS.: LSBT 0216.074, .075, and .079

LOCATION AND LOT SIZES:

Lots 2, 3, and 7, and an undivided interest in Outlot 1, Pine Hill Estates, and also part of Lot 5, Block 16, and part of Lot 25, Block 9, Thousand Oaks Addition No. 6 located in the SE ¼ of Section 18, T8N, R19E, Town of Lisbon. More specifically, the properties are located at N74 W27410 Howards Pass and contain 1.6, 3.0, and 5.1 acres respectively.

EXISTING ZONING (TOWN):

Lot 2 - R-1 Suburban Single Family Residential District (one acre, 150' min. ave. width), and Lots 3 and 7 - A-3 Agricultural/Residential Estate District (three acres, 200' min. ave. width).

PROPOSED ZONING (TOWN):

Lot 7 - R-1 Suburban Single Family Residential District, and part of Lot 2 - A-3 Agricultural/Residential Estate District. The zoning of Lot 3 will remain unchanged. No County Zoning will change.

EXISTING LAND USE:

Vacant single-family residential lots/agricultural.

PROPOSED LAND USE:

Single-family residential lots.

PUBLIC HEARING DATE: December 18, 2014

PUBLIC REACTION: None.

TOWN PLAN COMMISSION ACTION:

On December 18, 2014, the Town of Lisbon Plan Commission voted to recommend approval of the rezoning of Lots 2 and 3 from the R-1 Suburban Single Family Residential District to the A-3 Agricultural/Residential Estate District; and the rezoning of Lot 7 from the A-3 Agricultural/Residential Estate District to the R-1 Suburban Single Family Residential District subject to the submittal of a Certified Survey Map (CSM).

TOWN BOARD ACTION:

On January 12, 2015, the Town of Lisbon Board of Supervisors voted to approve the proposed rezone amendment as recommended by the Plan Commission with the exception that the Board tabled the rezoning of Lot 7 until a CSM is submitted.

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

The Town and County Comprehensive Development Plans designate the subject parcels as Suburban I Density Residential (1.5 to 2.9 acres per dwelling unit). The proposal complies with both plans as the overall density will remain at one dwelling unit per 2.18 acres.

STAFF ANALYSIS:

The subject parcels are located directly north of the Thousand Oaks Addition No. 6 residential subdivision (zoned R-1 Residential) and east of Lake Five Road. Waukesha County has shoreland jurisdiction over all of Lot 2, most of Lot 3, and the western portion of Lot 7, however no County zoning is changing. Waukesha County currently has the shoreland area zoned R-1 Residential, which requires a minimum lot size of one (1) acre. The proposed uses comply with the County's existing zoning.

In addition to the proposed zoning outlined above, the petitioner had originally requested a zoning change for Lot 7 contingent upon approval of a CSM to divide the lot. However, after further discussion, that part of the proposal was tabled by the Town Board until a CSM is actually submitted. Therefore, the only zoning change requested herein is for a small portion of Lot 2 that is being transferred to Lot 3 with the intent to make the zoning districts consistent with the new lot lines, the topography/natural drainage pattern, the woods and drainage easement. This transfer would reduce the size of Lot 2 to 1.4 acres and increase the size of Lot 3 to 3.2 acres. This item was given extraterritorial review and was approved by the Village of Merton Plan Commission at their June 10, 2015 meeting.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** in accordance with the Town's action. The proposal conforms to both the Town and County Comprehensive Development Plans and is compatible with the surrounding land uses and will not affect the density of the overall development or the natural drainage pattern of the area.

Respectfully submitted,

Sandra L Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance
Map

ORDINANCE 05-15

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

**ORDINANCE REZONING A PORTION OF LOT 2 OF THE SCHARTLE
PROPERTY IN THE PINE HILL ESTATES SUBDIVISION FROM THE
R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL
DISTRICT TO THE A-3
AGRICULTURAL / RESIDENTIAL ESTATE DISTRICT AND TO
BE INCLUDED AS PART OF LOT 3 IN THE PINE HILL ESTATES SUBDIVISION.
IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

Whereas, Joseph Schartle petitioned the Town of Lisbon to rezone a portion of Lot 2 of the Pine Hill Estates subdivision for the property located at, LSBT0216-074 and to be included as part of Lot 3 in the Pine Hill Estates Subdivision for the property located at, LSBT0216-075 from R-1 Suburban Single Family Residential District to A-3 Agricultural / Residential Estate District.

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 December 18, 2014.

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

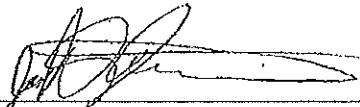
SECTION 1: The following described property is rezoned from R-1 Suburban Single Family Residential District to the A-3 Agricultural / Residential Estate District and to be included as part of Lot 3 in the Pine Hill Estates Subdivision.

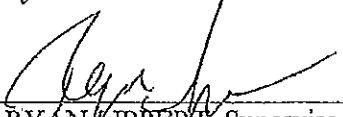
Part of Lot 2, Pine Hill Estates, located in the NW. 1/4 OF THE SE. 1/4 OF SECTION 18,
T.8N.,R.19E.,TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

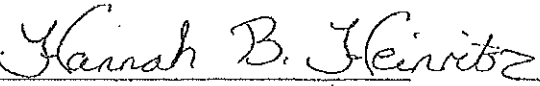
SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

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 12th, day of January, 2015.

BY: 
JOSEPH OSTERMAN, Chairman

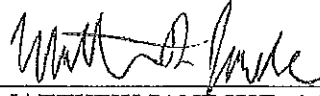
BY: 
RYAN LIPPERT, Supervisor

BY: 
HANNAH HEINRITZ, Supervisor

BY: 
STEVEN PANTEN, Supervisor

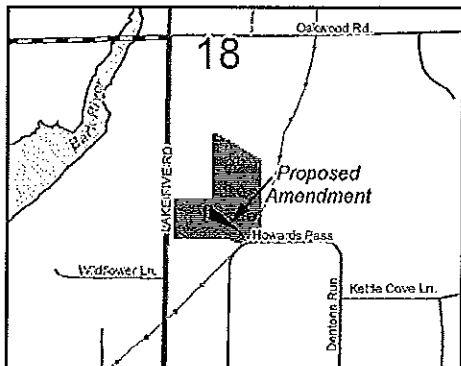
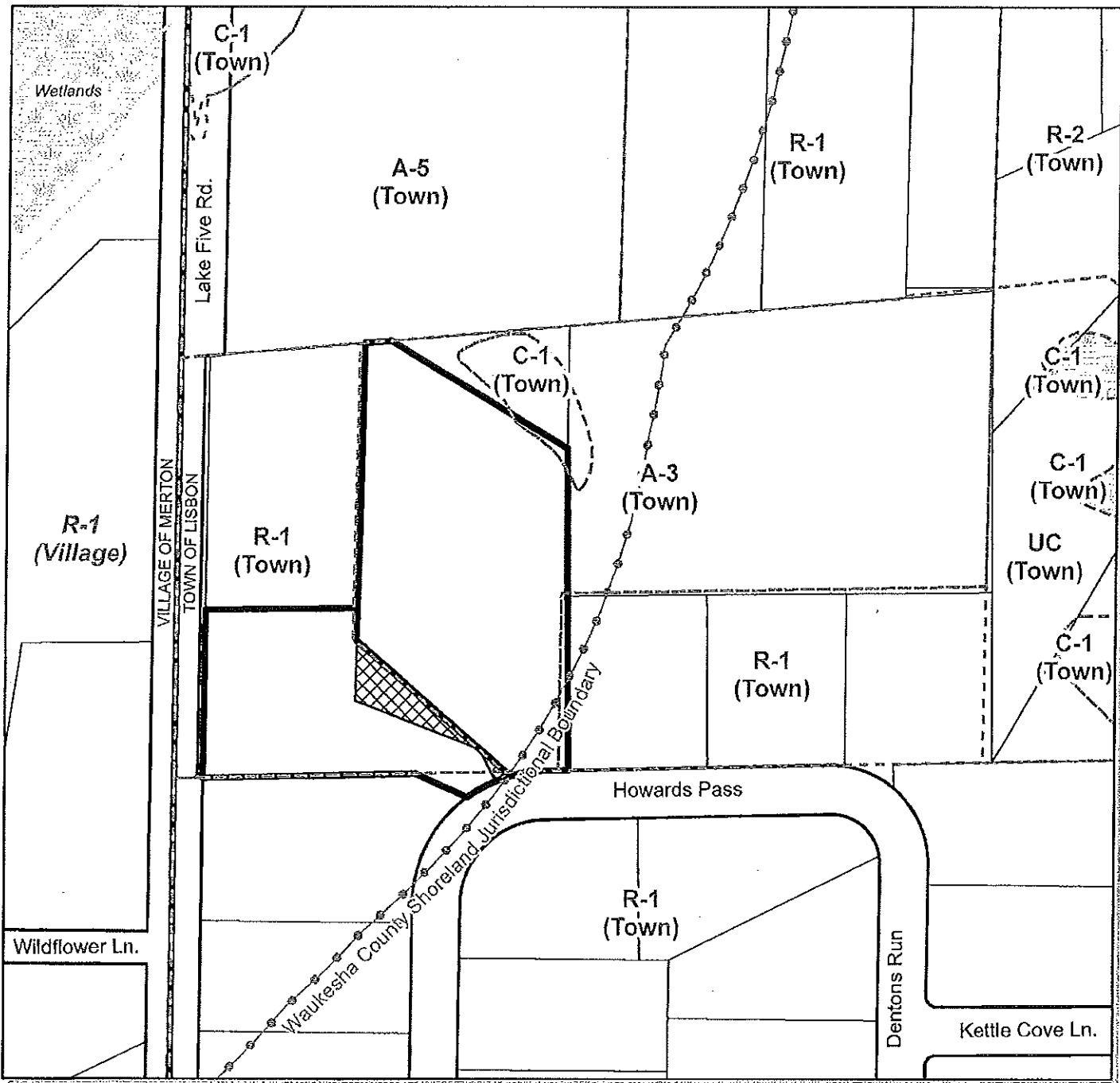
BY: 
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
MATTHEW JANECKE, Administrator/ Clerk

ZONING AMENDMENT

PART OF THE SE 1/4 OF SECTION 18
TOWN OF LISBON



TOWN ZONING CHANGE FROM R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

FILE.....ZT-1740A

DATE OF PLAN COMM. CONSIDERATION.....06/18/15

AREA OF CHANGE.....0.18 ACRES

TAX KEY NUMBERS.....LSBT 0216.074 & .075



Prepared by the Waukesha County Department of Parks and Land Use

