

ENROLLED ORDINANCE 177-47

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OTTAWA BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 28, T6N, R17E, TOWN OF OTTAWA, WAUKESHA COUNTY, WISCONSIN, FROM THE A-5 MINI FARM DISTRICT TO THE P-I PUBLIC AND INSTITUTIONAL DISTRICT (RZ105)

WHEREAS, after proper notice was given, a public hearing was held and a recommendation of approval was made by the Town of Ottawa; 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, and the Waukesha County Zoning Code adopted by the Waukesha County Board of Supervisors, on February 26, 1959, are hereby amended to rezone certain lands located in part of the NW ¼ of Section 28, T6N, R17E, Town of Ottawa, Waukesha County, Wisconsin from the A-5 Mini Farm District to the P-I Public and Institutional 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 RZ105, 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 DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OTTAWA BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 28, T6N, R17E, TOWN OF OTTAWA, WAUKESHA COUNTY, WISCONSIN, FROM THE A-5 MINI FARM DISTRICT TO THE P-I PUBLIC AND INSTITUTIONAL DISTRICT (RZ105)

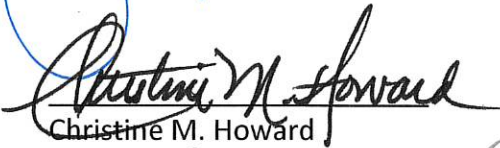
Presented by:
Land Use, Parks, and Environment Committee



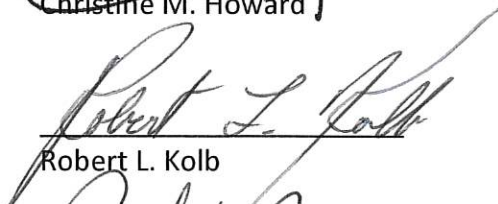
Thomas A. Michalski, Chair



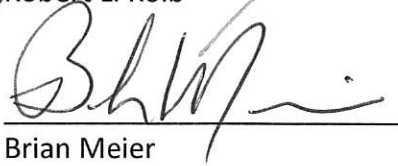
Jennifer Grant



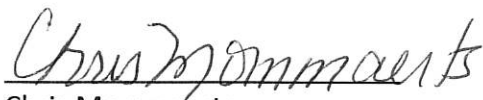
Christine M. Howard



Robert L. Kolb



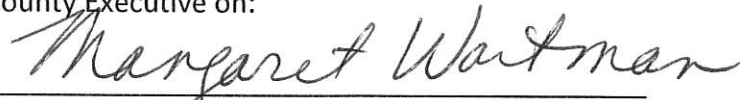
Brian Meier



Chris Mommaerts

Vacant

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

Date: 9/30/22, 
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 9/30/2022




Paul Farrow, County Executive

COMMISSION ACTION

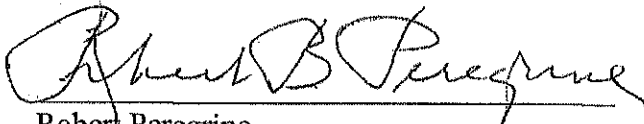
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code, hereby recommends approval of (RZ105) in accordance with the attached "Staff Report and Recommendation".

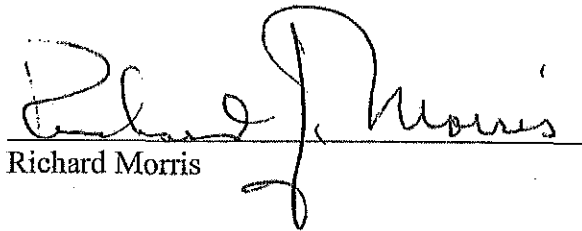
PARK AND PLANNING COMMISSION


August 18, 2022


James Siepmann, Chairperson


Thomas Michalski, Vice Chairperson


Robert Peregrine


Richard Morris


William Groskopf

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

DATE: August 18, 2022

FILE NO.: RZ105

OWNER: Pretty Lake Protection and Rehabilitation District
W377 S5172 W. Pretty Lake Road
Dousman, WI 53118

PETITIONER: Pete Kraeger, Chairperson
Pretty Lake Protection and Rehabilitation District
W378 S5060 W. Pretty Lake Road
Dousman, WI 53118

TAX KEY NO.: OTWT 1695.999.005

LOCATION:

Lot 1, CSM No. 11161, Volume 109, Page 300, Redivision of Athletic Field of Pretty Lake, and Lot 4 of CSM No. 9801, Volume 90, Page 344, being a part of the NW ¼ of Section 28, T6N, R17E, Town of Ottawa. More specifically, the property is located at W376 S5226 Pretty Lake Road and contains approximately 14.82 acres.

EXISTING USE(S):

The Pretty Lake Protection and Rehabilitation District (PLPRD) is currently using the property for private recreational use including, but not limited to, sports activities, social events, and meetings, as well as lake weed composting and agricultural land. There is an existing pavilion on the site used for the private recreational uses.

REQUESTED USE(S):

To continue the existing lake district uses of the property. The PLPRD may also want to improve the existing pavilion and build a storage building for the District's weed harvesting equipment and other items in the future. Accessory buildings are a permitted accessory use in the P-I District as long as they are used in conjunction with the permitted use of the property.

EXISTING ZONING DISTRICT CLASSIFICATION(S):

A-5 Mini Farm District, HG High Groundwater District, and EC Environmental Overlay District

PROPOSED ZONING DISTRICT CLASSIFICATION(S):

P-I Public and Institutional District, HG High Groundwater District, and EC Environmental Overlay District

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

The Town and County CDPs designate the approximately 15 acre parcel as mainly Recreational with the southernmost 1.75 acres designated as Rural Density and Other Agricultural Land and the northeastern most two acres designated as Primary Environmental Corridor. The proposed zoning change to Public and Institutional conforms with the Recreational designation of the property as the uses are "(non-public) recreation" (per the

2015 SEWRPC Land Use layer), and the property is used for recreational purposes (sports, social events, meetings) by the PLPRD, among the other uses as listed in the Existing Uses section above. The Public and Institutional zoning district permits privately owned institutions/organizations serving a public need. In this case the PLPRD is a private organization and serves the needs of the Lake Management District.

COMPLIANCE WITH THE WAUKESHA COUNTY PARK AND OPEN SPACE PLAN ELEMENT OF THE CDP:

The Park and Open Space Plan element of the County CDP further designates the ownership of the property as “Private – not open to the public” which complies with the PLPRD ownership.

PUBLIC HEARING DATE: August 1, 2022

PUBLIC COMMENT:

One citizen asked what the rezoning was about. The petitioner and the staff explained the proposal in detail and the citizen was satisfied that the PLPRD was still going to own the property and that the uses were not changing.

TOWN PLAN COMMISSION ACTION:

On August 1, 2022, the Town of Ottawa Plan Commission unanimously recommended approval of the rezone request to Waukesha County.

STAFF ANALYSIS:

The PLPRD, a nonprofit, privately owned organization serving the needs of the District, is created by state statute and is a special purpose unit of government focused on lake management and the provision of services to property located within its established boundaries. Current uses include, but are not limited to, sports activities, social events, and meetings, as well as lake weed composting and agricultural land. The 14.82 acre property is located at the northeast intersection of CTH CI and Pretty Lake Road and contains PEC, wetland and hydric soils, and a pavilion, septic system and well.

The District wishes to continue the existing lake district uses of the property. The PLPRD also wants to improve the existing pavilion and may, in the future, want to build a storage building for the District’s weed harvesting equipment and other items. Improvements to the property will require the necessary permits, including a Site Plan/Plan of Operation review, Environmental Health Division review, and Zoning and Building Permits. All uses of the property must also comply with the conditions listed in Declaration of Restrictions recorded as Document No. 4069849.

Private gatherings, fundraising and other temporary (no more than one week in duration) special events are permitted in the P-I District with Town and Zoning Administrator approval and are subject to any conditions of approval.

The current zoning of A-5 on the other hand permits primarily agricultural and rural residential uses and is the reason for the proposed zoning amendment to the P-I District so that the uses are in conformance with the zoning district.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division staff recommends **approval** of the request. The proposed amendment rezones the property to the P-I District which is consistent with the current and planned uses of the property. The amendment will better serve both the current recreational uses and future plans the PLPRD has for the property, conforms with both the Town and County CDPs, and complies with the purpose and intent of the Waukesha County Zoning Code and the Waukesha County Shoreland and Floodland Protection Ordinance.

Respectfully submitted,

Sandra L Scherer

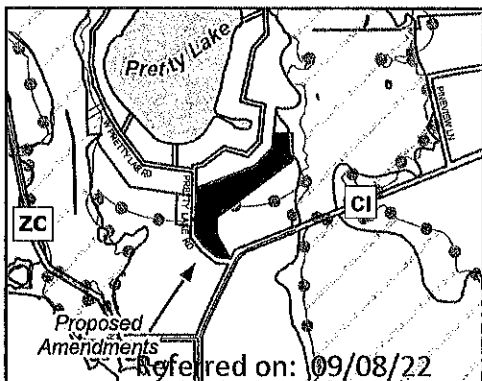
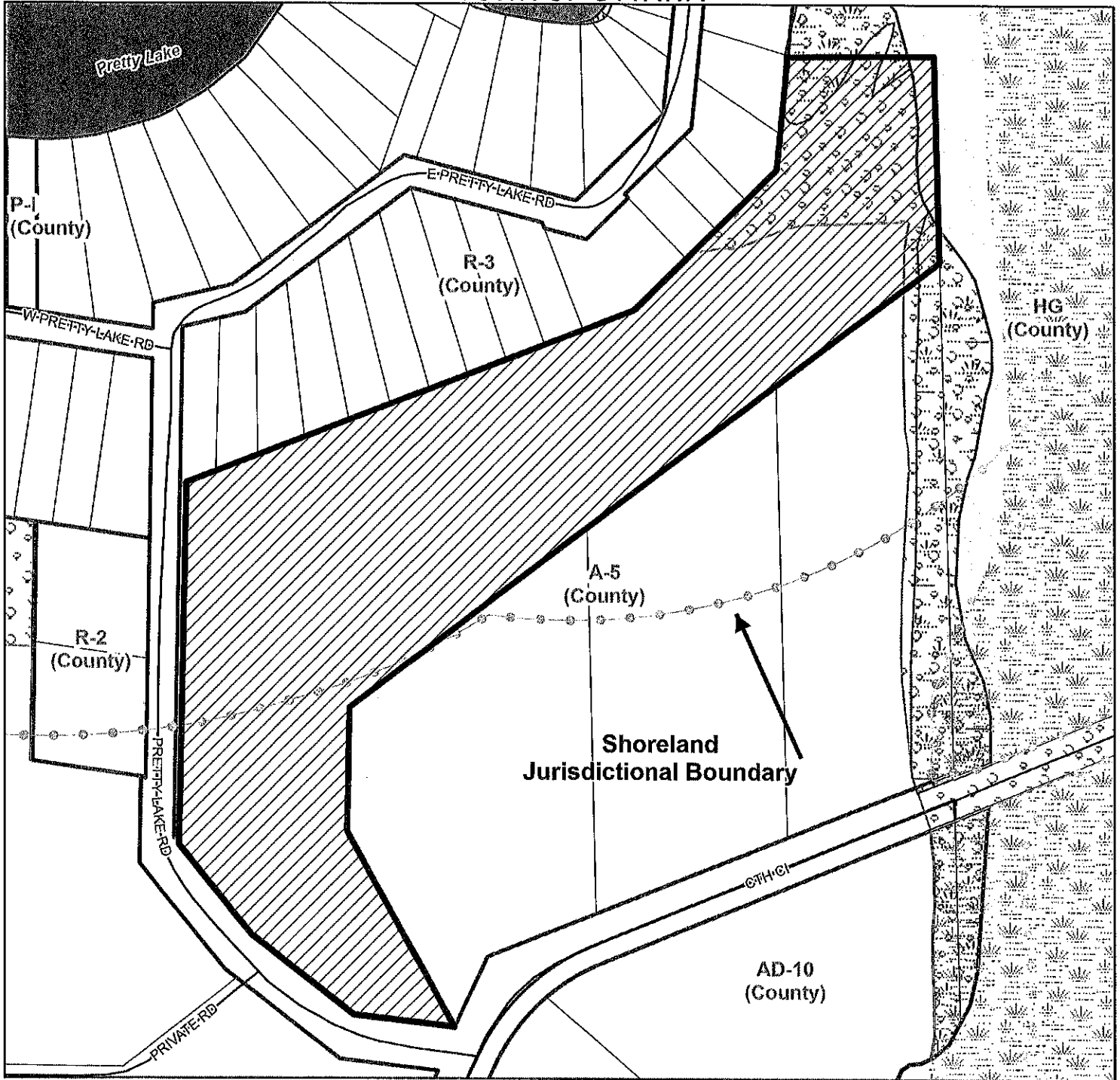
Sandy Scherer
Senior Planner




Attachment: Map

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ZONING AMENDMENT

PT OF THE NW 1/4 AND SW 1/4 OF SECTION 25,
TOWN OF OTTAWA



	COUNTY ZONING AMENDMENT FROM A-5 MINI FARM DISTRICT TO P-1 PUBLIC AND INSTITUTIONAL DISTRICT (14.8 AC)
	ENVIRONMENTAL CORRIDOR (EC) OVERLAY DISTRICT TO REMAIN
	HIGH GROUNDWATER (HG) DISTRICT TO REMAIN

FILE.....RZ105
 DATE OF PLAN COMMISSION.....8/13/22
 AREA OF CHANGE.....14.8 ACRES
 TAX KEY NUMBER.....OTWT.1695.999.005

0 150 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use
 File Number: 17720952 Referred to: LU 6

Ordinance 177-O-052

Ordinance 177-O-052: Amend The District Zoning Ma...

Passed By Majority Vote

D1 - Foti	AYE	D14 - Mommaerts	ABSENT
D2 - Weil	AYE	D15 - Kolb	AYE
D3 - Morris	AYE	D16 - Crowlev	AYE
D4 - Batzko	AYE	D17 - Meier	AYE
D5 - Grant	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Enriquez	AYE
D7 - LaFontain	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Gaughan	AYE
D9 - Heinrich	AYE	D22 - Vacant	ABSENT
D10 - Thieme	AYE	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Bangs	AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

September 27 2022 with Closed Session - September 27 2022 07:48:23 PM

