

ENROLLED ORDINANCE 168-15

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE CITY OF PEWAUKEE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 1, T7N, R19E, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE R-3 RESIDENTIAL DISTRICT (SVZ-1753)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the City of Pewaukee Plan Commission on April 18, 2013, 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 59.692, 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 City of Pewaukee, Waukesha County, Wisconsin, is hereby amended to rezone certain lands located in part of the NE ¼ of Section 1, T7N, R19E, City of Pewaukee from the A-1 Agricultural District to the R-3 Residential District, such rezoned lands being more specifically described in the “Staff Report and Recommendation” and map that are on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference SVZ-1753.

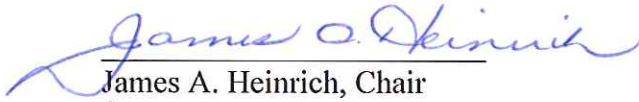
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the City of Pewaukee Clerk.

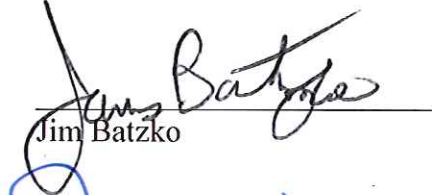
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

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ORDAINED that all ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

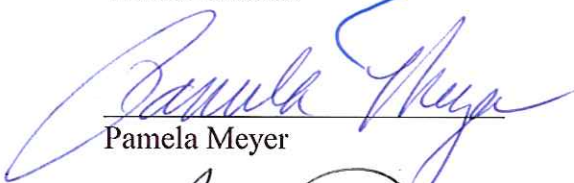
AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE CITY OF PEWAUKEE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 1, T7N, R19E, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURAL DISTRICT TO THE R-3 RESIDENTIAL DISTRICT (SVZ-1753)

Presented by:  
Land Use, Parks, and Environment Committee

  
James A. Heinrich, Chair

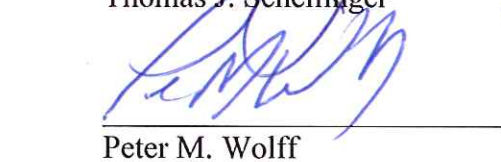
  
Jim Batzko

  
Walter L. Kolb


  
Pamela Meyer

  
Fritz Ruf

  
Thomas J. Schellinger

  
Peter M. Wolff

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

Date: 5/28/13,   
Kathleen Novack, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_  
Date: 6-3-13,   
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/28/13

(ORD) NUMBER-1680015

1 C. SLATTERY.....AYE  
3 R. MORRIS.....  
5 J. BRANDTJEN.....AYE  
7 J. GRANT.....AYE  
9 J. HEINRICH.....AYE  
11 F. RUF.....AYE  
13 P. DECKER.....AYE  
15 W. KOLB.....AYE  
17 D. PAULSON.....AYE  
19 C. CUMMINGS.....AYE  
21 W. ZABOROWSKI.....AYE  
23 K. HAMMITT.....AYE  
25 G. YERKE.....AYE

2 D. FALSTAD.....AYE  
4 J. BATZKO.....AYE  
6 J. JESKEWITZ.....  
8 P. HAUKOHL.....AYE  
10 D. SWAN.....AYE  
12 P. WOLFF.....AYE  
14 P. MEYER.....AYE  
16 M. CROWLEY.....AYE  
18 L. NELSON.....AYE  
20 T. SCHELLINGER....AYE  
22 P. JASKE.....AYE  
24 D. DRAEGER.....AYE

TOTAL AYES-23

TOTAL NAYS-00

CARRIED X

DEFEATED \_\_\_\_\_

UNANIMOUS X

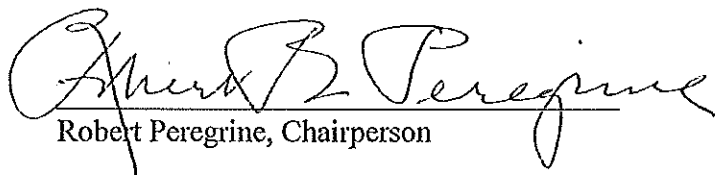
TOTAL VOTES-23

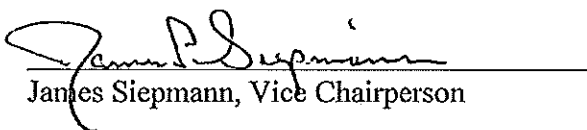
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of SVZ-1753 (Towne Realty-Strong Links, Inc.) in accordance with the attached "Staff Report and Recommendation."

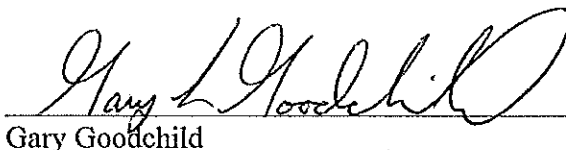
PARK AND PLANNING COMMISSION

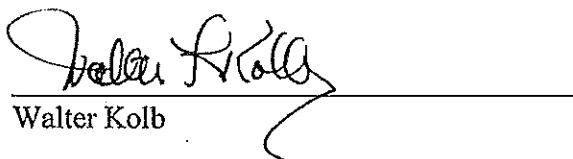
May 2, 2013

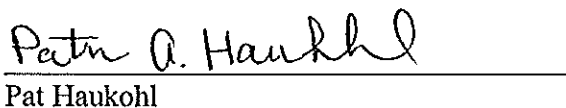
  
Robert Peregrine, Chairperson

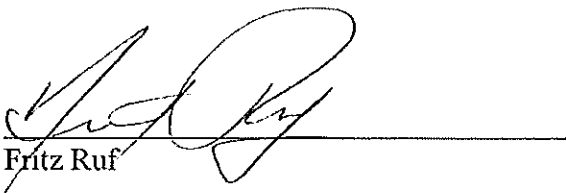
  
James Siepmann, Vice Chairperson

*(Absent)*  
William Mitchell

  
Gary Goodchild

  
Walter Kolb

  
Pat Haukohl

  
Fritz Ruf

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

**DATE:** May 2, 2013

**FILE NO.:** SVZ-1753

**PETITIONER:** Towne Realty  
c/o James Doering  
710 N. Plankinton Avenue  
Milwaukee, WI 53203

**OWNER:** Strong Links, Inc.  
N47 W22107 Weyer Road  
Pewaukee, WI 53072

**TAX KEY NO.:** Part of PWC 0865.999.001

**LOCATION:** Part of Lot 2 of Certified Survey Map No. 3884, Vol. 30, Pg. 85, being a part of the NE ¼ of Section 1, T7N, R19E. The area to be rezoned under the Waukesha County Shoreland and Floodland Protection Ordinance contains approximately 4.2 acres.

**PRESENT ZONING:** A-1 Agricultural District

**PROPOSED ZONING:** R-3 Residential District

**PRESENT LAND USE:** The area to be rezoned and the remaining acreage that will be part of a 23-lot subdivision development are vacant and currently used for agricultural purposes.

**PROPOSED LAND USE:** A majority of the property and the adjacent property to the north are proposed to be part of a 23-lot subdivision development. The existing residence and farm structures will be parceled off separately as part of a Certified Survey Map.

**CONFORMANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE CITY OF PEWAUKEE LAND USE PLAN:**

The property is designated as Low Density Residential under the Comprehensive Development Plan for Waukesha County, which requires a minimum of 20,000 sq. ft. per living unit. The proposed development complies with both the County and City plans.

**PUBLIC HEARING DATE:** April 18, 2013

**PUBLIC REACTION:**

Dave Swan, Waukesha County Board Supervisor, was interested in the status of the potential road extension of Springdale Road (C.T.H. "SR"), which would potentially be located along the east side of the development.

168-0-015

**CITY OF PEWAUKEE PLANNING COMMISSION ACTION:**

At their meeting on April 18, 2013, the City of Pewaukee Planning Commission recommended approval of the petitioner's request.

**STAFF ANALYSIS:**

A majority of the 13 acreproperty, along with a portion of the adjacent property to the north, is proposed to be subdivided into a 23-lot single-family residential subdivision, known as Woodleaf Preserve. The remnant land will be parceled off as part of a Certified Survey Map, which will be reviewed and approved by the City of Pewaukee. This remnant land will contain all of the existing residential and farm structures. The property is currently used for agricultural purposes. There are no natural resource features or steep topography on the property. A portion of the property contains soils indicative of seasonal high groundwater conditions. The proposed subdivision contains approximately 16 acres. The subdivision will be served with municipal sewer and water. A public road will extend from Weyer Road to the west lot line, where there is another subdivision proposed. The road from both developments will match at the property line. Land along the east property line is proposed to be dedicated to the public for future road purposes as part of the related proposed subdivision plat. The Waukesha County Recommended Jurisdictional Highway System Plan: 2035 identifies a road extension along the east property line for C.T.H. "SR", or Springdale Road. There are no plans for this road extension in the immediate future.

The single-family lots will range in size from 12,827 sq. ft. to 23,135 sq. ft. Six (6) of the 23 lots are partially or entirely located within the Waukesha County Shoreland and Floodland Protection Ordinance jurisdictional limits. There is also a proposed outlot containing a storm water and utility easement within the shoreland jurisdictional limits. The area within the County's shoreland jurisdictional limits comprises approximately 4.2 acres and it is located on the south end of the proposed development. More specifically, the shoreland jurisdictional limits on the subject property extend 1,000 ft. from ponds located to the south and southeast. A copy of the proposed subdivision plat, which includes the shoreland jurisdictional limits boundary, is attached as Exhibit "A". This area is currently zoned A-1 Agricultural District per the Waukesha County Shoreland and Floodland Protection Ordinance, which requires a minimum lot size of 3 acres and an average width of 200 ft. The petitioner is proposing to rezone the area within the County's shoreland jurisdictional limits to the R-3 Residential Zoning District. The R-3 Residential Zoning District requires a minimum lot size of 14,000 sq. ft. and an average width of 84 ft. when the properties are served by municipal sewer. All of the proposed lots (Lots 11-16) within the shoreland jurisdictional limits meet the minimum R-3 Residential Zoning District requirements. The proposed development complies with the Comprehensive Development Plan for Waukesha County. The plan designates the property as low density residential, which requires a minimum density of 20,000 sq. ft. per unit. The overall density within the development will be approximately 30,300 sq. ft. per unit.

The City of Pewaukee recently amended their Land Use Plan to accommodate the development. The City also rezoned the parcel in accordance with the City's Zoning Code from the A-2 Agricultural District, which requires a minimum lot size of 10 acres and a width of 250 ft. to the Rs-6 Single-Family Residential District, which requires a minimum lot size of 12,500 sq. ft. and width of 90 ft., measured from the building setback line. It should be noted that the shoreland area of the adjacent property to the west was rezoned to the R-3 Residential Zoning District in 2003 in order to accommodate a large single-family residential development.

**STAFF RECOMMENDATION:**

The Planning and Zoning Division Staff recommends **approval** of this request. The site is located entirely within the City of Pewaukee and will be served with municipal sewer and water. The proposed zoning change is consistent with the densities of other developments in the area and in conformance with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance. The proposed zoning change is also in conformance with the Comprehensive Development Plan for Waukesha County.

Respectfully submitted,

*Amy Barrows*

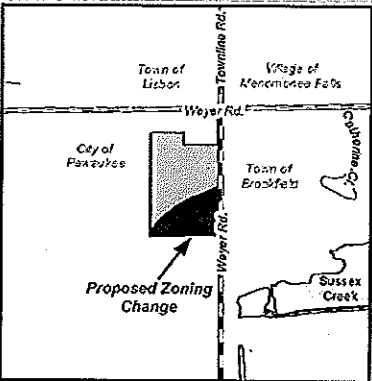
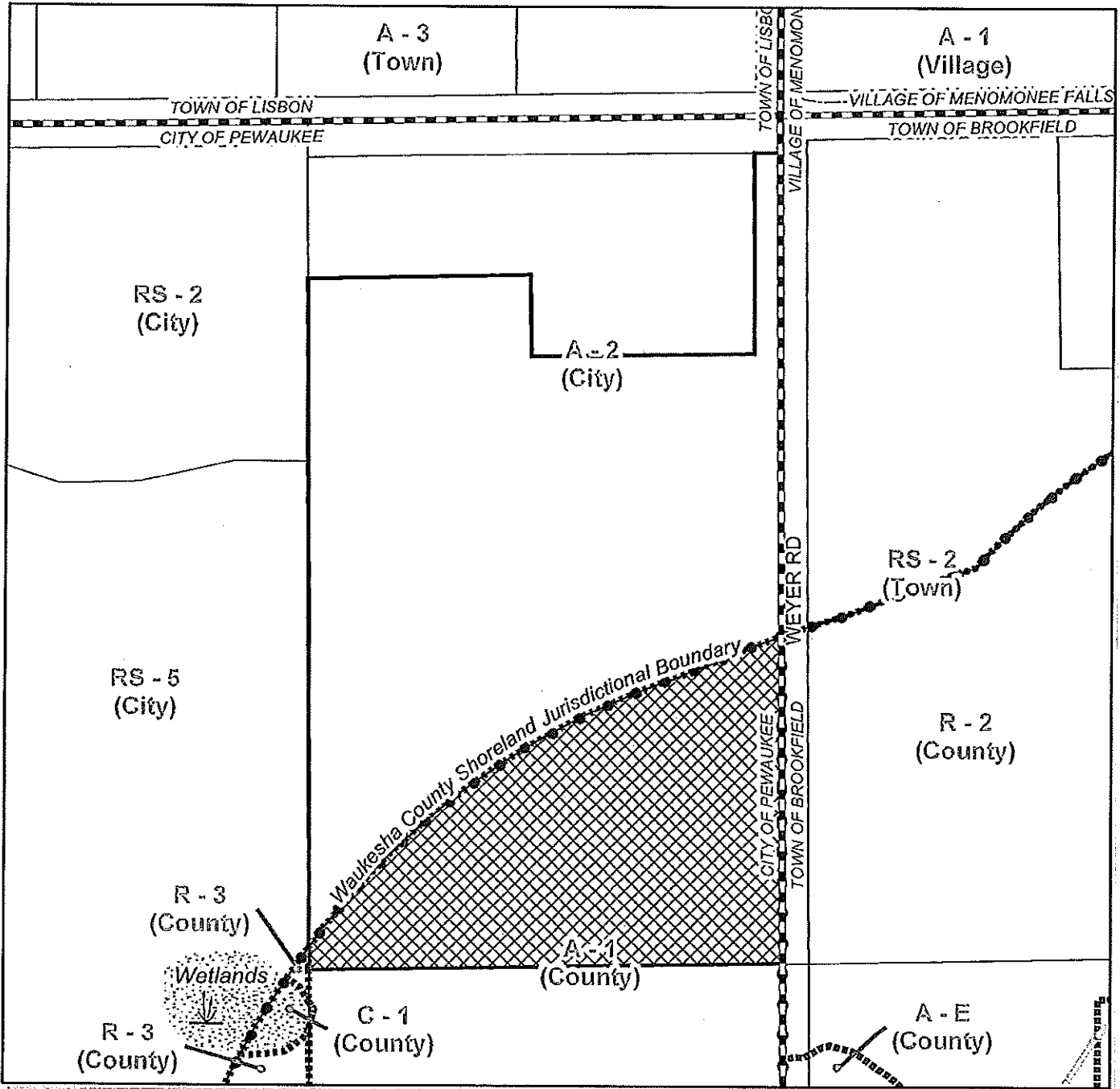
Amy Barrows  
Senior Land Use Specialist


Attachments: Exhibit "A"  
Zoning Map

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1753 Towne Realty Strong Links Woodleaf Preserve pwc.doc

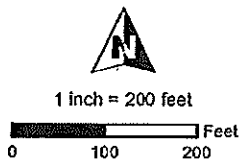
# ZONING MAP AMENDMENT

PART OF THE NE 1/4 OF SECTION 1  
CITY OF PEWAUKEE



 SHORELAND ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT (4.2 ac)

FILE.....SVZ-1753  
 DATE.....5/2/13  
 AREA OF CHANGE.....4.2 ACRES  
 TAX KEY NUMBER.....PWC 0865999001



Prepared by the Waukesha County Department of Parks and Land Use

168-0-015

6.



**EXHIBIT "A"**

**WOODLEAF RESERVE  
PRELIMINARY PLAT**

LOT 135 (FORMERLY JACOBS RUN) IS A PORTION OF PARCELS 1, 2 AND 3 OF CONVEYANCE INSTRUMENT NO. 2014-0001, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, AT THE CITY OF WASHINGTON, WASHINGTON COUNTY, MARYLAND.

**NOTES:**  
 1. THE PROPERTY IS LOCATED AT THE INTERSECTION OF WOODLEAF WAY AND JACOBS RUN, IN THE CITY OF WASHINGTON, DISTRICT OF COLUMBIA, MARYLAND.  
 2. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 3. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 4. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

1. ALL LOTS AND PORTIONS ARE SUBJECT TO THE SUBDIVISION MAP ACT AND ALL APPLICABLE REGULATIONS.  
 2. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 3. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 4. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

5. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 6. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 7. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

8. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 9. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 10. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

11. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 12. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 13. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

14. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 15. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 16. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

17. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 18. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 19. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

20. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 21. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 22. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

23. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 24. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 25. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

26. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 27. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 28. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

29. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 30. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 31. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

32. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 33. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 34. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

35. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 36. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 37. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

38. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 39. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 40. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

41. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 42. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 43. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

44. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 45. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 46. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

47. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 48. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 49. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

50. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 51. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 52. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

53. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 54. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 55. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

56. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 57. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 58. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

59. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 60. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 61. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

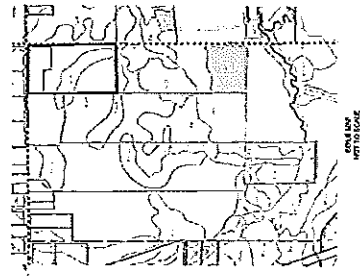
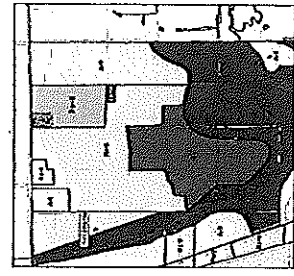
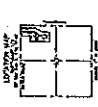
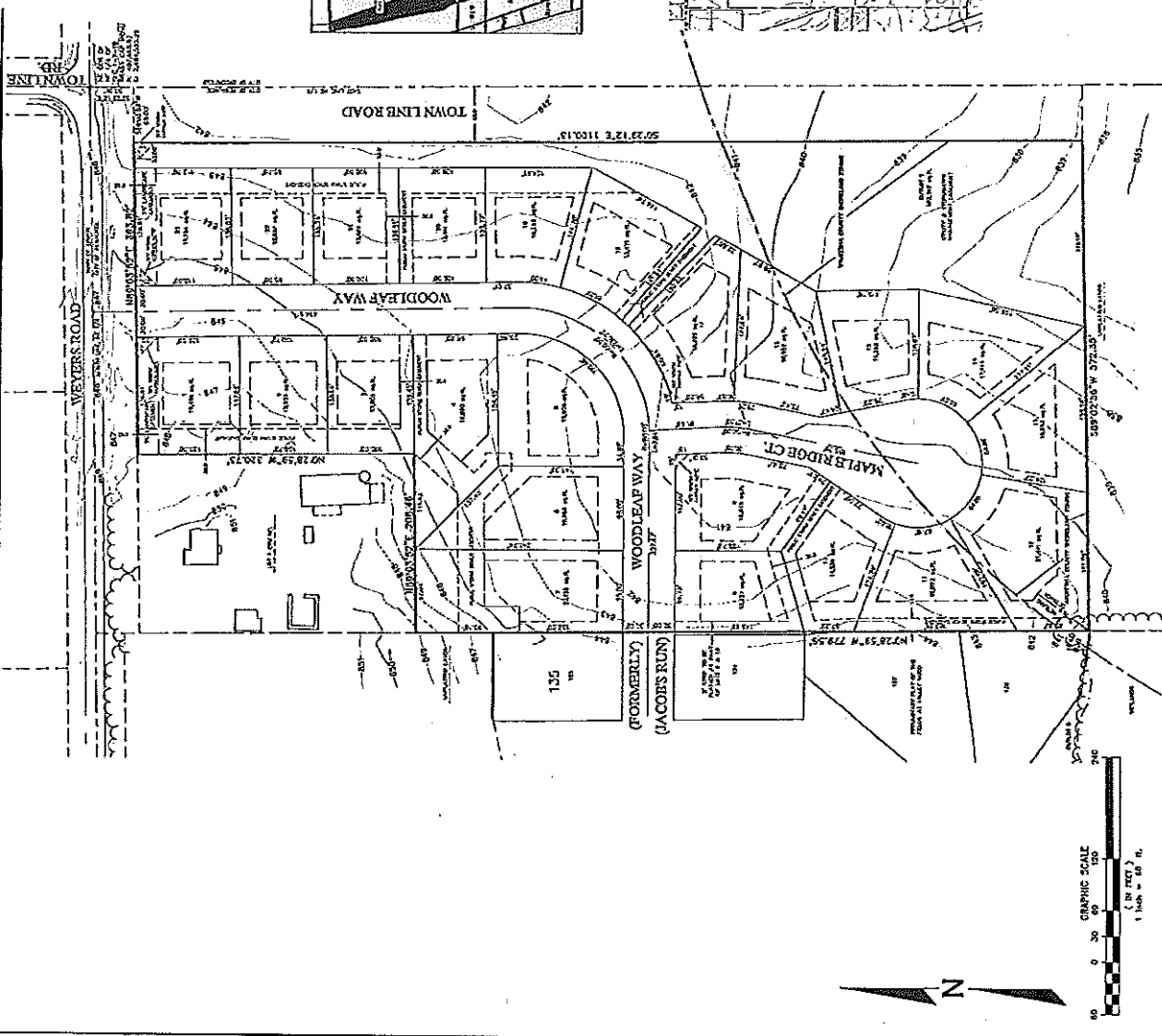
62. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 63. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 64. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

65. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 66. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 67. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

68. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 69. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 70. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

71. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 72. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 73. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.

74. THE PROPERTY IS BOUND BY WOODLEAF WAY TO THE NORTH, JACOBS RUN TO THE EAST, AND TOWN LINE ROAD TO THE SOUTH.  
 75. THE PROPERTY IS BOUND BY LOT 136 TO THE WEST AND LOT 134 TO THE EAST.  
 76. THE PROPERTY IS BOUND BY LOT 137 TO THE NORTH AND LOT 138 TO THE SOUTH.



RECEIVED  
 MAR 15 2015  
 DEPT OF PARKS & LAND USE

**R.A. Smith National, Inc.**  
 Regional Surveying  
 and Engineering  
 10000 WOODLEAF WAY  
 WASHINGTON, DC 20004  
 202-555-1234  
 5015 WOODLEAF WAY, WASHINGTON, DC 20004

SHEET 1 OF 1