

174th BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
174-O-033	06/04/19 06/06/19	Land Use	ORD: Approve The Land Use Permit To Authorize The School Section Lake District To Use Waukesha County Property To Perform Seasonal Lake Weed Removal Operations
174-O-034	05/31/19 06/06/19	Land Use	ORD: Amend The District Zoning Map Of The Town Of Waukesha Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ And SW ¼ Of Section 35, T6N, R19E, Town Of Waukesha, Waukesha County, Wisconsin, From The R-E Single Family Residence Estate District To The R-1 Single Family Residence District (RZ41)
174-O-035	05/31/19 06/06/19	Land Use	ORD: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ And SW ¼ Of Section 15, T8N, R17E, Town Of Oconomowoc, Waukesha County, Wisconsin, From The FLP Farmland Preservation District To The R-1 Residential District (RZ34)
174-O-036	06/05/19 06/06/19	Public Works	ORD: Laying Out, Relocation And Improvement Of County Trunk Highway M, N. Calhoun Rd. To N. 124 th Street, Waukesha County Project I.D. 2759-03-00, Revision #2
174-O-037	06/05/19 06/06/19	Public Works Finance	ORD: Modify 2019 Transit Budget For Additional 2018 Local Share Costs
174-O-038	06/05/19 06/06/19	Executive Public Works Finance	ORD: Modify 2019 Capital Budget To Increase Design Expenditures For Capital Project 201603 CTH O & CTH I Intersection Reconstruction
174-A-006	06/04/19 06/06/19	Executive	APPT: Betty Koepsel to the ADRC Advisory Board
174-A-007	06/05/19 06/06/19	Executive	APPT: Bonnie Morris to the Park and Planning Commission
174-A-008	06/05/19 06/06/19	Executive	APPT: Richard Morris to the Park and Planning Commission
174-A-009	06/05/19 06/06/19	Executive	APPT: Duane Paulson to the Health and Human Services Board
174-A-010	06/05/19 06/06/19	Executive	APPT: Vickie Dallman-Papke to the Health and Human Services Board
174-O-039	06/05/19 06/06/19	Judiciary Finance	ORD: Authorize The Waukesha County Sheriff's Department To Contract With The Kettle Moraine School District To Provide School Resource Officer Services
174-O-040	07/01/19 07/03/19	Land Use	ORD: Year 2019 Amendment To The Comprehensive Development Plan For Waukesha County (2A – Neumann Developments Inc./Bowen Global Investments, Section 30, T8N, R19E, Town Of Lisbon)
174-O-041	06/28/19 07/03/19	Land Use	ORD: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The S ½ Of Section 30, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The R-1 Suburban Single Family Residential District With A Planned Unit Development Overlay, C-1 Conservancy Zoned Lands Will Remain Unchanged (RZ42)

174th BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
174-O-042	06/28/19 07/03/19	Land Use	ORD: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ And NW ¼ Of The NE ¼ Of Section 5, T8N, R17E, Town Of Oconomowoc, From The FLP Farmland Preservation District To The R-1 Residential District (RZ39)
174-A-011	07/02/19 07/03/19	Executive	APPT: Kathryn McNelly Bell To The Board Of Adjustment
174-A-012	07/02/19 07/03/19	Executive	APPT: Nancy Bonniwell To The Board Of Adjustment
174-O-043	07/02/19 07/03/19	Executive Land Use Finance	ORD: Modify The 2019-2023 Capital Plan To Create Capital Project #201909: Register Of Deeds Pre-1915 Document Digitization Project And Modify 2019 Capital Project Budget
174-O-044	07/02/19 07/03/19	HHS Finance	ORD: Accept WI Department Of Justice CIT Training Grant Funding And Modify The Department Of Health And Human Services - CJCC 2019 Budget
174-O-045	07/02/19 07/03/19	HHS Finance	ORD: Accept WI Department Of Justice Pretrial Pilot Implementation Grant Funding And Modify The Department Of Health And Human Services - CJCC 2019 Budget

YEAR 2019 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN
FOR WAUKESHA COUNTY (2A – NEUMANN DEVELOPMENTS INC./BOWEN
GLOBAL INVESTMENTS, SECTION 30, T8N, R19E, TOWN OF LISBON)

1 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
2 Ordinance No. 163-81, approved a Comprehensive Development Plan for Waukesha County;
3 and
4

5 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
6 update and amendment procedures; and
7

8 WHEREAS, on February 21, 2019, the Waukesha County Park and Planning Commission held a
9 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
10 Plan for Waukesha County; and
11

12 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated June 20,
13 2019, a summary of the Public Hearing comments and a Staff Recommendation for the proposed
14 change to the Comprehensive Development Plan for Waukesha County; and
15

16 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
17 County Park and Planning Commission on June 20, 2019, and a recommendation was reported to
18 the Land Use, Parks and Environment Committee and the Waukesha County Board of
19 Supervisors as required in the Comprehensive Development Plan for Waukesha County.
20

21 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
22 that the following amendment is hereby **conditionally approved** to the Year 2035
23 Comprehensive Development Plan for Waukesha County:
24

25 2. In the Town of Lisbon, the following request is being made:
26

- 27 A. *Neumann Developments, Inc., representing Bowen Global Investments*, 633 S.
28 4th Street, Suite 7, Las Vegas, NV 89101-6631, requests property located in part
29 of the S ½ of Section 30, T8N, R19E, Town of Lisbon (Tax Key No. LSBT
30 0264.998), be amended from the Rural Density and Other Agricultural Land (5.0
31 to 34.9 acres per dwelling unit) and Other Open Lands to be Preserved categories
32 to the Suburban I Density Residential category (1.5 to 2.9 acres of area per
33 dwelling unit), to allow a single-family residential subdivision.
34

35 The request is approved subject to the following condition:
36

- 37 1. The property shall be developed with a minimum of 40% common open space, as proposed
38 in concept.
39

40 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
41 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
42

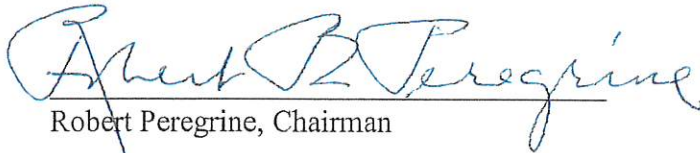
43 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
44 this Ordinance with the Town Clerk of Lisbon.

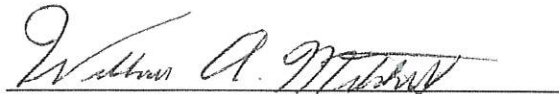
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2019 Amendment to the Comprehensive Development Plan for Waukesha County, (2A – Neumann Developments/Bowen Global investments, Section 30, T8N, R19E, Town of Lisbon) hereby recommends conditional approval.

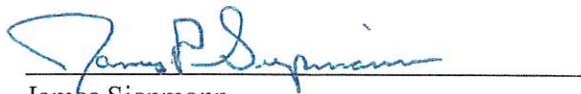
PARK AND PLANNING COMMISSION

June 20, 2019



Robert Peregrine, Chairman


William Mitchell, Vice Chairman

Absent
Richard Morris


James Siepmann

~~Absent~~ 
William Maslowski


Thomas Michalski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
FOR A YEAR 2019 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN
FOR WAUKESHA COUNTY
(2A – NEUMANN DEVELOPMENTS, INC./BOWEN GLOBAL INVESTMENTS)
TOWN OF LISBON

DATE: June 20, 2019

PUBLIC HEARING DATE:
Thursday, February 21, 2019, 1:00 p.m.

REQUEST:
2 (A) Year 2019 amendment to the Comprehensive Development Plan.

Neumann Developments, Inc., representing Bowen Global Investments, 633 S. 4th Street, Suite 7, Las Vegas, NV 89101-6631, requests property located in part of the S ½ of Section 30, T8N, R19E, Town of Lisbon (Tax Key No. LSBT 0264.998.002), be amended from the Rural Density and Other Agricultural Land (5.0 to 34.9 acres per dwelling unit) and Other Open Lands to be Preserved categories to the Suburban I Density Residential category (1.5 to 2.9 acres of area per dwelling unit), to allow a single-family residential subdivision. The Other Open Lands to be Preserved will not be amended.

EXISTING LAND USE CATEGORY:

Rural Density and Other Agricultural Land (5.0 to 34.9 acres per dwelling unit) and Other Open Lands to be Preserved categories.

PROPOSED LAND USE CATEGORY:

Suburban I Density Residential (1.5 to 2.9 acres of area per dwelling unit) and Other Open Lands to be Preserved categories (amendment map attached).

PUBLIC REACTION:

- Todd Zellmer, spoke representing his father Robert Zellmer, who lives northeast of the property. He indicated that his father has a Conditional Use for a gun business and firing range, which he would like to retain. He said the size of the wetland area on the property in question is being underestimated. He pointed out on the aerial photograph the wetland area and said it is a water hole that stretches all the way to the base of the hill of the basin. He submitted photographs from May 2000 showing at least three (3) feet of standing water from the base of the hill going all the way to Ainsworth Road. He indicated there is standing water every year. There is a ditch on Ainsworth Road but it is not connected to the water and there is basically nowhere for the water to go. He expressed concerns that when roads, driveways and yards are developed, the water will drain onto his father's property. He pointed out on the aerial photograph the location of a spring on the subject property. He said that farm trucks and tractors get stuck on the hill because of the water. He suggested the developer dig the wet area deeper to contain the water.
- Sarah Grooms, adjacent neighbor to the east, is in the process of building a new home on her property. She indicated that she is not against the proposed development, however, she expressed concerns regarding water runoff onto her property and flooding concerns. She

pointed out on the aerial photograph the location of her new residence, on the east side of her property.

- Dennis Tarnowski, neighbor to the west, stated he was opposed to 64 additional homes being built because it would ruin the rural character of the area.
- Nancy Wisniewski, neighbor to the west, expressed concerns with the increase in traffic from the proposed development.

It should be noted that the drainage issues noted above were discussed at the Development Review Team meeting on February 5, 2019, at which the Civil Engineer for the Land Resources Division was present and thus is aware of said issues. In accordance with the Waukesha County Stormwater Management and Erosion Control Ordinance a Storm Water Management Plan must be administratively reviewed and approved by the Land Resources Division of the Waukesha County Department of Parks and Land Use and a "Certification of Compliance" issued, addressing any stormwater issues and/or adverse drainage concerns regarding the adjacent parcels, prior to the approval of a subdivision plat.

In addition, the County Planning and Zoning Division has had conversations with the Town of Lisbon regarding the continuation of the Zellmer's gun business and firing range Conditional Use and this issue will also be addressed prior to the approval of a subdivision plat. The Conditional Use permit was clear in conveying that the appropriateness of the private firing range continuing would have to be assessed if and when the use of the subject lands change. It is expected that the use of the property would not change until, at minimum, a subdivision plat is formally brought forward.

TOWN PLAN COMMISSION ACTION:

At their April 11, 2019, meeting, the Town of Lisbon Plan Commission approved the Town Comprehensive Development Plan amendment for the subject property by a vote of 6-0 (one Plan Commissioner abstained due to recusal) with a recommendation to the Town Board and the Village of Merton Joint Plan Committee (JPC) of the same.

TOWN BOARD ACTION:

The Town of Lisbon Board of Supervisors unanimously approved the Town Comprehensive Development Plan amendment at their May 13, 2019, meeting (Town Resolution 05-19 attached) with a recommendation to Waukesha County of the same.

VILLAGE OF MERTON/TOWN OF LISBON JPC ACTION:

According to the Town of Lisbon Clerk, the two communities had not had the opportunity to set up a JPC meeting to discuss amending the Village of Merton's future land use map, but as of the drafting of this report, a JPC meeting date of June 18, 2019 was scheduled. The Planning and Zoning Division staff will report on the outcome of the JPC meeting at the June 20, 2019 Park and Planning Commission meeting.

STAFF ANALYSIS:

The petitioner is proposing a 64 lot single family residential Planned Unit Development (PUD) on approximately 106 acres (excluding road ROWs) located between CTH K (Lisbon Road) and

Ainsworth Road, which provides a density of 1.7 acres per lot and 46% open space (refer to Exhibit A - Concept Map attached). The property contains wetland in the northeast corner of the property which the Town has zoned C-1.

The public hearing for the County plan amendment was held in February but since the Town of Lisbon had not acted on the Town plan amendment and rezone at that time, the County Park and Planning Commission tabled their decision on the matter until the Town took action. As noted above, the Town has since taken action and therefore the County Park and Planning Commission is now able to act on the County plan amendment request.

The lands adjoining this parcel are designated on the Town and County CDPs as: Suburban Density Residential II, INRA, and Other Open Lands to be Preserved to the west; Rural Density and Other Agricultural Lands to the southwest, east, and on the south side of CTH K; Low Density Residential to the northeast and on the north side of Ainsworth Road; and Recreational on the south side of CTH K and north of Ainsworth Road.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that the plan amendment request be approved subject to the following condition:

1. The property shall be developed with a minimum of 40% common open space, as proposed in concept.

The amendment would bring the property into a category that is consistent with the existing development in the area and the proposed development density would align with similar densities in the area and provide infill development near and adjacent to existing neighborhoods in both the Town of Lisbon and the Village of Merton. The proposed concept plan brings forward a conservation design approach that would conserve a significant amount of the property in commonly held open space for the enjoyment of all lot owners. Stormwater management and off-site drainage will be fully reviewed, pursuant to the Waukesha County Stormwater management and Erosion Control Ordinance, when a preliminary subdivision plat is brought forward.

Respectfully submitted,

Sandra L Scherer

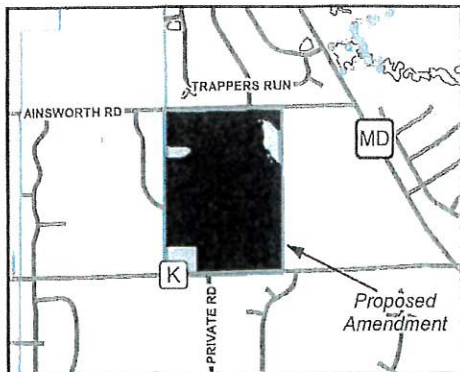
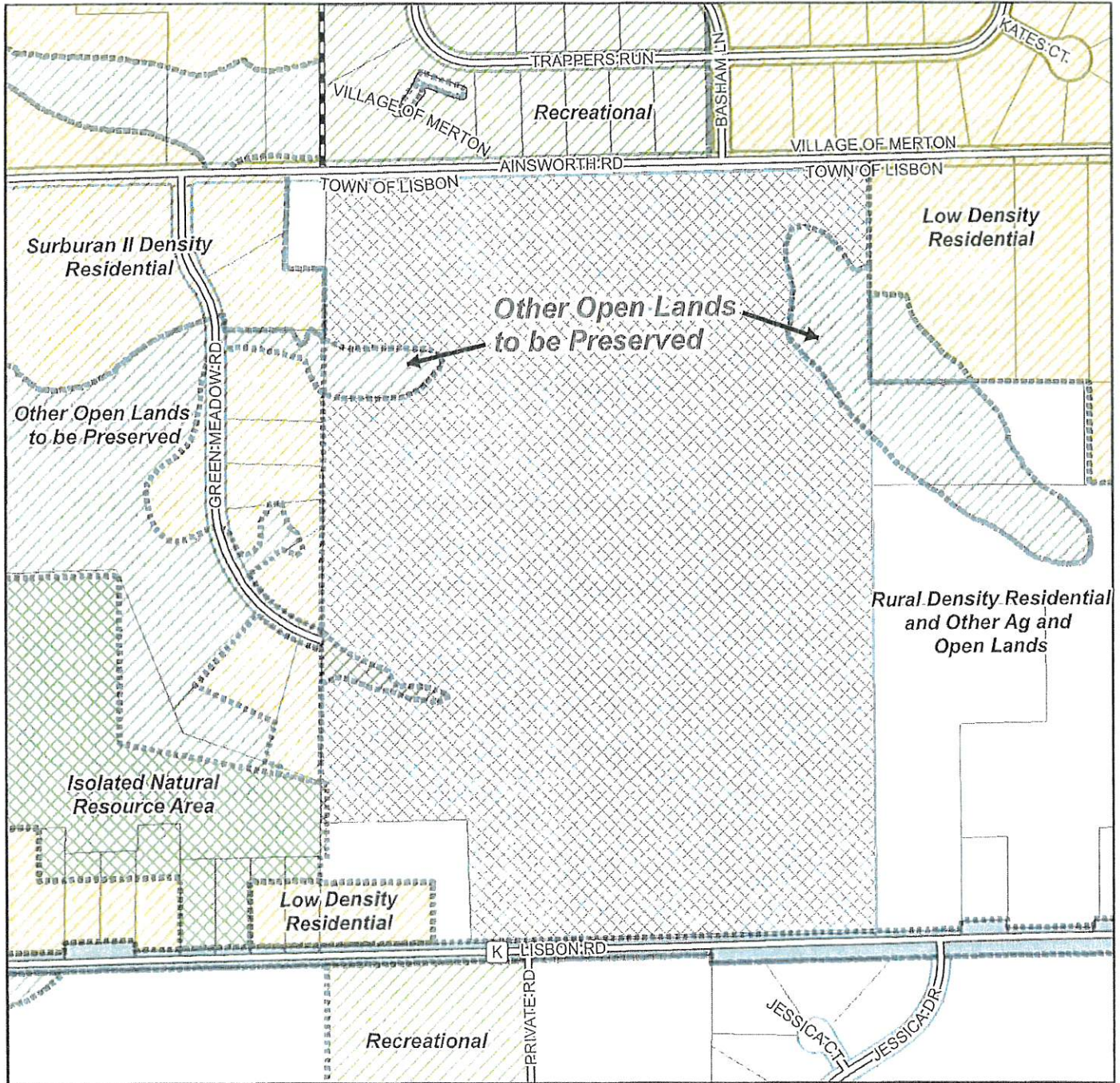
Sandy Scherer
Senior Planner

Attachments: Amendment Map
Exhibit A - Concept Map

N:\PRKANDLU\Planning and Zoning\Waukesha County Land Development Plan\STAFF REPORT AND RECOMMENDATION\2019\2A Neumann Developments_Bowen Global Investments Ist.doc

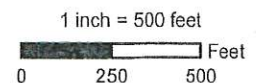
DEVELOPMENT PLAN AMENDMENT

PART OF THE S 1/2 OF SECTION 30
TOWN OF LISBON



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM RURAL DENSITY AND OTHER AGRICULTURAL LANDS AND TO SUBURBAN I DENSITY RESIDENTIAL

PETITIONER.....Neumann Development Inc.
 DATE OF PUBLIC HEARING.....02/21/19
 AREA OF CHANGE.....102 ACRES
 TAX KEY NUMBER.....LSBT 0264.998



Prepared by the Waukesha County Department of Parks and Land Use

Referred on: 07/03/19

File Number: 174-O-040

Referred to: LU 6



Data Summary Table - Exhibit A
64 Lot Conservation Subdivision

Total Area = ± 106.13 acres (with full ROW dedication)	PUD Proposed Standards: Lot Size: 30,000 s.f. min. Lot Width: 110' minimum Proposed Setbacks: Public Road = 35' Side=20' Rear=20' Lisbon & Ainsworth Rd = 50'	PUD Open Space Calculations: Total PUD Area = 106.13 acres Outlot Area* = 48.74 ac (45.9%) - % Wetland = 4.05/48.74 = 8.3% - % Stormwater = 5.4/48.74 = 11.1% - % Upland = 39.29/44.5 = 80.6% [*Outlots 1, 2, 3 & 4]
Density = 1.66 acres/lot		
Total Road Length = 6,850 L.F. (107 L.F. per lot)		

Developed By:

 427 W24025 Paul Court
 Pewaukee, WI 53072



CONSERVATION SUBDIVISION
Conceptual Site Plan - Stolz Site
 Lisbon Road, Town of Lisbon, WI

Scale: 1" = 100' (22'x34")
 Scale: 1" = 200' (11'x17")
 DATE: 03/21/2019

1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE
2 BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE
3 S ½ OF SECTION 30, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY,
4 WISCONSIN, FROM THE A-10 AGRICULTURAL DISTRICT TO THE R-1
5 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT WITH A
6 PLANNED UNIT DEVELOPMENT OVERLAY, C-1 CONSERVANCY
7 ZONED LANDS WILL REMAIN UNCHANGED (RZ42)
8
9

10 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
11 this Ordinance was approved by the Lisbon Town Board on May 13, 2019; and
12

13 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
14 Planning Commission, which recommended approval and reported that recommendation to the
15 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
16 as required by Section (60.62), Wis. Stats.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
19 that the District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of
20 Lisbon on April 9, 2010, is hereby amended to conditionally rezone from the A-10 Agricultural
21 District to the R-1 Suburban Single family Residential District with a Planned Unit Development
22 Overlay, C-1 Conservancy zoned lands will remain unchanged, certain lands located in part of
23 the S ½ of Section 30, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, and more
24 specifically described in the "Staff Report and Recommendation" and map on file in the office of
25 the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by
26 reference RZ42, is hereby **approved**, subject to the following conditions:
27

- 28 1. The number of Single-Family Residential Dwelling Units shall not exceed sixty-four (64)
29 units.
- 30 2. The minimum lot sizes shall not be less than 30,000 square feet for any Single-Family
31 Residential Unit.
- 32 3. The minimum required open space shall be 40% of the entire development site, less
33 planned road dedications.
- 34 4. The minimum lot size, lot width, public road setback, and yard setbacks may be modified
35 from those minimum requirements contained in the underlying R-1 Suburban Single-
36 Family Residential Zoning Classification, such reductions, if any, to be determined by the
37 Plan Commission and Town Board upon review and approval of a specific development
38 plan.
 - 39 a. Reduction to 35' Front Yard setback
 - 40 b. Reduction of minimum lot width to 110'.
- 41 5. The Specific Development Plan is prepared in substantial conformity with the approved
42 General Development Plan – Concept Plan listed as Exhibit B.
43
44
45
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48 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
49 this Ordinance with the Town Clerk of Lisbon.

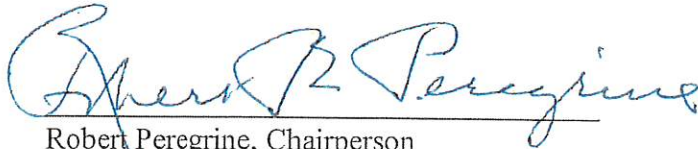
50
51 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
52 approval and publication.

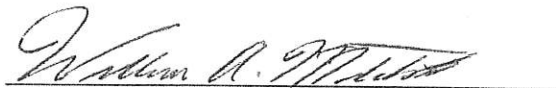
COMMISSION ACTION

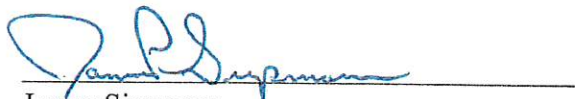
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code, hereby recommends **approval** of **(RZ42 Neumann Developments, Inc./Bowen Global)** in accordance with the attached "Staff Report and Recommendation".

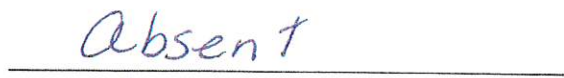
PARK AND PLANNING COMMISSION


June 20, 2019


Robert Peregrine, Chairperson


William Mitchell, Vice Chairperson


James Siepmann


Richard Morris


William Maslowski


Thomas Michalski

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

DATE: June 20, 2019

FILE NO.: RZ42

OWNER: Bowen Global Investments
633 S. 4th Street, Suite 7
Las Vegas, NV 89101-6631

APPLICANT: Bryan Lindgren
Neumann Developments, Inc.
N27 W24025 Paul Court, Suite 100
Pewaukee, WI 53072

TAX KEY NO.: LSBT 0264.998.002

LOCATION:
Part of the S ½ of Section 30, T8N, R19E, Town of Lisbon. More specifically, the property is located north of CTH K and south of Ainsworth Road, containing approximately 106 acres, excluding the road rights-of way (ROWS).

EXISTING ZONING: A-10 Agricultural and C-1 Conservancy Districts (Town)

PROPOSED ZONING: R-1 Suburban Single Family Residential and C-1 Conservancy Districts with a Planned Unit Development Overlay and General Development Plan (GDP) (Town) (refer to rezone map attached).

EXISTING USE: Agricultural

REQUESTED USE: 64 lot single-family residential subdivision

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF LISBON CDP:

The Waukesha County CDP currently designates the subject property as Rural Density and Other Agricultural Land (5.0 to 34.9 acres per dwelling unit) and Other Open Lands to be Preserved. However, the applicant has a pending request to amend the County CDP to Suburban I Density Residential (1.5 to 2.9 acres of area per dwelling unit) and Other Open Lands to Preserved.

The Town of Lisbon recently amended their CDP from Rural Density and Other Agricultural Land (5.0 to 34.9 acres per dwelling unit) and Other Open Lands to be Preserved to Suburban I Density Residential (1.5 to 2.9 acres of area per dwelling unit) and Other Open Lands to Preserved.

The applicant's request will comply with the Town and County (if approved) CDPs.

PUBLIC HEARING DATE: April 11, 2019

PUBLIC COMMENT:

A representative of the neighborhood association for Walnut Grove questioned the smaller lot sizes, based on the current zoning and comprehensive plan. A neighbor located southwest of the property stated he was not against the development but expressed concerns with the lower density of the lots ultimately affecting his property value. A property owner at the corner of Lisbon Road and CTH MD questioned whether the development would have a retention or detention pond.

The Town Planner and Plan Commission explained that the subdivision will be developed through a Planned Unit Development which allows for smaller lot sizes while preserving open space and the overall density. The value of the properties will be similar to that of other new development in Lisbon and the developer is working with an engineer on the stormwater.

TOWN PLAN COMMISSION ACTION:

On April 11, 2019, the Town of Lisbon Plan Commission unanimously approved the rezone request, PUD Overlay, and the General Development Plan with a recommendation to the Town Board and the Village of Merton Joint Plan Committee (JPC) of the same.

TOWN BOARD ACTION:

On May 13, 2019, the Town Board unanimously approved Ordinance No. 09-19 (attached) specific to the subject rezoning request and Ordinance No. 11-19 (attached) specific to the Planned Unit Overlay District and General Development Plan (concept plan) with a recommendation to Waukesha County of the same.

VILLAGE OF MERTON/TOWN OF LISBON JPC ACTION:

According to the Town of Lisbon Clerk, the two communities had not had the opportunity to set up a JPC meeting to discuss amending the Village of Merton's future land use map, but as of the drafting of this report, a JPC meeting date of June 18, 2019 was scheduled. The Planning and Zoning Division staff will report on the outcome of the JPC meeting at the June 20, 2019 Park and Planning Commission meeting. The proposed density would align with similar densities in the area and provide infill development near and adjacent to existing neighborhoods in both the Town of Lisbon and the Village of Merton.

STAFF ANALYSIS:

The petitioner is proposing a 64 lot single family residential Planned Unit Development (PUD) on approximately 106 acres (excluding road ROWs) located between CTH K (Lisbon Road) and Ainsworth Road. The property contains wetland in the northeast corner of the property which the Town has zoned C-1.

The PUD would allow for a minimum lot size of 30,000 square feet, a minimum lot width of 110 feet, a 35 foot road setback (50 foot CTH K and Ainsworth), a 20 foot offset, and would have a minimum of 40% open space within the development. The PUD concept will provide for more efficient and flexible design while providing for stormwater management, subdivision amenities, and the preservation of open spaces, which lends to the retention of the rural character of the Town of Lisbon. The Town's PUD Overlay District first requires the submittal of a GDP, which has been approved by the Town as noted above. A Specific Development Plan is required to be submitted and approved by the Town within one year or the PUD automatically terminates.

It should be noted that drainage in the area was discussed at the Development Review Team meeting on February 5, 2019, at which the Civil Engineer for the Land Resources Division was present. In

accordance with the Waukesha County Stormwater Management and Erosion Control Ordinance a Storm Water Management Plan must be administratively reviewed and approved by the Land Resources Division of the Waukesha County Department of Parks and Land Use and a "Certification of Compliance" issued, addressing stormwater and/or drainage for the area, prior to the approval of a subdivision plat.

In addition, the County Planning and Zoning Division has had conversations with the Town of Lisbon regarding the continuation of the gun business and firing range Conditional Use located adjacent to the east of the subject parcel and this issue will also be addressed prior to the approval of a subdivision plat, pursuant to the town's Conditional Use permit.

The lands adjoining this parcel are zoned as used, as would be the intent for this parcel: mainly R-1 Suburban Single Family Residential to the west; R-1, A-10 Agricultural, and PR Park and Recreation on the south side of CTH K; the Village of Merton on the north side of Ainsworth Road (one acre lots); A-5 Mini-Farm and A-10 to the east; and A-5 Mini Farm to the southwest.

The lands adjoining this parcel are designated on the Town and County CDPs as: Suburban Density Residential II, INRA, and Other Open Lands to be Preserved to the west; Rural Density and Other Agricultural Lands to the southwest, east, and on the south side of CTH K; Low Density Residential to the northeast and on the north side of Ainsworth Road; and Recreational on the south side of CTH K and north of Ainsworth Road.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends approval of the rezone request to R-1 Suburban Single Family Residential District and PUD Overlay District as conditioned by Town Ordinances 09-19 and 11-19. The conditions require a Specific Development Plan prepared in substantial conformity with the General Development Plan to be submitted to and approved by the Town of Lisbon no later than April 11, 2020 or the PUD shall automatically terminate, and a subdivision plat submitted to and approved by all required review entities.

As conditioned, the rezoning and PUD Overlay will serve to allow a subdivision to be developed as a PUD which will provide for a more creative and flexible design that preserves open space and protects natural resources, provides for improved stormwater management, and amenities such as interconnected trails and a playground. In addition, the zoning change and PUD Overlay will comply with the amended Town and County Comprehensive Development Plans and are within the purpose and intent of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

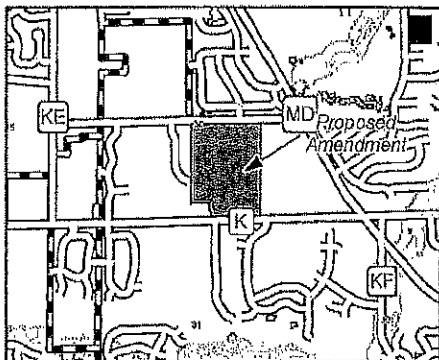
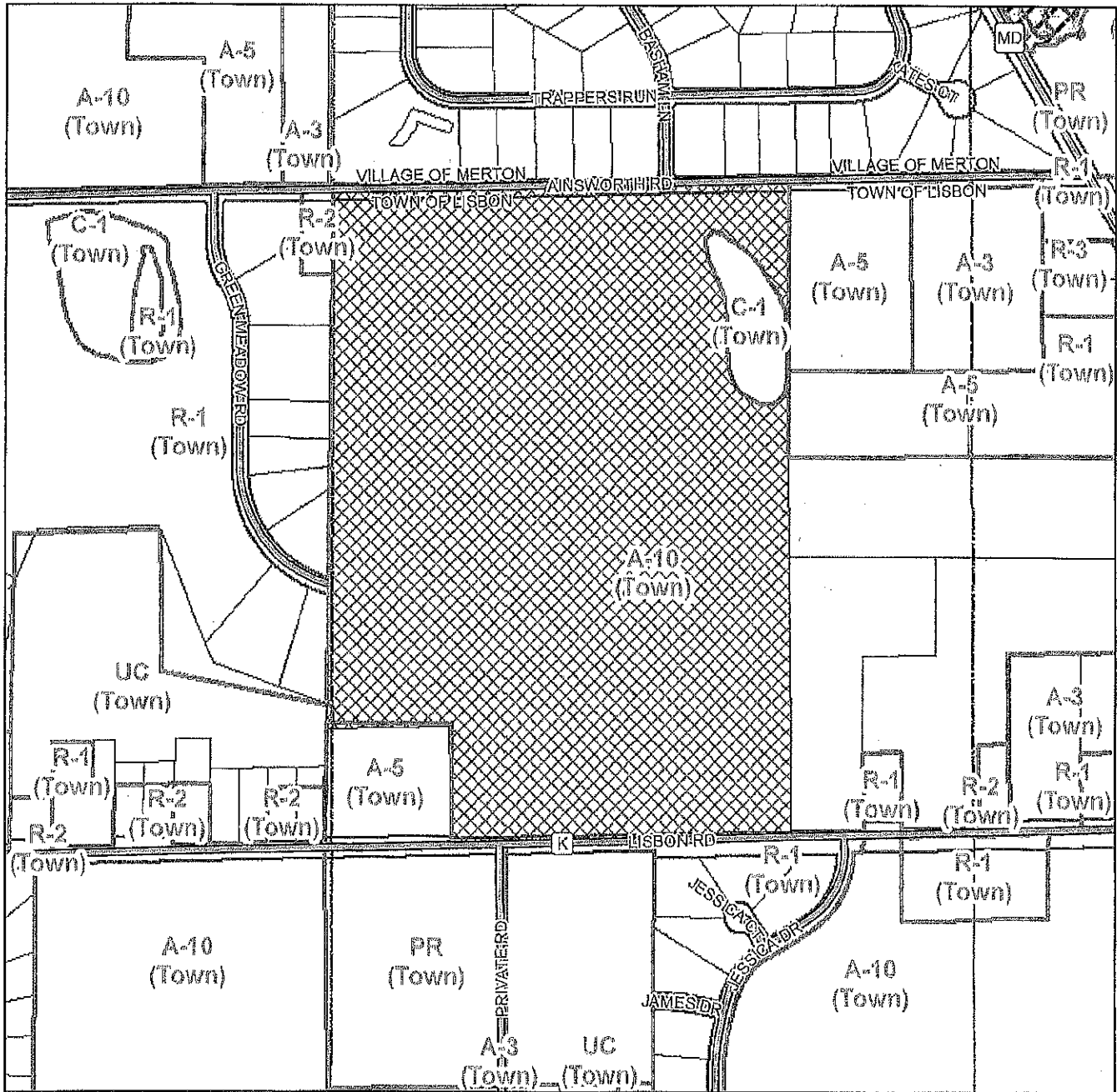
Sandra L. Scherer

Sandy Scherer
Senior Planner

Attachments: Rezone Map
Town Ordinance 09-19
Town Ordinance 11-19

ZONING AMENDMENT

PART OF THE SE 1/4 AND SW 1/4, SECTION 30,
TOWN OF LISBON



TOWN ZONING AMENDMENT CHANGE FROM A-10 AGRICULTURAL DISTRICT TO R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT AND PUD OVERLAY DISTRICT (106 AC)

FILE.....RZ42
 DATE OF PLAN COMMISSION.....06/20/19
 AREA OF CHANGE.....106 ACRES
 TAX KEY NUMBER.....LSBT 0284.998.002

1 Inch = 600 feet

 Prepared by the Waukesha County Department of Parks and Land Use

Ord. 09-19

ORDINANCE REZONING LSBT 0264.998, KNOWN AS THE "STOLZ PROPERTY", FROM A-10 AGRICULTURAL DISTRICT TO R-1 SUBURBAN SINGLE-FAMILY RESIDENTIAL DISTRICT IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN

WHEREAS, property owner, Bowen Global Investments, petitioned the Town of Lisbon to rezone property described more specifically in Exhibit A from A-10 Agricultural District to R-1 Suburban Single-Family Residential District; and

WHEREAS, the change in zoning is contingent on an amendment to the Town of Lisbon Comprehensive Plan land use element from Rural Density and Other Agricultural Land & Other Open Lands to be Preserved to Suburban I Density Residential and Other Open Lands to be Preserved; and

WHEREAS, the Lisbon Plan Commission and Town Board of Supervisors held a Joint Public Hearing on the rezoning request on Thursday, April 11, 2019.

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 A-10 Agricultural District to R-1 Suburban Single-Family Residential District and Planned Unit Development Overlay District:

PT S1/2 SEC 30 T8N R19E; COM W 757.0 FT FROM E1/4 COR; S 2649.0 FT; W 1910.5 FT; N 2653.0 FT; E 1875.0 FT TO BGN DOC# 4101209
LSBT 0264.998

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 13th day of May, 2019.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

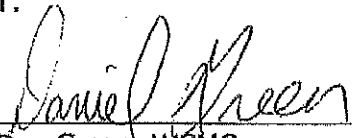
BY: 
TEDIA GAMINO, Supervisor

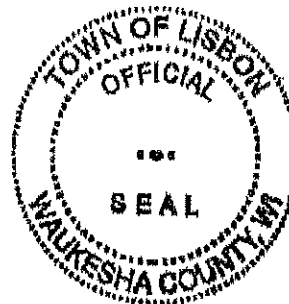
BY: _____
MARC MOONEN, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor

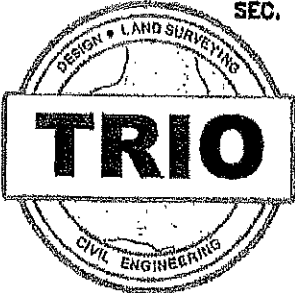
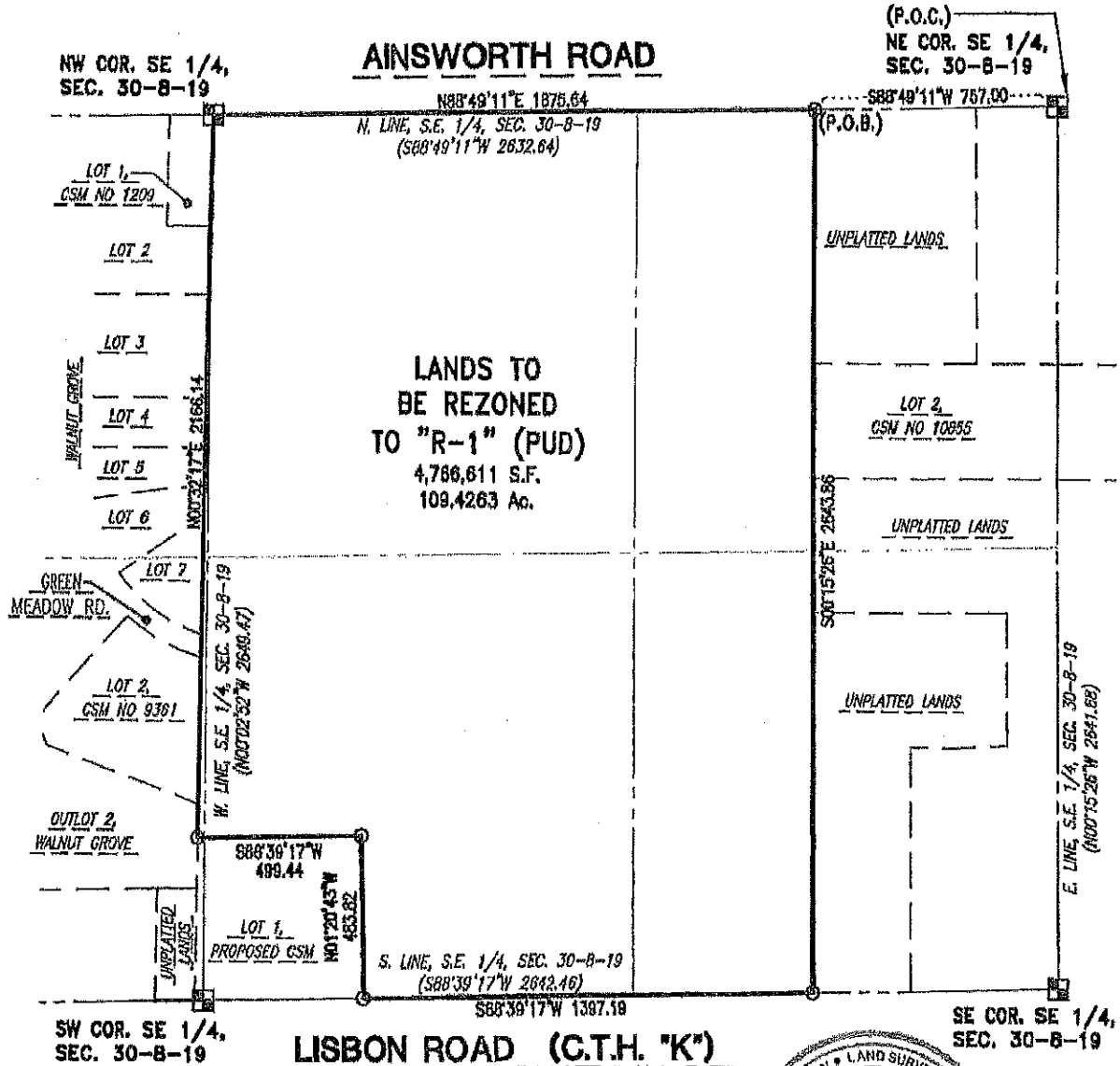
ATTEST:

BY: 
Dan Green, WCMC
Town Clerk



REZONING EXHIBIT "A"

BEING A PART OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 30, TOWN 8 NORTH,
RANGE 19 EAST, IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.



12660 W. North Avenue
Building "D"
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

THIS EXHIBIT WAS PREPARED BY TED R. INDERMUEHLE, P.L.S. (S-3119)

DATE: 2/25/19

RECEIVED
5/21/2019
DEPT OF
PARKS & LAND
USE

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 11-19

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT OVERLAY ZONING CLASSIFICATION FOR LSBT 0264.998, KNOWN AS THE "STOLZ PROPERTY"

WHEREAS, property owner, Bowen Global Investments, for LSBT 0264.998, described more particularly on Exhibit A which is appended hereto and incorporated herein by reference, has requested that the Town of Lisbon establish a Planned Unit Development Overlay Zoning Classification, the purpose of which is to allow a development of the property as a Planned Unit Development, but consistent with the proposed underlying R-1 Suburban Single Family Residential District.

WHEREAS, in accordance with the Zoning Code of the Town of Lisbon, the applicant has submitted a General Development Plan outlining the proposed development of the property; and,

WHEREAS, the Town Plan Commission, on April 11, 2019, considered the request for establishment of a Planned Unit Development Zoning District in accordance with the terms of the Development Plan, and after conducting a Public Hearing, has recommended to the Town Board that the Planned Unit Development Zoning Classification be established as it relates to the property;

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

SECTION 1: In accordance with a General Development Plan submitted by the Property owner, and incorporated in this Ordinance by reference, the Property described on Exhibit A may be developed as a Planned Unit Development, consistent with the underlying R-1 Suburban Single Family Residential District and C-1 Conservancy/Wetland and Floodplain District Zoning Classifications, subject to the following conditions:

- A. The number of Single-Family Residential Dwelling Units shall not exceed sixty-four (64) units.
- B. The minimum lot size shall be not less than 30,000 square feet for any Single-Family Residential Unit.
- C. The minimum required open space shall be 40% of the entire development site, less planned road dedications.

- D. The minimum lot size, lot width, public road set back, and yard setbacks may be modified from those minimum requirements contained in the underlying R- 1 Suburban Single-Family Residential Zoning Classification, such reductions, if any, to be determined by the Plan Commission and Town Board upon review and approval of a specific development plan.
 - 1. Reduction to 35' Front Yard setback.
 - 2. Reduction of minimum lot width to 110'.

- E. The Specific Development Plan is prepared in substantial conformity with the approved General Development Plan – Concept Plan listed as Exhibit B.

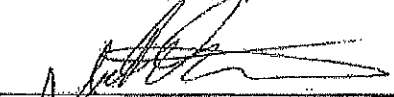
SECTION 2: All ordinances or parts of this ordinance conflicting or contravening the provisions of this ordinance are hereby repealed.


SECTION 3: This Ordinance shall become effective upon passage and publication as required by law and upon satisfaction of any the contingencies set forth by Resolution of the Plan Commission.


SECTION 4: Notwithstanding anything contained in this Ordinance to the contrary, this Zoning Ordinance is contingent upon the approval, not later than April 11, 2020, of a Specific Development Plan as required by the Town Zoning Code of the Town of Lisbon. In the event a Specific Development Plan implementing the Planned Unit Development authorized by this Ordinance is not adopted and approved by the Town Board on or before April 11, 2020, then this Ordinance shall lapse and the right to develop the Property as a Planned Unit Development under the terms of this Ordinance shall automatically terminate.


PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this day this 13th day of May, 2019.


TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

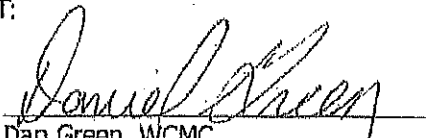
BY: 
TEDIA GAMINO, Supervisor

BY: 
MARC MOONEY, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor

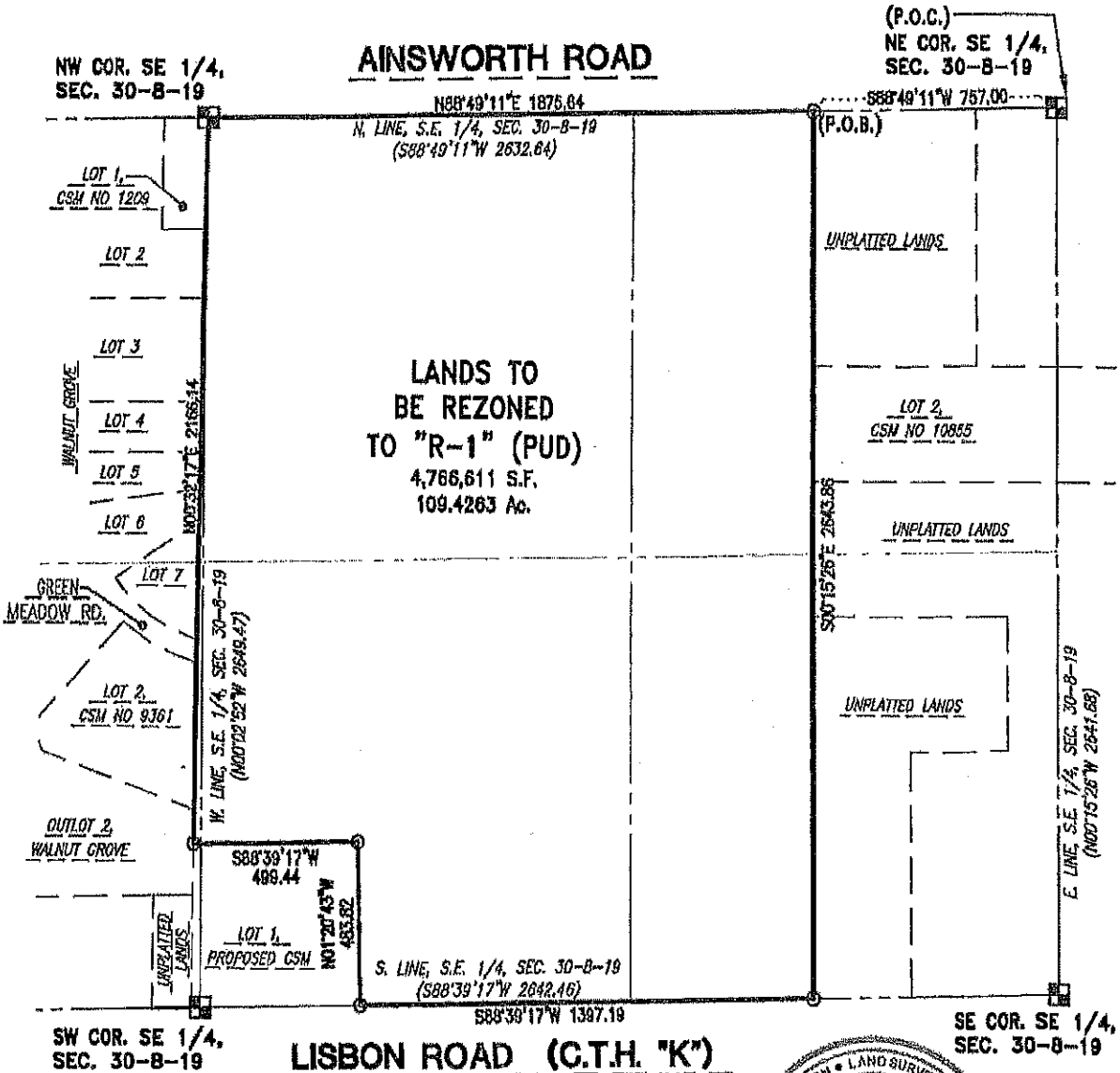
ATTEST:

BY: 
Dan Green, WCMC
Town Clerk

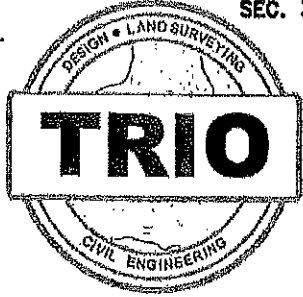


REZONING EXHIBIT "A"

BEING A PART OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 30, TOWN 8 NORTH, RANGE 19 EAST, IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.



SCALE: 1" = 500'



12660 W. North Avenue
Building "D"
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

THIS EXHIBIT WAS PREPARED BY TED R. INDERMUEHLE, P.L.S. (S-3119) DATE: 2/25/19

REZONING EXHIBIT "B"

LANDS TO BE REZONED TO "R-1" (PUD)

LEGAL DESCRIPTION:

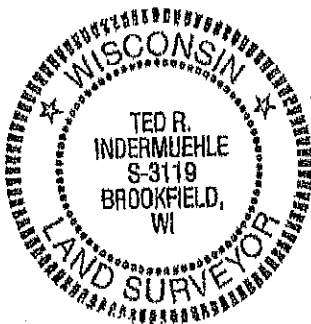
All that part of the Southeast 1/4 and the Southwest 1/4 of Section 30, Town 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Northeast corner of said Southeast 1/4; Thence South 88°49'11" West along the North line of said Southeast 1/4, 757.00 feet to the place of beginning of lands hereinafter described;

Thence South 00°15'26" East and parallel with the East line of said Southeast 1/4, 2643.86 feet to a point on the South line of said Southeast 1/4; Thence South 88°39'17" West along said South line, 1397.19 feet to a point on the East line of a "Proposed Certified Survey Map"; Thence North 01°20'43" West along said East line, 483.82 feet to a point on the North line of said Certified Survey Map; Thence South 88°39'17" West along said North line, 499.44 feet to a point on the East line of "Walnut Grove Subdivision"; Thence North 00°32'17" East along said East line and its extension, 2166.14 feet to a point on the North line of said Southeast 1/4; Thence North 88°49'11" East along said North line, 1875.64 feet to the point of beginning of this description.

Said Parcel contains 4,766,611 Square Feet (or 109.4263 Acres) of land, more or less.

Date: 2-25-19



A handwritten signature in black ink, appearing to read "Ted R. Indermuehle".

Ted R. Indermuehle, P.L.S.
Professional Land Surveyor, S-3119
TRIO ENGINEERING, LLC
12660 W. North Avenue, Building "D"
Brookfield, WI 53005
Phone: (262)790-1480 Fax: (262)790-1481



Data Summary Table - Exhibit B 64 Lot Conservation Subdivision

Total Area = ±106.13 acres
(with full ROW dedication)
Density = 1.66 acres/lot
Total Road Length = 6,850 Lf.
[107 Lf. per lot]

PUD Proposed Standards
Lot Size: 30,000 s.f. min.
Lot Width: 110' minimum
Proposed Setbacks:
Public Road = 35'
Side = 20'
Rear = 20'
Lisbon & Ainsworth Rd = 50'

PUD Open Space Calculations:
Total PUD Area = 106.13 acres
Outlot Area* = 48.74 ac (45.9%)
- % Wetland = 4.05/48.74 = 8.3%
- % Stormwater = 5.4/48.74 = 11.1%
- % Upland = 39.29/44.5 = 80.6%
[*Outlots 1, 2, 3 & 4]



Developed By
427 W24025 Paul Court
Pewaukee, WI 53072



CONSERVATION SUBDIVISION Conceptual Site Plan - Stolz Site

Lisbon Road, Town of Lisbon, WI



DATE: 03/21/2019

1 AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE
2 WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC
3 BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF
4 THE SW ¼ AND NW ¼ OF THE NE ¼ OF SECTION 5, T8N, R17E, TOWN OF
5 OCONOMOWOC, FROM THE FLP FARMLAND PRESERVATION
6 DISTRICT TO THE R-1 RESIDENTIAL DISTRICT (RZ39)
7
8

9 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
10 this Ordinance was approved by the Oconomowoc Town Board on June 3, 2019; and
11

12 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
13 Planning Commission, which recommended approval and reported that recommendation to the
14 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
15 as required by Section (59.69), Wis. Stats.
16

17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
18 that the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code,
19 Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on
20 February 26, 1959, is hereby amended to conditionally rezone certain lands located in part of the
21 SW ¼ and NW ¼ of the NE ¼ of Section 5, T8N, R17E, Town of Oconomowoc, from the FLP
22 Farmland Preservation District to the R-1 Residential District, and more specifically described in
23 the "Staff Report and Recommendation" and map on file in the office of the Waukesha County
24 Department of Parks and Land Use and made a part of this Ordinance by reference RZ39, subject
25 to the following conditions:
26

- 27 1. The Zoning Amendment approval shall only amend the zoning of three (3) acres of land,
28 shown as Lot 1 on the proposed Certified Survey Map attached as Exhibit "A," from the
29 Farmland Preservation District to the R-1 Residential District.
30
- 31 2. A Certified Survey Map, prepared by a Professional Land Surveyor in the State of
32 Wisconsin, shall be reviewed and approved by the Waukesha County Department of
33 Parks and Land Use and the Town of Oconomowoc in accordance with Section
34 6.19(2)(C) of the Waukesha County Zoning Code. The Town and County Plan
35 Commissions shall review and approve the remnant parcel waiver and request to exceed
36 2% accessory building footprint prior to the Certified Survey Map being signed by the
37 Director of Parks and Land Use. If the Town and/or County Plan Commissions do not
38 approve these requests, necessary revisions to the Certified Survey Map will be required.
39
- 40 3. A Deed Restriction must be prepared and reviewed and approved by the Waukesha
41 County Department of Parks and Land Use - Planning and Zoning Division Staff and
42 recorded by the petitioners in the Waukesha County Register of Deeds Office stating that,
43 pursuant to the Waukesha County Comprehensive Development Plan, one additional
44 development right remains for the remnant lands that comprise the farm tracking unit.
45 Said restriction must also state that the density restriction shall apply in perpetuity unless
46 the Waukesha County Comprehensive Development Plan's Farmland Preservation
47 designation for the property is amended in the future.

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

50

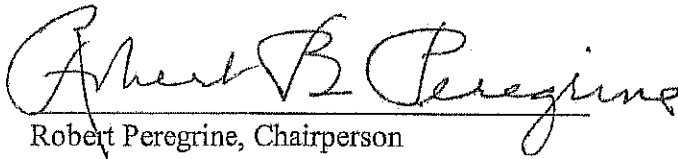
51 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
52 approval and publication.

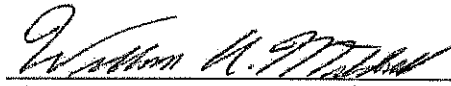
COMMISSION ACTION


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 (RZ39 Estate of Joan Mallow/Beth Schmitz) in accordance with the attached "Staff Report and Recommendation".


PARK AND PLANNING COMMISSION


June 20, 2019

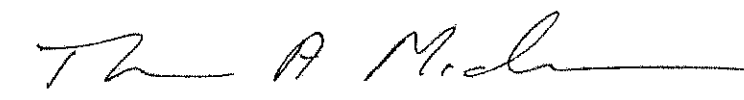

Robert Peregrine, Chairperson


William Mitchell, Vice Chairperson


James Siepmann


Richard Morris


William Maslowski


Thomas Michalski

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

DATE: June 20, 2019

FILE NO.: RZ39

OWNER: Estate of Joan L. Mallow
c/o Beth Schmitz, Personal Rep.
N1112 Vinnie Ha Ha Road
Fort Atkinson, WI 53538

AGENT: Beth Schmitz
N1112 Vinnie Ha Ha Road
Fort Atkinson WI 53538

TAX KEY NO.: OCOT 0449.998

LOCATION:

The property is located in part of the SW ¼ and NW ¼ of the NE ¼ of Section 5, T8N, R17E, Town of Oconomowoc. More specifically, the area to be rezoned is located on the east side of STH 67 and south of Evergreen Road at W384 N9350 Hwy. 67, consisting of 3 acres and the existing residence and outbuildings.

EXISTING LAND USE: Agricultural, including a residence and outbuildings.

PROPOSED LAND USE: Residential.

EXISTING ZONING: FLP Farmland Preservation District.

PROPOSED ZONING: R-1 Residential District.

ORDINANCE: Waukesha County Zoning Code.

PUBLIC HEARING DATE: May 6, 2019

PUBLIC REACTION: None.

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

On May 20, 2019, the Town of Oconomowoc Plan Commission recommended approval of the request subject to conditions included in the staff recommendation section of this report. The Town Board approved the request subject to the same conditions on June 3, 2019.

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

The property is designated in the Farmland Preservation category on the County Plan and in the Prime Agricultural category on the Town Plan. There are areas of the farm tract designated with a Primary Environmental Corridor Overlay that are not subject to this rezone request and not part of the requested land division. The overall farm tract is approximately 98 acres. The proposal to rezone approximately

three (3) acres as part of a farm consolidation is consistent with plan recommendations that call for a maximum density of one dwelling unit per 35 acres. One (1) density credit would be available for future development purposes.

There is a small area located within the southeast corner of the remnant parcel that is designated as non-profit ownership on the County's Park and Open Space Plan. We recommend that the petitioner reach out to Tall Pines Conservancy, a non-profit organization, to determine if they have an interest in owning or having an easement that covers said acreage.

STAFF ANALYSIS:

The subject property contains approximately 60 acres on the east side of STH 67 and approximately 38 acres on the west side of STH 67, for a total of 98 acres. With the exception of the areas designated as Primary Environmental Corridor, which is inclusive of wetlands, the property is being actively farmed. There is a residence, agricultural barn, and detached garage located in the southwest corner of the acreage on the east side of STH 67. The residence is served by a private sewage system and well.

The petitioner is proposing a land division in order to create a three (3) acre lot, including the existing residence and outbuildings. The remaining acreage will continue to be farmed. The entire property is currently zoned FLP Farmland Preservation District. There are areas that contain conservancy (wetland) and environmental corridor overlays that are not subject to this request. The petitioner is proposing to rezone the three (3) acre lot to R-1 Residential as required per the Waukesha County Zoning Code in order to create a lot within an area currently zoned FLP Farmland Preservation. The petitioner is proposing to create the lot in order to split off the existing farmstead and accessory buildings from the remaining acreage. Per the ordinance, a maximum five (5) acre lot can be created when the lot is inclusive of the existing farmstead. The parcel is required to have a minimum lot size of one (1) acre and 150 ft. in average width. The proposed lot is L-shaped and complies with the lot size standards.

In order to rezone acreage out of the FLP Farmland Preservation District, the Zoning Code and Comprehensive Land Use Plan require that the overall density of the farm tract must be maintained at one dwelling unit per 35 acres. Given that the property contains approximately 98 acres, the petitioners have two (2) density rights for the lands. The proposed lot containing the existing structures accounts for one density right. The petitioner has one additional density right remaining. A deed restriction will be required noting the density right and limitation on any further development.

The proposed lot is located in the most suitable location considering the location of the existing structures and reducing the impact on the agricultural land to the greatest extent possible. The petitioner would like to have the ability to keep livestock and or poultry in the future. Providing a three (3) lot size allows them to keep one (1) head of livestock or twenty poultry.

The petitioner will be seeking a remnant parcel waiver and approval to exceed 2% accessory building footprint, which will be considered as a separate matter. The petitioner has also submitted a Certified Survey Map for review and approval.

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends this request be **approved**, subject to the following conditions, which are inclusive of the Town's conditions.

1. The Zoning Amendment approval shall only amend the zoning of three (3) acres of land, shown as Lot 1 on the proposed Certified Survey Map attached as Exhibit "A," from the Farmland Preservation District to the R-1 Residential District.
2. A Certified Survey Map, prepared by a Professional Land Surveyor in the State of Wisconsin, shall be reviewed and approved by the Waukesha County Department of Parks and Land Use and the Town of Oconomowoc in accordance with Section 6.19(2)(C) of the Waukesha County Zoning Code. The Town and County Plan Commissions shall review and approve the remnant parcel waiver and request to exceed 2% accessory building footprint prior to the Certified Survey Map being signed by the Director of Parks and Land Use. If the Town and/or County Plan Commissions do not approve these requests, necessary revisions to the Certified Survey Map will be required.
3. A Deed Restriction must be prepared and reviewed and approved by the Waukesha County Department of Parks and Land Use - Planning and Zoning Division Staff and recorded by the petitioners in the Waukesha County Register of Deeds Office stating that, pursuant to the Waukesha County Comprehensive Development Plan, one additional development right remains for the remnant lands that comprise the farm tracking unit. Said restriction must also state that the density restriction shall apply in perpetuity unless the Waukesha County Comprehensive Development Plan's Farmland Preservation designation for the property is amended in the future.

If approved as conditioned, the zoning change is consistent with Town and County Comprehensive Development Plan recommendations as the 35-acre farmland preservation density requirement is being met. The rezoning of approximately three acres of land will allow the petitioner to split off the existing residence and accessory buildings, while not limiting the agricultural use of the remaining farmlands. As conditioned and in accordance with the requirements of the Waukesha County Zoning Code, a Deed Restriction will be recorded to disclose to future owners that there is one (1) density credit remaining on the farm after the creation of the three-acre parcel. This will ensure that the 35-acre density is maintained over time and that the vast majority of the land preserved on site remains in productive farmland or open space uses. This furthers the goals of the Farmland Preservation Plan to preserve the last remaining five square mile blocks of productive farmland within the County, adding to the economic base of Waukesha County and preserving the rural landscape.

Respectfully submitted,

Amy Barrows

Amy Barrows
Senior Planner

Attachments: Exhibit A: Preliminary Certified Survey Map, Sheet 1
Map

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\RZ39 Schmitz Oct.Doc

EXHIBIT "A"

ARC
(262) 542-8200

RECEIVED

APR 08 2019

DEPT OF PARKS & LAND USE FORMARC-101

CERTIFIED SURVEY MAP NO. _____

Sheet 1 of 5

Part of the SW 1/4 and NW 1/4 of the NE 1/4 of
Section 5 Town 8 North, Range 17 East,

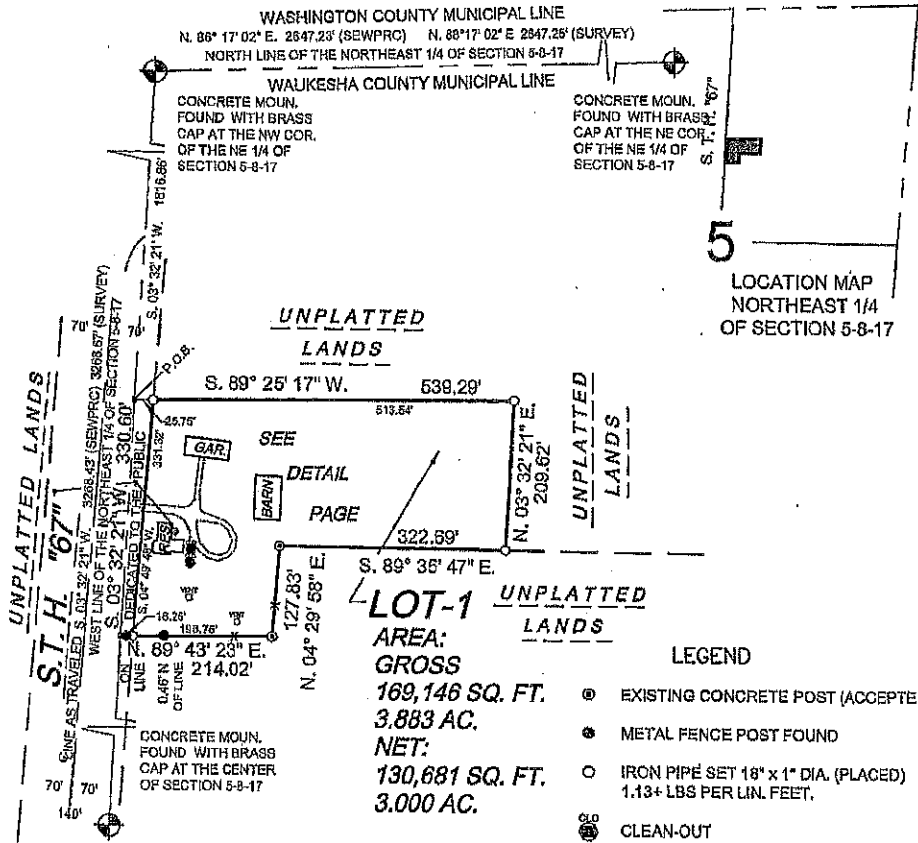
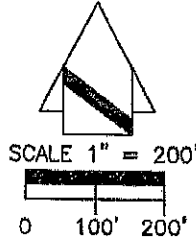
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

REFERENCE BEARING:
WEST LINE OF THE NORTHEAST
1/4 OF SECTION 5-8-17 PER
WISCONSIN STATE PLANE COORDINATE
SYSTEM SOUTH ZONE HAS A BEARING
OF N. 03° 32' 21" E.

OWNER:
JOAN MALLOW
N102 HWY 67
OCONOMOWOC, WI 53088

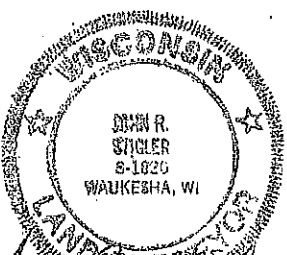
ZONING: A-2
MINIMUM LOT REQUIREMENTS
AREA: 3 ACRES
WIDTH: 200'
MAX. FAR: 15%
OFFSETS FOR RESIDENCE, ANIMALS, AND
COMMERCIAL KENNELS SHALL HAVE
A 50' OFFSET
ALL OTHER BUILDING AND STRUCTURES
SHALL HAVE 30' MINIMUM OFFSETS

SURVEYOR:
JOHN R. STIGLER WIS. REG. S-1820
JAHNIKE AND JAHNIKE
ASSOCIATES INC.
711 WEST MORELAND BLVD.
WAUKESHA, WI. 53188
262-542-6797



LOT-1 UNPLATTED LANDS
AREA:
GROSS
169,146 SQ. FT.
3.883 AC.
NET:
130,681 SQ. FT.
3.000 AC.

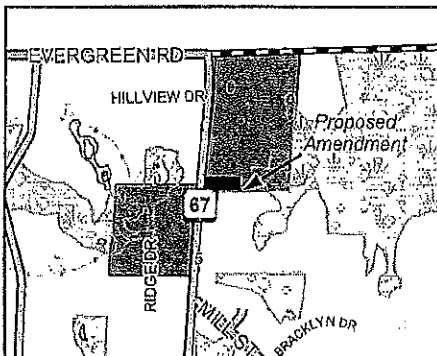
- LEGEND**
- EXISTING CONCRETE POST (ACCEPTED)
 - METAL FENCE POST FOUND
 - IRON PIPE SET 18" x 1" DIA. (PLACED)
1.13+ LBS PER LIN. FEET.
 - ⊙ CLEAN-OUT
 - SEPTIC VENT
 - WELL
 - ⊙ SECTION CORNER FOUND
WITH BRASS/CAP







John R. Stigler
JOHN R. STIGLER WIS. REG. No. S-1820
DATED THIS 12 DAY OF FEBRUARY, 2019

ZONING AMENDMENT

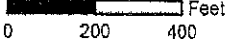
PART OF THE SW 1/4 AND NW 1/4, OF THE NE 1/4 SECTION 5,
TOWN OF OCONOMOWOC



	CONDITIONAL COUNTY ZONING CHANGE FROM FLP FARMLAND PRESERVATION DISTRICT TO R-1 RESIDENTIAL DISTRICT (3.0 AC)
	C-1 CONSERVANCY OVERLAY
	EC ENVIRONMENTAL CORRIDOR OVERLAY
FILE.....	RZ99
DATE OF PLAN COMMISSION.....	08/20/19
AREA OF CHANGE.....	3 ACRES
TAX KEY NUMBER.....	OCOT 0449.998



Prepared by the Waukesha County Department of Parks and Land Use

1 Inch = 400 feet
 Feet
 0 200 400



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: July 2, 2019
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Appointment of Citizen Member to the Board of Adjustment

I am pleased to submit to the County Board for your consideration the appointment of Kathryn McNelly Bell to serve as an alternate member on the Waukesha County Board of Adjustment. Ms. McNelly Bell will be replacing Rob Schuett, another Town of Mukwonago resident whose term expires in July 2019.

Ms. McNelly Bell holds a B.S. degree in Biology from UW-Whitewater and has worked in environmental consulting for 17 years. She is an Associate/Natural Resources Department Manager in the Burlington branch of Milwaukee-based Kapur & Associates where she is involved in various aspects of land development planning and water resource consulting. She is active with the Spring Brook Watershed Lake Management District and previously served as a Town of Mukwonago Plan Commissioner. She was born and raised in the Town of Mukwonago and returned to reside in the town again in 2013. If appointed, Ms. McNelly Bell's appointment will expire in July of 2022.

PF:kb

cc: Meg Wartman
Jason Fruth



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: July 2, 2019
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of Citizen Member to the Board of Adjustment

This letter is submitted to recommend Ms. Nancy Bonniwell for reappointment to the Board of Adjustment for Waukesha County. Should she be reappointed to the Board of Adjustment, Ms. Bonniwell's term will expire July of 2022.

PF:kb

cc: Meg Wartman
Jason Fruth

1 MODIFY THE 2019-2023 CAPITAL PLAN TO CREATE CAPITAL PROJECT #201909:
2 REGISTER OF DEEDS PRE-1915 DOCUMENT DIGITIZATION PROJECT
3 AND MODIFY 2019 CAPITAL PROJECT BUDGET
4
5

6 WHEREAS, the Waukesha County Register of Deeds Office collected funds under 2009
7 Wisconsin Act 314 for the purpose of digitizing land records, redacting social security numbers,
8 and making the documents available to the public electronically; and
9

10 WHEREAS, capital project #201117: Register of Deeds Electronic Document Redaction was
11 created to digitize documents from various media dating back to 1915, which was completed in
12 2018; and
13

14 WHEREAS, approximately \$100,000 in funds were left over from that project; and
15

16 WHEREAS, these remaining funds were restricted by state law for land records purposes, and
17 assigned in General Fund balance; and
18

19 WHEREAS, the Register of Deeds maintains land records dating back to 1846; and
20

21 WHEREAS, there are about 220,000 of these land records paper documents, which require a
22 substantial amount of physical space in the Register of Deeds office and annual repair and
23 upkeep of around \$6,000; and
24

25 WHEREAS, digitizing these records would allow the Register of Deeds Office to store these
26 physical documents off-site, freeing-up building space and reducing repair costs.
27

28 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
29 that the 2019-2023 Capital Plan be modified to create capital project #201909: Register of Deeds
30 Pre-1915 Document Digitization Project.
31

32 BE IT FURTHER ORDAINED THAT the 2019 Capital Project budget be modified to
33 appropriate additional expenditures of \$100,000 and increase assigned General Fund balance use
34 of \$100,000 for capital project #201909: Register of Deeds Pre-1915 Document Digitization
35 Project.
36

Project Title:	ROD Pre-1915 Document Digitization Project	Project #:	201909
Department:	Register of Deeds	Project Type:	Information Technology
Phase:	Implementation	Sponsor:	
Budget Action:	New	Manager:	Jim Behrend, Register of Deeds
Date:	June 26, 2019		

CAPITAL BUDGET SUMMARY						
Year	2019	2020	2021	2022	2023	Total
Project Phase	Implementation					Total Project
Expenditure Budget	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Revenue Budget	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Net Costs After Revenues Applied	\$0	\$0	\$0	\$0	\$0	\$0
COST DOCUMENTATION			REVENUE			
File Digitization		\$100,000	Assigned General Fund Balance from Prior-Year Document Redaction Fee Revenues			\$100,000
Total Project Cost		\$100,000	Total Revenue			\$100,000
EXPENDITURE BUDGET		\$100,000	REVENUE BUDGET			\$100,000

Project Scope & Description

The Register of Deeds plans to hire a third-party contractor to have land records from 1846 – 1914 scanned and saved digitally so these records can be uploaded to the public access system and become available for the public to view. There are an estimated 220,000 images that need to be scanned from large paper volumes.

This project will be funded with revenues remaining after the closure of the Register of Deeds Electronic Document Redaction capital project (#201117). That project had been funded with a temporary \$5-per-document recording surcharge that the state legislature authorized for the purposes of redacting social security numbers from real estate records. The \$100,000 of unspent funds are restricted by state law for land records purposes and assigned in General Fund balance.

Locations

All work will need to be done on-site as these are original documents.

Analysis of Need

In order to provide the public with the ability to search for land records going back to the beginning of Waukesha County, this last series of documents will need to be scanned and saved electronically. Further, once these documents have been scanned and saved electronically, the bound volumes can be placed in long term storage off-site, resulting in a smaller footprint for the Register of Deeds vault and saving valuable space in the Administration Building. Because these documents are in bound paper volumes, the department does not have the scanning capability in-house, nor the personnel available to manage a project of this scale.

Alternatives

The alternative is to continue to store the documents in the large paper volumes and not have the documents available electronically for the public to view and purchase. In addition to on-site storage space, handling by the public causes damage to these volumes over time, and requires around \$6,000 in annual repair costs.

Ongoing Operating Costs

There are no additional ongoing costs anticipated. Repair costs for physical documents (mentioned above) should decrease.

Previous Action

In 2015, the Register of Deeds began a backfile scanning project that digitized land records from 1915-1993. This was a much larger scale project (more than 2 million documents) that included paper records, microfiche, and microfilm. Many of these documents had to have social security numbers redacted, which was an additional cost. The records involved in the project above do not have social security numbers, so no redaction is necessary. Funds collected for the larger backfile digitization project will be used to fund this supplemental project, and no additional funds are required.

FISCAL NOTE

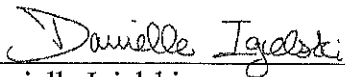
MODIFY THE 2019-2023 CAPITAL PLAN TO CREATE CAPITAL PROJECT #201909: REGISTER OF DEEDS PRE-1915 DOCUMENT DIGITIZATION PROJECT AND MODIFY 2019 CAPITAL PROJECT BUDGET

This ordinance modifies the 2019-2023 capital plan to create a new capital project, #201909, Register of Deeds Document Digitization Project. The ordinance also appropriates an additional \$100,000 in expenditures authority and increase assigned General Fund balance use of \$100,000.

The department plans to hire a third-party contractor to have land records from 1846-1914 scanned and saved digitally so these records can be uploaded to the public access system and become available for the public to view. The project will result in a smaller space requirements for the Register of Deeds office, reduce damage done to the documents due to handling by the public over time, and a reduction in annual repair costs of \$6,000. Reduced repair costs will be considered in future budget and result in a reduced cost to continue when determining resource needs.

The project is funded with revenues remaining after the closure of the Register of Deeds Electronic Document Redaction capital project (#201117) at the end of 2018. That project had been funded with a temporary \$5-per-document recording surcharge that the state legislature authorized for the purposes of redacting Social Security numbers from real estate records. The \$100,000 of unspent funds are restricted by state law for land records purposes and assigned in General Fund balance.

The use of assigned fund balance results in no direct tax levy impact.



Danielle Igielski
Accounting Services Manager

7/1/2019

JE#2019-00006744

1 ACCEPT WI DEPARTMENT OF JUSTICE CIT TRAINING GRANT
2 FUNDING AND MODIFY THE DEPARTMENT OF HEALTH
3 AND HUMAN SERVICES - CJCC 2019 BUDGET
4
5

6 WHEREAS, the State of Wisconsin Department of Justice has made Crisis Intervention Team
7 (CIT) Training funding available to Wisconsin counties to assist with costs related to
8 implementation of the CIT training; and
9

10 WHEREAS, the Department of Justice has awarded this competitive funding to the Department
11 of Health and Human Services- Criminal Justice Collaborating Council (CJCC); and
12

13 WHEREAS, the Department of Justice has awarded this funding to support costs associated with
14 implementation of CIT training for law enforcement in Waukesha County, which includes a
15 subcontract with the National Alliance on Mental Illness (NAMI) of Waukesha to facilitate the
16 training and up to 25 stipends for law enforcement to cover the costs of officer backfill for the
17 weeklong training; and
18

19 WHEREAS, the Department of Health and Human Services- CJCC received a Grant Award
20 Notice in the amount of \$20,000.00 to fund these additional operating expenses for the current
21 budget year; and
22

23 WHEREAS, the Department of Health and Human Services- CJCC 2019 Adopted Budget does
24 not include appropriations or revenues for the project.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
27 that the Department of Health and Human Services- CJCC be authorized to accept the State of
28 Wisconsin Department of Justice CIT Training grant funding amount of \$20,000.
29

30 BE IT FURTHER ORDAINED that the Department of Health and Human Services- CJCC 2019
31 Budget be modified by appropriating expenditures of \$20,000 for operating expenses and
32 increasing general government revenues by \$20,000 to fund costs related to the project.

FISCAL NOTE

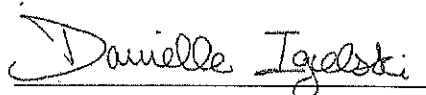
ACCEPT WI DEPARTMENT OF JUSTICE CIT TRAINING GRANT FUNDING AND
MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES – CJCC 2019
BUDGET

This ordinance authorizes the Waukesha County Department of Health and Human Services-Criminal Justice Collaborating Council (CJCC) to accept a Department of Justice grant and appropriate \$20,000 in expenditures to implement Crisis Intervention Team (CIT) training for law enforcement.

The department indicates that the grant contributes to reduced harm to the public, mental health consumers, and law enforcement officers by providing law enforcement with a 40-hour training to recognize signs of mental illness and learn de-escalation techniques to reduce the number of arrests of mentally ill individuals by promoting more appropriate referrals to mental health treatment services within the community.

Expenditures include \$10,000 for a subcontract with the National Alliance on Mental Illness (NAMI) of Waukesha to facilitate the training and \$10,000 for up to 25 stipends for law enforcement to cover the costs of officer backfill for the weeklong training.

This ordinance results in no direct levy impact.



Danielle Igielski
Accounting Services Manager
7/1/2019
JE #2019-00006902

1 ACCEPT WI DEPARTMENT OF JUSTICE PRETRIAL PILOT IMPLEMENTATION
2 GRANT FUNDING AND MODIFY THE DEPARTMENT OF HEALTH
3 AND HUMAN SERVICES - CJCC 2019 BUDGET
4
5

6 WHEREAS, the State of Wisconsin Department of Justice has made Pretrial Pilot Sites
7 Implementation funding available to current Evidence-Based Decision Making (EBDM) counties
8 to assist with costs related to implementation of the Public Safety Assessment (PSA) pretrial risk
9 tool; and
10

11 WHEREAS, the Department of Justice has awarded this noncompetitive funding to the
12 Department of Health and Human Services- Criminal Justice Collaborating Council (CJCC); and
13

14 WHEREAS, the Department of Justice has awarded this funding to support costs associated with
15 implementation of the PSA pretrial risk tool, which includes: a full-time, contracted Pretrial
16 Screener position; funding for two staff to attend the National Association of Pretrial Services
17 Agencies (NAPSA) annual conference; the annual user fee for accessing the National Crime
18 Information Center (NCIC) to conduct criminal background checks; and to provide funds for
19 electronic monitoring costs for indigent pretrial defendants; and
20

21 WHEREAS, the Department of Health and Human Services received a Grant Award Notice in
22 the amount of \$68,421.00 to fund these additional operating expenses for the current budget
23 year; and
24

25 WHEREAS, the Department of Health and Human Services 2019 Adopted Budget does not
26 include appropriations or revenues for the project.
27

28 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
29 that the Department of Health and Human Services- CJCC be authorized to accept \$68,421 in
30 State of Wisconsin Department of Justice Pretrial Pilot Implementation grant funding.
31

32 BE IT FURTHER ORDAINED that the Department of Health and Human Services- CJCC 2019
33 Budget be modified by appropriating expenditures of \$68,421 for operating expenses and
34 increasing general government revenues by \$68,421 to fund costs related to the project.

FISCAL NOTE

ACCEPT WI DEPARTMENT OF JUSTICE PRETRIAL PILOT IMPLEMENTATION GRANT
FUNDING AND MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES-
CJCC 2019 BUDGET

This ordinance authorizes the Waukesha County Department of Health and Human Services-Criminal Justice Collaborating Council (CJCC) to accept a Department of Justice (DOJ) grant and appropriate \$68,421 in expenditures to implement the PSA pretrial risk tool. Pretrial best practices recommend that all pretrial defendants are screened, using a validated risk tool, for risk of failure to appear for court, and risk of committing new criminal activity while released in the community during the pretrial phase, so that those setting bail have the most information available when making release decisions. The grant period ends December 31, 2019, however DOJ has informed Pretrial Pilot counties that continuation funding is available at least one more year and potentially for another two years, through 2022.

Expenditures include \$33,083 for a full-time, contracted Pretrial Screener position; \$4,138 in funding for two staff to attend the National Association of Pretrial Services Agencies (NAPSA) annual conference; \$1,200 for the annual user fee for accessing the National Crime Information Center (NCIC) to conduct criminal background checks; and \$30,000 to provide funds for electronic monitoring costs for indigent pretrial defendants.

This ordinance results in no direct levy impact.

Danielle Igielski

Danielle Igielski
Accounting Services Manager
7/1/2019
JE #2019-00006903