

Enrolled 156-35  
~~PROPOSED ORDINANCE 156-37~~

1  
2  
3 AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND  
4 AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY  
5 ZONING CODE, FOR THE TOWN OF OTTAWA, BY CONDITIONALLY REZONING  
6 CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF SECTION 10, T6N, R17E, TOWN  
7 OF OTTAWA FROM THE RRD-5 RURAL RESIDENTIAL DENSITY 5 DISTRICT  
8 TO THE A-2 RURAL HOME DISTRICT  
9 (SCZ-1407)  
10  
11

12 WHEREAS the subject matter of this ordinance having been duly referred to and considered by  
13 the Waukesha County Park and Planning Commission after public hearing and the giving of  
14 requisite notice of said hearing and the recommendation thereon reported to the Land Use, Parks  
15 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha  
16 County, Wisconsin, as required by Sections 59.692 and 59.69 of the Wisconsin State Statutes.  
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES  
19 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on  
20 June 23, 1970, and the Waukesha County Zoning Code adopted on February 26, 1959, for the  
21 Town of Ottawa, Waukesha County, are hereby amended to conditionally rezone from the RRD-  
22 5 Rural Residential Density 5 District to the A-2 Rural Home District, certain lands located in  
23 part of the SE ¼ of Section 10, T6N, R17E, Town of Ottawa, and more specifically described in  
24 the "Staff Report and Recommendation" and map on file in the office of the Waukesha County  
25 Department of Parks and Land Use and made a part of this Ordinance by reference (SCZ-1407),  
26 subject to the following conditions:  
27

- 28 1. A Certified Survey Map be approved by the Town and the County.  
29  
30 2. The approved driveway location shall be shown on the face of the Certified Survey  
31 Map.  
32

33 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
34 this ordinance with the Town Clerk of Ottawa.  
35

36 BE IT FURTHER ORDAINED that this ordinance shall be in full force and effect upon passage,  
37 approval and publication.  
38

39 BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of  
40 provisions of this ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND  
FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE,  
FOR THE TOWN OF OTTAWA, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED  
IN PART OF THE SE ¼ OF SECTION 10, T6N, R17E, TOWN OF OTTAWA FROM THE RRD-5  
RURAL RESIDENTIAL DENSITY 5 DISTRICT  
TO THE A-2 RURAL HOME DISTRICT  
(SCZ-1407)

Presented by:  
Land Use, Parks, and Environment Committee

Paul G. Vrakas  
Paul G. Vrakas, Chair

Pauline T. Jaske  
Pauline T. Jaske

James Jeskewitz  
James Jeskewitz

Walter L. Kolb  
Walter L. Kolb

Absent  
Karen J. McNelly

Daniel F. Meissner  
Daniel F. Meissner

Ronald V. Rydberg  
Ronald V. Rydberg

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

Date: August 31, 2001, Patricia E. Madden  
Patricia E. Madden, County Clerk

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

Approved: ✓  
Vetoed: \_\_\_\_\_  
Date: 9-4, D. M. Finley  
Daniel M. Finley, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code, hereby recommends approval of SCZ-1407 (McDonnell) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

July 26, 2001

Absent

Betty Willert, Chairperson

Vytautas P. Janusonis  
Vy Janusonis

Mareth K. Kipp

Mareth Kipp

Ellen Gennrich

Ellen Gennrich

Walter Kolb

Walter Kolb

Absent

Joseph LaPorte

Absent

Walter Baade

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

**DATE:** July 26, 2001

**FILE NO:** SCZ-1407

**PETITIONER/OWNER:** Randy McDonnell  
W360 S3035 Hwy. 67  
Dousman, WI 53118

**TAX KEY NO.:** OTWT 1624.999

**LOCATION:**

Part of the SE ¼ of Section 10, T6N, R17E, Town of Ottawa. More specifically, the property is located on the northwest corner of the intersection of C.T.H. D and S.T.H. 67 containing approximately 9.6 acres (as measured from the centerline of the creek to the centerlines of the established road right-of-ways).

**EXISTING ZONING CLASSIFICATION:**

RRD-5 Rural Residential Density 5 which permits a density of one dwelling unit per 5 acres of land area on lots as small as one acre.

**EXISTING USES:**

Single family residence, accessory buildings, and a small agricultural field.

**REQUESTED ZONING CLASSIFICATION AND USE:**

The petitioner is proposing to amend the zoning map of the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code from Rural Residential Density District 5 (5 acre density) to A-2 Rural Home District (3 acre lot sizes) in order to create two (2) 4+-acre lots, each containing a single family residence. Approximately 5.4 acres of land will be rezoned.

**CONFORMANCE WITH THE WAUKESHA COUNTY LAND DEVELOPMENT PLAN AND THE TOWN OF OTTAWA MASTER LAND USE PLAN:**

The petitioner recently received amendments to the Waukesha County Land Development Plan (WCLDP) and the Town of Ottawa Master Land Use Plan. The WCLDP designates the property as Suburban II Density Residential, which requires 3 to 4.9 acres of lot area per dwelling unit, and Primary Environmental Corridor (PEC). The Town's Plan designates the property as Residential 3 acre and Environmental Corridor/Conservancy. The proposal conforms with both plans.

**PUBLIC HEARING DATE:** May 7, 2001

**PUBLIC REACTION:** None.

156-0-039

**TOWN PLAN COMMISSION AND TOWN BOARD ACTION:**

On May 7, 2001, the Town of Ottawa Plan Commission recommended approval of the request to the Town Board of Supervisors in accordance with the Town Planner's recommendation. On May 14, 2001, the Town of Ottawa Board of Supervisors recommended approval of the amendment of the zoning maps to Waukesha County with the two conditions recommended by the Town Planner which were as follows:

1. Subject to approval of a Certified Survey Map by the Town and the County.
2. Subject to approval of an access to C.T.H. D approved by the County Department of Public Works.

**STAFF ANALYSIS:**

The petitioner is proposing to divide the property into two 4+-acre lots, and therefore amendments are needed from the County Zoning Code and the County Shoreland and Floodland Protection Ordinance as the lot contains both shoreland and non-shoreland areas. The final step in the process, prior to the issuance of any permits for construction, will be for the petitioner to submit and receive approval from the Town and the County of a Certified Survey Map for the land division. The parcel is adjacent to the south side of Scuppernong Creek and contains PEC, wetlands and the 100-year floodplain. Upon review of the soil types delineated on the site, it appears the soils are adequate for an on site waste disposal system and conventional home construction. Access to the proposed westerly parcel from C.T.H. D has been approved by the Waukesha County Department of Public Works subject to the issuance of a Highway Access Permit. The driveway shall be located no closer than 500' from the west edge of the pavement of S.T.H. 67.

**STAFF RECOMMENDATION:**

Based upon the above information, it is recommended the petitioner's request to amend the zoning maps as proposed be approved with the condition that a Certified Survey Map be approved by the Town and the County, and that the approved driveway location be shown on the face of the CSM.

The proposal is consistent with and compatible with the existing development in the surrounding area, and therefore it would be appropriate to amend the zoning maps as requested. The parcels will be in conformance with the zoning categories to the east and northeast. Further, approval is within the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance, the Waukesha County Zoning Code, the WCLDP, the Waukesha County Highway Access Ordinance, and the Town of Ottawa Master Land Use Plan. Therefore, amending the zoning maps in the manner proposed and recommended will serve to satisfy the land use needs of this area of the community.

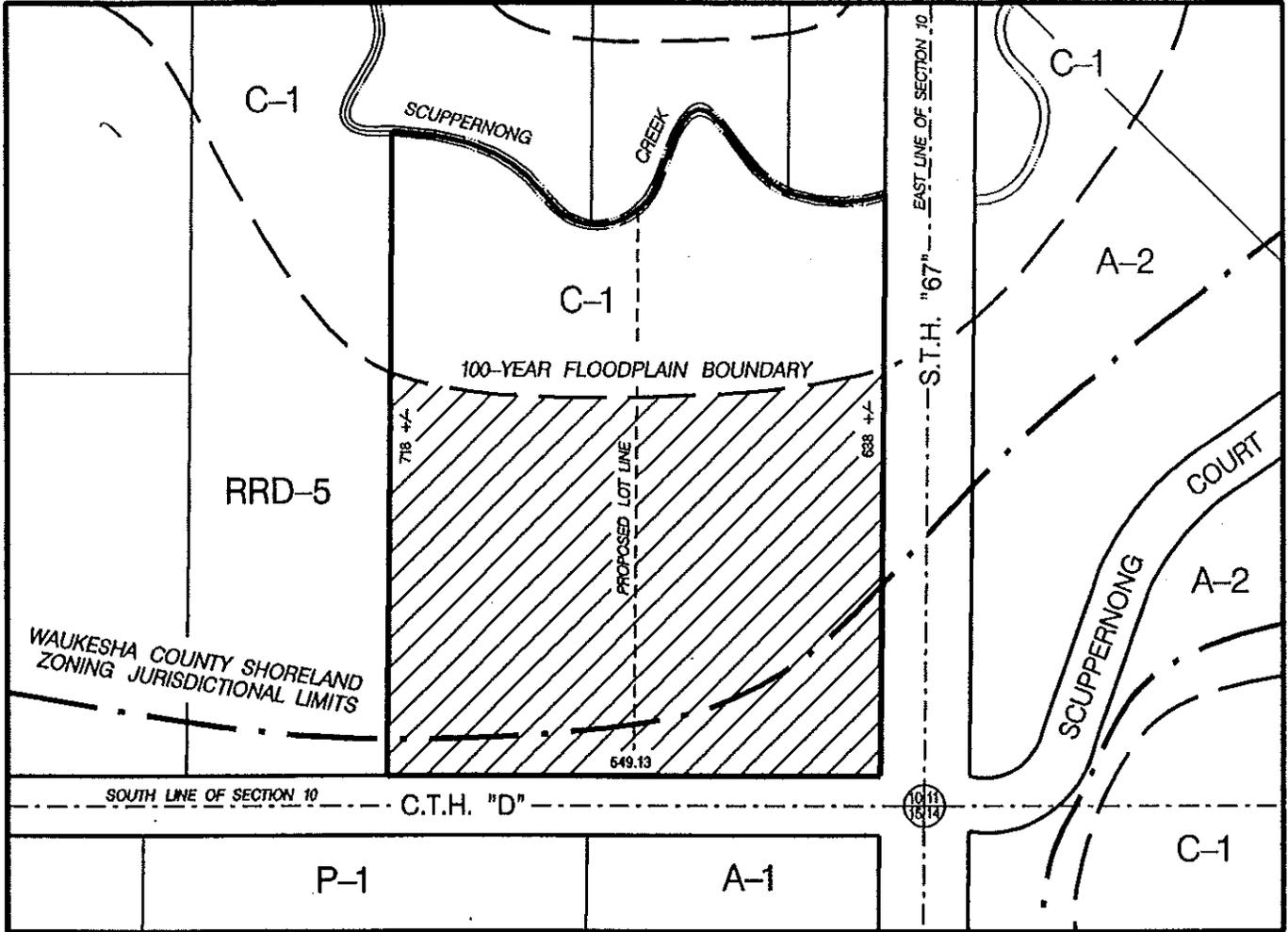
Respectfully submitted,



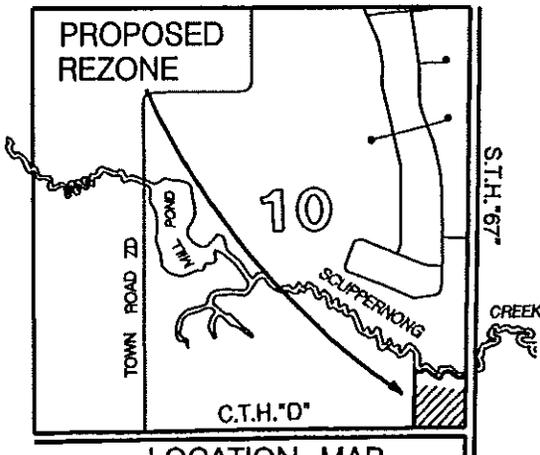
Sandy Scherer  
Senior Land Use Specialist

# ZONING CHANGE

PART OF THE SE 1/4 OF SECTION 10  
TOWN OF OTTAWA



CONDITIONAL REZONING FROM RRD-5 (RURAL RESIDENTIAL DENSITY DISTRICT - 5 ACRE) TO A-2 (RURAL HOME DISTRICT - 3 ACRE)



LOCATION MAP  
T6N R17E SECTION 10

FILE.....SCZ-1407

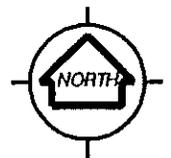
DRAWN.....7-26-01

SCALE.....1" = 200'

AREA OF CHANGE.....5.4 ACRES



GRAPHIC SCALE IN FEET



PREPARED BY THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

156-0-039

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/28/01

(ORD) NUMBER-1560039

1 K. HERRO.....AYE  
 3 D. STAMSTA.....AYE  
 5 J. MARCHESE.....AYE  
 7 J. JESKEWITZ.....AYE  
 9 S. WOLFF.....AYE  
 11 B. TESMER.....AYE  
 13 E. LA MONTE.....AYE  
 15 D. SWAN.....AYE  
 17 J. BEHREND.....AYE  
 19 C. SEITZ.....AYE  
 21 W. KOLB.....AYE  
 23 E. KRAUS.....AYE  
 25 K. CUMMINGS.....AYE  
 27 D. PAULSON.....AYE  
 29 J. MAAS.....AYE  
 31 V. STROUD.....AYE  
 33 P. GUNDRUM.....AYE  
 35 K. McNELLY.....AYE

2 C. WILSON.....AYE  
 4 D. MEISSNER.....AYE  
 6 D. BROESCH.....  
 8 J. DWYER.....AYE  
 10 P. HAUKOHL.....AYE  
 12 J. WILLIAMS.....AYE  
 14 J. LA PORTE.....  
 16 R. MANKE.....AYE  
 18 J. ARNDT.....AYE  
 20 M. KIPP.....AYE  
 22 G. BRUCE.....AYE  
 24 R. RYDBERG.....AYE  
 26 P. VRAKAS.....AYE  
 28 P. JASKE.....AYE  
 30 M. THOMAS.....AYE  
 32 C. WICHGERS.....AYE  
 34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-33