

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 OCONOMOWOC BY CONDITIONALLY  
6 REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 23, T8N,  
7 R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM THE  
8 A-P AGRICULTURAL LAND PRESERVATION DISTRICT TO THE  
9 R-3 RESIDENTIAL AND A-1 AGRICULTURAL DISTRICTS  
10 (SCZ-1490)  
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 a recommendation for approval thereon reported to the Land  
15 Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors,  
16 Waukesha County, Wisconsin, as required by Section 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 Oconomowoc, Waukesha County, Wisconsin, are hereby amended to conditionally  
22 rezone certain lands located in part of the SW ¼ of Section 23, T8N, R17E, Town of  
23 Oconomowoc, Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation  
24 District to the R-3 Residential and A-1 Agricultural Districts, and more specifically described in  
25 the "Staff Report and Recommendation" and map on file in the office of the Waukesha County  
26 Department of Parks and Land Use, and made a part of this Ordinance by reference (SCZ-1490),  
27 subject to the following conditions:  
28

- 29 1. Development of the land should be limited to a density not greater than one single-family  
30 dwelling unit per acre.  
31  
32 2. The Landscaping Plan shall include extra landscaping (screening along C.T.H. "K" and  
33 "P") to provide adequate visual buffer from the county highways.  
34  
35 3. Documentation shall be submitted to the Town Planner that Access Permits up to C.T.H.  
36 "K" and "P" have been issued by the Waukesha County Department of Public Works.  
37  
38 4. The developer shall comply in all respect with the Waukesha County Construction Site  
39 Erosion Control and Stormwater Management Ordinance.  
40

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

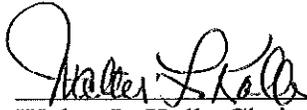
44 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
45 approval and publication and, in compliance with Section 20.02 (9) (B) of the Waukesha County  
46 Code, the earlier of the following occurrences: 40 days after the date of adoption or upon receipt  
47 of a resolution by the Town of Oconomowoc approving of the zoning change enacted by this  
48 Ordinance.

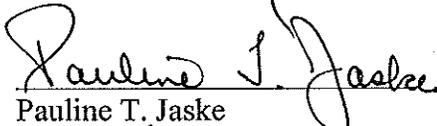
49 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
50 approval and publication.  
51

52 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the  
53 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 OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 23, T8N, R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM THE A-P AGRICULTURAL LAND PRESERVATION DISTRICT TO THE R-3 RESIDENTIAL AND A-1 AGRICULTURAL DISTRICTS  
(SCZ-1490)

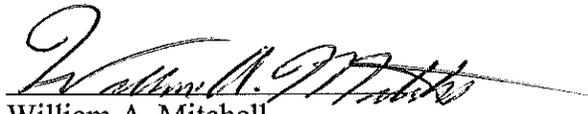
Presented by:  
Land Use, Parks, and Environment Committee

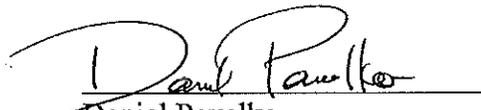
  
Walter L. Kolb, Chair

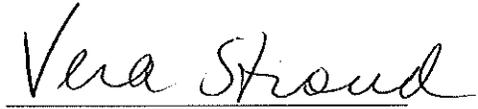
  
Pauline T. Jaske

  
James Jeskewitz

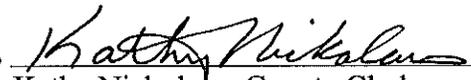
  
Scott J. Klein

  
William A. Mitchell

  
Daniel Pavelko

  
Vera Stroud

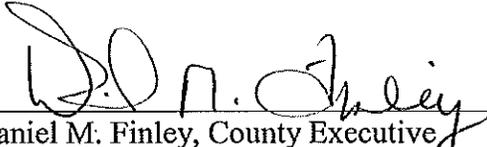
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 10-17-03,   
Kathy Nickolaus, County Clerk

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

Approved:

Vetoed:

Date: 10-22-03,   
Daniel M. Finley, County Executive

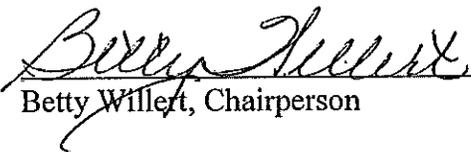
158-O-074

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-1490 (Jerry Erdmann) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

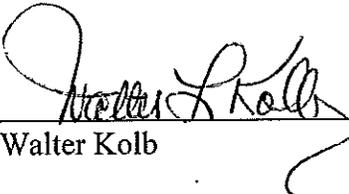
September 11, 2003

  
Betty Wilfert, Chairperson

Absent  
Vy Janusonis

Absent  
Mareth Kipp

Absent  
Ellen Gennrich

  
Walter Kolb

  
Joseph LaPorte

  
Walter Baade

  
Robert Hamilton

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

**FILE NO.:** SCZ-1490

**TAX KE NO.:** OCOT 0523.999.006

**DATE:** September 11, 2003

**PETITIONER:** Jerry Erdmann  
1833 Executive Drive  
Suite 101  
Oconomowoc, Wisconsin 53066

**OWNER:** Dale and Gladys and Lee Rowe  
7528 Tanglewild Drive  
Raleigh, North Carolina 27613

**LOCATION:**  
Part of the SW ¼ of Section 23, Town of Oconomowoc, and more specifically located on the southeast corner of the intersection of C.T.H. "K" and "P", containing 64.5 acres of land.

**PRESENT ZONING:**  
A-P Agricultural Land Preservation District.

**PRESENT LAND USE:**  
Agricultural fields.

**PROPOSED ZONING:**  
R-3 Residential District and A-1 Agricultural District.

**PROPOSED LAND USE:**  
Single-family residential uses with density not to exceed one single-family dwelling unit per acre with lot sizes ranging from 25,000 sq.ft. to one acre in area with common open space.

**PUBLIC HEARING DATE:**  
July 17, 2003.

**PUBLIC REACTION:**  
One party (who was the property owner to the south) was concerned that she would have to connect to the street extension being provided from this subdivision, as well as the adjacent subdivision, if she ever wanted to develop her land. One person expressed disappointment at losing the farm fields to a subdivision, but recognized that the Town Plan has identified this area for potential growth.

**TOWN PLAN COMMISSION ACTION:**  
On July 21, 2003, the Town of Oconomowoc Plan Commission recommended in favor of the proposed rezoning subject to the following four conditions:

158-0-074

1. The remnant parcel on the corner of C.T.H. "P" and "K" shown as future development on the Conceptual Plan, shall be rezoned to the A-1 Agricultural District requiring a minimum lot size of three acres. The remaining lands, not designated wetlands, 100-Year Floodplain or Conservancy should be rezoned to the R-3 Residential District as proposed.
2. Development of the land should be limited to a density not greater than one single-family dwelling unit per acre.
3. The Landscaping Plan shall include extra landscaping (screening along C.T.H. "K" and "P") to provide adequate visual buffer from the county highways.
4. Documentation shall be submitted to the Town Planner that Access Permits up to C.T.H. "K" and "P" have been issued by the Waukesha County Department of Public Works.
5. The developer shall comply in all respect with the Waukesha County Construction Site Erosion Control and Stormwater Management Ordinance.

**TOWN BOARD ACTION:**

On August 4, 2003, the Town of Oconomowoc Board unanimously voted to approve the rezoning request as recommended by the Town Plan Commission.

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

The proposed development containing not more than one dwelling unit per acre complies with both the Town and County Development Plans, which identifies the parcel in the Low Density Residential category, which provides for one-half (1/2) to 1.4 acres per residential dwelling unit.

**OTHER CONSIDERATIONS:**

The property in question is a very level, well-drained field, which is presently used as agricultural fields. The petitioner is proposing to develop a cluster-type development containing a variety of lot sizes ranging from 25,000 sq. ft. along the two county trunk highways to one-acre lots fronting on the small wetlands/lake on the east end of this property known locally as Tamarack Lake. The Development Plan submitted with the application, indicates one-acre lots, of which there are seven, all of which will have frontage on the adjacent Tamarack Lake, with 150 ft. minimum widths. On the interior of the property, green space is proposed along with the perimeter of the site abutting the two county trunk highways "K" and "P". A future potential development site on the immediate southeast corner of C.T.H. "K" and "P" is being placed in the A-1 Agricultural category for the time being, as there is no specific proposed land use for that area, although there has been some indication on the part of the Town that it may be desirable for Town Hall uses. There are two street extensions provided to the south which have been planned at strategic locations to accommodate reasonable development of the lands to the south, as well as two access points to the perimeter roads, which meet the County Department of Public Works criteria for spacing and which have been tentatively approved. Soils on the site are very well drained and contain, for the most part, Fox soils, which are suitable for onsite waste disposal systems. Interior lots on the property will be slightly larger, as well as any corner lots, and a majority of the lots will have direct access to common open space.

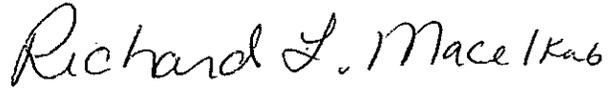
A

158-0-074

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff this request be **approved**. As conditioned by the Town, we feel that the proposed development conforms with the County and Town Land Use Plans and contains soils suitable to accommodate said development, although we would have preferred to have greater amounts of green space areas and slightly smaller lots. We feel that the proposed project does result in a development consistent with other development in the vicinity.

Respectfully submitted,

Handwritten signature of Richard L. Mace in cursive script.

Richard L. Mace  
Planning and Zoning Manager

RLM:smv

Enclosure: Map

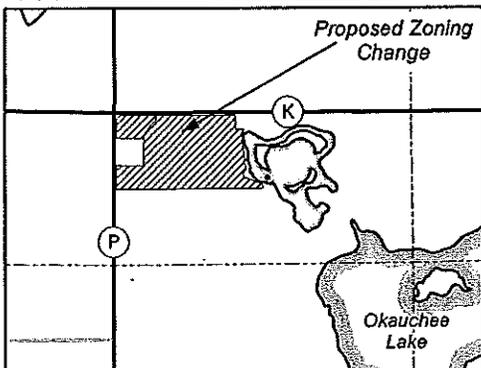
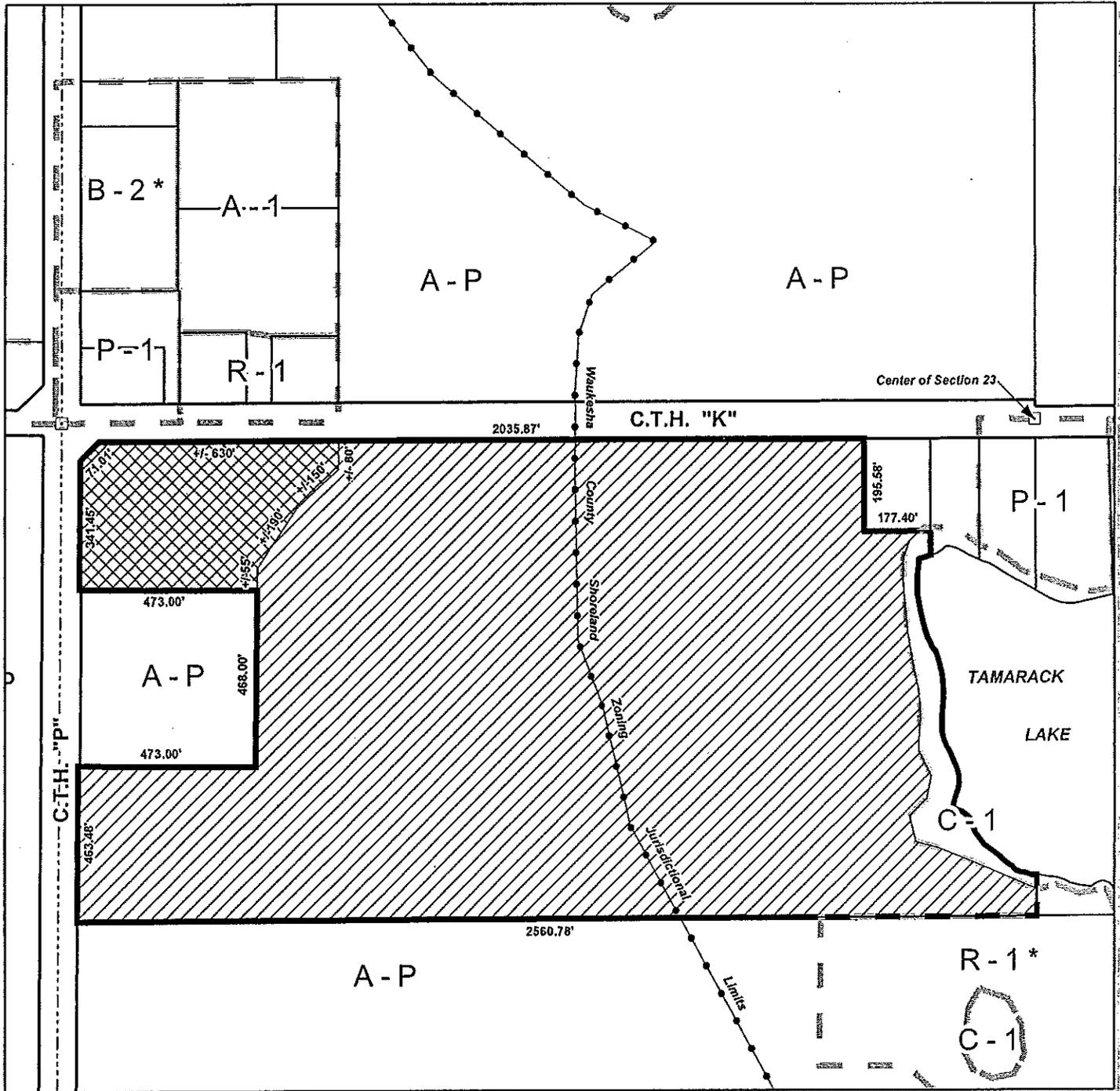
N:\PLU FILES\Planning & Zoning\Rezones (RZ)\Staff Reports\1490(Jerry Erdmann 9-11-03 P&P Meeting)\_oct.doc

158.0.074

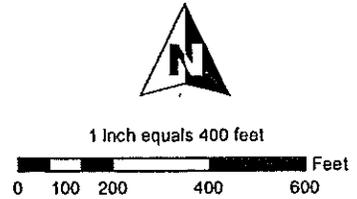
5

# ZONING MAP AMENDMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 23  
TOWN OF OCONOMOWOC



 CONDITIONAL ZONING CHANGE FROM A-P (AG. PRESERVATION DISTRICT) TO R-3 (RESIDENTIAL DISTRICT) (54.9 ACRES)  
 CONDITIONAL ZONING CHANGE FROM A-P (AG. PRESERVATION DISTRICT) TO A-1 (AGRICULTURAL DISTRICT) (5.2 ACRES)  
 FILE.....SCZ-1490  
 DATE.....9-11-03  
 AREA OF CHANGE.....60.1 ACRES  
 TAX KEY NUMBER.....OCOT 0523.999.006  
 Prepared by the Waukesha County Department of Parks and Land Use



158-0-074

WAUKESHA COUNTY BOARD OF SUPERVISORS *FO158-69*

V

DATE-10/14/03

(ORD) NUMBER-1580074

1 K. HERRO.....AYE  
3 D. STAMSTA.....AYE  
5 J. MARCHESE.....AYE  
7 J. JESKEWITZ.....  
9 P. HAUKOHL.....AYE  
11 K. HARENDA.....AYE  
13 J. MORRIS.....AYE  
15 D. SWAN.....AYE  
17 J. BEHREND.....AYE  
19 W. MITCHELL.....AYE  
21 W. KOLB.....AYE  
23 P. PRONOLD.....  
25 K. CUMMINGS.....AYE  
27 D. PAULSON.....AYE  
29 M. THOMAS.....AYE  
31 V. STROUD.....AYE  
33 D. PAVELKO.....AYE  
35 C. SEITZ.....AYE

2 R. THELEN.....AYE  
4 H. CARLSON.....AYE  
6 D. BROESCH.....AYE  
8 J. DWYER.....AYE  
10 S. WOLFF.....AYE  
12 J. GRIFFIN.....AYE  
14 J. LA PORTE.....AYE  
16 R. MANKE.....AYE  
18 B. MORRIS.....AYE  
20 M. KIPP.....AYE  
22 G. BRUCE.....AYE  
24 A. SILVA.....AYE  
26 S. KLEIN.....AYE  
28 P. JASKE.....AYE  
30 K. NILSON.....NAY  
32 P. GUNDRUM.....AYE  
34 R. SINGERT.....AYE

TOTAL AYES-32

TOTAL NAYS-01

CARRIED X

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-33