

ENROLLED ORDINANCE 159-16

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
ORDINANCE DISTRICT ZONING MAP OF THE CITY OF PEWAUKEE BY REZONING
CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 12, T7N, R19E,
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, FROM THE
A-P AGRICULTURAL LAND PRESERVATION DISTRICT
TO THE R-3 RESIDENTIAL DISTRICT (SVZ-1523)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission after Public Hearing and the giving of requisite notice of said hearing and a recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23, 1970, for the Town of Pewaukee, Waukesha County, is hereby amended to rezone certain lands located in part of the NW ¼ of Section 12, T7N, R19E, City of Pewaukee, Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation District to the R-3 Residential District, and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference (SVZ-1523).

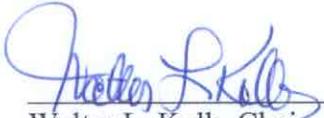
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the City of Pewaukee.

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

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FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of provisions of this Ordinance are hereby repealed.

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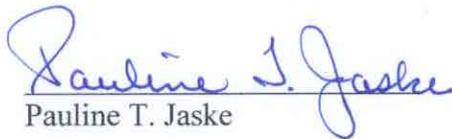
Presented by:
Land Use, Parks, and Environment Committee



Walter L. Kolb, Chair

Absent

Kathleen M. Cummings



Pauline T. Jaske



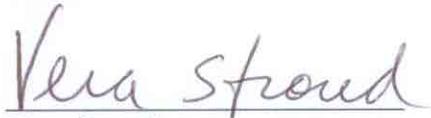
Scott J. Klein



Bill Kramer

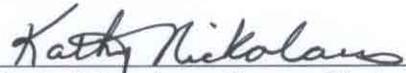


Daniel Pavelko



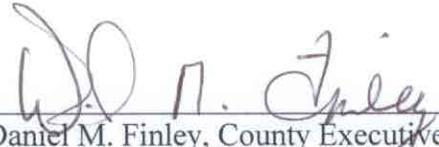
Vera Stroud

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

Date: 6-11-04, 

Kathy Nickolaus, County Clerk

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

Approved: _____
Vetoed: _____
Date: 6-11-04, 

Daniel M. Finley, County Executive

EXHIBIT "A"

recommended approval. Mayor Nowak stated a neighborhood meeting was held and many comments were noted.

Randy Konkle (N36 W22698 Long Valley Road) stated they are opposed to the number of homes and the density level.

Harold Sloan (N36 W22712 Long Valley Road) stated he was not opposed to the single-family development but believes the density is greater than Wethersfield and said there should be more common space and suggested less homes should be built. He also stated traffic was also concern. Lee Perone (W227 N3587 Wethersfield Road) stated he concurs with Mr. Sloan.

Jeff Nelson (N36 W22652 Long Valley Road) stated he was concerned with the declaration of restrictions that he received. It does not reflect side entry garages are mandatory. There is also no mention of outside storage of vehicles and boats are not permitted. He was also concerned with the density. Mr. Mokros stated the deed restrictions have not yet been brought before the Plan Commission for approval and asked Mr. Nelson to supply his comments in writing and send them to City Hall.

Kristine Hill (W226 N3548 Wethersfield Road) stated she was concerned with the density and green space conservation. She also thought there were going to be problems with traffic. She questioned Mr. Mokros' intent with monitoring the traffic patterns this morning. Mr. Mokros stated he was told that the majority of Wethersfield residents turn east on Capital and he wanted to verify this traffic pattern for himself. He stated when the new entrance on 147 is opened those twenty cars that went over to 164 will probably use the new entrance. The people who want to go east will probably use the Wethersfield's entrance and ultimately the traffic patterns will be a wash.

Tim Suwaski (W226 N3612 Wethersfield Road) stated he was concerned with the volume of traffic, green space and safety

Kathy Su (W226 N3612 Wethersfield Road) stated the entire subdivision is represented not just Wethersfield Road. She does not believe the new subdivision is complementary to the existing subdivision. It is not aesthetically pleasing. She asked if the Plan Commission discussed the deed restrictions yet, Mr. Clinkenbeard stated the discussion has been tabled. She was concerned that the draft did not include, "no above ground swimming pools, no chain link fences, no privacy fences".

John Suson (W227 N3647 Wethersfield Road) stated he was very concerned about the traffic on Capital Drive and how it affects his subdivision. He stated he was outraged to find out Mr. Pazdernik may have a strong conflict of interest. He accused Mr. Pazdernik of calling residents in a hostile manner. Mr. Pazdernik stated he simply returned phone calls that were originally made to him. He stated he does not have connects with that subdivision. Mr. Mokros agreed the traffic is going to increase in the future years due to the new developments. Mr. Clinkenbeard stated the City has two miles on Capital Drive and there will be no additional commercial development

John Molter (N36 W22521 Long Valley Road) stated he was concerned about the density issue.

Dave Rodricks (W225 N3799 Long Valley Court) stated he was concerned about the density, he didn't like that larger homes were proposed for smaller lots. He felt a new name should be considered for the subdivision since it does not mirror Wethersfield. Mr. Clinkenbeard stated the developer has proposed to make all of the lots 10 feet wider than the minimum lot size in Wethersfield.

Tim Frontier (W225 N3781 Long Valley Court) stated he was concerned about the lack of green space.

Steve Brucknitz From Mariner Lange was present representing Mr. Patch, he stated the concerns regarding the deed restriction will be reviewed

Ralph Latta (N36 W22577 Long Valley Road) stated 90% of the homeowners in Wethersfield do not object to a new development next to them, but they want a development that is aesthetically similar to Wethersfield.

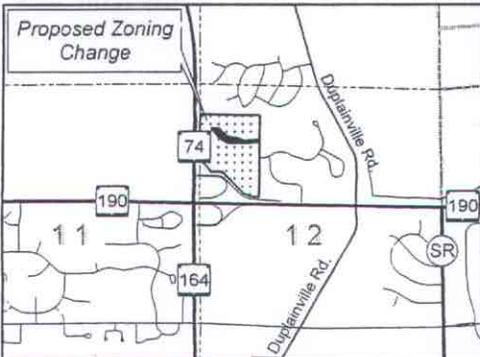
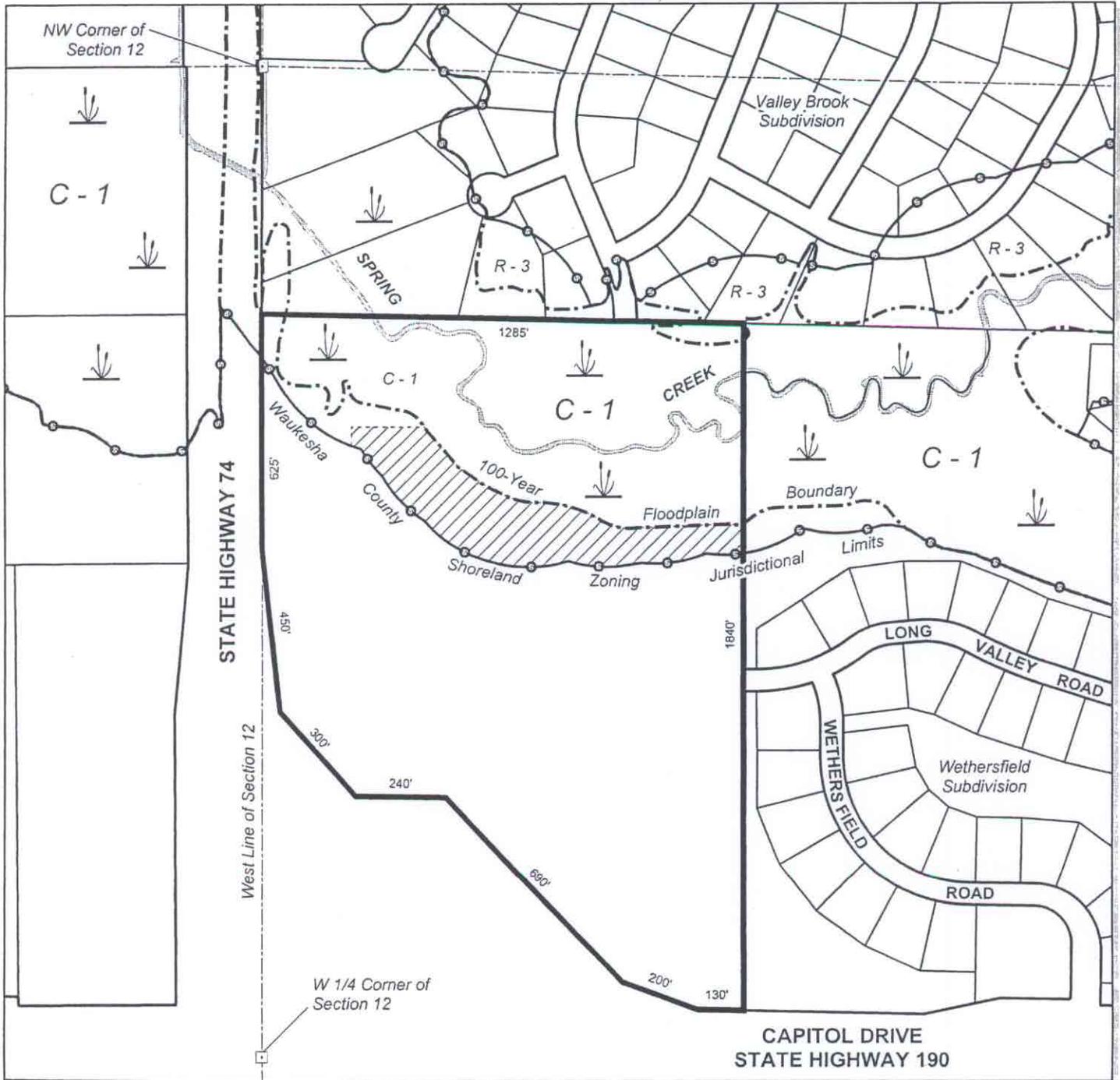
Among the people in attendance who did not make any comments, other than their name and addresses, but were assumed to be opposed to the proposed subdivision. They were; Tim Martins (W224 N3581 Ridge Side Court), Lynn & Charlie Meyer (W224 N3599 Ridge Side Court), Name Unknown (N36 W22591 Long Valley Road), Anthony Long (W224 N3583 Ridge Side Court), Toni Wagner (W227 N3601 Wethersfield Road), Harvey Buth (N35 W22498 Capital Drive), Name Unknown (N36 W22594 Long Valley Road), Julia Adams (W224 N3662 Ridgeside Court), Patrick & Ellen Donley (W227 N3575 Wethersfield Road), John Haas (W224 N3619 Ridge Side Court), Mike Kwiatkowski (N36 W22620 Long Valley Road), Randy Culver (N36 W22663 Long Valley Road), Bryan Cieslak (W225 N3636 Wethersfield) and Bill & Kathy Borne (N36 W22615 Long Valley Road).

A motion was made and seconded, (D. Mokros, M. Hasslinger) to concur with the Plan Commission and approve the rezoning and preliminary plat of West Wethersfield. Mr. Kiser stated he was concerned about the density and lot sizes. He stated he'd like to see another attempt made to bring about more green space. Mayor Nowak stated he is concerned about moving backwards to an older proposal. Mr. Clinkenbeard stated it meets the land-use plan. No matter what is approved there is going to be additional traffic. The roads were designed with numerous turns throughout the subdivision in hopes to keep speed down. Mayor stated he wants it very clear what could happen if this development is rejected. He stated it could easily become a development of multi-family units, or legal action could be taken against the City by the developer for denying the request with no substantial reason. Attorney Riffle did caution the Common Council members to carefully consider their decision. Mr. Clinkenbeard stated the gross development land in Wethersfield is 1.1 acres per dwelling unit and in the proposed West Wethersfield is .85 acres per dwelling unit. A gentleman asked Mr. Patch to increase the size of the lots, he stated increasing the size of the lots under the current configuration the only thing that could be done is to sideways. It is questionable whether or not he would actually do that. He stated the proposed name of the subdivision was a suggestion made by the City, and he has no problem changing it.

Kathy Borne asked for clarification, she stated, at the informational meeting, they were informed that one of the alderman had a conflict of interest and that person would not be voting. Attorney Riffle stated section 19.59 in State Statutes is the code of ethics for

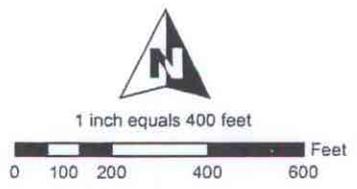
ZONING MAP AMENDMENT

PART OF THE NW 1/4 OF SECTION 12
CITY OF PEWAUKEE (T7N R19E)



 SHORELAND ZONING CHANGE FROM A-P (AGRICULTURAL LAND PRESERVATION DISTRICT) TO R-3 RESIDENTIAL DISTRICT

FILE.....SVZ-1485
 DATE.....5-06-04
 AREA OF CHANGE.....3.5 ACRES
 TAX KEY NUMBER.....PWT 0910.995



Prepared by the Waukesha County Department of Parks and Land Use

159-0-016

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-06/08/04

(ORD) NUMBER-1590016

1 K. HERRO.....	AYE	2 R. THELEN.....	AYE
3 D. STAMSTA.....	AYE	4 H. CARLSON.....	AYE
5 J. MARCHESE.....	AYE	6 D. BROESCH.....	
7 J. JESKEWITZ.....	AYE	8 J. DWYER.....	AYE
9 P. HAUKOHL.....		10 S. WOLFF.....	
11 K. HARENDA.....	AYE	12 J. GRIFFIN.....	AYE
13 J. MORRIS.....	AYE	14 A. KALLIN.....	AYE
15 D. SWAN.....	AYE	16 R. MANKE.....	AYE
17 J. BEHREND.....		18 B. MORRIS.....	AYE
19 W. MITCHELL.....	AYE	20 M. KIPP.....	AYE
21 W. KOLB.....	AYE	22 G. BRUCE.....	
23 J. TORTOMASI.....	AYE	24 B. KRAMER.....	AYE
25 K. CUMMINGS.....	AYE	26 S. KLEIN.....	
27 D. PAULSON.....	AYE	28 P. JASKE.....	AYE
29 T. BULLERMANN.....	AYE	30 K. NILSON.....	NAY
31 V. STROUD.....	AYE	32 P. GUNDRUM.....	AYE
33 D. PAVELKO.....		34 R. SINGERT.....	AYE
35 C. SEITZ.....	AYE		

TOTAL AYES-27

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-28