

ENROLLED ORDINANCE 179-67

YEAR 2024 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
(2A – SCHUTTE-SPHEERIS, VILLAGE OF LAC LA BELLE)

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

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

WHEREAS, on November 21, 2024, the Waukesha County Park and Planning Commission held a Public Hearing to receive testimony on proposed changes to the Comprehensive Development Plan for Waukesha County; and

WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated December 12, 2024, a summary of the town public hearing comments and a Staff Recommendation for the proposed change to the Comprehensive Development Plan for Waukesha County; and

WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha County Park and Planning Commission on December 12, 2024, and a recommendation was reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors as required in the Comprehensive Development Plan for Waukesha County.

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


2. In the Village of Lac La Belle, the following request is being made:
 - A. *Alex Spheeris*, 175 East Wisconsin Avenue, Oconomowoc, WI 53066, requests property owned by Pamela Schutte, 166 Key Heights Drive, Tavernier, FL 33070, located in part of the NE ¼ of Section 6, T8N, R17E, Village of Lac La Belle (North part of Tax Key No. OCOT 0453.996), be amended from the Farmland Preservation category to the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit or equivalent density), to allow the construction of a single-family residence on a 7.6-acre parcel. The Environmental Corridor Overlay would remain.

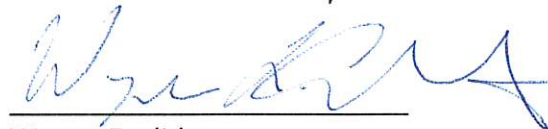
The request is approved subject to the following conditions:

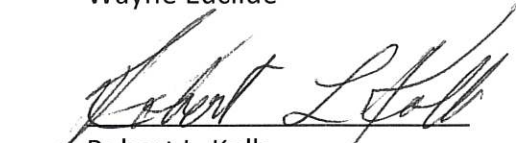
1. The Plan Amendment shall only amend the designation of the 7.6-acre parcel as shown on Exhibit A.
2. The remnant acreage shall be transferred to the adjacent lands owned by Pamela Schutte. This may be accomplished via a transfer of adjacent lands or via a Certified Survey Map (CSM).
3. This approval authorizes a disturbance envelope within the Environmental Corridor portion of the property not to exceed an area of 32,670 square feet.

YEAR 2024 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
(2A – SCHUTTE-SPHEERIS, TOWN OF OCONOMOWOC)

Presented by:
Land Use, Parks, and Environment Committee



Christine M. Howard, Chair

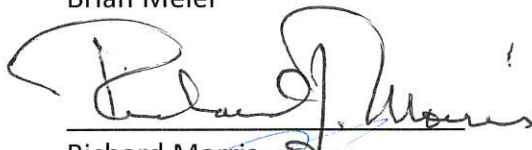

Wayne Euclide


Robert L. Kolb

Absent

Johnny Koremenos


Brian Meier


Richard Morris


Steve Styza

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

Date: 1/31/25, 
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 2/3/25, 
Paul Farrow, County Executive

4. A Declaration of Restrictions shall be prepared and reviewed and approved by the Village Planner and Waukesha County Planning and Zoning Staff and recorded in the Waukesha County Register of Deeds Office that states that, pursuant to the Village of Lac La Belle Comprehensive Plan and the Waukesha County Comprehensive Plan, no additional development rights remain for the remnant farm holdings and the proposed new lot is entitled to only one (1) dwelling unit. Said restriction must state that the restriction shall apply in perpetuity unless the Comprehensive Plan Farmland Preservation designation under both the Village of Lac La Belle Comprehensive Plan and the Waukesha County Comprehensive Plan for the property is amended in the future.

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



BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Village Clerk of Lac La Belle.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2024 Amendment to the Comprehensive Development Plan for Waukesha County, (2A – Schutte_Spbeeris) hereby recommends approval.

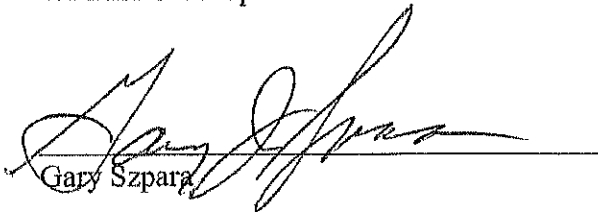
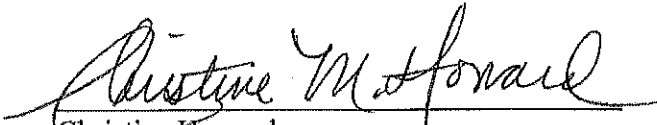
PARK AND PLANNING COMMISSION

December 12, 2024


Robert Peregrine, Chairperson
James Siepmann
Richard Morris

Absent

William Groskopf


Gary Szpara
Christine Howard

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2024 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
2(A) SCHUTTE, TOWN OF OCONOMOWOC

DATE: December 12, 2024

PUBLIC HEARING DATE:

Thursday, November 21, 2024, 1:00 p.m.

REQUEST:

2. In the Town of Oconomowoc, the following request is being made:

- A. *Alex Spheeris*, 175 East Wisconsin Avenue, Oconomowoc, WI 53066, requests property owned by Pamela Schutte, 166 Key Heights Drive, Tavernier, FL 33070, located in part of the NE ¼ of Section 6, T8N, R17E, Town of Oconomowoc (North part of Tax Key No. OCOT 0453.996), be amended from the Farmland Preservation category to the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit or equivalent density), to allow the construction of a single family residence on a 7.5 acre parcel. The Environmental Corridor Overlay would remain.

EXISTING LAND USE CATEGORY:

Farmland Preservation category and with an area of Environmental Corridor Overlay.

PROPOSED LAND USE CATEGORY

Rural Density and Other Agricultural Land category, no changes are proposed to the areas within the PEC.

PUBLIC REACTION:

None

TOWN ACTION:

On December 2, 2024, the Town of Oconomowoc Plan Commission recommended approval of the request to amend the Town of Oconomowoc Land Use Plan for the subject property from the Farmland Preservation category to the Rural Density and Other Agricultural Land category.

On December 2, 2024, the Town of Oconomowoc Board approved the request to amend the Farmland Preservation category to the Rural Density and Other Agricultural Land category with areas of Environmental Corridor Overlay to remain.

STAFF ANALYSIS:

The subject property is located on the west side of Pennsylvania Street, south of Evergreen Rd and north of Mapleton Rd (CTH CW). The property is approximately 10.3 acres and is currently farmed. The property is bisected by a 3.09 acre residential property which was created via Certified Survey Map in 1975. The northern portion of the property is largely wooded, however, there is an area of tillable land on the west side of the property. The southern portion of the property is entirely tillable acreage. The lot is free of any improvements.

The surrounding land uses are largely Farmland Preservation (FLP), however, the residential property that bisects the parent parcel and the residential parcel on the east side of Pennsylvania Street, opposite the subject property, are designated as Rural Density and Other Agricultural Land.

The property owner is proposing to develop the northern portion of the subject property for single-family residential development and is proposing to divide that acreage from the southern portion of the property. Approximately 7.6 acres of an approximately 10.3 acre tax parcel would be amended from the FLP Farmland Preservation category and FLP with Environmental Corridor Overlay category (35 acre density) to the Rural Density and Other Agricultural Land category (5 acre density). The southern portion of the property will remain within the FLP category and the PEC category on the northern portion of the lot will remain unchanged.

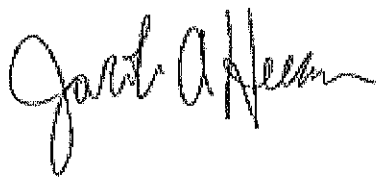
It should be noted that the applicant has simultaneously submitted a zoning amendment to the Town and County. The proposed rezone would amend the zoning on the northern portion of the property from the FLP Farmland Preservation District to the A-1 Agricultural District while leaving the Environmental Corridor (EC) Overlay unchanged. The zoning amendment would allow the owner to subdivide the parcel, transferring the southern portion of the property to the adjacent FLP holdings, which are also owned by the petitioner.

The property is proposed to be zoned A-1 Agricultural District which allows for a minimum lot size of three acres. Therefore, if this request is approved, the land could be divided and the northern portion of the lot developed, which would preserve the tillable acreage to the south. The companion rezoning lays out parameters for the allowable disturbance within the wooded part of the site. The Farmland Preservation Plan is an element of the County Development Plan. This request results in change to both the generalized Land Use Plan map and the companion Farmland Preservation Plan map for the Town of Oconomowoc.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved. The proposed category matches that of the nearby residences and will create an opportunity for the owner to develop the northern portion of the lot for a residence while preserving the tillable acreage to the south. The subject acreage was an outlier in being mapped for farmland preservation despite the relatively small existing parcel size.

Respectfully submitted,



Jacob Heermans
Senior Land Use Specialist

Attachments: Exhibit A: Aerial
Map

N:\PRKANDLU\Planning and Zoning\Comprehensive Development Plan\PROJECT FILES\2024\Schutte OCT\Staff Report and Exhibits\2A
Spheeris_Schutte Staff Report.docx



Exhibit A

Waukesha County GIS Map



0 400.00 Feet

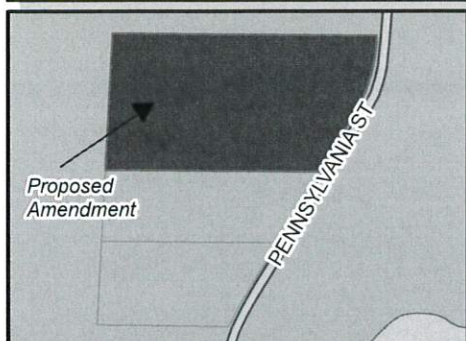
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Notes: Schutte

Printed: 12/3/2024


DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 6,
TOWN OF OCONOMOWOC



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM FARMLAND PRESERVATION TO RURAL DENSITY AND OTHER AGRICULTURAL LAND

PETITIONER.....Alex Spheeris
DATE OF PUBIC HEARING.....11/21/24
AREA OF CHANGE.....7.6 ACRES

0 130 260
 Feet

Prepared by the Waukesha Department of Parks and Land Use

