

ENROLLED ORDINANCE 175-64

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF GENESEE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 27, T6N, R18E, TOWN OF GENESEE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-2 RURAL HOME DISTRICT TO THE R-2 RESIDENTIAL DISTRICT (RZ67)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Genesee Town Board on November 9, 2020; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 59.692, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map for the Town of Genesee, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors on July 23, 2015, is hereby amended to rezone from the A-2 Rural Home District to the R-2 Residential District, certain lands located in part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee, 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 RZ67, is hereby approved.

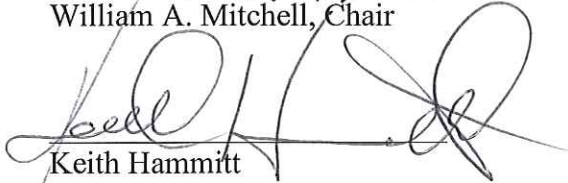
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town of Genesee Clerk.

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

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION  
ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF GENESEE BY REZONING  
CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 27, T6N, R18E,  
TOWN OF GENESEE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-2  
RURAL HOME DISTRICT TO THE R-2 RESIDENTIAL DISTRICT (RZ67)

Presented by:  
Land Use, Parks, and Environment Committee

  
William A. Mitchell, Chair

  
Keith Hammitt

  
Jacob LaFontain

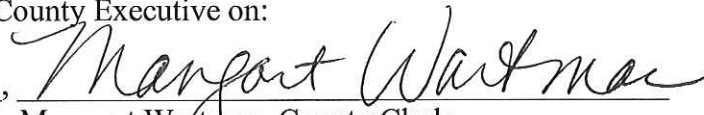
  
Thomas A. Michalski

absent  
Chris Mommaerts

  
Richard Morris

  
Thomas J. Schellinger

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

Date: 1/29/2021,   
Margaret Wartman, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_  
Date: 1/29/2021

  
Paul Farrow, 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 hereby recommends **approval** of **RZ67 (Meyers)** in accordance with the attached “Staff Report and Recommendation”.

**PARK AND PLANNING COMMISSION**

**December 10, 2020**

*William Mitchell (via Microsoft Teams)*

William Mitchell, Chairperson

*James Siepmann (via Microsoft Teams)*

James Siepmann, Vice Chairperson

*Robert Peregrine (via Microsoft Teams)*

Robert Peregrine

*Richard Morris (via Microsoft Teams)*

Richard Morris

*Thomas Michalski (via Microsoft Teams)*

Thomas Michalski

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

**DATE:** December 10, 2020

**FILE NO.:** RZ67

**TAX KEY NO.'S.:** GNT 1545.992, GNT 1545.993 and GNT 1545.994

**PETITIONER/  
OWNER:** Lawrence and Joy Meyers  
W304 S4732 Old Mill Road  
Waukesha, WI 53189

**LOCATION:**  
The property is located in part of the NE ¼ of Section 27, T6N, R18E, Town of Genesee. More specifically, the properties are located at W304 S4732, S47 W30460 and S47 W30480 Old Village Road totaling approximately 6.2 acres.

**PRESENT ZONING CLASSIFICATION:**  
A-2 Rural Home District.

**PRESENT LAND USE:**  
Single-family residential.

**PROPOSED ZONING:**  
R-2 Residential District.

**PROPOSED LAND USE:**  
Reconfigure parcel boundaries to accommodate private septic (mound) systems.

**PUBLIC HEARING DATE:** September 28, 2020.

**PUBLIC REACTION:** None

**TOWN PLAN COMMISSION:**  
On October 26, 2020, the Town Plan Commission, unanimously recommended approval of the rezoning request.

**TOWN BOARD ACTION**  
On November 9, 2020, the Town Board approved the rezoning request.

**COMPLIANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF GENESEE LAND USE PLAN:**  
The Town and County CDP's designate the subject parcels as Low Density Residential (20,000 sf – 1.4 ac/du) and the proposed rezone will comply with both plans.

**STAFF ANALYSIS:**  
The subject properties are bordered by Old Village Road to the east, Old Mill Road to the west and Genesee Road (STH 59) to the north, totaling approximately 5.3 acres, excluding the road right-of-way. The properties are served by private sewage (mound) systems and private wells.

Lot 1 contains a single-family residence and outbuilding, and the mound system for Lot 2. Lot 2 contains a single-family residence and storage shed. Lot 3 contains a single-family residence and two (2) detached garages.

The properties are currently zoned A-2 Rural Home District, which requires a minimum three (3) acre lot size. Of the existing lots, only the northern most lot meets the 3-acre minimum. The other two lots are each approximately a half-acre in size, when consideration is given to the right-of-way of Old Mill Road and Old Village Road. The petitioner has submitted a Certified Survey Map to reconfigure the lots, which is attached as Exhibit A.

The petitioner is seeking to rezone the subject properties to allow the parcels to be reconfigured so that the existing septic systems are on each home's respective lot. The mound system that serves Lot 2 was originally on Lot 1 and will be reconfigured to be on Lot 2. The proposed R-2 Zoning District requires a minimum lot size of 30,000 square feet, which results in proposed lots 2 and 3 both increasing in size. The existing lot configuration does not conform to the current A-2 District standards, however, the proposed three-lot CSM will create three conforming R-2 lots.

**STAFF RECOMMENDATION**

Based on the above analysis, the Planning and Zoning Division Staff recommends **approval** of the request. The proposed zoning, and subsequent CSM will create three conforming lots whereas only one currently exists. Therefore, the proposed zoning map amendment complies with the Town and County Comprehensive Development Plans and is within the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance and the Town of Genesee Ordinance.

Respectfully submitted,

*Jacob Heermans*

Jacob Heermans  
Senior Land Use Specialist

Attachments: Exhibit A  
Map

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\RZ67 Meyers Gnt.Docx

RECEIVED  
7/28/2020  
DEPT PARKS  
& LAND USE

ARC™  
(262) 542-8200

EXHIBIT "A"

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 1 of 4

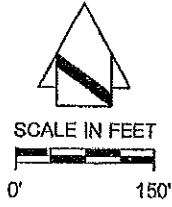
Being a part of the NW 1/4 of the NE 1/4 of Section 27, Town 6 North, Range 18 East  
TOWN OF GENESSEE, WAUKESHA COUNTY, WISCONSIN

OWNER/SUBDIVIDER:  
LAWRENCE A. MEYERS &  
JOY L. MEYERS  
W304 S4732 OLD MILL RD  
WAUKESHA, WI 53189  
PHONE: (262) 813-6397

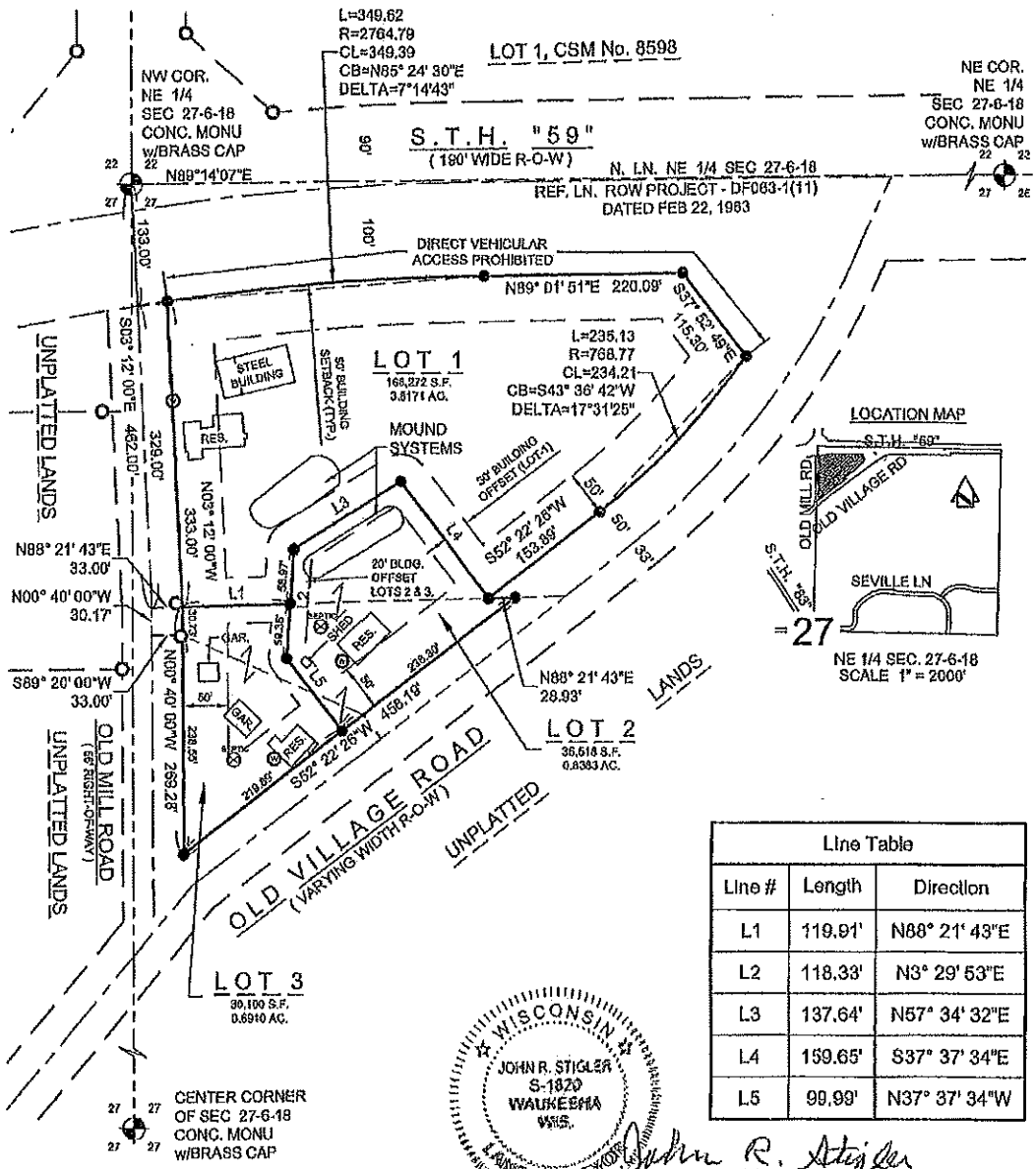
SURVEYOR:  
JOHN R. STIGLER, PLS  
JAHNKE & JAHNKE ASSOC., INC.  
711 WEST MORELAND BLVD.  
WAUKESHA, WI. 53188-2479  
PHONE: (262) 542-6797

LEGEND:

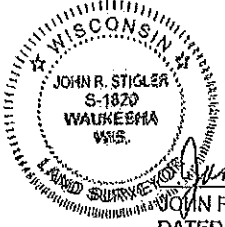
- - IRON PIPE FOUND
- ⊕ - SECTION CORNER MONUMENT
- - IRON PIPE SET, 18" x 1" DIA., 1.13+ LBS. PER LIN. FT.
- ⊙ - EXISTING WELL
- ⊗ - EXISTING SEPTIC TANK COVER



REFERENCE BEARING: THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 27, TOWN 6 NORTH, RANGE 18 EAST WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF N89°14'07"E BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27).



| Line # | Length  | Direction     |
|--------|---------|---------------|
| L1     | 119.91' | N88° 21' 43"E |
| L2     | 118.33' | N3° 29' 53"E  |
| L3     | 137.64' | N57° 34' 32"E |
| L4     | 159.65' | S37° 37' 34"E |
| L5     | 90.99'  | N37° 37' 34"W |



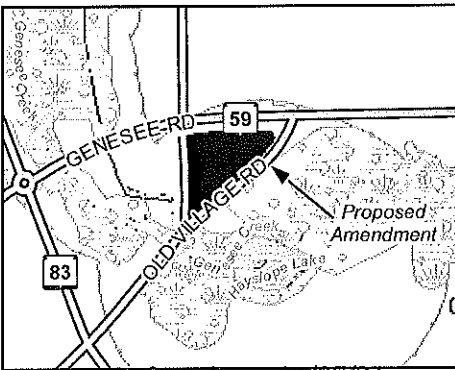
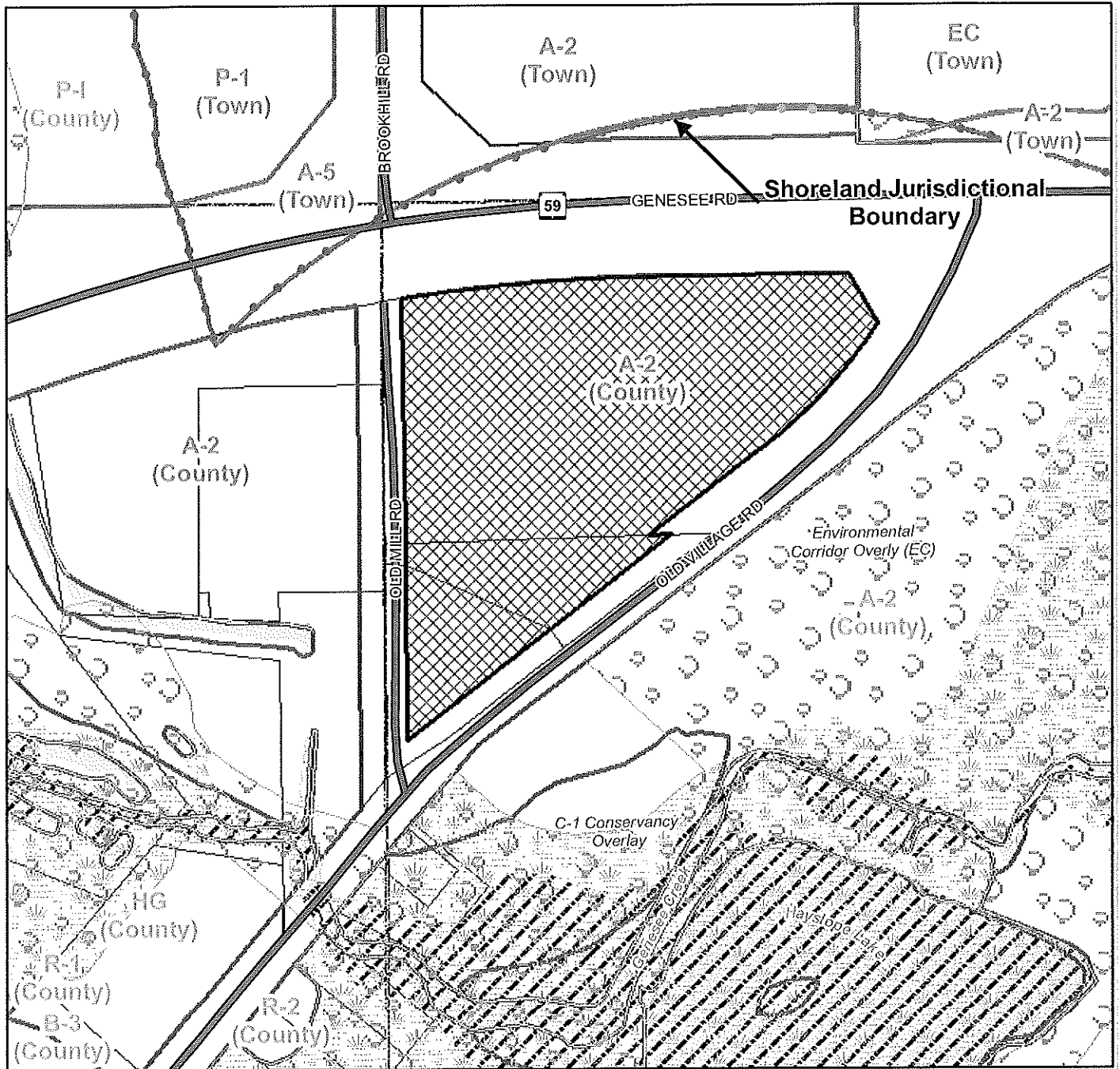
*John R. Stigler*  
JOHN R. STIGLER - Wis. Reg. No. S-1820  
DATED this 10TH DAY of APRIL, 2020  
REVISED this 11TH DAY of JUNE, 2020

P.S. GENESSEE 1465  
FILE NAME: S:\PROJECTS\S8646\dwg\S8646.dwg

INSTRUMENT DRAFTED BY JOHN R. STIGLER

# ZONING AMENDMENT

PT OF THE NORTHEAST 1/4 SECTION 27,  
TOWN OF GENESEE



|  |  |
|--|--|
|  | COUNTY ZONING AMENDMENT CHANGE FROM A-2 RURAL HOME DISTRICT TO R-2 RESIDENTIAL DISTRICT (5.4 AC) |
|  | ENVIRONMENTAL CORRIDOR (EC) OVERLAY  |
|  | CONSERVANCY (C-1) OVERLAY  |
|  | FLOODPLAIN OVERLAY   |

FILE.....RZ67  
 DATE OF PLAN COMMISSION.....12/10/20  
 AREA OF CHANGE.....5.4 ACRES  
 TAX KEY NUMBER.....GNT 1545.992, 1545.993, 1545.994

1 inch = 200 feet

Prepared by the Waukesha County Department of Parks and Land Use

Referred on: 01/07/21

File Number: 175-O-064

Referred to: LU 6





VOTE RESULTS: Passed By Majority Vote

AYE: 21

NAY: 0

ABSENT: 4

|                 |               |
|-----------------|---------------|
| D1 - Foti       | AVE           |
| D2 - Zimmermann | AVE           |
| D3 - Morris     | Second<br>AVE |
| D4 - Batzko     | AVE           |
| D5 - Dondlinger | AVE           |
| D6 - Walz       | AVE           |
| D7 - LaFontain  | AVE           |
| D8 - Michalski  | AVE           |
| D9 - Heinrich   | AVE           |
| D10 - Swan      | AVE           |
| D11 - Howard    | AVE           |
| D12 - Wolff     | ABSENT        |
| D13 - Decker    | AVE           |

|                   |               |
|-------------------|---------------|
| D14 - Mommaerts   | ABSENT        |
| D15 - Mitchell    | Motion<br>AVE |
| D16 - Crowley     | AVE           |
| D17 - Paulson     | AVE           |
| D18 - Nelson      | AVE           |
| D19 - Cummings    | AVE           |
| D20 - Schellinger | AVE           |
| D21 - Gaughan     | AVE           |
| D22 - Wysocki     | AVE           |
| D23 - Hammitt     | ABSENT        |
| D24 - Whittow     | ABSENT        |
| D25 - Johnson     | AVE           |



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