

ENROLLED ORDINANCE 169-71

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE
BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF
SECTION 28, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY,
WISCONSIN, FROM THE A-5 MINI FARM DISTRICT TO THE R-2
SINGLE FAMILY RESIDENTIAL DISTRICT (ZT-1800)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on September 8, 2014, 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 60.61, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the A-5 Mini-Farm District to the R-2 Single Family Residential District, certain lands located in part of the NW¼ of Section 28, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, 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 ZT-1800, is hereby approved.

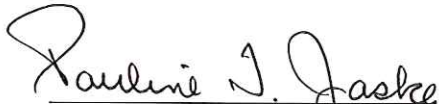
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

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ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE
BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF
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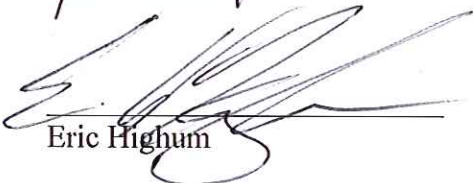
Presented by:
Land Use, Parks, and Environment Committee


Pauline T. Jaske, Chair


Jim Batzko


Jennifer Grant



Keith Hammitt


Eric Highum


William Mitchell


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: 11/25/2014, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____
Date: 12-2-14, 
Daniel P. Vrakas, County Executive

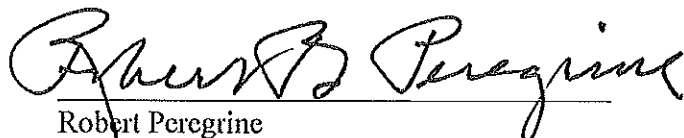
COMMISSION ACTION


The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Ordinance hereby recommends approval of ZT-1800 (Patricia Schroeckenthaler) in accordance with the attached "Staff Report and Recommendation".

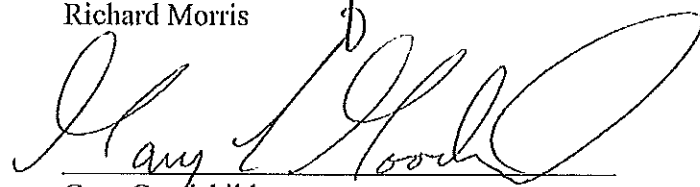
PARK AND PLANNING COMMISSION

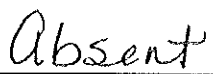
October 16, 2014

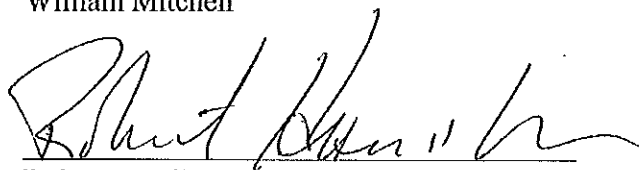

James Siepmann, Chairperson


Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


Robert Hamilton

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

DATE: October 16, 2014

FILE NO.: ZT-1800

OWNER: Patricia Schroeckenthaler
W129 N6889 Northfield Drive Apt. 105
Menomonee Falls, WI 53051

APPLICANT: Todd Schroeckenthaler, POA

TAX KEY NO.: LSBT 0254.994

LOCATION:
Located in part of the NW ¼ of Section 28, T8N, R19E, Town of Lisbon. More specifically, the parcel is located at W259 N6022 Mary Hill Road and contains 5.33 acres.

EXISTING ZONING:
A-5 Mini Farm District.

PROPOSED ZONING:
R-2 Single Family Residential District, which requires a minimum lot size of one acre and a minimum lot width of 150' (unsewered).

EXISTING LAND USE:
Single-family residential and open space use.

REQUESTED LAND USE:
To divide the parcel into three (3) parcels for single-family residential use.

PUBLIC HEARING DATE:
September 4, 2014

PUBLIC REACTION:
None.

TOWN PLAN COMMISSION ACTION:
On September 4, 2014, the Town of Lisbon Plan Commission voted unanimously to recommend approval of the rezone request to the Town Board.

TOWN BOARD ACTION:
On September 8, 2014, the Town Board voted unanimously to approve the Ordinance to rezone the subject property as presented subject to receiving documentation from the applicant, Todd Schroeckenthaler, confirming he has Power of Attorney to make the rezone request.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF LISBON COMPREHENSIVE DEVELOPMENT PLAN:

The subject property is designated as Low Density Residential on both the Waukesha County and Town of Lisbon Comprehensive Development Plan Maps (a density of 20,000 SF to 1.4 acres per dwelling unit). The proposed rezoning of this site for residential use will be consistent with the purpose and intent of the Town and County Comprehensive Development Plans.

STAFF ANALYSIS:

The petitioner is proposing to divide the 5.33-acre parcel into three single-family residential lots between 1.6 and two acres in size (See Exhibit "A"). The existing house and outbuilding will be retained on Lot 2 and Lot 1 will be accessed from Mary Hill Rd. while Lot 3 will be served by Walnut Rd. Further soils analysis will have to be conducted relative to the basement groundwater conditions and that will be addressed through the Certified Survey Map review process to follow. There are no other designated natural resources on the site.

The Town of Lisbon has the properties to the north and west zoned R-1 Suburban Single Family Residential, the lands to the south zoned A-10 Agricultural, and the parcels to the east zoned R-2 Single Family Residential and A-5 Mini Farm.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** in accordance with the Town's decision. It should be noted the proper documentation has been submitted confirming Todd Schroeckenthaler is the Power of Attorney for the owner of the subject property, Patricia Schroeckenthaler. The proposed zoning change will allow for the creation of two new building sites that are consistent with the Town and County Comprehensive Development Plans and will not adversely affect surrounding land uses.

Respectfully submitted,

Sandra L Scherer

Sandy Scherer
Senior Planner

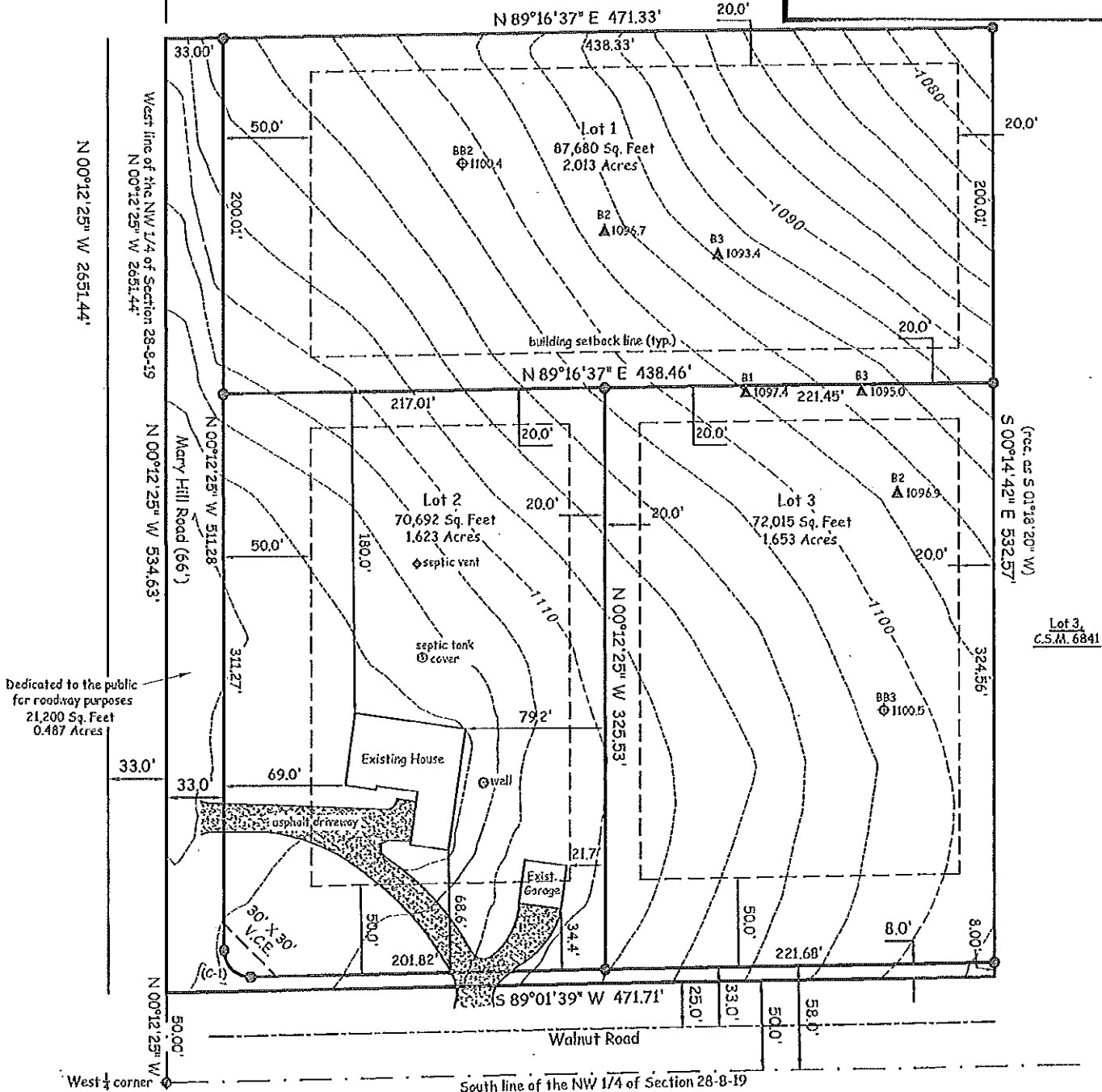
Attachments: Town Ordinance, Map, Exhibit "A"

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1800 Schroeckenthaler 1st.doc

TOWNSHIP 8 NORTH, RANGE 19 EAST, TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN.

EXHIBIT "A"

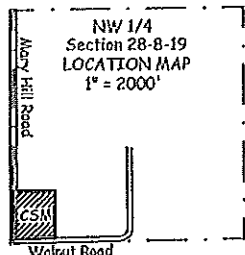
Unplatted Lands



Dedicated to the public
for roadway purposes
21,200 Sq. Feet
0.487 Acres

Lot 3,
C.S.M. 6841

(C-1)
L=23.76'
R=15.00'
Δ=90°45'56"
CB-S 45°35'23" E
C=21.35'



Legend

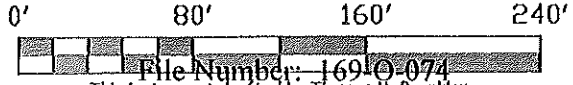
- ◆ Section Corner - conc. mon. with brass cap
- ⊙ 3/4" dia. rebar set, 18" long, weighing 1.50 lbs./lin. ft.
- ▲ On Site Waste Water Disposal System - Soil Boring
- ⊕ Seasonal High Ground Water Soil Boring

NOTE:
Contours shown hereon are derived from
Waukesha County GIS pre 2000 mapping.

Bernklau
Surveying, Inc.
N60 W25864 Walnut Road
Sussex, WI 53089
(262) 538-0708
www.bernklausurveying.com

Prepared For:
Patricia L. Schroeckenthaler
W259N6022 Mary Hill Road
Lisbon, WI 53089
Refered on: 11/06/14

Bearings referenced to the
Wisconsin State Plane Coordinate
System (South Zone)
The West line of the NW 1/4 of
Section 28-8-19 as N00°12'25" W.

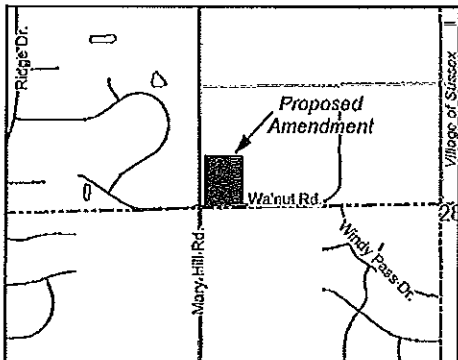
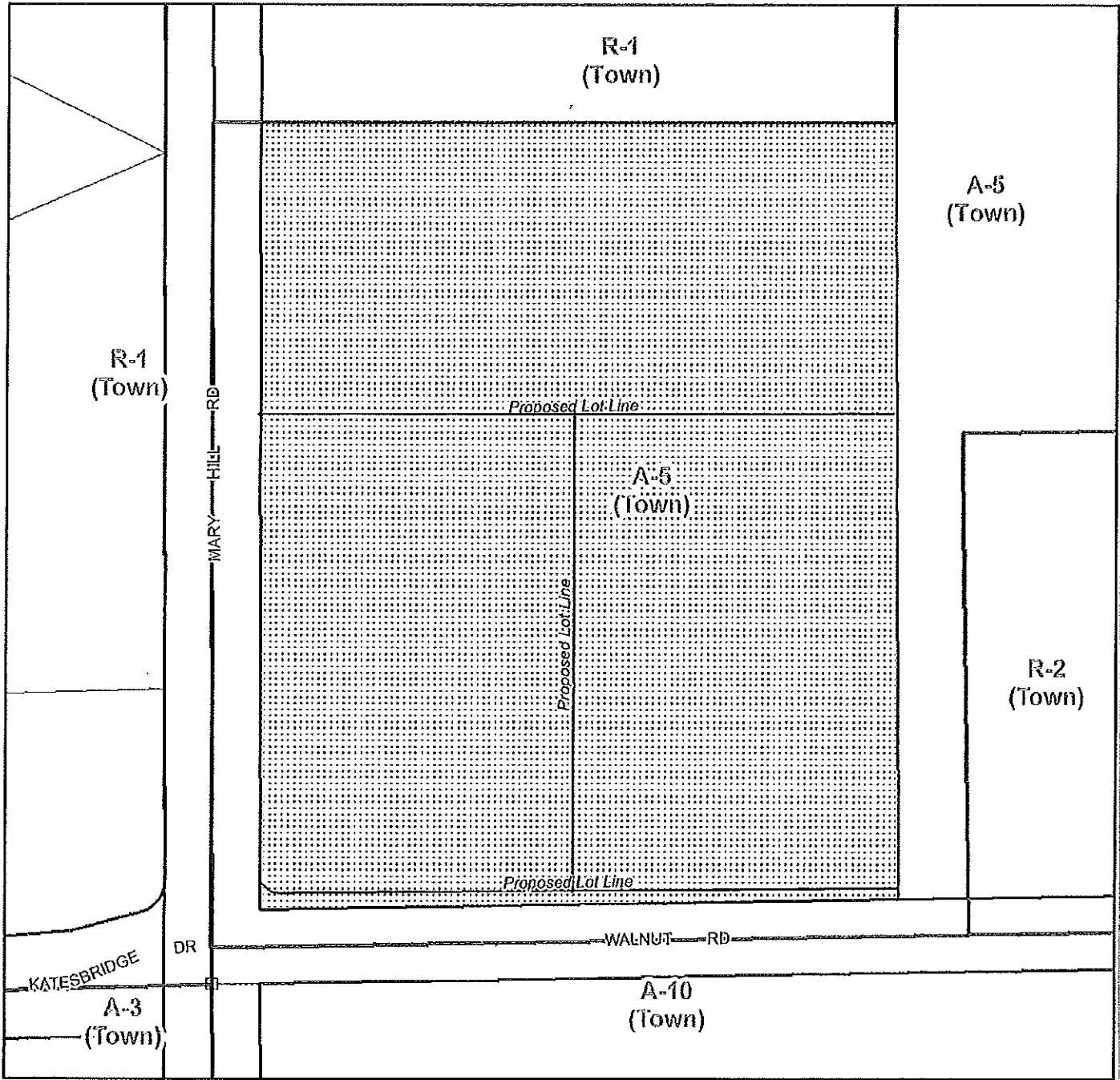


File Number: 16910-074

Referred to: LU 5

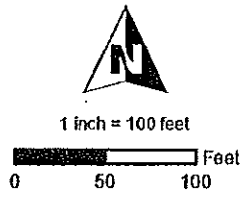
ZONING AMENDMENT

PART OF THE NW 1/4 OF SECTION 28
TOWN OF LISBON



 TOWN ZONING CHANGE FROM A-5 MINI FARM DISTRICT TO R-2 SINGLE FAMILY RESIDENTIAL DISTRICT

FILE NUMBER.....ZT-1800
 DATE OF PLAN COMM. CONSIDERATION.....10/16/14
 AREA OF CHANGE.....5.33 ACRES
 TAX KEY NUMBER.....LSBT 0254.994



Prepared by the Waukesha County Department of Parks and Land Use

ORDINANCE 04-14

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

ORDINANCE REZONING THE SCHROECKENTHALER
PROPERTY FROM A-5 MINI FARM DISTRICT TO R-2 SINGLE
FAMILY RESIDENTIAL DISTRICT CLASSIFICATION IN THE
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN

Whereas, Todd Schroeckenthaler (Power of Attorney) for Patricia Schroeckenthaler petitioned the Town of Lisbon to rezone the property located at W259N6022 Mary Hill Road from A-5 Mini Farm District to R-2 Single Family Residential District, and

Whereas, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan land-use element; and

Whereas, the Lisbon Plan Commission and Town Board held a Joint Public Hearing on the zoning change September 4, 2014.

NOW, THEREFORE, The Town Board of the Town of Lisbon, Waukesha County, Wisconsin, does ordain as follows:

SECTION 1: The following described property is rezoned from A-5 Mini Farm District to R-2 Single Family Residential District:


SW ¼ NW ¼ SEC 28 T8N R19E EX S. 50 FT & EX W 470.9 FT
OF N 741.06 FT EX CERT 2372 DOC# 3582463 LE & DOC#
3635889 & DOC# 4095600

SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

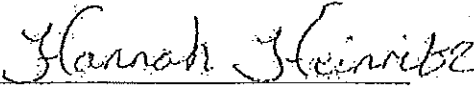
SECTION 3: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 8th day of September, 2014.

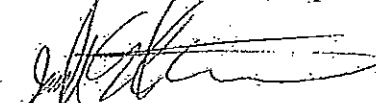
TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
MATTHEW GEHRKE, Chairman

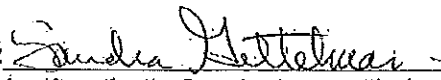
BY: 
RYAN LIPPERT, Supervisor

BY: 
HANNAH HEINRITZ, Supervisor

BY: 
STEVEN PANTEN, Supervisor

BY: 
JOSEPH OSTERMAN, Supervisor

ATTEST:

BY: 
Sandra Gettelman, Interim Town Clerk

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-11/25/14

NUMBER-1690074

1 R. KOLB.....AYE
3 R. MORRIS.....AYE
5 J. BRANDTJEN.....AYE
7 J. GRANT.....AYE
9 J. HEINRICH.....AYE
11 C. HOWARD.....AYE
13 P. DECKER.....AYE
15 B. MITCHELL.....AYE
17 D. PAULSON.....AYE
19 K. CUMMINGS.....AYE
21 W. ZABOROWSKI.....AYE
23 K. HAMMITT.....
25 G. YERKE.....AYE

2 D. Zimmermann.....AYE
4 J. BATZKO.....AYE
6 J. WALZ.....AYE
8 E. HIGHUM.....AYE
10 D. SWAN.....AYE
12 P. WOLFF.....AYE
14 C. PETTIS.....AYE
16 M. CROWLEY.....AYE
18 L. NELSON.....AYE
20 T. SCHELLINGER...AYE
22 P. JASKE.....AYE
24 S. WHITTOW.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-24