

ENROLLED ORDINANCE 180-86

AMEND THE TOWN OF EAGLE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ AND SE ¼ OF SECTION 25, T5N, R17E, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-T AGRICULTURAL TRANSITION DISTRICT TO THE A-5 MINI FARM DISTRICT (RZ172)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Eagle Town Board on March 4, 2026; 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 Town of Eagle District Zoning Map of the Waukesha County Shoreland Protection Ordinance, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors on November 30, 2021, is hereby amended to conditionally rezone from the A-T Agricultural Transition District to the A-5 Mini Farm District, certain lands located in part of the SW ¼ and SE ¼ of Section 25, T5N, R17E, Town of Eagle, as 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, is hereby approved, subject to the following condition:

1. Floodplain, wetland and Primary Environmental Corridor Preservation restrictions must be added to the associated Certified Survey Map.


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

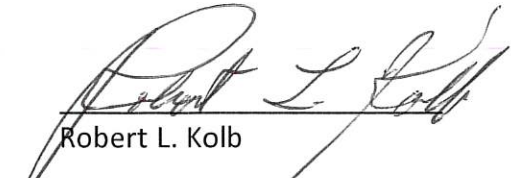
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Presented by:
Land Use, Parks, and Environment Committee


Christine M. Howard, Chair

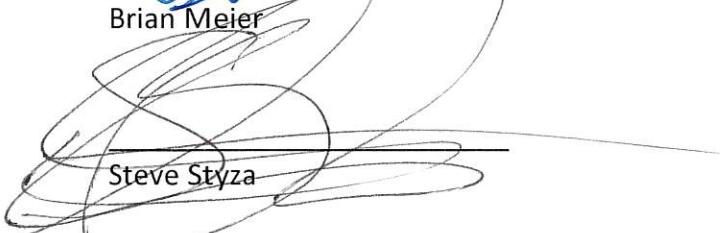

Wayne Euclide


John G. Gscheidmeier


Robert L. Kolb


Johnny Koremenos


Brian Meier


Steve Styza

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

Date: 04-17-2026, 
Margaret Martman, County Clerk

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


Approved: X
Vetoed: _____

Date: 4/20/2026, 
Paul Farrow, County Executive

VOTE RESULTS
Consent Agenda

21 AYE | 0 NAY | 0 ABSTAIN | 4 ABSENT

17 Yes Votes Needed

 **Passed**

D1 - Styza	ABSENT	D10 - Thieme	AYE	D19 - Enriquez	AYE
D2 - Euclide	AYE	D11 - Howard	AYE	D20 - Schellinger	AYE
D3 - Gscheidmeier	AYE	D12 - Wolff	AYE	D21 - Gaughan	AYE
D4 - Batzko	AYE	D13 - Leisemann	AYE	D22 - Szpara	AYE
D5 - Dondlinger	AYE	D14 - Mommaerts	ABSENT	D23 - Hammitt	S AYE
D6 - Walz	ABSENT	D15 - Kolb	AYE	D24 - Schroeder	AYE
D7 - LaFontain	M AYE	D16 - Crowley	AYE	D25 - Johnson	AYE
D8 - Koremenos	ABSENT	D17 - Meier	AYE		
D9 - Heinrich	AYE	D18 - Nelson	AYE		

1 AMEND THE TOWN OF EAGLE DISTRICT ZONING MAP OF THE WAUKESHA
2 COUNTY SHORELAND PROTECTION ORDINANCE BY CONDITIONALLY REZONING
3 CERTAIN LANDS LOCATED IN PART OF THE SW ¼ AND SE ¼ OF SECTION 25, T5N,
4 R17E, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-T
5 AGRICULTURAL TRANSITION DISTRICT TO THE A-5 MINI FARM DISTRICT
6 (RZ172)
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9 this Ordinance was approved by the Eagle Town Board on March 4, 2026; and
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14 as required by Section 59.692, Wis. Stats.
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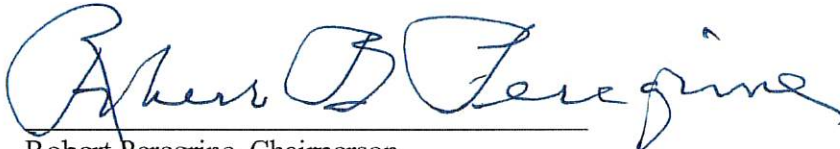
the A-5 Mini Farm District to allow for the creation of a parcel for future single-family residential use.

COMMISSION ACTION

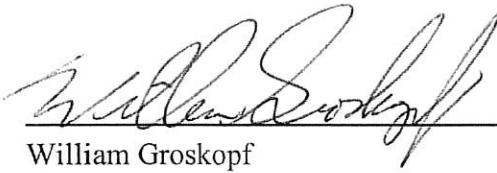
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Town of Eagle District Zoning Map of the Waukesha County Shoreland Protection Ordinance, hereby recommends **approval** of **(RZ172 Konichek)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

March 19, 2026


Robert Peregrine, Chairperson


James Siepmann


William Groskopf


Gary Szpara


Christine Howard

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

DATE: March 19, 2026

FILE NO.: RZ172

OWNER: Linda and Norman Konichek
S101 W34678 County Road LO
Eagle, WI 53119

APPLICANT: Wendy Konichek

TAX KEY NO.: EGLT 1827.999

LOCATION:

The subject property is described as part of the SW ¼ and SE ¼ of Section 25, T5N, R17E, Town of Eagle. More specifically, the property is located at S101 W34628 CTH LO, containing approximately 112.9 acres.

EXISTING ZONING:

A-T Agricultural Transition District.

PROPOSED ZONING:

A-5 Mini Farm District

EXISTING USE(S):

Agricultural land, commercial horse boarding operation, multiple residences

REQUESTED USE(S):

Create an approximately 6.6-acre lot for future single-family residential use

PUBLIC HEARING DATE:

March 4, 2026

PUBLIC COMMENT:

None

TOWN PLAN COMMISSION AND BOARD ACTION:

On March 4, 2026, the Town of Eagle Planning and Zoning Commission and Town Board unanimously recommended rezone approval.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF EAGLE CDP:

The property is designated as Rural Density and Other Agricultural Land (5 acres per dwelling unit) and Primary Environmental Corridor (5 acres per dwelling unit). The Town Plan similarly designates the lands in a five-acre category (Rural Residential II) and Environmental Corridors. The proposal to create a 6.6 acre parcel is consistent with both plans, provided that the wetlands, floodplain and environmental corridor are protected. The County Park & Open Space Plan calls for future ownership of lands along Jericho Creek in the Local Non-Profit category. The Waukesha County Land Conservancy has expressed interest in this part of the property to the owners, however, the owners already have accepted offers from private buyers for the proposed lot. The Land Conservancy may wish to attempt to obtain conservation easements from the new owners.

STAFF ANALYSIS:

The petitioners own an approximately 113-acre parcel which has frontage on both CTH LO and CTH E. Jericho Creek runs north to south on the eastern portion of the property. Portions of the property fall within the County Shoreland jurisdiction as they are within 300' of the Creek or within the extent of the mapped floodplain. The land on the east side of the creek is vacant, and contains environmental features (wetlands, floodplain, PEC) and tillable acreage. The west side of the creek contains the existing improvements, which include several outbuildings and multiple residences. The petitioners utilize the western portion of the property for agricultural purposes including the operation of a commercial horse boarding operation.

The petitioners are proposing to subdivide a 6.6-acre lot from the parent parcel for future single-family residential development (see Exhibit A). Another new parcel is proposed to the northeast, but those lands do not require rezoning (see Exhibit B). The proposed lot will have frontage on CTH LO and is bisected by Jericho Creek. The property has split jurisdiction between the Town and County. The portions of the property within the Town's jurisdiction are zoned RR Rural Residential which requires a minimum of three (3) acres and 200' in average width, however; the Town's jurisdiction on the proposed lot is rather limited. The portions of the property subject to the County's jurisdiction are zoned A-T Agricultural Transition District which requires a minimum of twenty (20) acres and 300' in average lot width. There are also areas zoned C-1 Conservancy Overlay (Wetland/Floodplain), EC Environmental Corridor Overlay. Because the County lot size requirements are more restrictive, the parcel must comply with the County standards. The parcel does not meet the required 20-acre minimum; therefore, the petitioners have submitted a rezone application to amend the A-T district to the A-5 Mini Farm District. The A-5 District requires a minimum of five (5) acres and 300' of average lot width. The parcel meets the requirements of the A-5 District and complies with the density requirements of the Land Use Plan.

STAFF RECOMMENDATION:

Staff recommends **conditional approval** of the rezone from the A-T Agricultural Transition District to the A-5 Mini Farm District subject to the following condition:

1. Floodplain, wetland and Primary Environmental Corridor Preservation restrictions must be added to the associated Certified Survey Map.

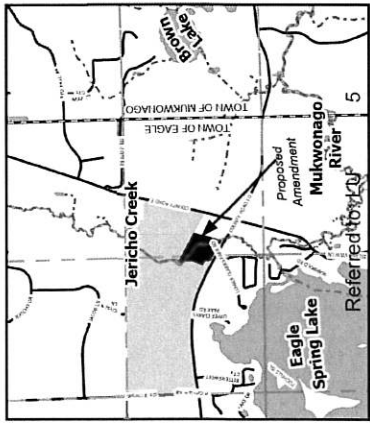
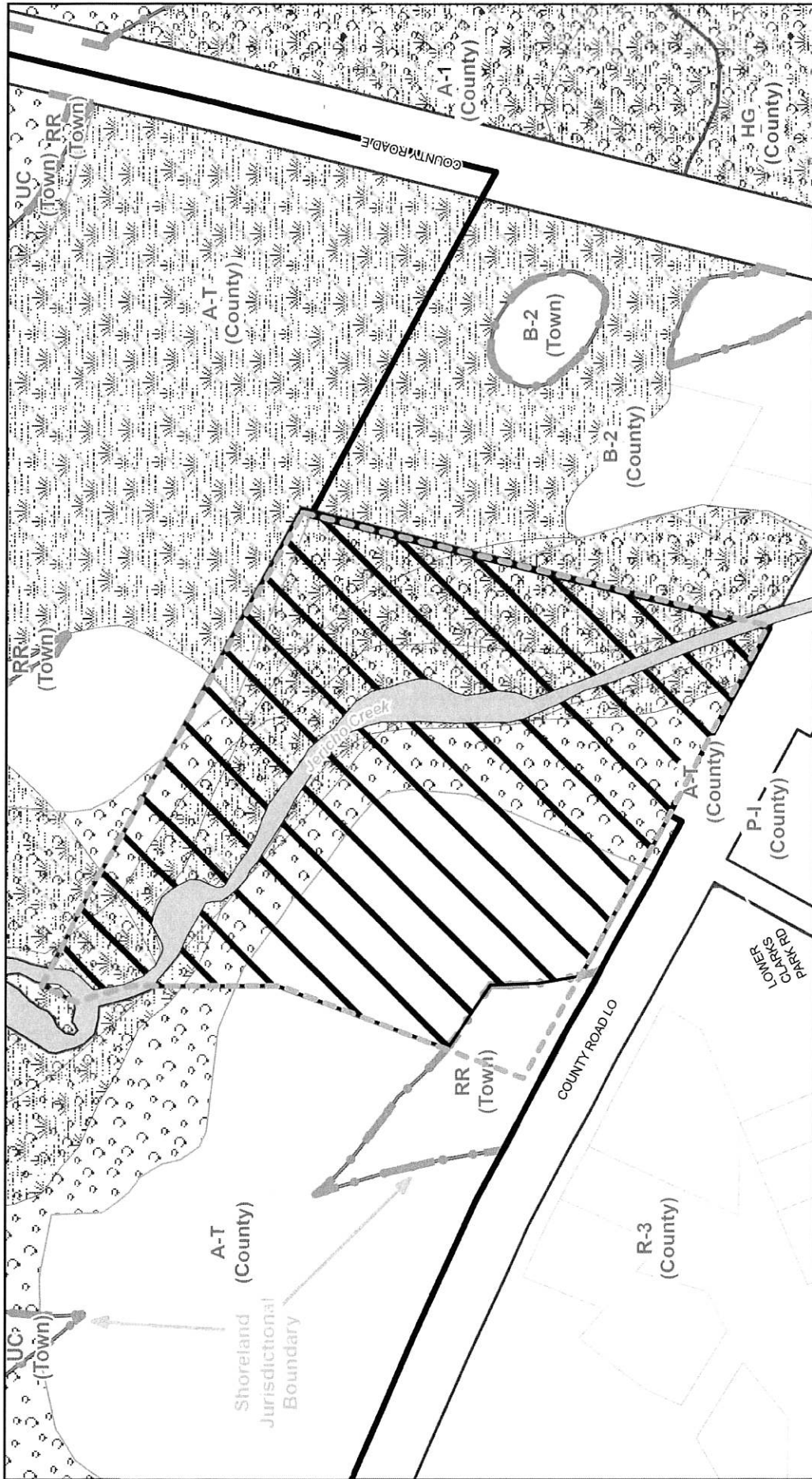
The A-T District is intended to reflect the transitional nature of lands that are currently in agricultural or open space use but are planned for and are likely to be developed for other land uses over time. The C-1 Conservancy (Wetland/Floodplain) and EC Environmental Corridor Overlays will remain unchanged, and there are no proposed changes to the Town zoning. Rezoning the property from A-T District to the A-5 District meets the purpose and intent of the Ordinance and complies with the Town and County Land use Plans.

Respectfully submitted,



Jacob Heermans
Senior Planner

Attachments: Rezone Map
Exhibit A, CSM
Exhibit B, Land Division layout



COUNTY ZONING CHANGE FROM A-T AGRICULTURAL TRANSITION DISTRICT TO A-5 MINI FARM DISTRICT

Primary Environmental Corridor Overlay District (to remain) Future Property Boundary

C-1 Conservancy District (to remain) Floodplain Overlay District (to remain)

FILE: RZ172

DATE OF PLAN COMMISSION: 03/19/26

AREA OF CHANGE: 6.4 ACRES

TAX KEY NUMBER: EGLT1827999

File Number: 180-O-087

ZONING AMENDMENT

PART OF SW1/4 SEC 25 T5N R17E, TOWN OF EAGLE

0 3,000 6,000 Feet

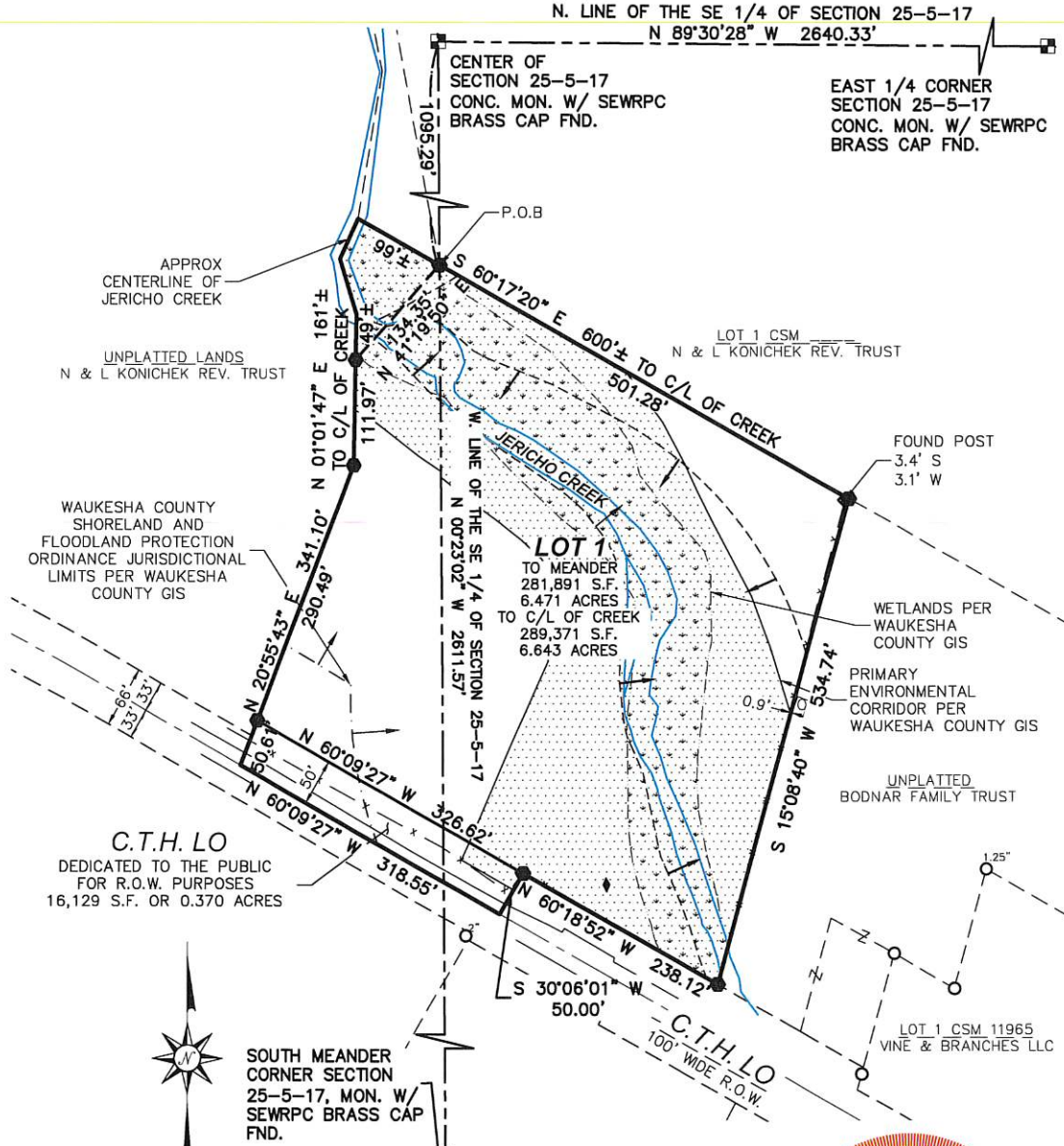
Referred on: 03/25/26

EXHIBIT A

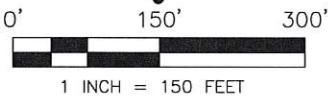
PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

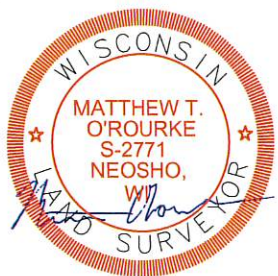
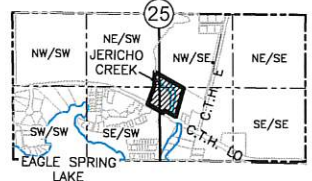


C.T.H. LO
DEDICATED TO THE PUBLIC FOR R.O.W. PURPOSES
16,129 S.F. OR 0.370 ACRES



BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE NORTH LINE OF THE SE 1/4 OF SEC. 25-5-17 MEASURED AS N 89°30'28" W.

VICINITY MAP



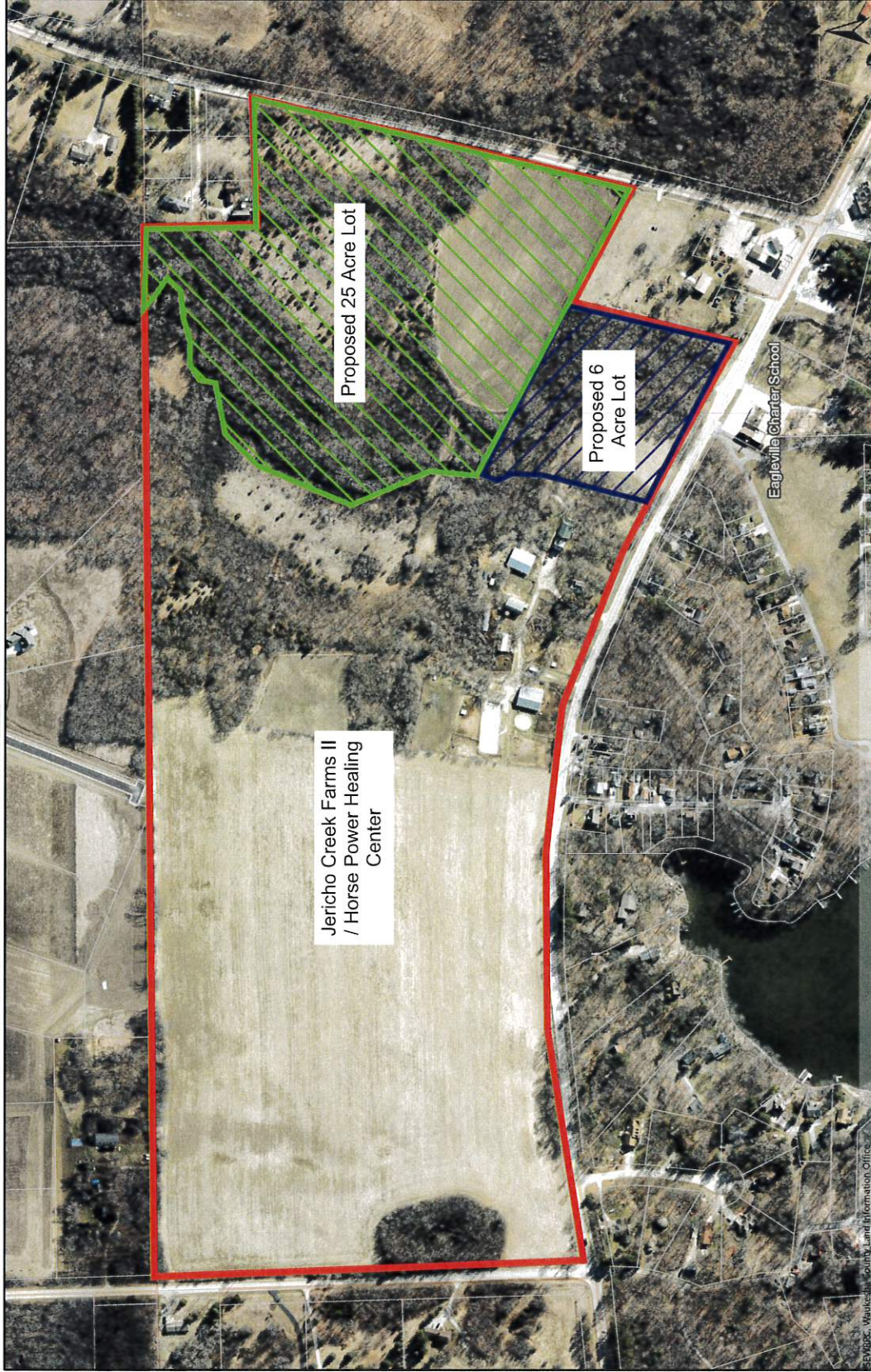
LAND SURVEYING • LAND PLANNING
955 LEXINGTON DRIVE
OCCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

SEE SHEET 2 FOR CONTOURS AND SOILS.
SEE SHEET 3 FOR NOTES AND LEGEND.

PREPARED FOR:
NORMAN B & LINDA L KONICHEK
JOINT REV. TRUST
S101W34628 COUNTY RD. LO
EAGLE, WI. 53119

DATED 02/06/2026
JOB# 23187

Exhibit B



Legend

	Tax Parcels		Assessor Plat
	Assessor Plat		CSM
	CSM		Condominium
	Condominium		Subdivision
	Subdivision		Points of Interest

	Red: Band_1
	Green: Band_2
	Blue: Band_3

	Red: Band_1
	Green: Band_2
	Blue: Band_3

Notes
Printed Date: 2/20/2024 2:56 PM

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