

Enrolled 158-65
PROPOSED ORDINANCE 158-71

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2
3 AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND
4 AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY
5 ZONING CODE, FOR THE TOWN OF OCONOMOWOC BY REZONING CERTAIN
6 LANDS LOCATED IN SECTIONS 8, 9, 16, 21, 22, 23, 26, 35 AND 36 TO VARIOUS
7 ZONING DISTRICTS OF THE TOWN OF OCONOMOWOC, WAUKESHA COUNTY,
8 WISCONSIN
9 (SCZ-1491)
10
11

12 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
13 the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of
14 requisite notice of said hearing, and a recommendation for approval thereon reported to the Land
15 Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors,
16 Waukesha County, Wisconsin, as required by Section 59.69 of the Wisconsin State Statutes.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
19 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on
20 June 23, 1970, and the Waukesha County Zoning Code adopted on February 26, 1959, for the
21 Town of Oconomowoc, Waukesha County, Wisconsin, are hereby amended to rezone certain
22 lands located in Sections 8, 9, 16, 21, 22, 23, 26, 35 and 36 to various zoning districts of the
23 Town of Oconomowoc, Waukesha County, Wisconsin, and more specifically described in the
24 "Staff Report and Recommendation" and map on file in the office of the Waukesha County
25 Department of Parks and Land Use, and made a part of this Ordinance by reference (SCZ-1491).
26 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
27 this Ordinance with the Town Clerk of Oconomowoc.
28

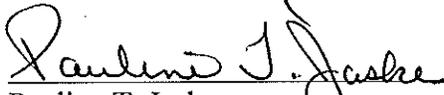
29 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
30 approval and publication.
31

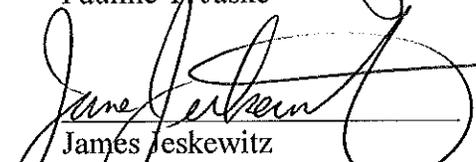
32 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
33 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE, FOR THE TOWN OF OCONOMOWOC BY REZONING CERTAIN LANDS LOCATED IN SECTIONS 8, 9, 16, 21, 22, 23, 26, 35 AND 36 TO VARIOUS ZONING DISTRICTS OF THE TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN (SCZ-1491)

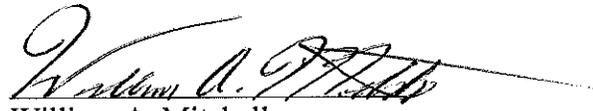
Presented by:
Land Use, Parks, and Environment Committee

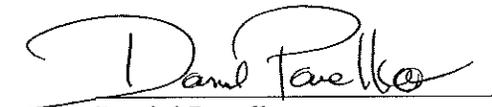

Walter L. Kolb, Chair

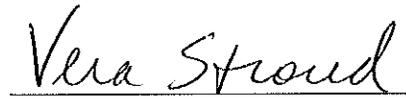

Pauline T. Jaske


James Jeskewitz

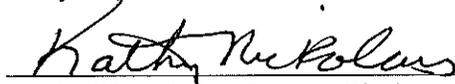

Scott J. Klein


William A. Mitchell

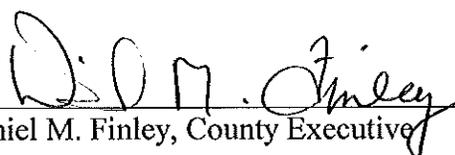

Daniel Pavelko


Vera Stroud

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

Date: 10-17-03, 
Kathy Nickolaus, County Clerk

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

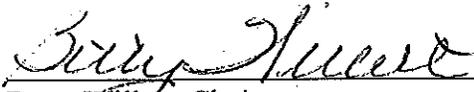
Approved: ✓
Vetoed: _____
Date: 10-22-03, 
Daniel M. Finley, County Executive

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 and the Waukesha County Zoning Code, hereby recommends approval of SCZ-1491 (Town of Oconomowoc Zoning Changes) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

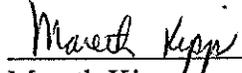
September 4, 2003



Betty Willert, Chairperson

Absent

Vy Janusonis



Mareth Kipp



Ellen Gennrich



Walter Kolb



Joseph LaPorte

Absent

Walter Baade

158-O-069

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

FILE NO.: SCZ-1491

TAX KEY NO.: OCOT 0464.995.002, 0468.999, 0467.989, 0468.998, 0493.999.002, 0494.999.002, 0535.999.003, 0535.999.009, 0535.998, 0569.037, 0569.152, 0569.153, 0569.154, 0569.039, 0572.966, 0572.035.001, 0514.996.012, 0464.995.004, 0461.999.003, 0461.988, 0569.155, 0523.999.003 and 0520.999

DATE: September 4, 2003

PETITIONER: Town of Oconomowoc
W359 N6812 Brown Street
Oconomowoc, WI 53066

LOCATION:
Numerous locations throughout the Town of Oconomowoc (see attached large scale map) depicting the 15 properties.

PRESENT ZONING:
See attached map, which identifies the present zoning for each parcel.

PROPOSED ZONING:
See attached map, which identifies the proposed zoning for each parcel.

PROPOSED LAND USE:
With respect to Parcel No. 15, it was discussed at the hearing that this parcel would be considered for a couple of different categories. The southerly 12 acres has been sold and is to be placed in the A-5 Mini Farm District. The middle 30 acres have been sold to a church, which intends to build a church school on the property, which would be classified in the Institutional category. The northerly 36± acres would be placed in the A-5 Mini Farm District.

PUBLIC HEARING DATE:
July 17, 2003.

PUBLIC REACTION:
For the most part, there was no adverse reaction. There was some concern with respect to the change in land use categories for Parcels 5, 6, 7 and 8 with respect to how those existing taverns and restaurants would function under a different zoning classification and that the control imposed by the Conditional Use Permits, which presently exist on those properties, would be lost if the properties were rezoned to a Commercial category. In addition, there was concern with respect to how Parcels 7 and 8 were intended to be used in the future.

TOWN PLAN COMMISSION:
The Town of Oconomowoc Plan Commission, at their meeting of July 17, 2003, recommended approval of the request.

158-0-069

TOWN BOARD ACTION:

The Town of Oconomowoc Board, acted on August 4, 2003, approving the rezoning request.

COMPLIANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF OCONOMOWOC LAND USE PLAN:

The Town of Oconomowoc Land Use Plan was recently amended in May 2003, and incorporated in the Waukesha County Development Plan. The proposed amendments to the Zoning Ordinance serve to implement the recommendations of the Land Use Plan amendments and therefore comply with the Waukesha County Development Plan and the Town's Land Use Plan.

OTHER CONSIDERATIONS:

These amendments are the result of the Town of Oconomowoc's attempts to rectify the zoning map of the Town with the existing uses or planned uses of the various sites, which are enumerated on the map and serve to implement the recommendations of the recently amended Town of Oconomowoc Land Use Plan and Waukesha County Development Plan. These changes are intended to place zoning districts on properties as they are presently used and which were previously improperly zoned for their use and out of synchronization with the Town's Land Use Plan. With respect to the sites in Okauchee where most of the concern was voiced, the three properties (Gilligan's, Point Comfort Place and the former Okauchee School site) have been permitted and recently allowed to be expanded with Conditional Use Permits subject to numerous conditions. The issue of concern, was whether or not those restrictions and conditions of use would go away if the rezone of the property to the Commercial category was approved. It was noted that regardless of whether the site is subject to a Conditional Use or a permitted use by right, there are still Plans of Operation and Site Plan approval requirements for all business categories. For the most part, if not in every respect, the conditions which may exist now under Conditional Use Status, would continue under the Commercial zoning category if the Town and the County Plan Commission's were to approve their Plan of Operation and Site Plan with those conditions rolled over into the Plan of Operation.

With respect to all other areas of change, the modifications are all based upon bringing the sites as used specifically proposed into compliance with the Land Use Plan. Proposed uses, which have been reviewed and approved, by the Plan Commission and County Zoning Agency for the various sites and those uses will be able to be accommodated and properties constructed thereon, subject to the final Site Plan/Plan of Operation review by the Town and the County Plan Commission's.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** for the 15 properties as noted on the attached map. All of these changes reflect the recommendations of the recently adopted and revised Town of Oconomowoc Land Use Plan and the Waukesha County Development Plan and are consistent with those plans. This process is exactly what the Waukesha County Development Plan and Town Land Use Plans envision to implement the plans.

Respectfully submitted,

Richard L. Mace / kab

Richard L. Mace
Planning and Zoning Manager

RLM:kab

Attachments: Map

TOWN OF OCONOMOWOC ZONING MAP AMENDMENTS

TOWN 8 NORTH RANGE 17 EAST WAUKESHA COUNTY, WISCONSIN

1 Owner: Waukesha County
1320 Pewaukee Rd.
Waukesha, WI 53188

Tax Key Numbers: OCOT 0484.895.002, OCOT 0488.999, OCOT 0487.889, OCOT 0488.993, OCOT 0483.999.002, OCOT 0484.999.002

Existing Zoning: A-T Agricultural Land Preservation Transition District
A-P Agricultural Land Preservation District
EG Environmental Corridor

Proposed Zoning: P-1 Public and Institutional District

2 Owner: Michael and Dolores Maass
N59 W35979 Lake Dr.
Oconomowoc, WI 53068

Tax Key Number: OCOT 0535.999.003

Existing Zoning: B-2 Local Business District

Proposed Zoning: R-2 Residential District
(30,000 SF min lot size)

3 Owner: John Riegel
N59 W35979 Lake Dr.
Oconomowoc, WI 53068

Tax Key Number: OCOT 0535.999.003

Existing Zoning: B-2 Local Business District

Proposed Zoning: R-2 Residential District
(30,000 SF min lot size)

4 Owner: Wisconsin Electric Power
2311 W. Michigan
Milwaukee, WI 53202

Tax Key Number: OCOT 0535.999

Existing Zoning: B-2 Local Business District

Proposed Zoning: P-1 Public and Institutional District

5 Owner: Lake Country Sales & Inv. Corp.
P.O. Box 285
Okauchee, WI 53069

Tax Key Numbers: OCOT 0569.037, OCOT 0569.152, OCOT 0569.163, OCOT 0569.154

Existing Zoning: R-3 Residential District

Proposed Zoning: B-2 Local Business District

6 Owner: Comfort Investments LLO
N52 W35002 Lake Dr.
Okauchee, WI 53069

Tax Key Number: OCOT 0569.039

Existing Zoning: R-3 Residential District

Proposed Zoning: B-2 Local Business District

7 Owner: John Anthony Steiner
N50 W36065 Golfview Rd.
Oconomowoc, WI 53068

Tax Key Number: OCOT 0572.969

Existing Zoning: P-1 Public and Institutional District

Proposed Zoning: B-2 Local Business District

8 Owner: Holy Trinity Lutheran Church
35181 Wisconsin Ave.
Okauchee, WI 53069

Tax Key Number: OCOT 0572.035.001

Existing Zoning: P-1 Public and Institutional District

Proposed Zoning: North Half: B-2 Local Business District
South Half: R-3 Residential District
(20,000 SF min lot size)

9 Owner: LW Inevitable Trust
6810 W. Morelos St.
Chandler, AZ 85228

Tax Key Number: OCOT 0514.998.012

Existing Zoning: A-P Agricultural Land Preservation District

Proposed Zoning: Southwest portion: B-2 Local Business District
Northeast portion: A-5 Mini Farm District

10 Owner: Town of Oconomowoc
6812 Brown St.
Oconomowoc, WI 53066

Tax Key Number: OCOT 0484.665.004

Existing Zoning: R-1 Residential District

Proposed Zoning: P-1 Public and Institutional District

11 Owner: Town of Oconomowoc
6812 Brown St.
Oconomowoc, WI 53066

Tax Key Number: OCOT 0481.999.003

Existing Zoning: A-T Agricultural Land Preservation Transition District

Proposed Zoning: P-1 Public and Institutional District

12 Owner: Town of Oconomowoc
6812 Brown St.
Oconomowoc, WI 53068

Tax Key Number: OCOT 0461.983

Existing Zoning: A-5 Mini Farm District

Proposed Zoning: P-1 Public and Institutional District

13 Owner: Town of Oconomowoc
6812 Brown St.
Oconomowoc, WI 53066

Tax Key Number: OCOT 0569.165

Existing Zoning: R-3 Residential District

Proposed Zoning: P-1 Public and Institutional District

14 Owner: Jason & Almee Beaver
W359 N6702 Brown St.
Oconomowoc, WI 53068

Tax Key Number: OCOT 0523.999.003

Existing Zoning: A-P Agricultural Land Preservation District

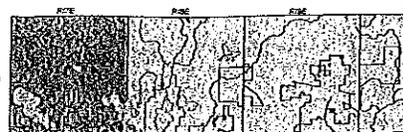
Proposed Zoning: A-5 Mini Farm District

15 Owner: L & M Enterprises LLC
N88 W35480 CTH K
Oconomowoc, WI 53066

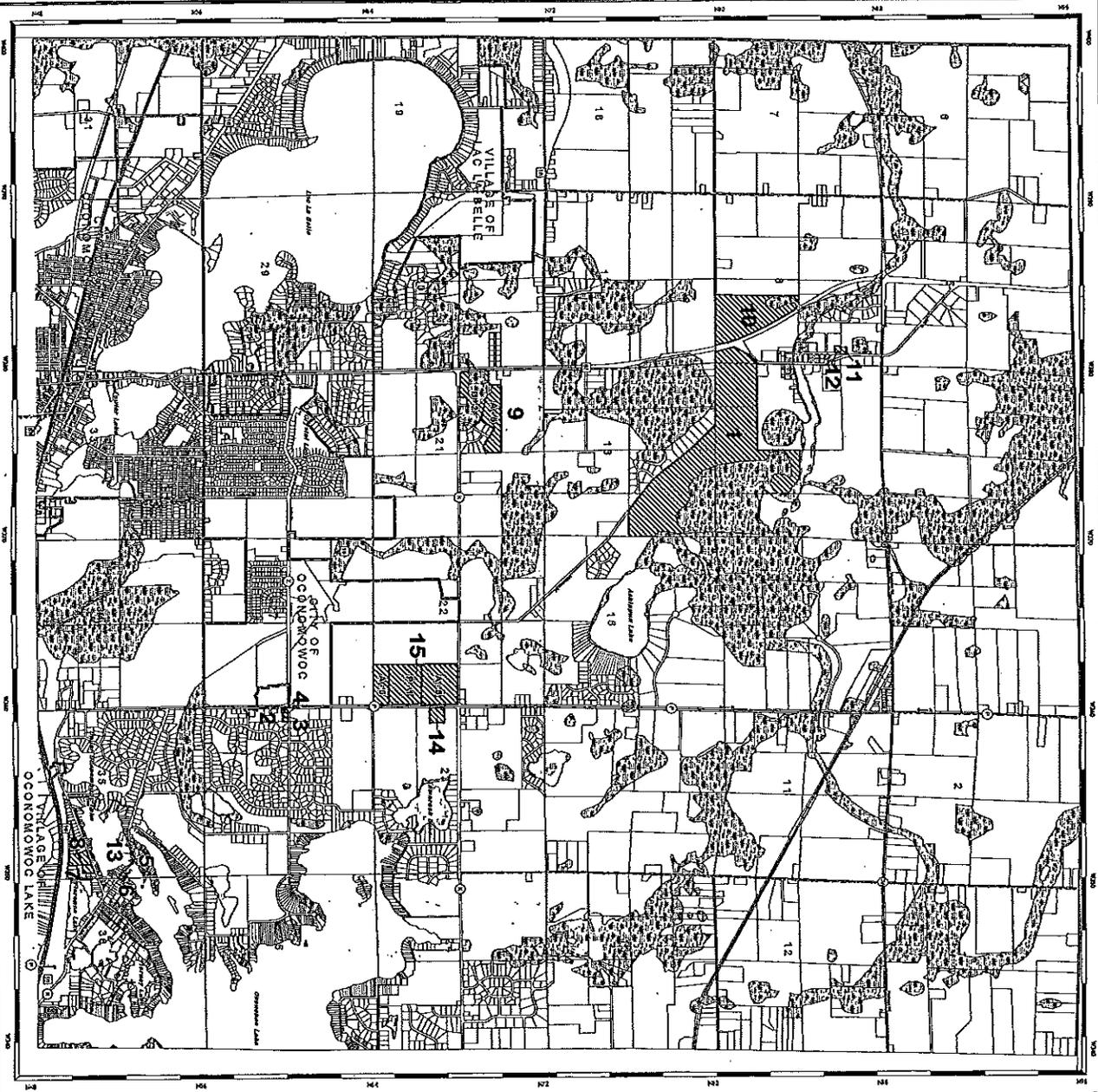
Tax Key Number: OCOT 0520.899

Existing Zoning: A-P Agricultural Land Preservation District

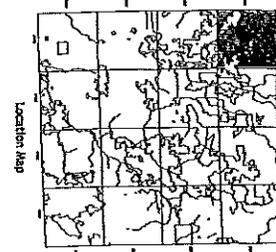
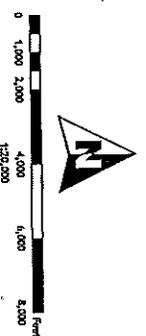
Proposed Zoning: North 36.6 Acres and South 12.6 Acres: A-5 Mini Farm District
Middle 30 Acres: P-1 Public and Institutional District



TOWN OF OCONOMOWOC ZONING MAP AMENDMENTS TOWN & NORTH RANGE 17 EAST WAUKESHA COUNTY, WISCONSIN



- 1. **Zone 1: Residential Single-Family**
 Purpose: To provide for the orderly development and use of land for single-family detached dwellings.
 Permitted Uses: Single-family detached dwellings, accessory uses.
 Prohibited Uses: Multi-family dwellings, commercial, industrial, agricultural, and other uses not specifically permitted.
- 2. **Zone 2: Residential Medium-Density**
 Purpose: To provide for the orderly development and use of land for medium-density residential uses.
 Permitted Uses: Single-family detached dwellings, townhomes, duplexes, accessory uses.
 Prohibited Uses: Multi-family dwellings, commercial, industrial, agricultural, and other uses not specifically permitted.
- 3. **Zone 3: Residential High-Density**
 Purpose: To provide for the orderly development and use of land for high-density residential uses.
 Permitted Uses: Single-family detached dwellings, townhomes, duplexes, multi-family dwellings, accessory uses.
 Prohibited Uses: Commercial, industrial, agricultural, and other uses not specifically permitted.
- 4. **Zone 4: Office/Professional**
 Purpose: To provide for the orderly development and use of land for office and professional uses.
 Permitted Uses: Office buildings, professional offices, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 5. **Zone 5: Light Industrial**
 Purpose: To provide for the orderly development and use of land for light industrial uses.
 Permitted Uses: Light industrial buildings, accessory uses.
 Prohibited Uses: Heavy industrial, residential, commercial, and other uses not specifically permitted.
- 6. **Zone 6: Medium Industrial**
 Purpose: To provide for the orderly development and use of land for medium industrial uses.
 Permitted Uses: Medium industrial buildings, accessory uses.
 Prohibited Uses: Heavy industrial, residential, commercial, and other uses not specifically permitted.
- 7. **Zone 7: Heavy Industrial**
 Purpose: To provide for the orderly development and use of land for heavy industrial uses.
 Permitted Uses: Heavy industrial buildings, accessory uses.
 Prohibited Uses: Residential, commercial, and other uses not specifically permitted.
- 8. **Zone 8: Agricultural**
 Purpose: To provide for the orderly development and use of land for agricultural uses.
 Permitted Uses: Agricultural buildings, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 9. **Zone 9: Public Use**
 Purpose: To provide for the orderly development and use of land for public uses.
 Permitted Uses: Public buildings, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 10. **Zone 10: Community Center**
 Purpose: To provide for the orderly development and use of land for community center uses.
 Permitted Uses: Community center buildings, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 11. **Zone 11: Retail**
 Purpose: To provide for the orderly development and use of land for retail uses.
 Permitted Uses: Retail buildings, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 12. **Zone 12: Office/Professional**
 Purpose: To provide for the orderly development and use of land for office and professional uses.
 Permitted Uses: Office buildings, professional offices, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 13. **Zone 13: Office/Professional**
 Purpose: To provide for the orderly development and use of land for office and professional uses.
 Permitted Uses: Office buildings, professional offices, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 14. **Zone 14: Office/Professional**
 Purpose: To provide for the orderly development and use of land for office and professional uses.
 Permitted Uses: Office buildings, professional offices, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.
- 15. **Zone 15: Office/Professional**
 Purpose: To provide for the orderly development and use of land for office and professional uses.
 Permitted Uses: Office buildings, professional offices, accessory uses.
 Prohibited Uses: Residential, commercial, industrial, and other uses not specifically permitted.



158-O-069

Prepared by the Waukesha County Department of Parks and Land Use August 2003

WAUKESHA COUNTY BOARD OF SUPERVISORS FO 158-65

V

DATE-10/14/03

(ORD) NUMBER-1580069

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-33