

ENROLLED ORDINANCE 165-86

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF THE SW ¼ OF SECTION 29 AND THE NE ¼ OF THE SE ¼ OF SECTION 30, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE A-10 AGRICULTURAL DISTRICT TO THE A-5 MINI FARM DISTRICT (ZT-1712)

WHEREAS the subject matter of this Ordinance having been approved by the Lisbon Town Board on November 22, 2010, after Public Hearing, and the giving of requisite notice of said hearing, and duly referred to and considered by the Waukesha County Park and Planning Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Ordinance, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the A-10 Agricultural District to the A-5 Mini Farm District, certain lands located in part of the NW ¼ of the SW ¼ of Section 29 and the NE ¼ of the SE ¼ of Section 30, 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-1712, 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.

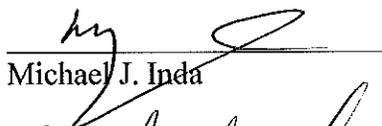
BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

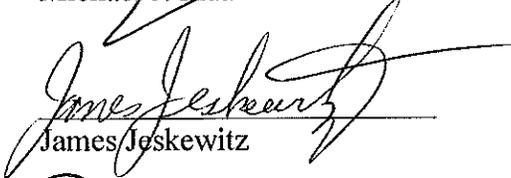
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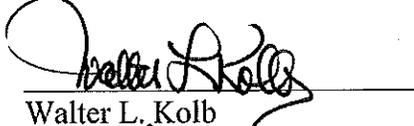
Presented by:
Land Use, Parks, and Environment Committee

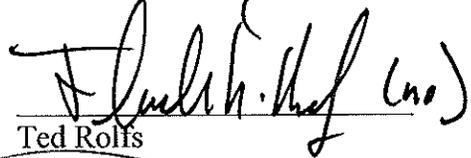

Fritz Ruf, Chair

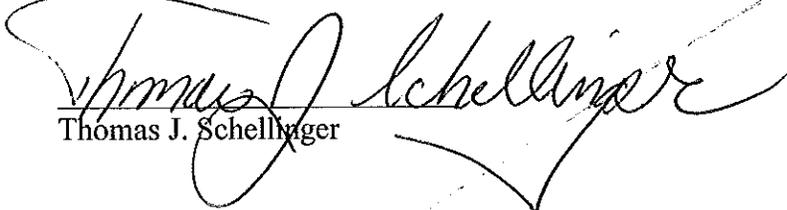

Robert Hutton


Michael J. Inda


James Jeskewitz


Walter L. Kolb


Ted Rolfs


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: 2-25-11

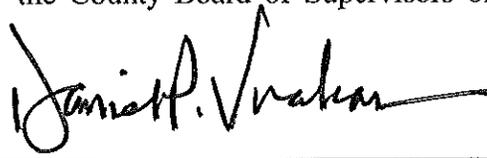

Kathy Nickolaus, County Clerk

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

Approved:

Vetoed:

Date: 2-25-11


Daniel P. Vrakas, County Executive

COMMISSION ACTION

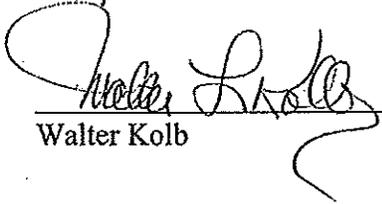
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code hereby recommends approval of ZT-1712 (Margaret Anderson) in accordance with the attached "Staff Report and Recommendation".

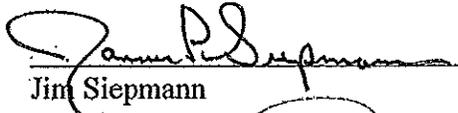
PARK AND PLANNING COMMISSION

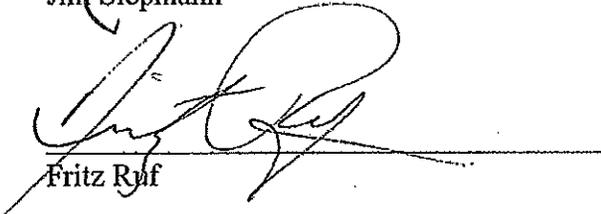
January 6, 2011


William Mitchell, Chairperson


Bob Peregrine, Vice Chairperson


Walter Kolb


Jim Siepmann


Fritz Ruff


Patricia Haukohl


Gary Goodchild

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

DATE: January 6, 2011

FILE NO.: ZT-1712

OWNER: Margaret Anderson
W267 N5875 Moraine Drive
Sussex, WI 53089

TAX KEY NO.: LSBT 0259.998

LOCATION:

The property is part of the SW ¼ of Section 29 and the SE ¼ of Section 30, T8N, R19E, Town of Lisbon. More specifically, the property is located at the Moraine Drive address cited above and contains approximately 14 acres.

EXISTING ZONING:

A-10 Agricultural District (10 acre minimum lot size, 300 foot minimum average width) - Town

PROPOSED ZONING:

A-5 Mini Farm District (5 acre minimum lot size, 300 foot minimum average width) - Town

EXISTING LAND USE: Residential

REQUESTED LAND USE: To divide the 14 acre parcel into 2 single family residential lots.

PUBLIC HEARING DATE: November 16, 2010

PUBLIC REACTION: None

TOWN PLAN COMMISSION ACTION:

On November 16, 2010, the Town of Lisbon Plan Commission voted unanimously to recommend approval to the Town Board.

TOWN BOARD ACTION:

On November 22, 2010, the Town Board voted unanimously to approve the rezoning.

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

Both the Town and County Comprehensive Development Plans designate this property as Low Density Residential (20,000 sq. ft. to 1.4 acres), Rural Residential and Other Agricultural Land (5.0 to 34.9 acres), and Other Open Lands to be Preserved (5 acre). The proposed rezoning of this site is consistent with the Town and County Comprehensive Development Plans.

STAFF ANALYSIS:

The proposed Certified Survey Map (CSM) indicates Lot 2 will be a lot not abutting a public road and will be served by a 33 ft. wide ingress and egress easement. A driveway access and maintenance agreement will be recorded in conjunction with the recordation of the CSM that will apply to the current and future owners of the two lots that are part of the CSM. A driveway access permit will be required from the Waukesha County Dept. of Public Works upon recordation of the CSM and prior to any construction on Lot 2. If the rezone proposal is approved, the CSM will be submitted for approval and then recorded in the Waukesha County Register of Deeds office. Lot 2 will be developed with a private on-site waste treatment system and a private well.

Unless it can be demonstrated otherwise through soil investigation and analysis, the land use category "Other Open Lands to be Preserved" must be avoided with any development and preserved in open space use. If the area must be preserved, the area and a note referencing its preservation will be identified as such on the CSM. The adjacent property to the north is zoned a mix of A-5 Mini Farm District, A-3 Agricultural/Residential Estate District, and R-1 Single Family Residential District; to the east of C.T.H. "MD" is an existing R-2 Single Family Residential District subdivision; and to the west and south the lands are zoned A-10 Agricultural District. There is also a small area of C-1 Conservancy zoned land located to the northwest of the subject property. All of the lands surrounding the subject property are designated similarly as the subject property on the Town and County Comprehensive Development Plans.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposed use of the property is consistent with the Town and County Comprehensive Development Plans and will remain compatible with the immediate surrounding land uses.

Respectfully submitted,

Sandy Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance
Map

RECEIVED

ORDINANCE 09-10

DEC 30 2010

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY DEPT OF PARKS & LAND USE

ORDINANCE REZONING PROPERTY FROM THE A-10 AGRICULTURAL DISTRICT TO A-5 MINI FARM DISTRICT ZONING CLASSIFICATION IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN

THE TOWN BOARD OF THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1: The following described property of approximately 14 acres is rezoned from A-10 Agricultural District to A-5 Mini Farm District zoning classification:

PT NW 1/4 of the SW 1/4 SEC 29 & the NE 1/4 of the SE 1/4 SEC 30. T 8 N, R 19 E, Town of Lisbon, Waukesha County WI. Tax Key No: LSBT 0259-998.

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 22nd day of November, 2010.

TOWN BOARD, TOWN OF LISBON WAUKESHA COUNTY, WISCONSIN

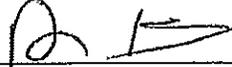


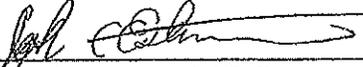
BY: Matthew Gehrke
MATTHEW GEHRKE, Chairman

BY: Ryan Lippert
RYAN LIPPERT, Supervisor

BY: [Signature]

DANIEL HEIER, Supervisor

BY: 
DANIEL FISCHER, Supervisor

BY: 
JOSEPH OSTERMAN, Supervisor

ATTEST:

BY: 
JEFFREY MUSCHE, Town Clerk

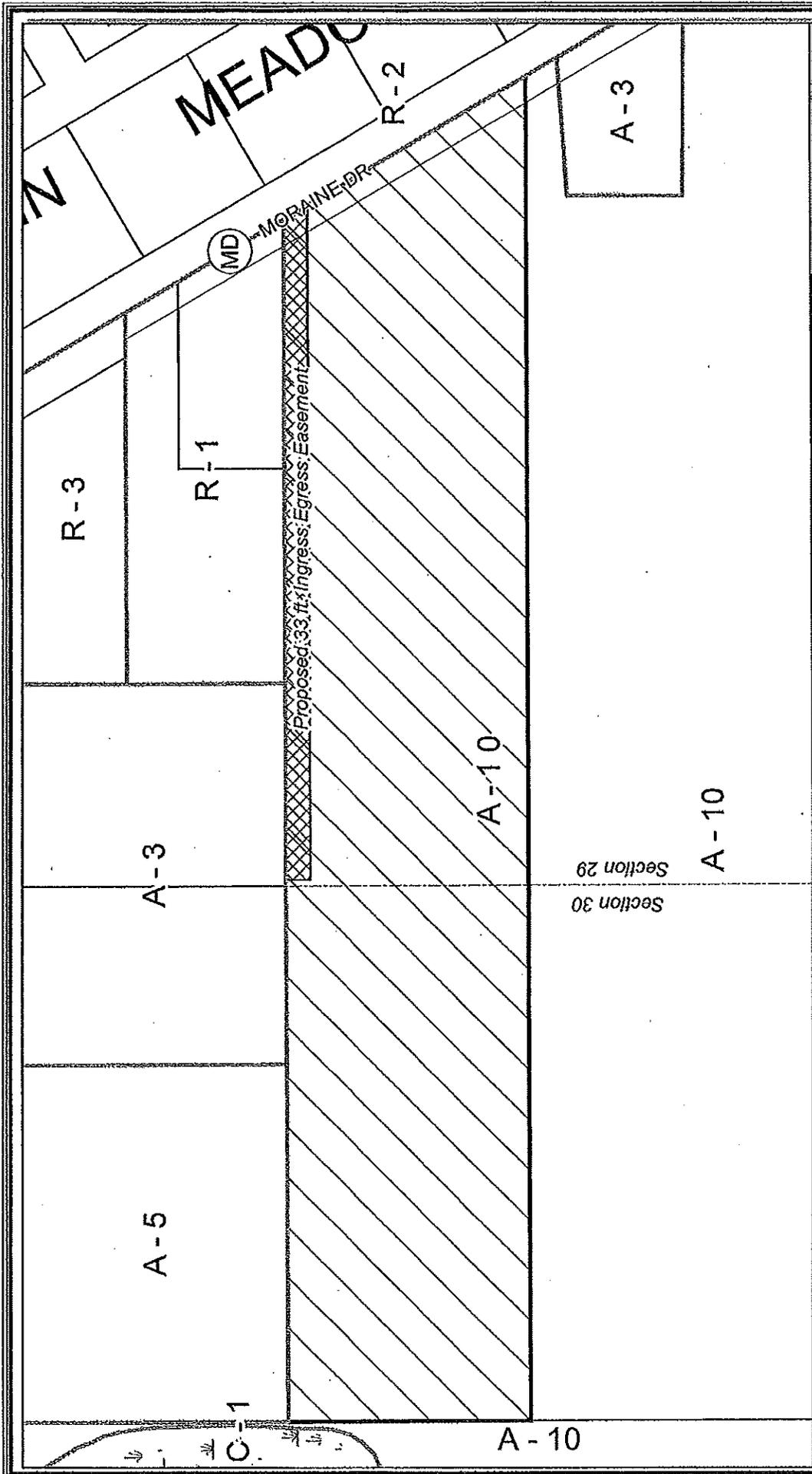
RECEIVED

DEC 30 2010

DEPT OF PARKS & LAND USE

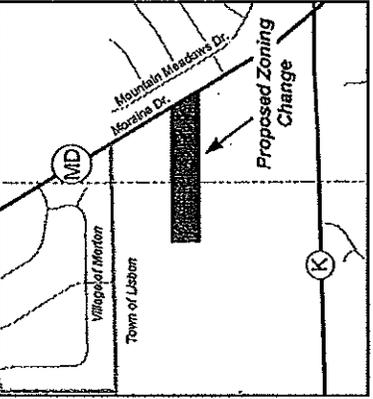
165-0-087

6.



ZONING MAP AMENDMENT

PART OF THE SW 1/4 OF SECTION 29 &
 PART OF THE SE 1/4 OF SECTION 30
 TOWN OF LISBON



Prepared by the Waukesha County Department of Parks and Land Use

 TOWN ZONING CHANGE FROM A-10 AGRICULTURAL DISTRICT TO A-5 MINI-FARM DISTRICT

FILE.....ZT-1712

DATE.....01/06/11

AREA OF CHANGE.....14.3 ACRES

TAX KEY NUMBER.....LSBT 0259.998



WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/23/11

(ORD) NUMBER-1650087

1 D. FALSTAD.....AYE
 3 R. HUTTON.....AYE
 5 J. JESKEWITZ.....AYE
 7 P. HAUKOHL.....
 9 J. HEINRICH.....AYE
 11 F. RUF.....AYE
 13 P. DECKER.....AYE
 15 P. MEYERS.....NAY
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 K. CHIAVEROTTI....AYE
 25 G. YERKE.....AYE

2 T. ROLFS.....
 4 J. DWYER.....AYE
 6 J. BRANDTJEN.....AYE
 8 T. SCHELLINGER....
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 M. INDA.....AYE
 16 D. PAULSON.....AYE
 18 K. CUMMINGS.....AYE
 20 P. JASKE.....AYE
 22 P. GUNDRUM.....AYE
 24 W. KOLB.....AYE

TOTAL AYES-21

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-22