

Richland County Natural Resources Standing Committee

Date Posted: October 27, 2025

NOTICE OF MEETING

Please be advised that the Richland County Natural Resources Standing Committee will convene on Monday, November 3, 2025 at 9:30 AM in the Richland County Board Room of the Courthouse at 181 West Seminary Street, Richland Center, WI 53581.

Information for attending the meeting virtually (if available) can be found at the following link:

<https://administrator.co.richland.wi.us/minutes/natural-resources-committee/>

If you have any trouble accessing the meeting, please contact MIS Support at 608-649-4371 (phone) or mis@co.richland.wi.us (email).

AGENDA

1. Call To Order
2. Roll Call
3. Verification Of Open Meetings Law Compliance
4. Approval Of Agenda
5. Approval Of Minutes From October 6, 2025 Meeting
6. Public Comment
7. Zoning Petitions
 - A. Petition To Rezone Parcel 030-3224-4000
 - B. Petition To Rezone Parcel 018-2532-2000 And A CUP To Permit A Mobile Home
 - C. Petition To Rezone Parcel 030-2742-1000 And A CUP To Permit A Campground
 - D. Petition For A Conditional Use Permit On Parcel 020-4222-1010 For A 2nd Accessory Building
 - E. Petition To For A Conditional Use Permit For A Salvage Yard On Parcel 010-0243-1000 (And Others)
8. Reports
 - A. Zoning: Report & Departmental Activities
 - B. Violations Report
 - C. Land Conservation: Report & Departmental Activities
 - D. UW-Extension: Report & Departmental Activities
 - E. Real Property Lister: Report & Departmental Activities
9. Discussion & Possible Action: Zoning Ordinance Updates
10. Discussion & Possible Action: Approving 2026 Wildlife Damage Budget And 5 Year Contract
11. Discussion & Possible Action: Updating The Acreage Requirements For Certified Survey Map
12. Discussion & Possible Action: Issuing Notices Of Non-Compliance For Farmland Preservation Program
13. Discussion & Possible Action: Approving The Resolution For The Lake Monitoring And Protection Grant
14. Discussion & Possible Action: Approving The Fee Schedule For The Zoning And Sanitation Fees
15. Discussion & Possible Action: Set The 2026 Natural Resources Committee Meeting Dates
16. Discussion & Possible Action: Set Wildlife Damage Commodity Prices And Set 80% Harvest Date
17. Correspondence
18. Future Agenda Items
19. Adjourn

PLEASE NOTE: That upon reasonable notice, a minimum of 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact Tricia Clements, County Administrator at 181 W. Seminary St., Richland Center, WI 53581 or call 608-647-2197.

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Natural Resources Standing Committee.

Derek S. Kalish
County Clerk

Richland County

Natural Resources Standing Committee

October 6, 2025

The Richland County Natural Resources Standing Committee convened on Monday, October 6, 2025, in person and virtually at 9:30 AM in the County Boardroom of the Richland County Courthouse.

Call To Order: Committee Chair Carrow called the meeting to order at 9:30 AM.

Roll Call: Deputy County Clerk Hege conducted roll call. Committee members present: Steve Carrow, Randy Schoonover, Richard McKee, Alayne Hendricks, and Rod Perry. Committee member(s) absent: Julie Fleming.

Supervisor Fleming arrived at 9:36 AM.

Verification of Open Meetings Law Compliance: Deputy County Clerk Hege confirmed the meeting had been properly noticed.

Approval Of Agenda: Motion by McKee, second by Perry to approve agenda. Motion carried and agenda declared approved.

Approval Of Minutes From August 25, 2025 Meeting: Chair Carrow asked if there were any corrections or amendments to the minutes from the August 25, 2025 meeting. Hearing none, Chair Carrow declared the minutes from the August 25, 2025, meeting approved as presented.

Public Comment: None.

Zoning Petitions:

- A. Petition To Rezone A Portion Of Parcel 018-1414-1000:** Jenn Fry, Zoning and Sanitation Technician, reported that the petitioners had withdrawn this petition.
- B. Petition To Rezone Parcel 030-2531-1000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition. Motion by McKee, seconded by Schoonover to approve the petition. Motion carried and the petition was approved and moved on to county board for final approval.
- C. Petition To Rezone A Portion Of Parcel 016-1411-0000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition and stated that Ithaca Township is one of the municipalities that has their own zoning. Motion by Hendricks, seconded by Schoonover to approve the petition. Motion carried and the petition to rezone a portion of parcel 016-1411-0000 was approved and forwarded to county board for final approval.
- D. Petition To Rezone Parcel 030-2742-1000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition and the plans of the landowner to build a small campground, and reported that Westford Township had approved the variance for the lot size for a year trial period. Extensive discussion ensued with several neighbors providing feedback with one neighbor being in favor of the campground, one neighbor being vehemently opposed to the campground, and a third neighbor expressed concern that the campers might be bothered by their dogs as there had

Richland County Natural Resources Standing Committee

been complaints from the landowner in the past. Extensive discussion ensued. Motion by Perry, seconded by Fleming to delay the approval of the petition until after the Board of Adjustments committee convened. Motion carried and the approval of the petition was delayed until the Board of Adjustments committee convened.

- E. Petition To Rezone Parcel 016-2331-1000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition. Motion by Hendricks, seconded by Fleming to approve the petition. No discussion. Motion carried and the petition to rezone parcel 016-2331-1000 was approved and moved on to county board for final approval.
- F. Petition For A Conditional Use Permit For Boat And Trailer Sales On Parcel 008-2931-2000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition and introduced the landowners who briefly spoke. Motion by McKee, seconded by Schoonover to approve the Conditional Use Permit. Brief discussion ensued. One neighbor asked the landowners about planned signage. Jenn Fry referenced the portion of the Richland County Zoning ordinance that covered signage. Motion carried and the petition for a conditional use permit for a boat and trailer sales on parcel 008-2931-2000 was approved.
- G. Petition For A Conditional Use Permit For A Non-Metallic Mine On Parcel 014-1914-1000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition. A neighbor to the property spoke to deed restrictions on the property and expressed concerns regarding the easement that had once existed on the property. Motion by Perry, seconded by McKee to approve the Condition Use Permit. Extensive discussion ensued with a neighbor expressing concerns that mine might not have been properly reclaimed. The motion failed and the conditional use permit for a non-metallic mine on parcel 014-1914-1000 was not approved.
- H. Petition For A Conditional Use Permit For A Schoolhouse On Parcel 024-1822-0000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition. Motion Schoonover, seconded McKee to approve the petition. Extensive discussion ensued and a letter was shared from a neighbor who is opposition to the schoolhouse. Motion carried and the conditional use permit for a schoolhouse on parcel 024-1822-0000 was approved.
- I. Petition For A Conditional Use Permit For A Tiny Home On Parcel 006-3924-2000:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition. Motion by Fleming, seconded by Schoonover to approve the petition. Brief discussion ensued. Chair Carrow requested that the documents from the Board of Adjustment be made available to the members of the Natural Resources Standing Committee. Motion carried and the conditional use permit for a tiny home on parcel 006-3924-2000 was approved.
- J. Petition For A Conditional Use Permit For A 2nd Accessory Building On Parcel 006-3111-1500:** Jenn Fry, Zoning and Sanitation Technician, provided a brief description of the petition and the landowner briefly spoke to their planes. Motion by Fleming, seconded by Schoonover to approve the petition. Motion carried and the conditional use permit for a 2nd accessory building on parcel 006-3111-1500 was approved.

Richland County

Natural Resources Standing Committee

Reports:

A. Zoning: Report & Departmental Activities: Jenn Fry, Zoning and Sanitation Technician, reported the office had had 16 land use permits for the month and 13 sanitary permits for the month and briefly reported on individual site designs. Brief discussion ensued.

B. Violations Report: Jenn Fry, Zoning and Sanitation Technician and Cathy Cooper, Richland County Conservationist, reported on various violations currently being dealt with, including: a landowner who applied for a conditional use permit to build a greenhouse, but built a residence instead and put in their own, uninspected septic, various junkyard complaints, and chickens roaming at large in

C. Land Conservation: Report and Departmental Activities: Cathy Cooper, Richland County Conservationist reported that her staff was still working with the Villages of Boaz and Cazenovia to reduce their phosphorous run off and she hopes to be able to contract with Southwestern Wisconsin Regional Planning Commission to update the farmland preservation plan. Kori Rogers, Farmland Preservation Technician, spoke on the standard operation processes for farmland preservation in Richland County and went over the self-compliance certification forms. Discussion ensued. Conservationist Cooper stated that a copy of the non-compliance form would be made available to the members of the Natural Resources Standing Committee.

D. UW-Extension: Report & Departmental Activities: Mr. Adam Hady, Area 13 Extension Director gave a brief verbal overview of the function of the Extension department to the new members of the Natural Resources Standing Committee and reported that Extension was being moved back to the Community and Health Services building. Brief discussion ensued.

E. Real Property Lister: Report & Departmental Activities: Julie Lins, Real Property Lister, gave a brief breakdown of the role of the Real Property Lister to the new members of the Natural Resources Standing Committee and reported on the recent convention of the Wisconsin Real Property Listers.

Discussion & Possible Action: Updates To Zoning Ordinance: County Conservationist Cooper would like to bring the ordinance to the November meeting. No discussion.

Discussion & Possible Action: Dilapidated Houses In Zoned Municipalities: Jenn Fry, Zoning and Sanitation Technician presented the issue that arose with a house located on the shoreline of the Wisconsin River that is very close to falling into the river. Extensive discussion ensued. Zoning is working with Public Health staff to see what can be done with the dilapidated house.

Discussion & Possible Action: Updates To Acreage Requirements For Certified Survey Maps: County Conservationist Cooper and the Real Property Lister, Lins reported that the updates to acreage requirements for certified survey maps had been discussed at the Land Information Council meeting and the recommendation was to keep the current 10 acres or less would need a CSM and to work on additional wording to specify that if a parcel is going to be rezoned it would require a CSM be done no matter the acreage of the lot. Extensive discussion ensued.

Correspondence: None.

Richland County
Natural Resources Standing Committee

Future Agenda Items:

Discussion & Possible Action: Updates To The County Zoning Ordinance

Discussion & Possible Action: Non-compliance Appeals

Discussion & Possible Action: Updates To Acreage Requirements For Certified Survey Maps

Report: Meeting Dates Schedule

Report: Definition Of Tiny Houses VS Trailers

Adjourn: Chair Carrow entertained a motion to adjourn to November 3, 2025, at 9:30 AM. Motion by McKee, second by Schoonover to adjourn. Motion carried and meeting adjourned at 11:12 AM.

Respectfully submitted by,



Myranda H. Hege
Deputy County Clerk

Customer #

Petition #

25-032

COUNTY OF RICHLAND ZONING COMMITTEE

NOTICE OF PETITION

OCT 09 2025

Original Owner:

By

CK 39

(I) (We) First Name(s) Last Name Phone

Address City State WI Zip 53550

First Name(s) Last Name Phone

Address City State Zip

I hereby petition the Richland County Zoning Committee for a:

Mail Report

☒ Rezone from Illegal/NC Rezone to Ag/Residential☐ CUP to permit☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 030-3224-4000

Qtr SE Qtr NW Section 32 Town 12N Range 2E Township WFD # of acres 8.0

Lot Block Subdivision # of Acres Approved

Present Use Residential

Present Improvements House, shed, septic, well

Proposed Use Residential

Legal Description

Petition Filed 10/9/25 Petitioner Notified Rezone Decision Ordinance #

Category Town Notified 9/11/25 CUP Decision CB Date

Fee Amount \$125 ☒ Township Approval CUP Expires CB Decision

Meeting Date 11/3/25 Decision Date SUP Decision Amendment #

Comments



County Clerk Approval

(Signed) Appellant(s) or Agent(s)

OFFICIAL MINUTES - TOWN OF WESTFORD - Richland County

The Town Board meeting for **September** was held on Thursday **September 11th**, 2025, at 7:00 pm at St. Anthony's School in Germantown.

CALL TO ORDER: Chair Frank called the meeting to order at 7pm

PLEDGE OF ALLEGIANCE

THOSE PRESENT: Chair Frank Tomczak, Supervisor Cy Deitelhoff, Supervisor Dean Benning, Treasurer Ann Stiemke, and Clerk Ursula Bauer.

THOSE ABSENT: none

MINUTES: August 7th, 2025, meeting minutes were presented by the clerk. A motion was made by Cy and seconded by Frank to approve August 7th, 2025; meeting minutes as presented. Motion carried.

CITIZEN INPUT: none

Item # 1 Rezone 8 acres, 14624 Hwy 58, 53924, from ILL non-conforming to AR.

Discussion: Frank explained where the location to both supervisors.

Motion by Frank to approve rezone to Ag Res, seconded by Cy. Motion carried.

Item # 2 Rezone 31 acres, 14624 Hwy 58, 53924 from AF to AR.

Discussion: Frank explained the location to both supervisors.

Motion by Frank to rezone from AF to AR, seconded by Cy. Motion carried.

Item # 3 Variance from 70' to 60' from road center 10866 Adelman Hill Dr 53924

Discussion: Property owner explained the rain runoff issues.

Motion by Frank to allow the variance from 70 to 60 foot, seconded by Dean. Motion carried.

Item # 4 Change stop sign to a yield at intersection of Corwin Ridge Rd & Hawkins Creek Rd.

Discussion: Yield should suffice instead of stop sign.

Motion by Frank to change the stop to a yield sign, seconded by Cy. Motion carried.

Item # 5 Install Stop sign at County Hwy II and Corwin Ridge Rd.

Discussion: There is a missing sign on the left fork and needed to prevent future accidents.

Motion by Frank to install a stop sign at Cty Hwy II and Corwin Ridge Rd, seconded by Dean. Motion carried.

Note: Published minutes are unapproved until approved at next regularly scheduled Town Board meeting. Discussions and actions may be taken on any of the above items.



Name	Title	Property Address	Mailing Address (if different)	City	State	Zip
<u>Property</u>						
Perry Edge		29431 Maxwell Hill Rd	W1909 Giese Rd	Juda	WI	53550
<u>Neighbors</u>						
David Elton		29424 County Hwy I		Cazenovia	WI	53924
Allen & Veda Olson		Parcel 030-3224-2000	N1091 Mill Rd	Juda	WI	53550
Donald & Susan Hill		29554 Mazwell Hill Rd		Cazenovia	WI	53924
Daniel Kershner		29478 Kershner Ln	15289 Bear Rd	Viola	WI	54664
Glenn & Betty Alioto		29211 County Hwy I	28405 Woodman Rd	Cazenovia	WI	53924
FS Adventures LLC		29216 County Hwy I	N3458 Junction Rd	Juneau	WI	53039
Usula Bauer	Westford Township Clerk		PO Box 25	Cazenovia	WI	53924
Sandra Kramer	Supervisory District 4		29970 County Hwy I	Cazenovia	WI	53924

**Natural Resources Committee
Agenda Item Cover**

Agenda Item Name: Petition to Rezone a Portion of Parcel 030-3224-4000

Department:	Land Conservation & Zoning	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Pass Ordinance Amendment to Rezone Parcel 030-3224-4000 from Illegal Non-Conforming to Ag/Residential Town of Westford

Background:

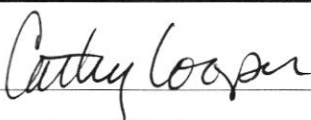
The purpose is to have the parcel in the correct zoning district.

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Cash

Customer #

Petition #

25-033

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Original Owner:

(I) (We) First Name(s) Last Name Phone
Address City State WF Zip 53548

First Name(s) Last Name Phone
Address City State Zip

hereby petition the Richland County Zoning Committee for a:

Mail Report

☒ Rezone from Legal - HC. Rezone to Ag Residential

☒ CUP to permit Mobile home

☐ SUP to permit

☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 018-2532-2000

Lot W 1/2 Qtr SW Section 25 Town 11N Range 1W Township MAR # of acres 14.0
Lot Block Subdivision # of Acres Approved

Present Use Recreational land / forested

Present Improvements Shed

Proposed Use Recreational land / forested / residential

Legal Description

Petition Filed	9/26/25	Petitioner Notified		Rezone Decision		Ordinance #	
Category		Town Notified	9/9/25	CUP Decision		CB Date	
Fee Amount	\$4625	☒ Township Approval		CUP Expires		CB Decision	
Meeting Date	11/3/25	Decision Date		SUP Decision		Amendment #	

Comments



County Clerk Approval

(Signed) Appellant(s) or Agent(s)

MINUTES
TOWN OF MARSHALL
MONTHLY BOARD MEETING
September 9, 2025

The monthly meeting of the Town Board of Town of Marshall was held on Tuesday, September 9, 2025, in the Town Hall. Chair Durst called the meeting to order at 7:00 pm.

Present: Chair Durst, Supervisor Rynes, Treasurer Spencer, Clerk Berner, Patrolman Paasch, and 6 citizens. Supervisor Sebranek was absent. Supervisor Rynes moved to approve the posting and agenda. Chair Durst seconded. Motion passed.

Minutes: Chair Durst moved to approve the meeting minutes from the August 12th Monthly Board Meeting. Supervisor Rynes seconded. Motion passed.

Clerk's Report: Clerk Berner presented the Clerk's Report.

Wayne Waldner asked for approval to rezone 1-acre to residential, parcel 018-2532-2000, 21132 Cribben Hill Dr. He also asked for approval for a conditional use permit to place a mobile home on the property. *Chair Durst moved to approve both requests. Supervisor Rynes seconded the motion. Motion passed. The Rezoning Request form was signed.*

Wayne Waldner asked for approval on a variance for setback from the road of 41 feet from the centerline of Hwy 56. This is for installation of a solar array at 18923 Hwy 56. *Supervisor Rynes moved to approve the variance for setback from the road of 41 feet from the centerline of Hwy 56, for installation of a solar array. Chair Durst seconded the motion. Motion passed.*

Katie Peterson from People's Bank reviewed options for enhancing security with our bank accounts. The Acknowledgement of Availability of Enhanced Security Measures form was reviewed and signed.

The Statement of Account Care of Veterans' Graves form for Fancy Creek Cemetery was reviewed and signed.

Linda Wanless requested to be Secretary of English Ridge and Spring Hill Cemeteries. Discussion followed. No motions were made.

The 2026 Revaluation Contract with Bruce Gardiner Appraisal Service was reviewed and signed.

The township received a letter from Richland County Land Conservation and Zoning Department asking if we want to contract independently with a UDC building inspector or have Richland County handle it. *Supervisor Rynes moved to continue having Richland County contract with another UDC inspector. Chair Durst seconded the motion. Motion passed.*

The township received a revision to the zoning ordinance from Richland County Land Conservation and Zoning Department. Board members will review the revised zoning ordinance and notify the Clerk with any comments by October 3rd.

The Board reviewed the MFL application list for 2026 enrollment.

The WISLR Local Road Certification packet was given to Patrolman Paasch. The packet should be returned to WisDOT by October 17, 2025.

Information about the cemeteries and voter registration will be added to the letter sent with the tax bill.

Mary Ann Metz reported on the kitchenette project for the town hall. Cabinets were ordered. She requested that the floor be painted before the cabinets are installed.

FORMS, REPORTS & EMAIL INQUIRIES

On 8/26/25, an email inquiry from Elizabeth Price, Ethos Green Power Coop, regarding a solar project taking place at 21132 Cribben Hill Dr was completed.

Kickapoo Valley Rescue Squad EMS Program form was completed on 9/2/25.

A Federal Exemption Certificate was sent to Meyer Oil on 9/3/25.

August WT-6 State Income Tax Withholding was paid online on 9/8/25.

August 941 Federal Tax Withholding was paid timely, online on 9/8/25.

Richland County Ambulance EMS Program form was completed on 9/8/25.

Re: Meeting Minutes

From Katherine Berner <clerk@tn.marshall.wi.gov>
Date Thu 9/11/2025 9:53 AM
To Noel Schmitz <noel.schmitz@co.richland.wi.us>
Cc Zoning <zoning@co.richland.wi.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
--

Hi Noel,

The Marshall Town Board has no problem with the entire parcel being rezoned to Ag/Residential. He has their approval to rezone the entire parcel. Let me know if you need anything else from me.

Thank you.

Katherine Berner
Town of Marshall Clerk
608-383-9892

On Thu, Sep 11, 2025, at 9:23 AM, Noel Schmitz wrote:

Good morning Katherine,

I see the rezone request from Joshua Brand. The County does not allow partial rezones. The parcel is 14 acres, so according to the Zoning Ordinance, the entire parcel needs to be rezoned to Ag/Residential.

This is the rezone petition form that was given to Joshua stating 14.0 acres needs to be rezoned to Ag/Residential:

Richland County
Zoning and Land Records Committee

Courthouse
181 West Seminary Street
Richland Center, WI 53581
608-647-2447
www.co.richland.wi.us

REZONING REQUEST

Date: 9-9-25

TO: MEMBERS OF THE MARSHALL TOWN BOARD

Your Town Board decision is an integral part of the decision making process for the Richland County Zoning and Land Records Committee. The Committee would like your cooperation in stating your reasons or comments as to why this request should be either **approved** or **disapproved**. This form, with proper signatures, shall constitute the official resolution as required by Wisconsin State Statute 59.69(5)(e)3.

REZONING APPLICANT: _____

REQUEST TO REZONE TO AND ACRES REQUESTED: 1 Acre Residential

LOCATION OF PROPERTY TO BE REZONED: Parcel 018-2532-2000, 20764 Cribben Hill Dr

REASON: mobile home

PUBLIC HEARING DATE: _____

TOWN DECISION (please mark one):

- ☒ Approve
☐ Approve, as request is consistent with Town Comprehensive Plan, if applicable.
☐ Deny
☐ Deny, as request is inconsistent with Town Comprehensive Plan, if applicable.

Comments (attach additional pages if necessary): _____

Chairman: Jerome D. Dura

Supervisor: Eric Rymer

Supervisor: _____

Date Signed: 9-9-25

TOWN CLERK CERTIFICATION: I am the keeper of the records for the TOWN of Marshall
And I certify that this resolution is an exact copy of, or the original resolution passed by the
Town Board on the date indicated.

Town Clerk: Katherine M. Berner Date: 9-9-25

cribhen hill

X Q

Show search results for cribbe...

Legal NC

(1 of 3)

▲ □ X

Parcels: 01825322000

GIS Acres: 14.73

Owner:

Address:

[Tax Information](#)

[Tax Information](#)

[Click for More Info](#)



Zoom to

208855

208855

208855

CRIBBEN HILL

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Petition to Rezone Parcel and a CUP 018-2532-2000

Department:	Land Conservation & Zoning	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Pass Ordinance Amendment to Rezone Parcel 018-2532-2000 from Illegal Non-Conforming to Ag/Residential and approve a CUP to permit a mobile home to be placed on the parcel Town of Marshall

Background:

The purpose is to have the parcel in the correct zoning district. The landowners also wish to place a mobile home on the property which requires a Conditional Use Permit

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Customer #

Petition #

25-027

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Original Owner:

RECEIVED
SEP 17 2025

(I) (We)	First Name(s)	Last Name	one
Address	33398 County 16		City La Valle State WI Zip 53941
First Name(s)	Last Name	Phone	
Address	City	State	Zip

hereby petition the Richland County Zoning Committee for a:

Mail Report

☒ Rezone from	ILLEGAL NC	☐ Rezone to	Ag Residential
☐ CUP to permit			
☐ SUP to permit			
☐ Other			
Authorized by Section(s)	of the Richland County Zoning Ordinance.		

Present description of the property involved in this petition is as follows:

Parcel # 630-2742-1000

Qtr NW	Qtr SE	Section 27	Town 12N	Range 2E	Township WFD	# of acres 4.00
Lot	Block	Subdivision			# of Acres Approved	

Present Use	Rec Land - LL - NC
Present Improvements	Camper and sheds
Proposed Use	DATCP Licensed campground
Legal Description	

Petition Filed 9/17/25	Petitioner Notified	Rezone Decision	Ordinance #
Category	Town Notified	CUP Decision	CB Date
Fee Amount \$125	☐ Township Approval -> RESS	CUP Expires	CB Decision
Meeting Date 10/6/25	Decision Date	SUP Decision	Amendment #

Comments



County Clerk Approval

(Signed) Appellant(s) or Agent(s)

[Signature]

OFFICIAL MINUTES - TOWN OF WESTFORD - Richland County

The Town Board meeting for **September** was held on Thursday **September 11th**, 2025, at 7:00 pm at St. Anthony's School in Germantown.

CALL TO ORDER: Chair Frank called the meeting to order at 7pm

PLEDGE OF ALLEGIANCE

THOSE PRESENT: Chair Frank Tomczak, Supervisor Cy Deitelhoff, Supervisor Dean Benning, Treasurer Ann Stiemke, and Clerk Ursula Bauer.

THOSE ABSENT: none

AGENDA: A motion was made by _____ and seconded by _____ to approve the agenda. Motion carried.

MINUTES: August 7th, 2025, meeting minutes were presented by the clerk. A motion was made by Cy and seconded by Frank to approve August 7th, 2025; meeting minutes as presented. Motion carried.

CITIZEN INPUT: none

Item # 1 Rezone 8 acres, 29431 Maxwell Hill Rd 53924, from ILL non-conforming to AR. Discussion: Frank explained where the location to both supervisors.

Motion by Frank to approve rezone to Ag Res, seconded by Cy. Motion carried.

Item # 2 Rezone 31 acres, 14624 Hwy 58, 53924 from AF to AR.

Discussion: Frank explained the location to both supervisors.

Motion by Frank to rezone from AF to AR, seconded by Cy. Motion carried.

Item # 3 Variance from 70' to 60" from road center 10866 Adelman Hill Dr 53924

Discussion: Property owner explained the rain runoff issues.

Motion by Frank to allow the variance from 70 to 60 foot, seconded by Dean. Motion carried.

Item # 4 Change stop sign to a yield at intersection of Corwin Ridge Rd & Hawkins Creek Rd.

Discussion: Yield should suffice instead of stop sign.

Motion by Frank to change the stop to a yield sign, seconded by Cy. Motion carried.

Item # 5 Install Stop sign at County Hwy II and Corwin Ridge Rd.

Discussion: There is a missing sign on the left fork and needed to prevent future accidents.

Motion by Frank to install a stop sign at Cty Hwy II and Corwin Ridge Rd, seconded by Dean. Motion carried.

Note: Published minutes are unapproved until approved at next regularly scheduled Town Board meeting. Discussions and actions may be taken on any of the above items.

OFFICIAL MINUTES TOWN OF WESTFORD

The Town Board meeting for **August** was held on Thursday **August 7th**, 2025, at 7:00 pm at St. Anthony's School in Germantown.

Call to order at 7pm, Pledge of Allegiance, read and approved **July's** minutes.

Citizen concerns and comments: none

Discussion: Request for a campground:

Frank first gave condolences for the loss of a family member.

Explained her campground idea. The 4-acre parcel will not change. There are no buildings on the property. Camp costs are \$25-\$50/night. She would like to offer a small retail shop for purchases of flashlights, etc. She would follow all health rules. Proposing a permanent placement of a camper for a base presence, non-residence office/shop. She would have a sanitation agreement with a 300 gal. tank to maintain. Asking the board to reduce the minimum acreage to 4 to have the campground. She would have portable toilets in 4 self-contained areas. She has a written agreement with Viking and Mauston for dump station use. There is no water source. There are 10 primitive camp sites. She would offer Jugged water, insure the property and maintain the camper/office/shop. Aften says the State allows 20 sites per acre; she would only have 15 in the four acres. She is asking the Board to rezone if possible and she would make sure there are no safety issues. As for garbage, "Leave it better than you leave it", and would use Smelcer Auto Repair for refuse.

Frank said the property should be zoned as residential, but it is not zoned at the moment. If it is zoned residential with the county, it could not be a campground. Frank stated: Today the Board motions to deny any campground until the zoning is completed. 2nd by Cy, concurred by Dean.

Discussion Meyer LP contract: Frank motioned to prepay Meyer Oil to save money on the contract. 2nd by Cy, concurred by Dean.

Reports:

Supervisor Cy-gave an update on the Comprehensive Plan

Supervisor Dean- East Happy Hollow culvert is finished, Fry Rd gravel was added and graded. The Knauf's culvert will be put in. In September Fry Rd will be

Note: Discussion and action may be taken on any of the above items.



Name	Title	Property Address	Mailing Address (if different)	City	State	Zip
<u>Property</u>						
Afton McKenzie		14679 County Hwy NN	33398 County Hwy K	La Valle	WI	53941
<u>Neighbors</u>						
Dennis Steven Baley		14502 County Hwy NN		Cazenovia	WI	53924
Mark Jackson		Parcel 030-2714-0000	238 Ruby Lake Ln	Winter Haven	FL	33884
Brian & Kerry Jackson		Parcel 030-2741-1000	254 Ruby Lake Ln	Winter Haven	FL	33884
James McKeown & Colleen Winston		14951 County Hwy NN		Cazenovia	WI	53924
Seep Logging LLC		14720 County Hwy NN	26390 Arnell Dr	Richland Center	WI	53581
Ursula Bauer	Westford Township Clerk		PO Box 25	Cazenovia	WI	53924
Sandra Kramer	Supervisory District 4	29970 County Hwy I		Cazenovia	WI	53924

14679 County Hwy NN

Cazenovia, WI 53924

Roses2afton2@icloud.com

(608) 610-9300

Date: July 21, 2025

Request for Campground Consideration and Compliance Clarification

I am writing to present a structured plan for establishing a small-scale campground on my property and to clarify its compliance with current county regulations. Below is the proposed sequence of steps and relevant information regarding the property:

Proposed Development Steps (In Order of Priority):

1. Permanent Placement of Camper

The first step will be to place a permanent camper on the property to establish a base presence.

2. Sanitation Permit & Maintenance Agreement

I will obtain a sanitation permit that includes a maintenance agreement for two portable toilets and a 300-gallon holding tank.

3. Request to Reduce Minimum Acreage Requirement - for Ag/Res Rezone

I am requesting that the required minimum acreage for a campground be reduced from 5 acres to 4 acres, aligning with the size of my property.

4. Request to Reduce Portable Toilet Requirement

I propose that the required number of portable toilets be reduced to 2 units, which matches the scale and intended use of the campground.

5. Dump Station Agreement

A dump station is available within 25 miles of the site. I will provide a written agreement confirming availability and accessibility at a public location.

6. Alternative Potable Water Source

While there is no onsite pressurized, piped potable water, proactive measures will be taken to ensure guest safety. Potable water will be provided via certified jugs with dispensers from a licensed water supplier.



DUANE B. PAUL, P.E.

953 W Clairemont Ave, Eau Claire Wisconsin. 54701

duane.b.paul@gmail.com

Duane B. Paul, P.E.
953 W Clairemont Ave,
Eau Claire Wisconsin. 54701
July 17th, 2025.

RE: Engineering Statement for Campground Site – Request for Variance

I am providing this letter in support of a variance request for the proposed campground site located in Richland County, Wisconsin. The site consists of a combination of 5 RV sites and 10 primitive tent sites, all of which are self-contained or non-serviced with water or electricity, and are intended to operate as a primitive campground.

Water Supply Variance

The campground will not provide running water on-site.

No water hookups or pressurized supply lines exist at the location.

The owner will make it explicitly known to all campers that they must bring their own potable water.

As an optional health consideration, the campground will offer bottled water supplied by a licensed vendor, though not as a piped water source.

The RV units are self-contained, and campers are responsible for their own water supply and internal tanks.

Tent campers will have no expectation of supplied water, in keeping with DNR-recognized primitive campground guidelines.

Wastewater and Sanitation

A 300-gallon holding tank will be used for the owner's permanently parked camper (less than 150 gallons/day use), which will be regularly pumped out by a licensed septic hauler.

A sanitation permit is requested for a portable toilet (outhouse) located on-site. Four units are planned for proper coverage per site layout.

There is no need for a wastewater treatment facility, as:

All RVs are self-contained

Primitive campers do not generate graywater on-site



150 Viking Drive, PO Box 350, Reedsburg, WI 53959
(608) 524-6108 FAX (608) 524-8862

Afton WHY Camp

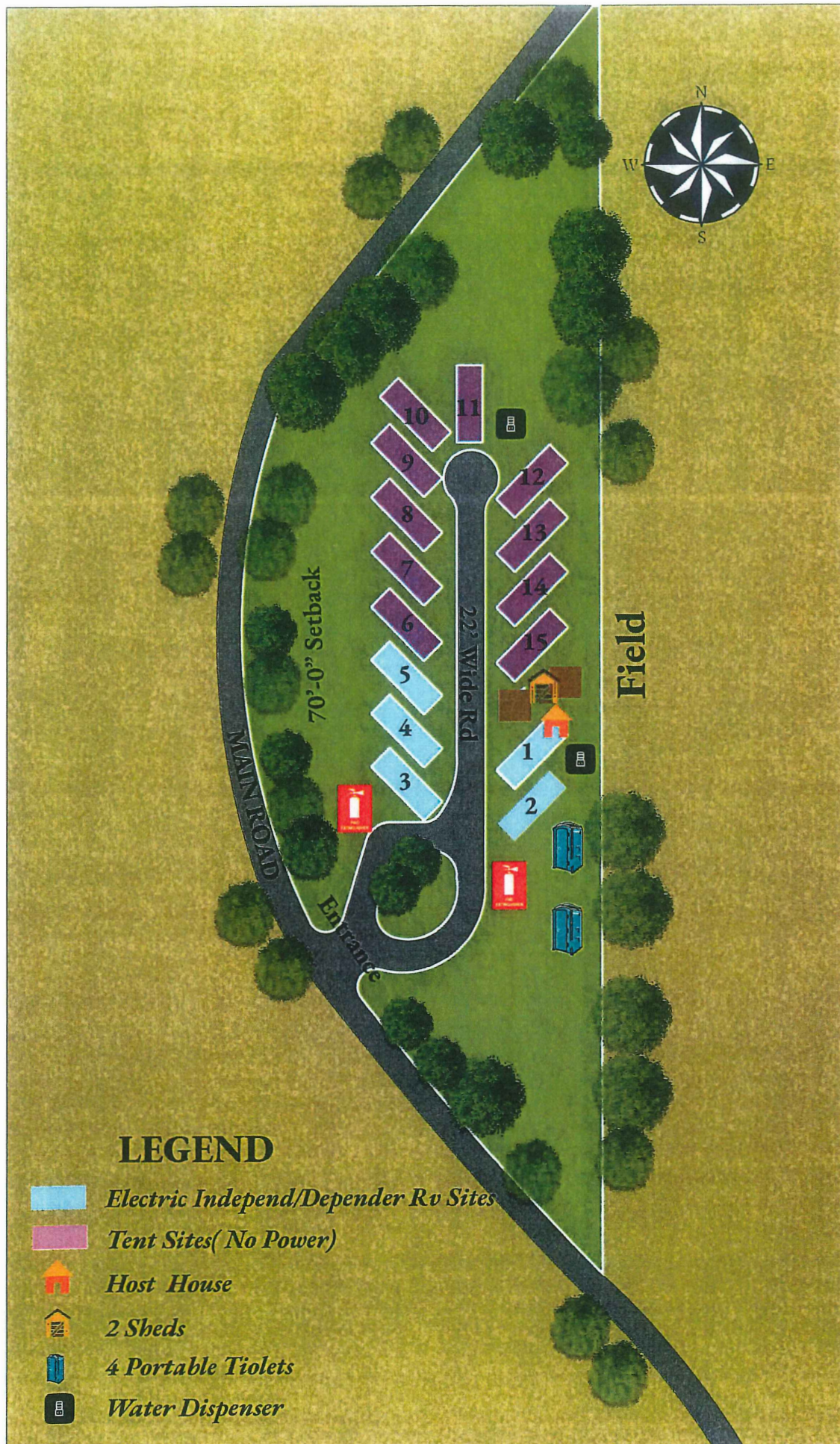
14679 Cty NN
Cazenovia, WI 53924

April 22, 2025

To Whom it may Concern:

BP Viking Express Mart was contacted by Afton McKenzie with Afton WHY Camp to provide documentation regarding an RV Dump Agreement. Patrons of Afton WHY Camp will be referred to go to the RV dump station located at BP Viking Express Mart-Reedsburg and will be charged a fee of \$7.50 per RV dump. BP Viking Express Mart is located at 10 Viking Drive in Reedsburg, WI and is open 24/7.

Val Hoefs
BP Viking Express Mart Manager



Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Petition to Rezone Parcel and a CUP 030-2742-1000

Department:	Land Conservation & Zoning	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Pass Ordinance Amendment to Rezone Parcel 030-2742-1000 from Illegal Non-Conforming to Ag/Residential and approve a CUP to permit for a campground on the parcel Town of Westford

Background:

The purpose is to have the parcel in the correct zoning district. The landowners also wish to have a campground on the property which requires a Conditional Use Permit

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Customer #

Petition #

25-034

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

RECEIVED

OCT 16 2025

Original Owner:

(I) (We)

First Name(s)

Last Name

Phone

Address

City

Muscodas

State

WI

Zip

53573

First Name(s)

Last Name

Phone

Address

St.

City

Muscodas

State

WI

Zip

53573

I hereby petition the Richland County Zoning Committee for a:

Mail Report

☐ Rezone from

Rezone to

☒ CUP to permit

2nd accessory building

☐ SUP to permit☐ Other

Authorized by Section(s)

of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows:

Parcel #

020-4222-1010

Qtr

Qtr

Section

6

Town

8N

Range

1E

Township

ORN

of acres

0.6

Lot

1-3

Block

10

Subdivision

Orion

of Acres Approved

Present Use

Residential

Present Improvements

House, storage shed

Proposed Use

Residential

Legal Description

Petition Filed

10/16/25

Petitioner Notified

Rezone Decision

Ordinance #

Category

Town Notified

10/15/25

CUP Decision

CB Date

Fee Amount

\$500

☒ Township Approval

CUP Expires

CB Decision

Meeting Date

11/3/25

Decision Date

SUP Decision

Amendment #

Comments

County Clerk Approval

(Signed) Appellant(s) or Agent(s)



Outlook

Orion approval for [REDACTED]

From clerk@orionwi.gov <clerk@orionwi.gov>

Date Thu 10/16/2025 6:57 AM

To Noel Schmitz <noel.schmitz@co.richland.wi.us>; Zoning <zoning@co.richland.wi.us>

📎 1 attachment (12 KB)

NOTICE OF ACTION - Kessen Oct 2025 .xlsx;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

[REDACTED] appeared before the Town Board last evening to request approval for the placement of a Car Port on his property. The board approved the request provided the placement complies with all zoning requirements.

I have attached the document we provided to [REDACTED], and I am sending the electronic version to you. The original document has the Town of Orion seal, and I will mail you a stamped version when I return to the office. I am out of the office until next Tuesday.

Have a great rest of your week and thank you for your help.

Diane Parduhn

Clerk of Orion

PO Box 506

Muscoda WI 53581

608/739-0515

clerk@orionwi.gov

Office located at 22304 Thiede Rd (NO MAIL DELIVERY)

40 Feet

Clear

Carport 20x20



Permit #

Customer #

RICHLAND COUNTY - OFFICE OF THE ZONING ADMINISTRATOR

APPLICATION FOR LAND USE PERMIT

To the Zoning Administrator: The undersigned hereby makes application for a Land Use Permit for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Richland County Zoning Ordinance and with all other applicable County Ordinances and regulations and all laws and regulations of the State of Wisconsin. A scaled or dimensional drawing of the proposed structure on paper no smaller than 8 1/2 x 11 must be submitted. The following must be included on your drawing. Direction of North. Distances from Roadway, Structures, Septic System, Well, Lot Lines, and OHWM (when applicable).

CUSTOMER INFORMATION	Last Name	First Name	Phone
	Mailing Address	City	State

Builder Name	Builder Address	Builder City	Builder State
Builder ZIP	Builder Phone		

PROPERTY LOCATION	County Address	Roadway	Parcel #
	Qtr	Section	Township

DETAILS	Bldg Width	Bldg Length	Bldg Height	Bldg Area	Zone
----------------	------------	-------------	-------------	-----------	------

Project Type	Use	Attached Garage	Stories	Cost	Type of Construction
--------------	-----	-----------------	---------	------	----------------------

Road Setback	Side Yard Setback	Rear Yard Setback	Sanitary Permit #	Floodplain	Stream/River
--------------	-------------------	-------------------	-------------------	------------	--------------

Floodplain Elevation	Map #	OHWM	Airport Permit	LWSRB Approval	Is the proposed structure in Ag Zoning within 500' of an existing agricultural or residential structure under separate ownership?
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I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Property Owner Signature: _____

Zoning Authority: _____

Start Date

Finish Date

Fee Amount

THIS PERMIT EXPIRES

Certificate of Compliance

ACTION	Lottery App Card	Status	Issue Date	Denied Date
---------------	------------------	--------	------------	-------------

Comment	Inspection Date
---------	-----------------

Inspection Comments	Inspected By	Inspected On	Inspected At	Inspected For
---------------------	--------------	--------------	--------------	---------------

Appealed Date	Renewal Date	BOA Decision	BOA Date	BOA By
---------------	--------------	--------------	----------	--------

You are responsible for obtaining any permit or approval that may be required for your project by your township, Richland County Highway Department, Wisconsin Department of Natural Resources, Wisconsin Department of Commerce, Wisconsin Department of Transportation or the U.S. Army Corps of Engineers before starting your project. You are responsible for complying with State and Federal Laws concerning construction near or on Wetlands, Lakes, and Streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information visit the Department of Natural Resources Wetlands Identification web page or contact a Department of Natural Resources Service Center. <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=SurfaceWaterViewer.wetlands>

I certify I have read the above statement and received a copy of the approved permit.

Property Owner Signature: _____

Name	Title	Property Address	Mailing Address (if different)	City	State	Zip
<u>Property</u>						
William Jessen		34103 Putnam St				
<u>Neighbors</u>						
John Johnston & Ellen Hale		34091 Putnam St	3209 Emerson Ave S	Minneapolis	MN	55408
Jones Tisdale Revocable Trust, Dean & Karen Jones Tisdale		22176 Catherine St	335 N 4th St	Muscoda	WI	53573
Richard Weiss		22141 Catherine St	E11002 State Rd 60	Sauk City	WI	53583
Dean Willis		22167 Catherine St		Muscoda	WI	53573
Karen Brewer		22140 Elizabeth St		Muscoda	WI	53573
Ronald & Diane Waldsmith		34100 Putnam St	7858 W Oakbrook Circle	Madison	WI	53717
Gerald Rux		34225 Marion St	PO Box 441	Muscoda	WI	53573
Michael & Teresa Thomas		34202 Putnam St		Muscoda	WI	53573
Kevin Ekleberry		22180 State Hwy 60		Muscoda	WI	53573
Thomas & Lois Argall		34207 Putnam St		Muscoda	WI	53573
Roger Peterson		34238 Addition St		Muscoda	WI	53573
Cathryn J Scott		34241 Addition St		Muscoda	WI	53573
John Nicolay		Parcel 020-4223-4200	W9473 McGowan Rd	Lodi	WI	53555
Linda Eveland		22296 Elizabeth St	33700 Coffenberry Ln	Lone Rock	WI	53556
Samantha McClimans		22283 Catherine St		Muscoda	WI	53573
Richard Coy		22258 Elizabeth St		Muscoda	WI	53573
John Jansen		Parcel 020-4222-1050	25431 Jefferson St	Richland Center	WI	53581
Matt Carter		22179 Catherine St	717 Red Oak Trl	Dodgeville	WI	53533
Cedar Mound Cemetery Association		Parcel 020-4223-8100	181 W Seminary St	Richland Center	WI	53581
Usula Bauer	Westford Township Clerk		PO Box 25	Cazenovia	WI	53924
Sandra Kramer	Supervisory District 4		29970 County Hwy I	Cazenovia	WI	53924

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Petition for a Conditional Use Permit 020-4222-1010

Department:	Land Conservation & Zonir	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve a CUP to permit for a 2nd accessory building on the parcel 020-4222-1010 Town of Orion

Background:

The landowners also wish to add a secondary building on the property which requires a Conditional Use Permit

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Customer #

Petition #

25-035

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Original Owner:

(I) (We) First Name(s) Last Name ine

Address County y City Richland Center State W Zip 53581

First Name(s) Last Name Phone

Address City Richland Center State W Zip 53581

hereby petition the Richland County Zoning Committee for a:

Mail Report

☐ Rezone from Rezone to☒ CUP to permit salvage yard (continuation of existing use provided state licenses are met)☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows:

Parcel # 010-0243-1000*0234-0000,

Qtr SW Qtr SE Section 2 Town 9N Range 1W Township EAG # of acres 167.41

Lot Block Subdivision # of Acres Approved

Present Use salvage yard

Present Improvements salvage yard, outbuildings, house

Proposed Use salvage yard

Legal Description

Petition Filed 9/30/25 Petitioner Notified Rezone Decision Ordinance #

Category Town Notified CUP Decision CB Date

Fee Amount \$500 ☐ Township Approval CUP Expires CB Decision

Meeting Date Decision Date SUP Decision Amendment #

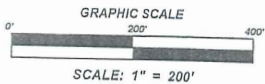
Comments *these parcels will be split & need to be updated on future salvage permits. 4 or 6 year renewal is recommended.



County Clerk Approval

(Signed) Appellant(s) or Agent(s)





LEGEND:

- --- INDICATES 3/4" X 16" IRON REBAR, WEIGHT 1.5 LBS/FT PLACED BY THIS SURVEY (000.00)
- DIMENSIONS IN PARENTHESIS ARE AS PREVIOUSLY RECORDED / DESCRIBED
- - - EXISTING FENCE

NOTES:

TRACTS A, B AND C AS SHOWN HERE DO NOT COMPLY WITH RICHLAND COUNTY ZONING CODE MINIMUM AREA REQUIREMENTS AS STAND-ALONE PARCELS.

TRACTS A, B AND C AS SHOWN HERE ARE TO BE CONVEYED THE OWNERS OF ABUTTING LANDS AND COMBINED WITH THOSE ABUTTING LANDS TO FORM CONTIGUOUS OWNERSHIP IN EXCESS OF THE MINIMUM REQUIRED PARCEL SIZE.

TRACTS B AND C AS SHOWN HERE DO NOT ABUT PUBLIC RIGHT-OF-WAY AND WILL HAVE ACCESS VIA CONTIGUOUS OWNERSHIP WITH LANDS THAT DO HAVE ACCESS TO PUBLIC RIGHT-OF-WAY.

UNPLATTED LANDS BY L & M SALVAGE.



SURVEY PREPARED BY:
SEAN M WALSH, PLS 2016

WALSH
GEOMATICS, LLC
608-383-1501 (O)
608-347-9307 (M)
www.walshgeomatics.com

SURVEYING - MAPPING
PO BOX 486, RICHLAND CENTER, WI 53581

I, SEAN M. WALSH, WISCONSIN PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT:

I HAVE MADE THIS SURVEY UNDER THE DIRECTION OF BRAIN BRENNINGER, AGENT FOR L & M SALVAGE, OWNER.
THIS SURVEY IS IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE.
THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF.

FIELD WORK COMPLETED ON 05/04/2023

209010205122023A

RICHLAND COUNTY PLAT OF SURVEY

BEING LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 1 WEST, TOWN OF EAGLE, RICHLAND COUNTY, WISCONSIN.

SURVEY PREPARED FOR:
L & M SALVAGE
28841 C.T.H. Y
RICHLAND CENTER, WI 53581

SECTION 2 T9N, R1W TOWNSHIP OF EAGLE

TRACT "A"

VACANT LANDS

TOTAL AREA

623,889 SQ. FT.

14.3225 ACRES

TO LEFFLER FAMILY LIMITED PARTNERSHIP

TRACT "B"

VACANT LANDS

TOTAL AREA

210,557 SQ. FT.

4.8337 ACRES

TO L & M SALVAGE

TRACT "C"

VACANT LANDS

TOTAL AREA

216,945 SQ. FT.

4.9804 ACRES

TO LEFFLER FAMILY LIMITED PARTNERSHIP

RICHLAND COUNTY
SURVEYOR'S OFFICE
RECEIVED FOR FILING

JUN - 5 2023

BY COUNTY SURVEYOR

SOUTHEAST CORNER
SECTION 2, T9N, R1W
6" DIA RICHLAND COUNTY
CAST IRON MONUMENT FOUND
TIES VERIFIED

Excerpt of Minutes of Joint Town Board and Plan Commission Meeting

October 8 10, 2025

The Eagle Town Board and Plan Commission held a joint meeting to consider requests by Austin Williamson to rezone a parcel and L&M Salvage Company of Richland County, Inc. for a Conditional Use Permit for operation of a salvage yard.

Williamson owns Parcel No. 010-3421-3000 which consists of 2.90 acres and is located at 19197 State Highway 60. This parcel is currently zoned Ag-Forestry, and is non-conforming because it does not meet the minimum requirement of 35 acres. Williamson requests the parcel be rezoned to Commercial, which will match the zoning of the adjoining parcel which he owns and allow him to make improvements to the property.

The Plan Commission and the Board heard statements by Williamson, discussed the application and then each voted unanimously to recommend Richland County approve rezoning the above-described parcel to Commercial.

L&M Salvage owns Tax Parcel Numbers: 010-0243-1000, 010-0234-0000, 010-0243-2000, 010-1112,2000, 010-1121-2000, 010-0244-2000, and 010-0241-2000. Due to a change in ownership, the it is necessary for the new owner to obtain a Conditional Use Permit for operation of a salvage yard. This use of the property existed prior to the adoption of the zoning code.

The Commission and the Board heard statements by Brian Breninger, discussed the application, and then each approved unanimously a motion to recommend Richland County approve a Conditional Use Permit for operation of a salvage yard for the parcel numbers described above.

Dated this 8th day of October, 2025

A handwritten signature in dark ink, appearing to read 'Bobbi Ann Goplin', is written over a horizontal line.

Bobbi Ann Goplin, Clerk, Town of Eagle

Name	Title	Property Address	Mailing Address (if different)	City	State	Zip
<u>Property</u>						
L&M Salvage Inc		28841 County Hwy Y		Richland Center	WI	53581
<u>Neighbors</u>						
Leffler Family Limited Partnership		28438 County Hwy Y		Richland Center	WI	53581
Thomsen Living Trust		28595 County Hwy Y	448 Lincoln Dr	Sun Prairie	WI	53590
Glenn & Karry Lawson		Parcel 010-0244-1000	3275 County Hwy FF	Omro	WI	54963
Thomas & Deborah Shields		29469 County Hwy Y		Richland Center	WI	53581
Kinzap LLC c/o Gregory Sobczak		Parcel 010-1121-1000	4724 Sumac Rd	Middleton	WI	53562
Bobbie Ann Goplin	Eagle Township Clerk		19099 Crossover Rd	Muscoda	WI	53573
Steve Williamson	Supervisory District 17		17998 State Hwy 60	Blue River	WI	53518

Natural Resources Committee

Agenda Item Cover

Agenda Item Name: Petition for a Conditional Use Permit 010-0243-1000, 010-0234-000

Department:	Land Conservation & Zonir	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve a CUP to permit for a salvage yard on the parcel 010-0243-1000, 010-0234-0000, 010-0243-2000, 010-1112-2000, 010-1121-2000, 010-0244-2000, 010-0241-2000 Town of Eagle

Background:

The landowners currently have a licensed a salvage yard on the property and they need an updated Conditional Use Permit to renew their state license

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Agriculture

A pasture walk for farmers and residents of Richland County where participants were able to tour a unique grazing and custom watering operation and learn about rotational grazing to improve their own pasture management. Total Reach: 17 adults and 3 children attendees (**Anastasia Kurth**)

- Richland County producers have an interest in learning more about rotational grazing. Nearby counties host regular pasture walks; however, Richland County has not held such an event in the recent past. There is a real need for peer-to-peer learning, especially for younger, beginning graziers. In collaboration with the newly developing producer-led watershed group in Richland County, an evening pasture walk was hosted to highlight a local producer that has been using rotational grazing practices on challenging topography. Participants in the pasture walk learned about grazing concepts as well as soil health concepts and an innovative way to design a watering system to reach challenging topography. Participants asked great questions and stayed well after the program concluded to discuss their operations with one another.

An article for the 'Field Fodder' column of the Wisconsin Agriculturalist Magazine for farmers, agency staff, and agricultural consultants. This article detailed an ongoing research project conducted by Extension educators to determine the viability of winter camelina as a cover crop after soybean and its ability to reduce nitrate leaching in comparison to a winter rye cover crop. Total Reach: Digital and print readers of the Wisconsin Agriculturalist Magazine (Farm Progress) (**Anastasia Kurth**, Sam Bibby, Will Fulwider)

An in-person workshop for beef producers on topics identified by producers from previous workshops. Topics covered during this event were Body Condition Scoring, Fall Culling Decisions, Grazing Corn Stalk Residue/Winter Feeding Considerations, and Getting Ready To Haul/Trailer Safety. Total Reach: 25 total attendees (Adam Hartfiel, **Beth McIlquham**, Bill Halfman)

An on-farm research project investigating use of winter camelina as a cover crop option after soybeans to reduce nitrate leaching and mitigate the yield drag seen in corn following winter cereal cover crops, the only other overwintering cover crop choice in Wisconsin post-soybean harvest. Results from this study will help farmers decide if winter camelina is a viable cover crop for their operation and engage farmers in thinking more critically about nitrogen loss pathways. Total Reach: 9 farmers = 4 research collaborating farmers + 5 additional farmers who planted winter camelina (Will Fulwider, **Anastasia Kurth**, Chelsea Zegler, Sam Bibby, Sheryl Schwert, Steven Hall)

Human Development and Relationships

An 8-module class that provides people reentering communities with tools and tips for managing bills, identifying & prioritizing payments for both legal system-related debt and consumer debt, creating a spending & savings plan, understanding credit scores & reports, choosing financial products and services, and building other financial competencies. Through this, participants strengthen their financial literacy to support a prosperous reentry to their community. Total Reach: 4 county jail residents (**Sarah Kubiak**)

A coaching program for families and individuals, where participants learn how to create financial goals and gain money management skills. The goal of this program is to enable participants to prepare for and take charge of household financial situations that occur due to changes in income or unforeseen hardships. Total Reach: 1 work n wheels client (**Sarah Kubiak**)



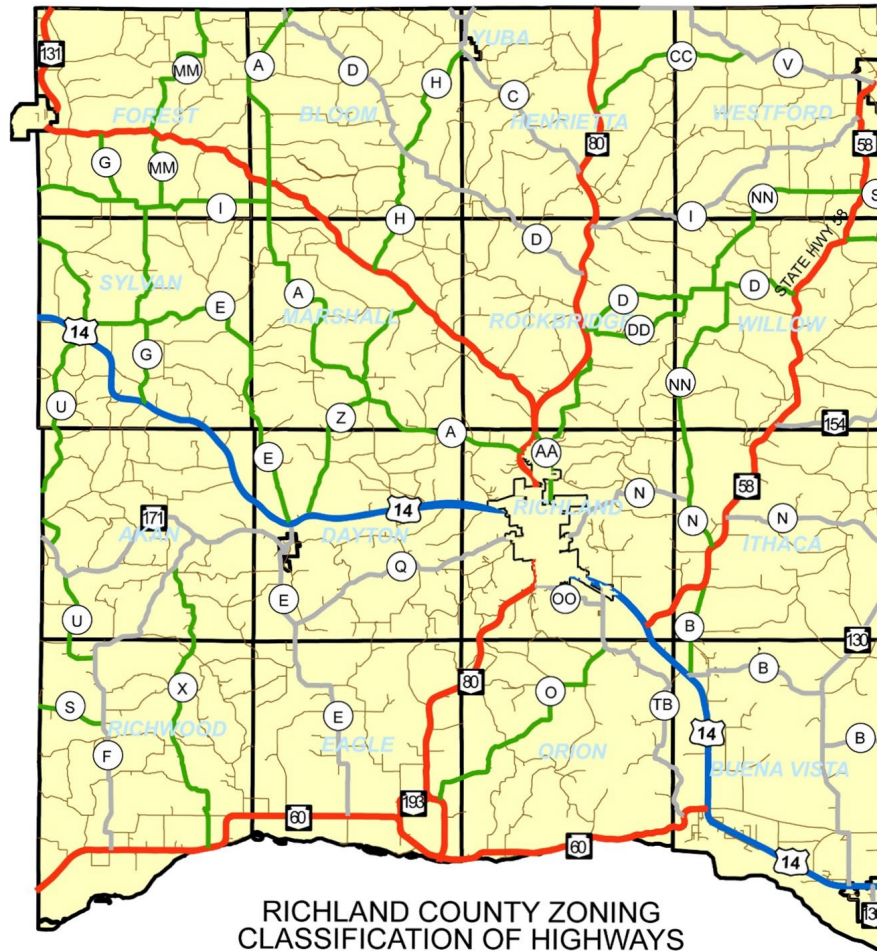
An on-demand lesson on topics such as budgeting, credit/debt, record keeping, saving on groceries, goal setting, preventing fraud and scams, and finding affordable housing for groups such as residents at a homeless shelter, recent immigrants, a group of young parents, etc. where they learn effective strategies to manage their money. Through this, participants set and create a plan for achieving their financial goals, can create a spending plan that allows them to manage their monthly income and expenses, and can make a plan to become debt-free. Total Reach: 2 Richland county residents (**Sarah Kubiak**)

A 6-session course for renters where participants learn how to find and apply for rental housing, understand their responsibilities as a renter, how to communicate effectively with their landlords, and manage housing expenses. Through this, those with negative rental records and those new to renting are able to increase their ability to find and keep safe affordable housing, thereby increasing their stability and decreasing their reliance on public supports. (Amanda Kostman, Alana Perez-Valliere, Carol Bralich, Crystal Walters, Jeanne Walsh, Jennifer Abel, Katie Daul, Kula Yang, **Sarah Kubiak**, Sarah Hawks, Tahnee Aguirre, Todd Wenzel)

Chapter 119 ZONING

Sec. 119.04.010. General provisions.

- (a) *Statutory authorization.* This chapter is adopted pursuant to Wis. Stats. § 59.69.
- (b) *Compliance.* The use of any land or water, the size, shape, and placement of lots; the use, size, type, and location of structures on lots; the regulation of billboards, mobile homes, trailers, quarries, and junkyards; and the subdivision of lots shall be in full compliance with the terms of this chapter and other applicable regulations. Buildings and signs shall require a zoning permit unless otherwise expressly excluded by the requirements of this chapter.
- (c) *Force and effect.* Following passage and publication by the county board of supervisors, this comprehensive revision of the county zoning regulations shall go into full force and effect in each individual town only after receiving individual town board approval as required in Wis. Stats. § 59.69.
- (d) *Abrogation and greater restrictions.* It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any other ordinances, easements, deed restrictions, permits, agreements, rules, or regulations previously adopted; however, where this chapter or any amendment thereto imposes greater restrictions, the more restrictive shall prevail.
- (e) *Interpretation.* In this interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by state law.
- (f) *Site requirements.*
 - (1) Only one principal structure, as defined by this chapter, shall be permitted on a lot. However, additional principal structures shall be permitted, providing the minimum lot size, lot width, and yard requirements for each zoning district are met.
 - (2) All lots shall abut upon or have irrevocable recorded access to a public road, street, or highway. After this chapter is adopted by the township, all newly created rights-of-way shall have a width of not less than 49.5 feet.
- (g) *Standard district regulations.*
 - (1) *Setback requirements on highways and roads.* The following provisions apply to lands abutting a public road, street, or highway so as to lessen conflicts and congestion and to promote the safety and efficiency of such transportation facilities:
 - a. *Classification of highways.* The public roads, streets, and highways of the county are divided into the following five zoning classifications in relation to the county Functional and Jurisdictional Highway Plan Update of 1995, as the plan shall be amended from time to time by the Southwestern Wisconsin Regional Planning Commission. The highways so classified are shown as the Highways Zoning Classification Map below.



ZONING CLASSIFICATION	FROM CENTERLINE	HIGHWAY CLASSIFICATION
Class A Highway (Blue)	150'	Principal Arterial Highways
Class B Highway (Red)	130'	Minor Arterial Highways
Class C Highway (Gray)	110'	Major Collector Highways
Class D Highway (Green)	90'	Minor Collector Highways
Class E Highway (Brown)	70'	Local Highways, Town Roads, Public Roads and streets other than those listed above

- b. *Minimum highway setback.* Unless otherwise permitted in this chapter, all buildings, structures, and other objects shall be set back from abutting public highways so as to comply with the minimum requirements set forth in this subsection (g)(1), or otherwise permitted or modified by the approval of the plat of a legal subdivision or a particular provision of this chapter.
- c. *Specifications.* Setbacks from public highways shall be not less than the horizontal distances set forth in this subsection (g)(1) and measured from either the near existing right-of-way line or the centerline of the abutting roadway or the centerline of the near pair of travel lanes, whichever is more restrictive. The more restrictive of the two measurements shall prevail.

Zoning Classification	Setback from Right-of-Way	Setback from Centerline
Class A Highways	70 feet	150 feet
Class B Highways	60 feet	130 feet
Class C Highways	50 feet	110 feet
Class D Highways	40 feet	90 feet

Class E Highways	30 feet	70 feet
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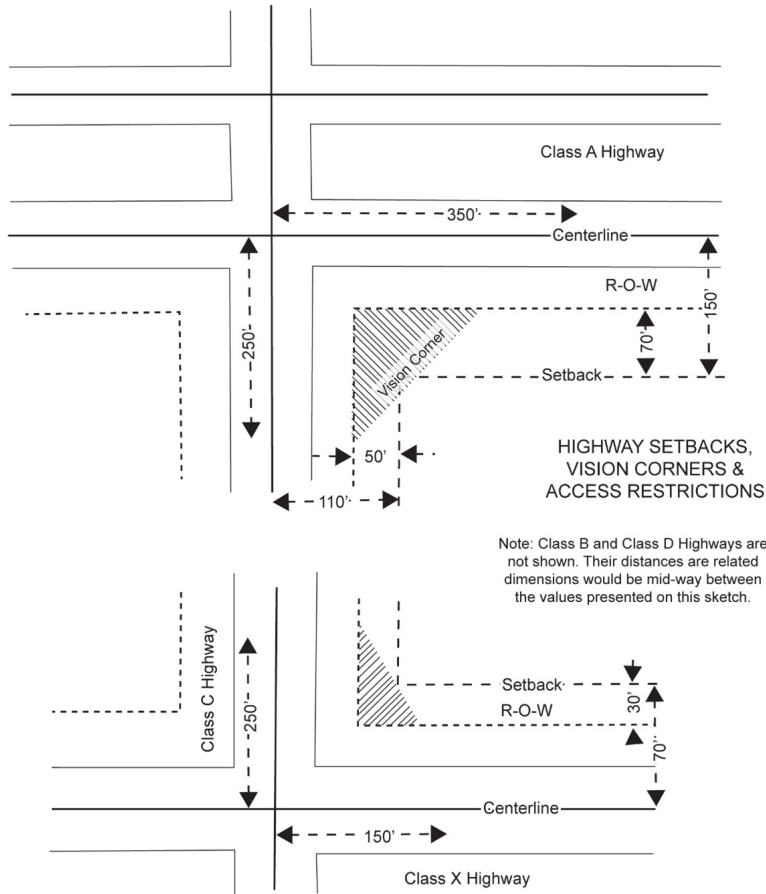
(2) *Conditional modifications.* The above-listed highway setback requirements are subject to the following conditional modifications. When such conditions occur, the county director of land conservation and zoning may permit a setback that meets the following requirements:

- a. When an existing principal structure or building fronts on the same side of the abutting highway and within 200 feet on both sides of the proposed structure, the highway setback may be modified to the average of the setbacks existing on the two abutting structures.
- b. When two or more principal structure or buildings front on the same side of the abutting highway and within 400 feet in one direction from the subject site, the highway setback may be modified to the average of the setback on the near existing structure and the required setback for the appropriate class of highway.

(3) *Vision corners.*

- a. In each quadrant of every at-grade intersection of a public road, street, or highway with another public road, street, or highway or with a mainline railroad, there shall be a vision corner consisting of a triangular area within which no structure, building, vegetation or other fixed object shall be permitted if the same would obstruct the highway users view across such vision corner or otherwise restrict the user's ability to perceive an on-coming vehicle.
- b. All such vision corners shall be bounded by the centerlines of the intersecting roads, streets, highways or railroad tracks, on a straight line, connecting points on the centerlines and at the following horizontal distances from the point of intersection. In case of a multi-land or divided highway or a multi-track railroad, the centering shall be construed to be the centerline of the near pair of travel lanes or the near pair of rails.

Zoning Classification	Distance from Intersections
Class A Highways	350 feet
Class B Highways	300 feet
Class C Highways	250 feet
Class D Highways	200 feet
Class E Highways	150 feet



- (4) *Access restrictions.* No direct public access shall be permitted to the rights-of-way of any public road, street or highway except in compliance with the following provisions:
- No direct private access shall be permitted to the rights-of-way of two intersecting public roads, streets or highways within the following horizontal distances, as measured from the point of intersection of the two right-of-way lines and along the right-of-way abutting the subject site. The distance shall be measured for each intersecting highway according to the class of highway listed below.

Zoning Classification	Restricted Distance
Class A highway	500 feet
Class B highway	400 feet
Class C highway	300 feet
Class D highway	200 feet
Class E highway	100 feet

- Public service roads designed to keep private access from entering directly onto Class A and B highways may be located closer to the intersection than would otherwise be required.
- Vehicular entrances and exits serving drive-in-establishments which generate traffic volumes in excess of 100 vehicles per day, shall be not less than 100 feet from any pedestrian entrance or exit serving a school, church, hospital, park, playground or other place of public assembly.

- (5) *Exceptions to highway requirements and restrictions.* The following structures and uses are excepted from the above-listed highway setbacks, vision corner and access regulations:
- Signs placed by or under the direction of the appropriate highway agency for the guidance, direction, control or warning of traffic, including construction barricades and safety devices.
 - The planting and harvesting of field crops, flowers, shrubs, hedges and the like and the use of open fences, equipment and machinery commonly associated with such planting or harvesting, provided the same shall be subject to such trimming, pruning, cropping or control as may be deemed necessary by the highway agent having jurisdiction over the abutting highway.
 - Communication and power transmission lines, poles and appurtenant structures, and underground structures provided the same are not capable of being used as a foundation for a prohibited above-grade structure.
 - Temporary use of the above restricted areas may be permitted, but such temporary permit shall be revocable, subject of particular conditions, and limited to not more than 12 consecutive months.
 - Minor readily removable structures such as open fences and small signs permitted by this chapter may be placed within setback lines, provided all requirements of this chapter are met.
 - Structures not conforming to the above setback, vision corner, and access requirements may be placed on lots platted and recorded prior to the adoption of the ordinance from which this chapter is derived by the township by conditional use only.
- (6) *Lot size requirements in the residential and commercial districts.*
- Lots created after adoption of the ordinance from which this chapter is derived shall meet the minimum area requirements shown on Table 1 below.

Table 1. Yard, Area and Width Requirements

	A-F	A-R	R-1	C-1	I
Side yards, principal buildings (ft.)	20	20	10	10*	20
Lots not served by public sewer (ft.)	20	20	10	10*	20
Lots served by public sewer (ft.)	—	20	8*	8**	20
Side yards, accessory and building (ft.)	10	10	5	5	5
Rear yard (ft.)	50	50	40	20	20
Floor area dwelling (sq. ft.)	600	960	960	500	
***Minimum lot area agricultural (acres)	35	5	—	—	—
Lots not served by public sewer (acres)	—	5	2	1	1
Lots served by public sewer	—	5 acres	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Minimum lot width lot not served by public sewer (ft.)	200	200	200	200	200
Lots served by public sewer (ft.)	—	200	65	65	65

*Although the minimum width of one side yard can be ten feet, the minimum aggregate width of both side yards shall be 25 feet.

**Although the minimum width of one side yard can be eight feet, the minimum aggregate width of both side yards shall be 20 feet.

***Maximum lot area in the agricultural/residential district is 34.99 acres.

b. The dimensions of the building sites in the general commercial and single-family residential districts shall meet the following minimum requirements:

1. *Lots not served by public sewer.*

- (i) The minimum lot area shall be ~~43,560 square feet~~ 1 acre in commercial district and 2 acres in single-family residential district and the minimum lot width 200 feet at the building line and 200 feet at the water's edge.
- (ii) There shall be a side yard for each principal building. The minimum width of one side yard shall be ten feet. The minimum aggregate width of both side yards shall be 25 feet.

2. *Lots served by public sewer.*

- (i) The minimum lot area shall be 10,000 square feet and the minimum lots width 65 feet at the building line and 65 feet at the water's edge.
- (ii) There shall be a side yard for each principal building. The minimum width of one side yard shall be eight feet. The minimum aggregate width of both side yards shall be 20 feet.

3. *Existing lots served by public sewer.* A lot which does not contain sufficient area to conform to the dimensional requirements of this chapter but which is at least 50 feet wide and 7,500 square feet in area may be used as a building site providing that the use is permitted in the zoning district, providing the title to the lot has been transferred prior to the effective date of the ordinance from which this chapter is derived and providing the lot is in separate ownership from abutting lands.

4. *Existing lots not served by public sewer.* A lot which does not contain sufficient area to conform to the dimensional requirements of this chapter but which is at least 65 feet in width at the building line and 65 feet at the water's edge, and which is 10,000 square feet in area, may be used as a building site, providing it meets the requirements of the sanitary ordinance, providing that the use is permitted in the zoning district, providing the title to the lot has been transferred and notarized prior to the effective date of the ordinance from which this chapter is derived in the township, and providing the lot is in separate ownership from abutting lands.

5. *Substandard lots.*

- (i) A zoning permit for the improvement of a lot having lesser dimensions than those stated in subsections (g)(6) ~~and 3 and 4~~ of this section shall be issued only after the granting of a variance by the board of adjustment.
- (ii) If two or more substandard lots with continuous frontage have the same ownership as of the effective date of the ordinance from which this chapter is derived, the lots involved shall be considered to be an individual parcel for the purposes of this chapter.

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6. *Spacing between buildings.* No agricultural structure may be placed within 500 feet of an existing nonagricultural structure under separate ownership unless otherwise permitted by conditional permit, or no nonagricultural structure may be placed within 500 feet of an existing agricultural structure under separate ownership unless otherwise permitted by conditional permit.
- (7) *Lot size requirements in the agricultural and forestry district.* Lots created after adoption of the ordinance from which this chapter is derived shall meet the minimum area requirements shown on Table 1. The dimensions of the building sites in the agricultural and forestry districts shall meet the following minimum requirements:
- a. The minimum lot area shall be 35 acres and the minimum lot width 200 feet at the building line.
 - b. There shall be a side yard for each principal building and accessory building. The minimum side yard setback for principal buildings shall be 20 feet. The minimum side yard for accessory buildings shall be ten feet.
 - c. A lot which does not contain sufficient area to conform to the dimensional requirements of this section, but which is at least 200 feet in width at the building line, and which is ~~43,560 square feet~~ 2 acres in area, may be used as a building site, provided the use is permitted in the zoning district. ~~, providing the title to the lot has been transferred (and notarized) prior to the effective date of the ordinance from which this chapter is derived in the township, and providing the lot is in separate ownership from abutting lands, and providing it meets the provisions of the sanitary ordinance.~~
- (8) *Open space requirements.* Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.
- (9) *Structures not buildings.* Structures which are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback, and other dimensional requirements of this chapter. This provision excludes fences and public utility poles.
- (10) *Accessory uses and structures.*
- a. Any permanent, roofed structure serving as an accessory use if attached to the principal building by an enclosed structure shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building it shall conform to the setback, and other dimensional requirements of the district within which it is located.
 - b. Accessory buildings permitted in residential districts, shall conform to the following requirements:
 1. No more than one accessory building shall be permitted on a lot, except by conditional permit.
 2. No accessory building shall have a floor area greater than 70 percent of the floor area of the principal building on the lot.
 3. No accessory building shall have a floor area in excess of ten percent of the total lot area.
- (11) *Storage restrictions.* No large object other than licensed passenger motor vehicles, and major recreational equipment, may be stored on a lot in a residential district, except within a garage or where it will, at all times, be completely shielded from the view from the street or adjoining properties, by landscaping, walls, or fencing. No such equipment shall be used for living or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. The storage of such equipment shall only be permitted adjacent to a residence and shall never be the principal use of

an individual lot. The storage of such equipment prior to the adoption of the ordinance from which this chapter is derived shall be permitted to continue.

(12) Structures less than 120 square feet. No permit is required for new structures of 120 square feet or less which has no foundation.

(Ord. No. 84-3, § I, 6-19-1984; Ord. No. 94-14, § 1, 12-13-1994; Ord. No. 95-19, § 1, 12-12-1995; Ord. No. 97-26, §§ 1—5, 12-9-1997; Ord. No. 2003-16, § 1, 5-20-2003; Ord. No. 2003-22, 7-15-2003; Ord. No. 17-12, §§ 3, 4, 7-18-2017)

Sec. 119.04.020. Zoning map and district boundaries.

(a) *Zoning districts.* The lands of the county are divided into the following districts:

- (1) General Agricultural and Forestry District (A-F).
- (2) Agricultural and Residential District (A-R).
- (3) Single-Family Residential District (R-1).
- (4) General Commercial District (C-1).
- (5) Industrial District (I).
- (6) Conservancy District (CON).
- (7) Scenic Resources District (SR).

(b) *Zoning district boundaries.* Need to talk to Atty Windle. Looking at other counties ordinances. Don't think we have official paper maps.

- (1) The locations and boundaries of the county's districts are shown on a single map officially designated, "Official Zoning Map, Richland County, Wisconsin" and on separate township maps, officially designated, "Detailed Zoning Maps, Richland County, Wisconsin."
- (2) These maps, together with all explanatory material and regulations thereon, are an integral part of this chapter. In the event of a conflict between zoning district boundaries shown on the official zoning map for Richland County, Wisconsin, and the detailed zoning maps for Richland County, Wisconsin, the latter shall govern and prevail. District boundaries are normally lot lines; section, quarter-section or sixteenth lines; centerlines of streets, highways, alleys, railroad right-of-way or such lines extended; unless otherwise noted on the zoning maps. Districts not specifically indicated on the zoning map shall be determined by the scale of the map. In accordance with Wis. Stats. § 59.69(4), zoning district boundaries shall be decided by the county board. It shall be the policy of the county natural resources standing committee to consult with individual township boards in decisions regarding district boundaries, before making recommendations to the county board. Questions regarding exact location of district boundaries shall be decided by the county natural resources standing committee or its authorized representative. Decisions may be reviewed on appeal to the board of adjustment as provided in section 119.04.070.
- (3) The official zoning maps shall be certified by the chairperson of the county board and attested by the county clerk. Copies of the official zoning maps together with a copy of this chapter shall be kept on file in the office of the county clerk. Any changes affecting zoning district boundaries shall be recorded on the applicable maps. All such changes shall be made in accordance with provisions of Wis. Stats. § 59.69.
- (4) Copies of the official zoning maps together with copies of this chapter shall be kept at the county zoning department and shall be available for public inspection during office hours. Maps are

available from the county zoning department for a fee in the amount provided in the county fee schedule.

(c) *General Agricultural and Forestry District (A-F).*

- (1) *Purpose.* This district provides for the continuation of general agricultural and forestry practices. Minimum district size is 35 acres. The intent is to preserve areas with adequate soil types, drainage and topography for farming and forestry and to prevent uneconomical scattering of residential, commercial and industrial development in such areas. This district shall be in compliance with Wis. Stats. ch. 91. Land being rezoned out of this district shall occur only if the town and county find the following:
 - a. The land is better suited for a use not allowed in this district.
 - b. The rezoning is consistent with the county comprehensive plan.
 - c. The rezoning is consistent with the county farmland preservation plan.
 - d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that is zoned for or legally restrict to agricultural use.
- (2) *Reporting.* The county shall, by March 1 of each year, provide to DATCP a report of the number of acres that the political subdivision has rezoned out of the A-F district during the previous year.
- (3) *Permitted uses.*
 - a. *Agricultural uses.* An agricultural use in the A-F district means any of the following activities conducted for the purpose of producing an income or livelihood:
 1. Crop or forage production.
 2. Keeping livestock.
 3. Beekeeping.
 4. Nursery, sod, or Christmas tree production.
 5. Floriculture.
 6. Aquaculture.
 7. Fur farming.
 8. Forest management.
 9. Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
- (4) *Accessory uses.* An accessory use in the A-F district means any of the following uses on a farm:
 - a. A building, structure, or improvement that is an integral part of or is incidental to an agricultural use.
 - b. An activity or business operation that is an integral part of or incidental to an agricultural use.
 - c. Up to 2 farm residences.
 - d. A business, activity or enterprise whether or not associated with an agricultural use that is conducted by the owner or operator of a farm, that requires no buildings, structures or improvements other than those described in subsection (c)(4)a or c of this section, that employs no more than four full-time employees annually and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland. No outside storage of stock in trade or vehicles, or other items related to the business, activity, or enterprise is permitted excepting those vehicles incidental to the permitted use of the property.

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- e. Prior nonconforming uses.
 - f. Transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.
 - g. Undeveloped natural resources and open space areas.
 - h. Community and other living arrangements per Wis. Stats. § 59.69(15) and meet the definition of an accessory use found in section 119.04.090.
 - i. **Recreational residential rental if consistent with Wis. Stats. § 91.01(1) and county short-term rental ordinance.**
- (5) *Uses authorized by conditional permit.* Before granting a conditional use permit in the A-F district the county shall require comment from the town board and/or natural resources standing committee of the affected town prior to any issuance of the conditional use permit.
- a. Agriculture-related uses that support and enhance agricultural uses within the district, do not impair or limit agricultural uses within the district, and do not unnecessarily convert cropland or prime farmland within the district.
 - b. Governmental, institutional, religious, or nonprofit community uses if the following apply:
 - 1. The use and its location in the A-F district are consistent with the purposes of that district.
 - 2. The use and its location in the A-F district are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - 3. The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - 4. The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - 5. Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
 - c. One manufactured home incidental to a farm operation provided such home does not require more than a single access to a Class A, B or C highway and meets the definition of a farm residence. If the party living in the manufactured home no longer works on the farm, the manufactured home shall be removed from the premises.
 - d. Temporary placement of a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed three years.
 - e. **Replacement of an existing manufactured home less than 24 feet wide or an existing mobile home less than 24 feet wide with a replacement manufactured home less than 24 feet wide that has at least 1,000 square feet of floor space and meet the definition of an accessory use found in section 119.04.090.**
 - f. Nonmetallic mineral extraction if the following apply:
 - 1. The operation and its location in the A-F district are consistent with the purposes of that district.
 - 2. The operation and its location in the A-F district are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.

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3. The operation and its location are designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 4. The operation does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 5. The operation is permitted and in compliance with the county nonmetallic mining regulations, which include section 111.12.020(c).
- g. Transportation, communications, pipeline, electric transmission, utility, wind energy systems, or drainage uses, if consistent with Wis. Stats. § 91.46(4), including wind and solar energy systems where the energy generated is primarily to be used off site and as long as the following apply:
1. The use and its location in the A-F district are consistent with the purposes of that district.
 2. The use and its location in the A-F district are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 3. The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 4. The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 5. Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- h.. Kennels, as long as they are located more than 2,640 feet from a dwelling other than one occupied or rented by the owner and meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.01(1).
- i. Trailer camps, campgrounds, institutional recreational camps and camping resorts per section 119.04.030(b) and meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.46(5).
- j. Private landing strips that meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.46(4).
- k. Placement of an agricultural structure within 500 feet of an existing nonagricultural structure under separate ownership.
- l. ~~Recreational residential rental if consistent with Wis. Stats. § 91.01(1).~~
- l.. Bed and breakfast establishments, as defined in Wis. Stats. § 91.01(1)(d).
- (6) *Area, height and setback requirements.*
- a. Lots not served by public sanitary sewer: minimum of 35 acres.
 - b. Minimum floor area: 600 square feet.
 - c. Minimum lot width: 200 feet at the building setback line.
 - d. Setbacks.
 1. Principal structure side yard: 20 feet.
 2. Secondary or accessory structure side yard: 20 feet.
 3. Rear yard, principal or secondary: 50 feet.
 4. Minimum highway setback shall be determined by subsection (c)(5)g of this section.

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- e. Open space requirements. Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.
 - f. Structures not buildings. Structures that are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback and other dimensional requirements of this chapter. Excludes fences and public utility poles.
 - g. Accessory uses and structures. Any permanent, roofed structure serving as an accessory use if attached to the principal building shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building, it shall conform to the setback, and other dimensional requirements of the district within which it is located.
- (d) *Agricultural and Residential District (A-R).* The purpose of the agriculture/residential district is to provide for limited residential uses on rural lots between 5.0 and 34.99 acres. Residents of this district shall recognize this area as primarily agricultural and shall accept those environmental conditions associated with farming and its related uses. For lot area, width, and yard requirements, refer to Table 1.
- (1) *Permitted uses.*
- a. One single-family dwelling. When an existing dwelling is to be replaced with a new dwelling, the existing dwelling must be razed or otherwise removed from the property within six months of the issuance of the certificate of compliance for the new dwelling.
 - b. Historic sites.
 - c. Limited farming including feed and vegetable crops and other similar enterprises or uses, provided that no agricultural structure shall be placed within 500 feet of an existing non-agricultural structure other than that of the owner.
 - d. Forestry, beekeeping, plant nurseries, fish hatcheries and non-commercial greenhouses.
 - e. One temporary roadside stand per lot, not more than 300 square feet used solely for the sale of products at least 50 percent of which were produced on the premises.
 - f. Storage of campers or major recreational equipment. No such equipment shall be used for living or housekeeping purposes.
 - g. Signs per section 119.04.030(f)(1), (2), (4) and (6).
 - h. Adult family home.
 - i. Community-based residential facility with eight or fewer residents.
 - j. Placement of up to four animal units on 5 to 12 acres and an additional animal unit for every additional three acres thereafter.
 - k. ~~Campers that are licensed and road ready and used for temporary parking and living purposes, as long as they are removed between December 1 and March 1 and as long as a parking permit has been issued by the director of land conservation and zoning, with the exception that any camper may be parked with no permit for 14 consecutive days in any one year.~~
- (2) *Permitted accessory uses.*
- a. Garage and/or usual accessory buildings, except as provided in section 119.04.050.
 - b. Private garages, carports, and boathouses when located on the same lot and not involving the conduct of a business, except as a permitted household occupation or conditional use, provided that no such structure shall be erected prior to the erection of the principal building to which it is necessary.
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- c. Permitted household occupations and professional offices when incidental to the principal residential use, situated in the same building, and carried on by the residential occupant, subject to the following conditions:
 - 1. Such use shall not occupy more than 20 percent of the classified floor area of the principal building in which it is located.
 - 2. Such use shall not employ more than one person not a resident on the premises.
 - 3. Any off-street parking area provided shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.
 - 4. Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes.
 - 5. Such use shall not include the operation of any machinery, tools or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding residential area.
 - d. Recreational residential rental if consistent with Wis. Stats. § 91.01(1) and county short-term rental ordinance.

(3) *Uses authorized by conditional permit.*

- a. Institutional recreation camps.
- b. Group homes - community based residential facilities.
- c. Public and private schools, churches, public parks and recreational area, historical sites. Landing strips are not allowed.
- d. One single family mobile home, provided that the mobile home and the land upon which it is located are owned in common.
- e. Kennels as long as they are located further than 1,320 feet from a dwelling other than that occupied or rented by the owner.
- f. Migrant labor camps.
- g. Mobile home parks, subject to the provisions of section 119.04.030.
- h. Shooting ranges.
- i. Multi-family dwellings.
- j. Non-metallic mining, including the removal of rock, gravel, decomposed granite, sand, topsoil or other natural material from the earth by excavating, stripping, leveling or any other process whereby these materials are substantially removed from the site, subject to the provisions of section 119.04.030.
- k. Agriculture related business including, but not limited to, veterinary hospitals and clinics, seed sales, but excluding stockyards or farm implement sales or service and fertilizer or chemical sales.
- l. Commercial greenhouses.
- m. Governmental uses including, but not limited to, township halls and garages.
- n. Livestock, poultry and state-licensed game farms.
- o. Manufactured homes less than 24 feet wide after placement.

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- p. Temporary placement of a mobile home or a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed three years.
 - q. Community-based residential facility with 9 or more residents
 - r. Bed and breakfast establishments.
 - s. Family farm business.
 - t. A wind energy system.
 - u. Telephone buildings (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and micro-wave radio relay towers; municipal buildings.
 - v. ~~Recreational rental/tourist home.~~
- (e) *Single-Family Residential District (R-1)*. This district is intended to provide for high quality, single-family year-round residential development. District size is 2.0—4.99 acres. ~~It is preferred that this development be around existing villages and subdivisions.~~ If this development takes place in a rural setting, the residents of this district shall accept those environmental conditions associated with farming and its related uses. For lot area, width and yard requirements, refer to Table 1.
- (1) *Permitted uses.*
- a. Single-family dwellings.
 - b. Historical sites.
 - c. Horticulture and gardening but not including commercial greenhouses.
 - d. Community-based residential facility with eight or fewer residents.
- (2) *Permitted accessory uses.*
- a. Private garages, carports and boathouses when located on same lot and not involving the conduct of a business, except as a permitted household occupation or conditional use, provided that no such structure shall be erected prior to the erection of the principal building to which it is necessary.
 - b. Permitted household occupations and professional offices when incidental to the principal residential use, situated in the same building and carried on by the residential occupant, subject to the following conditions:
 - 1. Such use shall not occupy more than 20 percent of the classified floor area of the principal building in which it is located.
 - 2. Such use shall not employ more than one person not a resident on the premises.
 - 3. Any off-street parking area shall be maintained reasonably dustless and adequately screened from adjoining residential properties.
 - 4. Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes.
 - 5. Such use shall not include the operation of any machinery, tools or other appliances or the outside storage of materials or other operational activity, any of which would create a nuisance or be otherwise incompatible to the surrounding area.

c. Recreational residential rental if consistent with Wis. Stats. § 91.01(1) and county short-term rental ordinance.

d. Chickens are allowed under the following conditions:

1. Maximum of 8 chickens per acre
2. No roosters
3. Not allowed out of coop or run/pen
4. Fully enclosed chicken coop to house chickens
 - a. At least 2 square feet/chicken in the coop
 - b. Meets residential setbacks
5. Required enclosed, outdoor chicken run/pen area attached to coop (enclosed by fencing or structure)
 - a. At least 8 sq ft/chicken in the run/pen
 - b. Setbacks: 25 feet from centerline of the road
6. Coop/pen cannot be closer than 75 feet to the ordinary high-water mark of any navigable waterway
7. Coop/pen cannot be located in any floodplain

(3) *Uses authorized by conditional use permit.*

- a. Public park and recreation areas, churches, schools, public museums and art galleries for exhibition in artists' own work.
- b. Bed and breakfast establishments, as defined in Wis. Stats. § 50.50(1).
- c. Community-based residential facility with nine or more residents.
- d. Rest homes and homes for the aged.
- e. Hospitals.
- f. Medical and dental offices.
- g. Funeral homes.
- h. Multiple-family residences.
- i. Rooming houses, boardinghouses and tourist homes.
- j. Radio and television stations and transmission towers and microwave radio relay towers and telephone buildings (provided there is no service garage or storage yard).
- k. Farm buildings on an existing farm, provided that buildings in which farm animals are kept shall be at least 500 feet from the nearest residence on a non-farm lot. Farm buildings housing animals, barn yards or feed lots shall be at least 100 feet from any continuous flowing water and shall be located so that manure will not drain into any continuous flowing water.
- l. Mobile home parks subject to the provisions of section 119.04.030.
- m. Golf courses.
- n. Municipal buildings.

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- o. Mobile home.
 - p. Temporary placement of a mobile home or a manufactured home less than 24 feet wide, while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed three years.
 - q. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and microwave relay towers; municipal buildings.
- (f) *General Commercial District (C-1)*. This district is intended to provide for the orderly and attractive grouping, at convenient locations, of retail stores, shops, offices, and establishments serving the daily needs of the area. For lot area, width, and yard requirements, refer to the table attached to the ordinance from which this chapter is derived.
- (1) *Permitted uses*. Community service facilities, such as, but not limited to, the following:
- a. Retail stores and shops offering convenience goods and services.
 - b. Business and professional offices and studios.
 - c. Banks and savings and loan offices.
 - d. Post offices.
 - e. Community-based residential facilities ~~with eight or fewer residents~~ **more than 8 residents**.
 - f. Restaurants.
 - g. Dental, medical, and veterinary clinics.
 - h. Rooming houses and boardinghouses.
 - i. Public and semi-public buildings and institutions.
 - j. Telephone buildings, telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and microwave relay towers.
 - k. Laundromats.
 - l. Commercial entertainment facilities.
 - m. **Rest homes and homes for the aged.**
 - n. **Wholesaling establishments.**
 - o. **Outdoor theaters.**
 - p. **Lumber and building supply yards.**
 - q. **Taverns.**
 - r. **Wineries/distilleries/breweries.**
 - s. **Drive-in establishments serving food or beverages to customers other than at a booth or table.**
- (2) *Permitted accessory uses*.
- a. Garages for storage of vehicles used in conjunction with the operation of a business.
 - b. Off-street parking and loading areas.
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- c. One dwelling containing residential quarters for the owner, proprietor, commercial tenant employee or caretaker located on the same premises as the business.
 - d. ~~Recreational residential rental if consistent with Wis. Stats. § 91.01(1) and county short-term rental ordinance.~~
- (3) *Uses authorized by conditional permit.*
- a. ~~Rest homes and homes for the aged.~~
 - b. Funeral homes.
 - c. Temporary placement of a mobile home or a manufactured home less than 24 feet wide, while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed three years.
 - d. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and microwave relay towers; and/or municipal buildings.
 - e. Auto service stations and maintenance facilities.
 - f. Nonmetallic mining operations: construction aggregate, industrial sand or both, subject to the provisions of section 119.04.030.
 - g. Radio and television stations and transmission towers and micro-wave radio relay towers and telephone buildings (providing there is no service garage or storage yard).
 - h. Farm buildings on an existing farm, provided that buildings in which farm animals are kept shall be at least 500 feet from the nearest residence on a non-farm lot. Farm buildings housing animals, barn yards or feed lots shall be at least 100 feet from any continuous flowing water and shall be so located so that manure will not drain into any continuous flowing stream.
 - i. ~~Wholesaling establishments.~~
 - j. Transportation terminals.
 - ~~k. Drive-in establishments serving food or beverages to customers other than at a booth or table.~~
 - l. Car , RV, camper and recreational sales.
 - m. Farm implement sales.
 - n. Golf courses and golf driving ranges.
 - ~~o. Outdoor theaters.~~
 - p. Miniature golf, go-kart, and amusement parks.
 - ~~q. Lumber and building supply yards.~~
 - r. Small industrial establishments.
 - ~~s. Taverns.~~
 - t. Mobile home sales.
 - ~~u. Wineries/distilleries.~~
 - ~~v. Recreation rental/tourist home.~~
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w. Campgrounds

- (g) *Industrial District (I)*. This district is intended to provide for any manufacturing or industrial operation which, on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance or other similar factors, and subject to such regulatory control as will reasonably ensure compatibility in this respect. (No specific area for such development is proposed on the zoning map at this time.) For lot area, width and yard requirements, refer to the table attached to the ordinance from which this chapter is derived.

(1) *Permitted uses.*

- a. Any use permitted in the commercial district, except residences or rooming houses and boardinghouses.
- b. The following uses are in keeping with the standards stated in subsection (g) of this section:
 1. General warehousing.
 2. Lumber and building supply yards.
- c. Wholesaling establishments.
- d. Car, RV, camper and recreational sales.
- e. Farm implement sales.

(2) *Permitted accessory uses.*

- a. Any accessory use permitted in the commercial district, except residences.
- b. Office, storage, power supply and other such uses normally auxiliary to the principal industrial operations.

(3) *Uses authorized by conditional use permit.* Uses authorized by conditional use permit include, but are not limited to, the following:

- a. Junkyards or salvage yards.
- b. Quarrying, mining, and processing of products from these activities.
- c. Stock yards or slaughterhouses.
- d. Storage and mixing of cement, asphalt, or road oils.
- e. Landfills and disposal sites.
- f. Nonmetallic mining operations: construction aggregate, industrial sand or both, subject to the provisions of section 119.04.030.
- g. Manufacture, assembly fabrication, and processing plants of similar type industrial operations.
- h. Municipal sewer facilities.

(h) *Conservancy District (CON)*.

- (1) *Purpose.* This district is intended to be used to prevent destruction of natural or human-made resources and to protect watercourses, including the shorelands of navigable waters, and areas which are not adequately drained, or which are subject to periodic flooding, where development would result in hazards to health or safety, would deplete or destroy resources, or be otherwise incompatible with the public welfare. This district includes all wetlands areas designated as swamps or marshes on the federal geological survey quadrangle map sheets.
- (2) *Specifications.* Wetlands are any lands wet enough to support the growth of moisture-loving plants or aquatics and having an accumulation of organic matter, such as peat or muck. Wet soils can be the

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- result of a high water table (as close to the surface as one foot, but frequently no closer than three feet) or a permeable layer within the soil causing slow seepage. A thick, dark-colored topsoil along with a gray or highly mottled subsoil indicates wet soil conditions. Wetlands are seldom suitable for building for the following reasons:
- a. Septic tank systems will not function because of high groundwater;
 - b. Water supplies are often polluted by septic tank wastes that have not been adequately absorbed by the soil;
 - c. Foundations and roads crack due to poor support capabilities and frost action;
 - d. Flooding is often common in spring and other times of high water.
- (3) *Wetlands.* The filling or draining of a wetland, so as to substantially change the condition of the soil or lower the water table, may make it possible in some cases to install an adequate septic tank system. In such cases, the applicant shall present evidence proving that the suitability of the soil at the site has been altered at a public hearing as provided in section 119.04.040. In such cases, the board of adjustment may grant permission to use this land for any use permitted in the adjacent land use district. The applicant shall have additional on-site investigations made, obtain the certification of a soils specialist that specific areas lying within this district are suitable for the proposed facility; and meet the state division of health and other sanitation regulations.
- (4) *Conditional requirements.* Upon consideration of these factors, the board of adjustment may attach conditions, without limitations because of specific enumeration, such as requirements for larger minimum lot size, modified soil absorption system; provisions of sewage holding tanks and methods of sewage collection; and other requirements it deems necessary to fulfill the purpose and intent of this chapter.
- (5) *Permitted uses.*
- a. Public fish hatcheries.
 - b. Soil and water conservation programs.
 - c. Forest management programs.
 - d. Wildlife preserves.
 - e. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures.
- (6) *Uses authorized by conditional use permits.*
- a. Public and private parks.
 - b. Dams, plants for the production of electric power and flowage areas.
 - c. Grazing where such activities will not be in conflict with the stated purposes of the district.
 - d. Orchards and wild crop harvesting.
 - e. Piers, docks, boathouses.
 - f. Vegetable farming.
- (i) *Scenic Resources Districts (SR).*
- (1) *Purpose.* This is an overlay district. It provides for special controls over and above those which are defined in the respective districts enumerated in this chapter. These special controls are intended to protect the view of outstanding scenery and natural resources along certain roads and waterways.
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- (2) *Applicable regulations.* Any regulations applicable to the underlying district shall be applicable to any use permitted in this district.
- (3) *Permitted uses.*
- a. Any use permitted in the underlying districts, except for the following:
1. Trailer houses, mobile homes, or any portable living quarters.
 2. Dump sites, whether public or private, for ashes, trash, rubbish, sawdust, garbage, offal, storage of vehicle bodies or parts, storage of junked farm implements or any other unsightly or offensive materials.
 3. Nonmetallic mining/quarrying, removal or storage of any surface or subsurface minerals or materials.
 4. Signs, billboards, outdoor advertising structures, or advertisements of any kind, except as provided in subsection (i)(3)b of this section.
 5. One off-premises directional sign for a business not located directly adjacent to the highway provided such sign is no more than 24 square feet in area and provided such directional sign is located near the intersection where the traveling public must turn to get to the place of business.
- b. Signs.
1. One on-premises sign of not more than 24 square feet in size may be erected and maintained to advertise the sale, hire, or lease of the property, or the sale or manufacture of any goods, products, or services upon the land.
 2. Off-premises signs shall be located no closer than 300 feet from the business or site advertised. One sign may be allowed from any direction to the business or site advertised. Such sign shall be no more than 24 square feet in area and shall be located approaching the intersection where the traveling public must turn to get to the place of business.

(Ord. No. 84-3, § II, 6-19-1984; Ord. No. 1985-1, 3-19-1985; Ord. No. 1987-5, 9-22-1987; Ord. No. 1990-2, §§ 1, 2, 2-20-1990; Ord. No. 95-19, § 2(a)—(d), 12-12-1995; Ord. No. 96-15, §§ 1—3, 8-20-1996; Ord. No. 97-1, § 1, 4-15-1997; Ord. No. 97-8, § 1, 6-17-1997; Ord. No. 97-17, §§ 1—8, 9-23-1997; Ord. No. 97-26, §§ 6—27, 12-9-1997; Ord. No. 98-9, § 1, 3-24-1998; Ord. No. 99-32, §§ 2, 3, 9-21-1999; Ord. No. 2003-16, § 2(a)—(l), 5-20-2003; Ord. No. 2004-11, § 1, 3-16-2004; Ord. No. 2005-5, §§ 2—19, 2-15-2005; Ord. No. 06-10, §§ 1, 2, 4-25-2006; Ord. No. 08-24, §§ 2, 3, 10-28-2008; Ord. No. 14-9, § 1, 5-20-2014; Ord. No. 14-12, §§ 1—3, 6-17-2014; Ord. No. 15-5, § 3, 5-19-2015; Ord. No. 16-19, §§ 1—3, 6-21-2016; Ord. No. 17-12, § 2, 7-18-2017; Ord. No. 18-26, § 2, 9-18-2018)

Sec. 119.04.030. Special uses.

(a) *Mobile home parks and trailer parks.*

- (1) *Mobile home parks.* ~~Except for single mobile homes permitted in the agricultural and forestry zoning district, a~~No mobile home shall be located on any premises which is situated outside of an approved mobile home park, except where permitted as a conditional use. No mobile home park shall be developed until the plans for the park have been approved by the county natural resources standing committee and a conditional use permit has been granted. Mobile home parks shall meet the requirements stated below:
- a. Any person with two or more existing mobile homes on the premises shall submit a plan of the property to the county zoning department within three months of the effective date of the ordinance from which this chapter is derived, showing the location of all such mobile homes.

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- b. Any mobile home development which meets the minimum requirements stated below shall be designated as an "approved mobile home park" and the owner shall be permitted to locate additional mobile homes on approved mobile home sites. Those mobile home developments not able to meet these requirements shall be permitted to continue as nonconforming uses, but shall be subject to the following conditions:
1. No additional mobile homes shall be located on the premises.
 2. The replacement of an existing nonconforming mobile home with a different mobile home shall only be permitted by the board of adjustment subject to the provisions of section 119.04.060.
 3. Minimum lot size shall be five acres.
 4. Maximum number of mobile home sites shall be six per acre.
 5. Minimum dimensions of a mobile home site shall be 50 feet wide by 100 feet long.
 6. Minimum distance between mobile home trailers shall be 15 feet.
 7. Minimum distance between mobile home and service road shall be ten feet.
 8. All drives, parking areas, and walkways shall be surfaced with dust-free material. There shall be two parking spaces for each mobile home.
 9. No mobile home sales office or other business or commercial use shall be located on the mobile home park site. However, laundries, washrooms, recreation rooms, maintenance equipment storage and one office are permitted.
 10. In addition to the highway setback requirements and setback requirement from the high water mark, there shall be a minimum setback of 40 feet from all other exterior lot lines.
 11. Mobile home parks shall comply with county sanitation regulations and the appropriate sanitary requirements of the Wisconsin Administrative Code. No mobile home site shall have an individual on-site soil absorption sewage disposal system.
 12. No mobile home site shall be rented for a period of less than 30 days.
- (b) *Trailer camps, campgrounds, and camping resorts.* The county natural resources standing committee shall approve all plans for trailer camps and campgrounds. Such facilities shall meet the following conditions:
- (1) Each trailer or camp site shall be plainly marked and surfaced.
 - (2) Maximum number of trailer or camp sites shall be 15 per acre.
 - (3) The minimum size of a travel trailer park or campground shall be three acres.
 - (4) Minimum dimensions of a travel trailer or camp site shall be 25 feet wide by 40 feet long.
 - (5) Each travel trailer or camp site shall be separated from other travel trailer sites by a yard not less than 15 feet wide.
 - (6) There shall be 1½ automobile parking spaces for each trailer or camp site.
 - (7) In addition to the highway setback requirements and setback requirements from the high water mark, there shall be minimum setback of 40 feet from all other exterior lot lines.
 - (8) Campgrounds shall comply with the requirements of Wis. Admin. Code ch. ATCP 79 to the extent the chapter is applicable.
 - (9) No trailer or camping unit shall be located on one site for a period of more than 30 days or an extension thereof not to exceed 60 days. No trailer shall be stored in a trailer park, camping ground or camping resort.
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(c) *Off-street parking and service areas.*

- (1) *Spaces required.* Any building hereafter erected or placed on a lot shall be provided with off-street vehicle parking spaces for those using such building in accordance with the following regulations:
 - a. Each parking space required shall be at least 200 square feet in area, or approximately ten feet by 20 feet in size.
 - b. Residential uses shall be provided with at least one parking space for each dwelling unit.
 - c. Commercial and industrial uses as listed and permitted in the zoning districts, except as noted below, shall be provided, with one parking space for each 200 square feet of floor area. However:
 1. Restaurants, taverns, and similar establishments shall provide one space for each 150 square feet of floor area.
 2. Drive-in eating stands offering in-car service shall provide five spaces for each person employed to serve customers.
 3. Motel and tourist cabins shall provide one space for each unit.
 4. Industrial uses and warehouses shall provide one space for each two employees on the premises at maximum employment on the main shift.
 5. Service stations shall provide parking for all vehicles used directly in the conduct of the business, plus two spaces for each gas pump, plus three spaces for each grease rack.
 - d. The above parking requirements can be met by a public parking lot when possible.
- (2) *Paving.* Paving or dust-free surfacing is required of any nonresidential off-street parking area having a capacity of more than four vehicles and located within 500 feet of a residential district.
- (3) *Setback.* No vehicle shall be parked within ten feet of the existing street line.
- (4) *Off-street loading and unloading.* Any commercial or industrial building hereafter erected or placed on a lot, shall be provided with sufficient off-street loading and unloading space so that no public streets or alleys need to be blocked by such activities.
- (5) *Landscaping.* The natural resources standing committee may require landscaping of open areas established in connection with off-street parking and service.

(d) *Nonmetallic mining.* See chapter 111.

(e) *Junkyards or salvage yards.*

- (1) No junkyards or salvage yards shall be permitted in the county except in conformance with a plan approved by the county natural resources standing committee.
- (2) General provisions.
 - a. Junk or salvage materials shall not be located within 300 feet of public roads, streets, and highways, and all establishments of this kind shall have minimum side and rear yards of 100 feet each.
 - b. Junk or salvage material shall not be located in the shoreland and floodplain protection district.
 - c. Junk or salvage materials shall be enclosed by a suitable fence or planting screen so that the materials are not visible from other property in the vicinity of the junk yard, nor from a public right-of-way such as roads, streets, highways, and waterways. The fence or planting screen shall be a minimum eight feet in height and shall be kept in good repair.
 - d. Junk or salvage materials shall not be piled higher than the height of the fence.

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- e. For fire protection, an unobstructed fire break shall be maintained at least 16.5 feet wide surrounding the junkyard or salvage yard.
- (f) *Signs and billboards.* Except as otherwise specifically authorized, no sign that is visible from any state, county, or town road, from the water, or from any adjacent property shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered until a permit has been issued by the county natural resources standing committee or its authorized representative. No permit shall be issued for a sign not in conformity with the size, type, number, location and use regulations affecting each zoning district. Permits shall be obtained within 12 months after adoption of the ordinance from which this chapter is derived for all signs which were erected before the date of enactment of the ordinance from which this chapter is derived. Signs shall display the sign permit number, in legible form in the lower left-hand front corner. One permit for the life of each sign is required. Such permit shall authorize the use of each sign as long as such sign is kept in good repair and complies with the requirements of this chapter.
- (1) *Exceptions.* A permit shall not be required for the following types of signs:
- a. Official traffic control signs, and informational or directional notices erected by federal, state, or local units of government.
 - b. Signs advertising the sale, rent, or lease of the property on which the sign is placed. Such signs shall not exceed four square feet in gross area and may be placed at the right-of-way of the highway.
 - c. "No hunting" or "no trespassing" signs, provided that no such sign shall exceed 1½ square feet in gross area.
 - d. On-premises nameplates for residences, provided that no such nameplate shall exceed three square feet in gross area. Such nameplates may not be affixed to trees.
 - e. Signs for test plots for various farm crops and temporary commercial signs in place for no more than 30 days.
- (2) *Prohibited signs.*
- a. No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices.
 - b. No sign shall be so located as to interfere with the visibility or effectiveness of any official traffic sign or signal, or with driver vision at the access point or intersection.
 - c. No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
 - d. No sign shall contain, include, or be illuminated by flashing light or by any light directed toward a neighboring residence or toward the water.
 - e. No sign shall be permitted in a vision corner, except for on-premises signs on nonconforming structures by conditional use.
 - f. No sign shall contain, include, or be composed of any conspicuous animated part.
 - g. No sign shall be painted on rocks nor affixed to trees.
- (3) *Signs permitted in the single-family residential district.*
- a. Signs advertising a permitted home occupation or professional office shall be permitted. Such signs shall not exceed six square feet in gross area, shall be attached to the building and, if illuminated, shall be indirectly lighted. No more than one sign for each use located on the premises shall be permitted.
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- b. Directory signs indicating the direction to a cottage, resort or residence shall be permitted providing such signs do not exceed four square feet in gross area. When a common posting standard is provided, all such signs shall be attached to the standard. A conditional use permit from the county natural resources standing committee shall be required for any common posting standard. The natural resources standing committee may attach any conditions felt necessary to ensure that the over-all size and design of the standard will be compatible with the residential character of the district.
- (4) *Signs permitted in the agricultural and forestry and the conservancy districts.*
- a. Signs permitted in the single-family residential district shall be allowed.
 - b. Signs attached to commercial and industrial buildings advertising a business conducted or a service available on the premises shall be permitted. Such attached signs shall not cover more than 30 percent of the wall space fronting the adjacent highway, and roof signs or roof extensions shall not exceed ten feet above the peak roofline. All roof signs shall be anchored to the frame of the building over which they are constructed.
 - c. On-premises signs advertising a public or semi-public use shall be permitted. Such signs shall not exceed 32 square feet in gross area per side. Sign shall be at the business or site advertised location. Such sign may be placed at the right-of-way of the highway.
 - d. Off-premises signs shall be located no closer than 300 feet from the business or site advertised. One sign may be allowed from any direction to the business or site advertised. Additional signs may be permitted by conditional use. Such off-premises sign shall not exceed 150 square feet in gross area.
 - e. All other off-premises signs and billboards (other than noted above) shall be prohibited.
- (5) *Signs permitted in the general commercial and industrial districts.* All signs are permitted in the general commercial and industrial districts subject to the following restrictions:
- a. Wall signs placed flat against the exterior walls of a building shall not extend beyond the corners of the building, shall not exceed 100 square feet in area for any one premises and shall not extend above the roofline of the building.
 - b. Projecting signs fastened to, suspended from, or supported by structures shall not exceed 32 square feet in area for any one premises, shall not extend above the roofline of any building, shall not extend into any public right-of-way, shall be at least ten feet from all side lot lines, shall not exceed a height of 20 feet above the mean centerline street grade, and shall be not less than ten feet above the sidewalk nor less than 15 feet above a driveway or alley.
 - c. Ground signs shall not exceed 40 square feet on one side or 80 square feet on all sides for any one premises and shall not exceed 20 feet in height above the mean centerline grade.
 - d. Window signs shall be placed only on the inside of commercial and industrial buildings and shall not exceed 25 percent of the glass area upon which the sign is displayed.
 - e. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe, no signs shall obstruct any window to such an extent that any light or ventilation is reduced to a point below that required by any law or ordinance. Signs shall be so located as to maintain all required clearances from overhead power and service lines.
- (6) *Nonconformance.* Signs lawfully existing before the date of enactment of the ordinance from which this chapter is derived may be continued although the use, size, or location does not conform with the provisions of this chapter.
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(Ord. No. 84-3, § III, 6-19-1984; Ord. No. 97-26, § 28, 12-9-1997; Ord. No. 99-15, §§ 1, 2, 6-22-1999; Ord. No. 2003-16, § 3(a)—(c), 5-20-2003; Ord. No. 14-9, § 2, 5-20-2014)

Sec. 119.04.040. Administration.

- (a) *County natural resources standing committee.* The administration and enforcement of the provisions of this chapter shall be the responsibility of the county natural resources standing committee or its authorized representatives.
- (1) *Duties.* In administering and enforcing this chapter, the county natural resources standing committee shall:
- a. Provide necessary forms and applications for use permits.
 - b. Issue zoning and sign permits where the provisions of this chapter have been complied with.
 - c. Issue conditional use permits and certificates of compliance.
 - d. Upon adoption of the ordinance from which this chapter is derived and, when necessary, upon the passage of amendments, identify and record information relative to nonconforming uses and structures.
 - e. Maintain files of applications, permits and other relevant information.
- (2) *Powers.* The county natural resources standing committee shall have powers and authority, including, but not limited to, the following:
- a. At any reasonable time, and for any proper purpose, to enter upon any public or private premises and make inspection hereof.
 - b. Upon reasonable cause of question as to proper compliance, to revoke any land use permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this chapter.
- (b) *Zoning permits.*
- (1) *Required.* No structure shall be built, moved, or structurally altered so as to change its use or increase its floor area, and no land use shall be substantially altered until a zoning permit has been issued by the county natural resources standing committee or its authorized representative. No permit shall be issued for a structure or a use not in conformity with the requirements of this chapter. Any structure started before this chapter was adopted shall be completed within one year after approval by the town board. A zoning permit shall be required for all structures not completed by this time.
- (2) *Application for zoning permit.* An application for a zoning permit shall be made to the county natural resources standing committee or its authorized representative upon forms furnished and shall include, for the purpose of proper enforcement of these regulations, the following data:
- a. Name and address of property owner.
 - b. Description and location of the property and type of proposed use.
 - c. A sketch of the dimensions of the lot showing the location, size, and shape of the lots involved, and any proposed structures, including the relation to abutting streets and any abutting lakes or streams, and the existing and proposed use of each structure and lot, and the number of families to be accommodated.
 - d. Proof that an access or driveway permit has been obtained for the driveway which will serve the proposed structure, if required by the highway authority having jurisdiction over the highway which will serve the proposed structure.

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- e. Proof that the applicant is the record owner of a permanent easement of ingress and egress for the driveway which will serve the intended structure, in those instances in which the driveway serving the intended structure will pass over land not owned by the applicant.
- (c) *Conditional use permits.*
- (1) *Approval required.* Any use listed as a conditional use in this chapter shall be permitted only upon application to the county natural resources standing committee or its authorized representative and issuance of a conditional use permit by the natural resources standing committee. However, in the case of the proposed alteration of an existing building listed as a conditional use where there are not additional rental units involved, it shall only be necessary to obtain a regular zoning permit. A conditional use zoning permit shall be required for any new nonconforming structure to be constructed or moved onto the site of an existing conditional use.
 - (2) *Application for conditional use permit.* A request for a conditional use grant shall be submitted in writing to the county natural resources standing committee. The application shall be accompanied by the appropriate data and any information necessary to properly evaluate the request.
 - (3) *Public hearing.* Before passing upon an application for a conditional use permit the county natural resources standing committee shall hold a public hearing. Notice of such public hearing shall be given in the manner specified in section 119.04.080. If the site under consideration is located in the shoreland and floodplain protection district, notice of the public hearing shall be sent to the main and regional office of the division of environmental protection. The natural resources standing committee shall report its decision in writing and shall include an accurate description of the use permitted, a description of the property on which it is permitted and any or all conditions made applicable thereto. The grounds for refusing a conditional use permit shall be stated in writing.
 - (4) *Basis of approval.* In passing upon a conditional use permit, the county natural resources standing committee shall evaluate the effect of the proposed use upon:
 - a. The maintenance of safe and healthful conditions.
 - b. The prevention and control of water pollution including sedimentations.
 - c. Existing topographic, drainage features, and vegetative cover on the site.
 - d. The location of the site with respect to floodplains and floodways of rivers or streams.
 - e. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
 - f. The location of the site with respect to existing or future access roads.
 - g. The compatibility of the use with other uses on adjacent land.
 - h. The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.
 - i. Locational factors under which:
 - 1. Domestic uses shall be generally preferred;
 - 2. Uses not inherently a source of pollution with an area shall be preferred overuses that are or may be a pollution source;
 - 3. Use locations within an area tending to minimize the possibility of pollution shall be preferred overuse locations tending to increase the possibility.
 - j. In addition, where required, the natural resources standing committee may require, as a condition, that a permit be first obtained from the division of environmental protection.

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- k. To aid in the review of the proposed project under the above criteria, the ~~zoning~~ **natural resources standing** committee may take into consideration such of the following factors or additional factors as are deemed by it to be relevant to its decision-making process with respect to the project in question:

1. Whether the proposed project will adversely affect property in the area.
2. Whether the proposed use is similar to other uses in the area.
3. Whether the proposed project is consistent with adopted county plans or any officially adopted town plan.
4. Provision of an approved sanitary waste disposal system.
5. Provision for a potable water supply
6. Provisions for solid waste disposal.
7. Whether the proposed use creates noise, odor, or dust.
8. Provision of safe vehicular and pedestrian access.
9. Whether the proposed project adversely impacts neighborhood traffic flow and congestion.
10. Adequacy of emergency services and their ability to service the site.
11. Provision for proper surface water drainage.
12. Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.
13. Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.
14. Whether the proposed project leads to a change in the natural character of the area through the removal of natural vegetation or altering of the topography.
15. Whether the proposed project would adversely affect the natural beauty of the area.
16. Whether the proposed project would adversely affect any historic or archeological sites.

(5) *Conditions attached to conditional use permit.*

- a. Upon consideration of the factors listed above, the county natural resources standing committee may attach such conditions, in addition to those required elsewhere in this chapter, that it deems necessary in furthering the purpose of this chapter. Such conditions may include specifications for, without limitation because of specific enumeration, type of shore cover; increased setbacks and yards; specified sewage disposal and water supply facilities; docks; parking and signs; type of construction, or any other requirements necessary to fulfill the purpose and intent of this chapter.
- b. In order to secure information upon which to base its determination, the natural resources standing committee may require the applicant to furnish, in addition to the customary information required for a zoning permit, the following information. Failure on the part of the applicant to do so may result in denial of the permit.
 1. A plan of the area showing contours, soil types, high water mark, groundwater conditions, bedrock, slope and vegetative cover.
 2. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.

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3. Plans of buildings, sewage disposal facilities, water supply systems, and arrangements of operations.
 4. Specifications for areas of proposed filling and grading.
 5. Other pertinent information necessary to determine if the proposed use meets the requirements of this chapter.
- (6) *Mapping and recording.* When a conditional use is approved, an appropriate record shall be made of the land use and building permits and such grant shall be applicable solely to the structures, use and property so described.
- (7) *Termination.* When a permitted conditional use does not continue in conformity with the conditions of the original approval, the conditional grant shall be terminated by action of the county natural resources standing committee.
- (8) *General considerations.* The determination of the county natural resources standing committee on each conditional use permit shall be based on the effects of the proposed project with regard to the objectives and purposes of this chapter. The natural resources standing committee may attach such conditions as it deems necessary for furthering the purposes of this chapter. Such conditions may include specifications for, without limitation because of specific enumeration, modification of sewage disposal and water supply facilities, modification of other waste disposal methods and facilities, landscaping, periods of operation, operational controls, sureties, deed restrictions, and other considerations cited in subsection (c)(4) of this section.
- (d) ~~Certificate of compliance- Land Use Permit Placard~~
- (1) No land shall be occupied or used, and no buildings hereafter erected, altered, or moved, shall be occupied until a ~~certificate of compliance land use permit placard~~ is issued by the county natural resources standing committee.
 - a. The ~~certificate of compliance land use permit placard~~ shall show that the building or premises or part thereof and the proposed use thereof conform to the provisions of this chapter.
 - b. Application for such ~~certificate placard~~ shall be concurrent with the applications for a zoning permit.
 - c. The ~~certificate of compliance land use permit placard~~ shall be issued within ten days after the completion of the work specified in the zoning permit if the building or premises or proposed use thereof conforms with all the provisions of this chapter and any other applicable regulations.
 - (2) The county natural resources standing committee may issue a temporary ~~certificate of compliance-land use permit placard~~ for part of a building, pursuant to rules and regulations established therefor by the county board of supervisors.
 - (3) Upon written request from the owner, the county natural resources standing committee shall issue a ~~certificate of compliance land use permit placard~~ for any building or premises existing at the time of the adoption of the ordinance from which this chapter is derived, certifying, after inspection, the extent and type of use made of the building or premises and whether or not such use conforms to the provisions of this chapter.
- (e) *Fees.*
- (1) No permit is required for maintenance, including reroofing, residing, window replacement, painting, new furnace, plumbing update, electrical update and wallpapering. Fees shall be paid to the ~~zoning administrator-land conservation and zoning department~~ at the time the application is filed in the amounts provided on the county fee schedule.
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- (2) The ~~zoning administrator~~ land conservation and zoning department shall charge an amount as provided in the county fee schedule for each copy of the zoning regulations. The natural resources standing committee shall determine the price to be charged to the public for copies of any zoning ordinance pamphlet.
- (f) *Expirations.* Zoning permits for construction, or alteration of structures shall be completed within 12 months from the date of issuance of the permit. An extension may be applied for if it is impossible to complete the building within the given time. Any building activity or change of land use after the expiration date shall be considered a violation of this chapter.
- (g) *Violations.* Any building or structure hereinafter erected, moved or structurally altered or any use hereinafter established in violation of the provisions of this chapter by any person, firm, association, corporation (including building contractors) or agent shall be deemed an unlawful structure or use. The ~~zoning administrator~~ director of land conservation and zoning ~~and or~~ designee may issue citations in accordance with the county citation procedure for violations of this chapter. The county natural resources standing committee or its authorized agent may sign a complaint and report the violation to the corporation counsel or district attorney. It shall be the duty of the district attorney or corporation counsel to expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the county a penalty in the amount specified in the county penalty schedule together with taxable costs in such action, and every day of violation shall constitute a separate offense. In addition, compliance with this chapter may also be enforced by injunction order at the suit of the county or the owner of real estate within the district affected by such regulation.

(Ord. No. 84-3, § IV, 6-19-1984; Ord. No. 1987-5, 9-22-1987; Ord. No. 94-11, §§ 1, 2, 10-25-1994; Ord. No. 97-26, §§ 29—32, 12-9-1997; Ord. No. 98-9, § 2, 3-24-1998; Ord. No. 98-29, § 1, 12-8-1998; Ord. No. 2002-21, 6-18-2002; Ord. No. 2002-26, §§ 2—7, 7-16-2002; Ord. No. 2003-4, § 2, 1-21-2003; Ord. No. 2003-16, § 4, 5-20-2003; Ord. No. 2004-5, § 1, 1-20-2004; Ord. No. 2004-36, § 1, 12-14-2004; Ord. No. 2005-8, § 2, 3-15-2005; Ord. No. 2005-28, §§ 1—13, 10-25-2005; Ord. No. 08-31, §§ 2—8, 12-10-2008; Ord. No. 11-5, § 1, 1-18-2011; Ord. No. 12-24, 12-11-2012; Ord. No. 17-24, § 1, 10-31-2017; Ord. No. 19-20, § 1, 9-17-2019; Ord. No. 21-13, § 1, 5-18-2021)

Sec. 119.04.050. Nonconforming uses and structures.

Provisions of this chapter shall not be construed to prevent the customary and necessary maintenance or repairs of buildings, utilities, and property.

- (a) *Existing nonconforming uses.* The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of the ordinance from which this chapter is derived may be continued although the use does not conform with the provisions of this chapter. However:
- (1) Only that portion of the land or water in actual use may be so continued, and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so to comply with the provisions of this chapter.
 - (2) Total lifetime structural repairs or alterations shall not exceed 50 percent of the equalized assessed valuation of the structure at the time of it becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this chapter.
 - (3) Substitution of new equipment may be permitted by the board of adjustment if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.
- (b) *Abolishment or replacement.* If such nonconforming use is discontinued or terminated for a period of 12 months, any future use of the structure, land or water shall conform to the provisions of this chapter. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than 50 percent of its current equalized assessed valuation, it shall not be restored except so as to comply with the use provisions of this chapter. A

current file of all nonconforming uses shall be maintained by the county natural resources standing committee listing the following: owner's name and address, use of the structure, land, or water; and equalized assessed valuation at the time of its becoming a nonconforming use.

- (c) *Existing nonconforming structures.* The lawful nonconforming structure existing at the time of the adoption or amendment of the ordinance from which this chapter is derived may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this chapter; however, total lifetime structural repairs, alterations, or additional shall not exceed 50 percent of the equalized assessed valuation of the structure at the time of its becoming a nonconforming structure unless it, or the lot it is located on, is permanently changed to conform to the provisions of this chapter. All such additions shall meet the setback provisions of this chapter.
- (d) *Changes and substitutions.* Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the board of adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the board of adjustment.

(Ord. No. 84-3, § V, 6-19-1984)

Sec. 119.04.060. Board of adjustment.

- (a) *Generally.*
 - (1) The board of adjustment shall:
 - a. Hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an administrative official in the enforcement or administration of this chapter.
 - b. Hear and decide applications for special exception permits pursuant to section 115.04.150.
 - c. Grant a variance from the standards of this chapter pursuant to section 115.04.140.
 - (2) In granting a variance, the board may not impose conditions which are more restrictive than any of the specific standards in this chapter. When this chapter is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this chapter.
- (b) *Appeals to the board.* Appeals to the board of adjustment may be made by any person or entity aggrieved or affected by any decision of the ~~zoning administrator~~ director of land conservation and zoning or other administrative officer. Such appeal shall be made within 30 days, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the board of adjustment, a notice of appeal specifying the reasons for the appeal. The ~~zoning administrator~~ director of land conservation and zoning or other officer whose decision is in question shall promptly transmit to the board all the papers constituting the record concerning the matter appealed.
- (c) *Hearings procedure.* The following shall apply to hearings before the board:
 - (1) The board of adjustment shall fix a reasonable time for a hearing on the appeal or application. The board shall give public notice thereof by publishing a Class 2 notice under Wis. Stats. ch. 985 specifying the date, time and place of the hearing and the matters to come before the board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate office of the department at least ten days prior to hearings on proposed shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations.

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- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations shall be submitted to the appropriate office of the department within ten days after they are granted or denied.
 - (3) The final disposition of an appeal or application to the board of adjustment shall be in the form of a written resolution or order signed by the chairperson and secretary of the board. Such resolution shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.
 - (4) At the public hearing, any party may appear in person or by agent or by attorney.
 - a. Composition. There shall be a board of adjustment consisting of five members to be appointed by the chairperson of the county board with the approval of the county board for terms of three years. However, the terms of the first members so appointed shall be for one, two, and three years, with one member serving for one year, two members serving for two years, and two members serving for three years. Successors shall be appointed in like manner at the expirations of each term and their terms of office shall be three years in all cases, beginning July 1 in the year in which they are appointed and until their successors are appointed. The members of the board of adjustment shall all reside within the county and outside the limits of incorporated cities and villages; provided, however, that no two members shall reside in the same town. The board of adjustment shall choose its own chairperson. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant in the same manner as the original appointment.
 - b. Rules.
 1. Call for meetings. The board of adjustment shall meet at the call of the chairperson, and at such other time as the board of adjustment may determine, at a fixed time and place.
 2. Open meetings. All meetings of the board of adjustment shall be open to the public.
 3. Minutes. The board of adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record.
 4. Performance of duties. The board of adjustment shall have power to call on any county departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.
 5. Effectuation. The board of adjustment may adopt such rules as are necessary to carry into effect the regulations of the county board.
 6. Certiorari. In the case of all appeals, the board of adjustment shall call upon the county natural resources standing committee for all information pertinent to the decision appealed from.
 - c. Appeals to the board.
 1. General provisions. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the county, person or entity affected by any decision of the ~~zoning administrator~~ **director of land conservation and zoning**. Such appeal shall be taken within a reasonable time, as provided by the rules of the board of adjustment, by filing with the county natural resources standing committee and with the board of adjustment a notice of appeal specifying the grounds thereof. The county natural resources standing committee shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

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2. Stays. An appeal shall stay all proceedings in furtherance of the action appealed from unless the county natural resources standing committee shall certify the board of adjustment after notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board of adjustment or by a court of record on application or notice to the county natural resources standing committee.
 3. Hearing appeals. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice hereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearings, any party may appear in person or by agent or by attorney.
- d. Powers and duties.
1. To hear and decide appeals. When it is alleged that there is error in any order, requirement, decision, or determination made by the county natural resources standing committee, the board of adjustment shall hear appeals and render decisions therefrom.
 2. Variances. When there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, the board of adjustment shall have the power, in passing upon appeals, to authorize such variance from the terms of this chapter as will not be contrary to the public interest and so that the purpose of this chapter shall be observed and substantial justice done; provided, however, that no such variance shall have the effect of allowing in any district uses prohibited in that district.
 3. Special exceptions. The board of adjustment shall hear and decide special exceptions to the terms of this chapter upon which such board is required to pass under the terms of this chapter.

(Ord. No. 84-3, § VI, 6-19-1984; Ord. No. 2004-15, § 1, 5-18-2004)

Sec. 119.04.070. Amendments.

- (a) *Procedure.* The county board of supervisors may amend this chapter in accordance with the procedures described in Wis. Stats. § 59.69.
- (b) *Fee.* Any petition for amendment submitted by other than a governmental body shall be accompanied by a fee to be determined by the county board of supervisors which will be used to defray the cost of advertising, investigation, and processing.

(Ord. No. 84-3, § VII, 6-19-1984; Ord. No. 92-1, § 2, 3-17-1992; Ord. No. 94-11, § 3, 10-25-1994)

Sec. 119.04.080. Public hearings.

Notice of any public hearing which the board of adjustment or county natural resources standing committee is required to hold under the terms of this chapter shall specify the date, time, and place of hearing and the matter to be presented at the hearings. Such notice shall be given as per Wis. Stats. § 59.694. In addition, when the hearing involves the granting of a conditional use, the town in which the affected land is located shall be notified. Also, a copy of the notice shall be posted in the vicinity of the conditional use where practical and notice of the public hearing shall be mailed to the owners of all lands within 300 feet of any part of the land included in such proposed change or conditional use at least ten days before such public hearing. The failure of such notice to reach any property owner shall not invalidate any amending ordinance or grant of a conditional use.

(Ord. No. 84-3, § VIII, 6-19-1984)

Sec. 119.04.090. Definitions.

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in present tense include the future, and the plural includes the singular; the word "shall" is intended to be mandatory. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult family home means a private residence in which care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for three or four adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in Wis. Stats. § 51.05(5).

Agricultural structure means any structure which is devoted primarily to agricultural use.

Agriculture-related uses means an agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products or facility for processing agricultural wastes.

Animal unit means one cow, steer, bull, horse, mule or donkey over six months of age, or two of any of these animals under six months of age, two miniatures or ponies, four hogs, ten sheep, ten goats, 100 poultry, 100 rabbits or any equivalent combination of the above. Other animal, fowl or fish types shall be considered on an individual basis on specific application.

Bed and breakfast establishment means any place of lodging that provides four or fewer rooms for rent to tourists or transients, provides no meals other than breakfast, is the owner's personal residence and is occupied by the owner at the time of rental.

Blasting means the act of using a set charge of dynamite or other explosive at one firing to free up, loosen or dislodge a desired product at the permitted mine site.

Boardinghouse means a building or premises where meals, and lodging and meals are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms offered for compensation shall be deemed a hotel or motel.

Boathouse means any structure used for protecting or storing of boats used for noncommercial purposes in conjunction with a residence.

Building area of a lot means that part of the lot bounded by the required building setback, side, and rear yard line.

Building, accessory, means any building except the principal building on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.

Buildings means any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.

Camper means a sleeping unit such as a recreational vehicle or part thereof, which is used to house persons on a temporary basis and is not considered a structure and is not permanently hooked to a private septic system. Campers shall be between ten and 36 feet long, including the hitch and eight feet or less in width.

Campgrounds and camping resorts mean any privately or municipally owned parcel or tract of land accessible by automobile or other engine-driven vehicle designed, maintained, intended or used for the purpose of supplying accommodations for overnight use by recreational vehicles, open to the public and designated as a developed camp area and set aside for free or paying camping purposes.

Community-based residential facility means a place where five or more unrelated adults reside, in which care, treatment or services above the level of room and board, but not including nursing care, are provided to

persons residing in the facility as a primary function of the facility and which is licensed as a community-based residential facility by the state, as defined in Wis. Stats. § 50.01(1g).

Conditional use means a use allowed under a conditional use permit.

Construction aggregate means either sand and gravel or crushed stone (stone crushed from bedrock) that is predominately produced and used for local construction purposes (i.e., asphalt or concrete roads, concrete asphalt, building or dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, roofing granules, and other similar uses) or used for agricultural uses such as AG lime and bedding sand for livestock operations. Small amounts of sand and gravel or crushed stone may be produced and used for other purposes such as salt and sand for icy roads, water filtration systems in septic systems, landfills, mortar sand, and sand for sand blasting.

County natural resources standing committee means the county natural resources standing committee as authorized by Wis. Stats. § 59.69. An authorized representative of the natural resources standing committee (such hiring to be approved by the executive and finance standing committee and the county board) for the purpose of carrying out the terms of this chapter.

Crushing means the act of breaking down, squeezing, pressing and pounding an object or material so that the action destroys or deforms the object into a usable or desired form.

Director of land conservation and zoning means the public official charged with the administration, enforcement and interpretation of the county zoning regulations who shall carry out the directions of the county natural resources standing committee.

Drying means the action to remove moisture from the intended marketable material.

Dwelling means a structure, which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.

Dwelling, multifamily, means a dwelling containing separate living units for two or more families and is a minimum of 24 feet in width. The term "dwelling, multifamily," includes manufactured homes but excludes mobile homes. The structure and the land on which it is placed must be owned in common.

Dwelling, single-family, means a residential structure which is designed to house a single family and is a minimum of 24 feet in width. The term "dwelling, single-family," includes manufactured homes but excludes mobile homes. The structure and the land on which it is placed must be owned in common.

Extraction means obtaining the raw material from the permitted site following the permitted conditions. The term "extraction" also includes the acts of blasting, stripping, hauling, and mine construction.

Extraterritorial District means a zone outside of a city's boundaries where the city may have some regulatory authority.

Family means persons who live together in one dwelling unit as a single housekeeping unit.

Family farm business means any lawful activity, except a farm, conducted primarily for any of the following:

- (a) The purchase, sale, lease or rental of personal or real property.
- (b) The manufacturing, processing or marketing of products, commodities or any other personal property.
- (c) The sale of services, except farm implement sales or repair shops, automotive sales or repair shops and major recreation equipment sales or repair shops.
- (d) No more than two persons who are not members of the resident farm family may be employed in the farm family business.

Farm means all land under common ownership that is primarily devoted to agricultural use.

Farm acreage means the size of a farm in acres. The term "farm acreage" does not include non-farm residential acreage.

Farm residence means:

- (a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:
 - (1) An owner or operator of the farm.
 - (2) A parent or child of an owner or operator of the farm.
 - (3) An individual who earns more than 50 percent of the gross income from the farm.
- (b) A migrant labor camp that is certified under Wis. Stats. § 103.92.

Floor area means the sum of the gross horizontal areas of the several floors of the building, measured from the outer lines of the exterior walls of the building, provided that the floor area of a dwelling shall not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.

Garage, private, means a structure primarily intended for the enclosed storage or shelter of the private motor vehicles and the families resident upon the premises. Carports are considered garages.

Garage, public or commercial, means any garage other than a private garage.

Grade, established, means the elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation.

Greenhouse means a structure for production or sale of plants.

Group home community-based residential facility means a place where five or more unrelated adults reside in which care, treatment or services above the level of room and board, but not including nursing care, is provided to persons residing in the facility as a primary function of the facility.

Hauling means the action of carting or transporting of any material on public roadways, either raw or processed, from the original location of the raw or processed material to another location not on the permitted grounds.

Historical site means a building:

- (a) Listed on or nominated by the state historical society for listing on the National Register for Historical Places in Wisconsin;
- (b) Included in a district which is listed on the National Register for Historic Places in Wisconsin, and which has been determined by the state historical society to contribute to the historic significance of the district;
- (c) Listed on a certified municipal register of historic property; or
- (d) Included in a district which is listed on a certified municipal register of historic property and which has been determined by the municipality to contribute to the historic significance of the district.

Holiday means legal holidays recognized by the state on which no work is performed by employees of the state. These shall include New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day.

Household occupations means a gainful occupation conducted by a member of the family within the place of residence, where the space used is incidental to residential use, where the floor area does not exceed 20 percent of the total floor area, and where no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such things as babysitting, millinery, dressmaking, canning,

laundering and crafts, but does not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.

Industrial sand means is a high purity silica sand product sold for any of the following uses: glassmaking, metal casting, metal production, chemical production, paint and coatings, ceramics and refractories, and oil and gas recovery (i.e., frac sand). This sand is classified as 212322 Industrial and Sand Mining according to the NAICS (North American Industry Classification System) Standard Industrial Classification (SIC) System.

Institutional recreational camp means an area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

Junkyard or salvage yard means an area consisting of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.

Kennel means premises where dogs, cats or other household pets, for remuneration, are maintained, boarded, bred or cared for or kept for the purpose of sale.

Large-volume animal breeding or feeding operation means a feedlot or facility, other than a pasture, which became operational, or which came to be such a facility, after April 16, 1997, and where 1,000 or more animal units will be fed, confined, maintained or stabled for a total of 45 consecutive days or more in any 12-month period. Two or more animal feeding operations under common ownership are deemed to be a single animal feeding operation if they are adjacent to each other or if they utilize a common area or system for the disposal of wastes.

Livestock means bovine animals, equine animals, cattle, swine, sheep, goats, poultry, and farm raised game birds.

Lot means a parcel of land on which a principal building and its accessory buildings are placed, together with the required open spaces, provided that no such parcel shall be bisected by a public street and shall not include any portion of public right-of-way.

Major recreational equipment means large items normally used for recreational purposes, including, but not limited to, travel trailers, motor homes, all-terrain vehicles, snowmobiles, boats and motors, buses and vans converted for sleeping purposes.

Manufactured dwelling.

- (a) The term "manufactured dwelling" means any structure or component thereof which is intended for use as a dwelling; and
 - (1) Is of closed construction and fabricated or assembled on-site or off-site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
 - (2) Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.
- (b) The term "manufactured dwelling" does not include a building of open construction which is not subject to subsection (a)(2) of this definition. All manufactured dwellings shall meet the requirements of applicable state administrative regulations.

Manufactured home means a structure transportable in one or more sections, which in the traveling mode, is eight feet or more in width or 40 body feet or more in length, and when erected on site is 600 square feet or more of floor space in the general agricultural and forestry district or 960 square feet or more of floor space in the Agricultural and Residential (A-F), Single-Family Residential (R-1) and General Commercial Districts and which is built on a permanent chassis and designed to be used as a dwelling with a foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. The

term "manufactured home" includes all structures which meet the above requirements, and which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the standards set forth in 24 CFR 3280. The term "manufactured home" is meant to include double-wide mobile homes that meet the above requirements and were manufactured after June 15, 1976. No manufactured home which is less than 24 feet wide shall be used for any purpose other than human habitation. A manufactured home which is less than 24 feet wide shall not be used for a purpose which is merely incidental to residential use.

Mine construction means the process involved in preparing a site for nonmetallic mineral extraction activities, including, but not limited to, the stripping of topsoil and overburden, the destruction of tree cover and other vegetation, the building of access roads, and the construction of accessory structures and buildings to be used in the course of mining activities.

Migrant labor camp means the site and all structures maintained as living quarters by, for or under the control and supervision of any person for:

- (a) A migrant worker; or
- (b) Any other person who is not related by blood or marriage to said employer and who occasionally or habitually leaves an established place of residence to travel to another locality to accept seasonal employment in the planting, cultivating, raising, harvesting, handling, drying, packing, packaging, processing, freezing, grading or storing of any agricultural or horticultural commodity in its unmanufactured state.

Mobile home means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway and equipped and used or intended to be used primarily for human habitation; with walls of rigid noncollapsible construction; and which has an overall length in excess of 45 feet. No mobile home shall be used for any purpose other than human habitation. A mobile home shall not be used for a purpose which is merely incidental to residential use.

Mobile home park means any plot of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two mobile homes on a year-round basis and shall include all buildings used or intended for use as a part of the equipment thereof, whether or not a charge is made for the use of the mobile home park and its facilities.

Nonconforming uses or structures means any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of the ordinance from which this chapter is derived or amendments thereto which does not conform to the regulations of this chapter or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements, shall be considered a nonconforming structure and not a nonconforming use.

Nonfarm residence means a single-family or multifamily residence other than a farm residence.

Nonfarm residential acreage means the total number of acres of all parcels on which nonfarm residences are located. If a nonfarm residence is located on one, two, or more adjoining parcels owned by the same person, the adjoining parcels are also considered nonfarm residential acreage unless clearly devoted to nonresidential use other than open space use.

Nonmetallic mineral-mining or nonmetallic mining means all or any part of the process involved in the mining of nonmetallic minerals, including, but not limited to, the commercial extraction, agglomeration, beneficiation, removal of overburden and the production of refuse. The term "nonmetallic mineral-mining" or "nonmetallic mining" does not mean exploration, or prospecting, or mining of nonmetallic minerals for a property-owner's sole use on the property-owner's property.

Normal high water mark means a line of reference commonly identified as being where the land is coterminous to the normal high water elevation. For the purposes of this chapter, the normal high water mark is defined as the line where the natural vegetation changes from predominantly aquatic to predominately terrestrial.

Parcel means an area of land with particular ownership.

Prime farmland means an area with a Class I or II land capability classification as identified by the natural resources conservation service (NRCS) of the federal department of agriculture (FDA) or land that is identified as prime farmland in a certified farmland preservation plan.

Prior nonconforming use means a land use that does not conform with the county zoning regulations but that existed lawfully before the farmland preservation zoning ordinance was enacted.

Processing means to convert raw material into a marketable form, on site, by a special process that includes the actions of crushing, washing, screening, drying and rail loadout. The term "processing" shall also include moving material by way of conveyor system or other forms of transportation, but shall not include moving material on public roadways.

Professional home offices means residences of medical doctors, dentists, veterinarians, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, and musicians used to conduct their professions.

Protected farmland means land that is located in a General Agricultural and Forestry District (A-F), is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.

Recreation camp means an area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

Recreational residential rental means the use of land or a building, in whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other consideration, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.

Resort means a recreational development consisting of at least five rental units providing lodging, with or without meals, for transient guests, providing that no unit shall have an individual on-site soil sewage disposal system unless it meets the minimum lot size specifications stated in section 119.04.020(c). A resort does not include a tavern or a gift shop.

Roadside stand means a farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on the farm.

Screening means sorting or sizing of material into a marketable product size.

Setbacks from a highway means the minimum horizontal distance from the centerline of a highway or its right-of-way (line) to the nearest part of a structure, measured at right angles to the centerline or right-of-way line.

Shed means a structure used for shelter or storage. A shed shall not be used as a dwelling.

Sign means any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter work, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.

Single-family dwelling means a residential structure which is designed to house a single-family and which is a minimum of 24 feet in width, has a roof with a minimum slope of three to 12 pitch, placed on a basement and has a minimum of an eight-inch eave attached to at least 50 percent of the perimeter of the structure. The term "single-family dwelling" includes manufactured homes but excludes mobile homes. This structure and the land on which it is placed must be owned in common.

Solar farm means producing energy that will primarily go back to the grid.

Solar, residential private, means producing energy that primarily does not go back to the grid.

Story means the part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

Stripping means to take away or remove soil, rock, or other overburden materials from nonmetallic minerals and use that material in the reclamation process, where applicable.

Structural alterations means any change in the supporting members of a building such as bearings, wall columns, beams or girders or any substantial changes in the roof and exterior wall in excess of \$2,000.00 in value.

Structure means anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.

Structure, existing, means a structure which has been completed, or for which a zoning permit has been obtained or on which construction has actually begun.

Structure, permanent, means a structure placed on or in the ground or attached to another structure in a fixed position and intended to remain in place for a period of more than nine months.

Structure, principal, means the building or structure containing the primary use of a property.

Sustained yield forestry means management of forested lands to provide annual or periodic crops of forest products.

Tourist home means a building in which lodging, with or without meals is offered to transient guests for compensation, provided there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.

Trailer means a vehicular, portable structure built on a chassis which can be transported by any motor vehicle and is designated to be used as a temporary dwelling for travel, recreation, and vacation use, which does not fall within the definition of a mobile home.

Trailer camp means any privately or publicly owned parcel or tract of land accessible by automobile or other engine-driven vehicle designed, maintained, intended, or used for the purpose of supplying accommodations for use by recreational vehicles on a temporary basis, open to the public and designated as a trailer camp area.

Use, accessory, means a use customarily incidental to the principal use and on the same lot as the principal use.

Use, principal, means the primary use of a property or structures.

Washing means the action that involves water or some other liquid for the purpose of cleansing by removing impurities or undesirables from the intended product.

Wind energy system means a system whereby the wind is utilized to generate electricity.

~~*Zoning Administrator-Director of land conservation and zoning* means the public official charged with the administration, enforcement and interpretation of the county zoning regulations who shall carry out the directions of the county natural resources standing committee.~~

(Ord. No. 84-3, § IX, 6-19-1984; Ord. No. 1990-2, §§ 3, 4, 2-20-1990; Ord. No. 95-19, § 3(a)—(h), 12-12-1995; Ord. No. 96-15, § 3, 8-20-1996; Ord. No. 97-1, §§ 2—5, 4-15-1997; Ord. No. 97-8, § 2, 6-17-1997; Ord. No. 97-17, §§ 9—12, 9-23-1997; Ord. No. 97-26, §§ 30—42, 12-9-1997; Ord. No. 99-32, § 1, 9-21-1999; Ord. No. 2001-11, §§ 1, 2, 5-29-2001; Ord. No. 2003-16, § 5(a)—(i), 5-20-2003; Ord. No. 2005-5, §§ 20—26, 2-15-2005; Ord. No. 2005-7, §§ 4, 5, 3-15-2005; Ord. No. 08-24, § 4, 10-28-2008; Ord. No. 14-9, §§ 1—30, 5-20-2014; Ord. No. 18-26, § 3, 9-18-2018; Ord. No. 21-13, § 2, 5-18-2021; Ord. No. 21-37, § 2, 12-14-2021)

**Natural Resources Committee
Agenda Item Cover**

Agenda Item Name: Discussion and Possible action about updating the Zoning Ordinance 

Department:	Land Conservation & Zoning	Presented By:	Jenn Fry
Date of Meeting:	11/03/25	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Make any changes to the zoning ordinance and send on to full county board.

Background:

The current zoning ordinance needs to be updated. The department staff has looked the current ordinance over and have suggested several changes. This ordinance has been sent to all of the zoned townships and Corporation Council

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements

Section IV. - County Budget - Required by all Parties

2026 Richland County WDACP Budget

Approved amount to be provided by:

	County Request	WDNR Approved
County Admin..	1200.00	
Admin. Overhead		
Salaries	1500.00	
Mileage	12,000.00	
Abatement	2000.00	
Venison Donation	2500.00	
	2000.00	

Total Abate. & Admin.	21200.00	

We expect to assist 30 growers with damage that may result in wildlife damage requests equaling or exceeding \$ 70,000 worth of claims.

Signature of intention: County _____ Date _____

WDNR _____ Date _____

WISCONSIN WILDLIFE DAMAGE PROGRAM PLAN OF ADMINISTRATION

Richland COUNTY

As confirmed in the County Board of Supervisor's Resolution No. 83-95, the County requests to participate in the Wildlife Damage Abatement and Claims Program (WDACP), established under s. 29.889, Stats., and s. NR 12, Wis. Adm. Code. This Plan of Administration (Plan) outlines the relationships and duties of the County and the Wisconsin Department of Natural Resources (WDNR), herein called the Parties. By submission of this Plan the County agrees to fully comply with s.29.889, Stats., s. NR 12, Wis. Adm. Code and the Wisconsin WDACP Technical Manual, which are made part of this Plan by reference.

- A. Definitions: For the purposes of this Plan, the Parties, the County and WDNR, accept the definitions found in s. 29.889(1), Stats., and s. NR 12.31, Wis. Adm. Code. In addition, the Parties agree that:
 - 1. "Improperly filed claims" means any wildlife damage claim received by WDNR which does not comply fully with all eligibility requirements of s. 29.889, Stats., s. NR 12, Wis. Adm. Code or this Plan or procedures described in the WDACP Technical Manual.
 - 2. "Permanent fence contract" means any fence contract written in accordance with the Wisconsin WDACP Technical Manual and designed to remain effective for a minimum of 15 years.
- B. Level of Participation:
The County agrees to administer the full Wildlife Damage Abatement and Claims Program.
- C. Eligible Species:
The County agrees to administer the WDACP with respect to the following wild animals: bear, cougar, deer, elk, goose, turkey, and sandhill crane*.
**become eligible for program services when a hunting season is established.*
- D. Eligible Crops:
The County agrees to provide the WDACP with respect to the following: Damage to commercial seedings or crops on agricultural lands, damage to crops that have been harvested for sale or further use but have not been removed from the agricultural land, damage to orchard trees, Christmas trees, nursery stock or damage to livestock or apiaries.
- E. Administration Responsibility:
 - 1. The County, through designation of an established oversight committee shall provide overall supervision of the WDACP including approval of: annual budget requests, permanent fence contracts, properly filed wildlife damage claims and enrollee appeal (if any).
 - 2. The County shall provide day-to-day administration, recordkeeping, purchasing, field investigations, recommendation/delivery of abatement paperwork or equipment, field operations, crop appraisals, and budget preparations.
- F. Budgeting:
 - 1. The County agrees to:
 - a. Prepare a draft WDACP budget request for the following calendar year for County review at the designated oversight committee's October meeting.
 - b. Keep administrative costs to a minimum.

- c. Provide an annual budget request (Section IV.) to WDNR by **November 1st** immediately preceding the calendar year it pertains to. All budget requests will include cost estimates for administration, abatement, wildlife damage claims and an estimated number of claimants.
 - d. Prepare quarterly reimbursement requests to WDNR for eligible WDACP expenditures by the following deadlines: 1st quarter - May 31; 2nd quarter - August 31; 3rd quarter - November 31; 4th quarter - March 1.
 - e. Not bind WDNR for expenditures beyond the approved County Plan of Administration. The County may, by written amendment, request additional funding. It is understood that additional funding is not guaranteed and is subject to fund availability.
 - f. Submit all wildlife damage claim requests which are in compliance with s. 28.889, Stats, and s. NR 12.34, NR 12.35, NR 12.36, NR 12.15 and NR 12.16 for the previous calendar year to WDNR by the next succeeding March 1st.
2. WDNR agrees to:
- a. Review and approve, amend or deny the annual budget request in accordance with s. 29.889, Stats., and s. NR 12.32, Wis. Adm. Code, and advance funds under s. NR 12.34, Wis. Adm. Code within 30 days of budget approval.
 - b. Review and approve, amend or deny reimbursement requests in accordance with s. NR 12.34 and 12.35, Wis. Adm. Codes.
 - c. Review and act on properly filed wildlife damage claims requests no later than June 1 following the calendar year in which damage occurred.
 - d. If eligible wildlife damage claims are submitted late by the County, WDNR may accept and process the claims if funds are available, and if the payment will not adversely affect claimants for preceding calendar year claim payments.
 - e. If statewide approved wildlife damage claims exceed available funds, claims shall be paid on a prorated basis as established in s. NR 12.37(3) Wis. Adm. Code.
3. The Parties mutually recognize and agree:
- a. WDNR shall not bind the State of Wisconsin to pay costs beyond the amount appropriated for the WDACP. WDNR may defer until after July 1st, the payment of County reimbursement requests beyond the initial 25% funds advancement.
 - b. The County may distribute permanent fence materials to the landowner immediately upon the LCC's approval of a signed permanent fence contract, after written project approval by WDNR, completion of the bidding process and subject to the limits imposed by the WDNR approved WDACP budget for that year.
 - c. Supplies, materials, and equipment purchased for WDACP operations shall be turned over to the WDNR or its agents if this Plan is terminated by any of the Parties.
 - d. WDNR shall not reimburse the cost of abatement measures unless those measures were prescribed and implemented according to county direction and the Wisconsin WDACP Technical Manual, or unless written approval is given by WDNR.
 - e. WDNR shall not make payment for any wildlife damage claim which does not comply with all eligibility requirements of s. 29.889, Stats., s. NR 12, Wis. Adm. Code or this Plan of Administration.

G. Recordkeeping:

1. The County agrees to:

- a. Maintain recordkeeping practices and procedures that conform to accounting practices directed by the Department of Natural Resources and in compliance with s. NR 12.39, Wis. Adm. Code.
- b. Make all records and files relating to the WDACP available to the WDNR, upon request.
- c. Send copies of any WDACP documentation to the WDNR upon request.
- d. Use WDNR authorized databases and forms for billing and reporting.
- e. Maintain separate enrollee files and keep records of all abatement recommendations, appraisals and all WDACP related interactions with each enrollee.
- f. Direct all billings to WDNR Wildlife Damage Specialist (see Contact Person List).

2. WDNR may:

Conduct periodic audits of County recordkeeping procedures and prepare a written report to the County.

3. The Parties recognize and agree:

All WDACP records are subject to the Wisconsin Open Records Law, s. 16.61, Stats.

H. Abatement Measures:

1. The Parties mutually recognize and agree that:

- a. The County shall prepare an annual informational news release for County residents on the WDACP describing how services may be requested.
- b. All enrollees shall be required to have a signed enrollment form on file to meet the hunting requirements in s. 29.889 (7m), Stats. and s. NR 12.36 Wis. Adm. Code prior to providing WDACP assistance.
- c. All abatement measures prescribed to alleviate wildlife damage shall conform to the procedures and priorities found in the Wisconsin WDACP Technical Manual and will be accepted by the County as complete and appropriate "prescribed abatement". Other abatement measures may be used if approved in advance in writing by WDNR.
- d. In the event equipment loaned by the County to a particular crop owner is damaged beyond normal wear and tear, the crop owner shall be responsible for parts and labor to repair and the County agrees to seek such costs in all reasonable manners, including legal action. If the repair cost exceeds the value of the equipment, the crop owner will be billed for the equipment. If the enrollee fails to pay:
 - 1) The County shall refuse to provide subsequent materials or equipment until payment is made, (consequently the crop owner would be ineligible for a wildlife damage claim) to the County, or
 - 2) The County will take reasonable legal action to recover the loss, and deposit the proceeds in the County's WDACP account.
- e. Permanent fences for deer damage abatement shall only be recommended subject to the priorities and conditions set forth in the Wisconsin WDACP Technical Manual.
- f. A WDACP enrollee for which a permanent fence has been recommended and approved will be required to agree to the design of the fence in advance of letting the project for bid. The enrollee

will be responsible for all materials or installation costs in excess of the low bid amount if the enrollee requests changes in fence design subsequent to letting bids for said fence.

- g. A permanent fence contract shall be signed by the applicant/ landowner, the County, and WDNR prior to bidding for materials and installation costs. The Contract used shall have all the provisions in the "model" contract in the current WDACP "Technical Manual". This contract shall be registered with the appropriate County Register of Deeds.
 - h. All permanent fences shall be built according to the specifications found in the current WDACP Technical Manual or have written approval from WDNR.
 - i. The County will pay the WDACP's 75% obligation for permanent high tensile woven wire fence projects approved by the WDNR, when the County has determined that WDACP requirements for fence materials and construction have been met.
 - j. The County shall conduct inspections a minimum of one each year of all permanent fences cost-shared through the WDACP to insure Fence Contract Compliance.
 - k. The County shall seek competitive bids for all WDACP expenditures likely to exceed \$1,000 in cost.
 - l. Enrollees shall be encouraged to integrate sound conservation practices with their normal agricultural practices. Counties may place as a condition for abatement and claims assistance that enrollees comply with County farm conservation plans.
 - m. The County, in accordance with s. NR 12.35(4) will not administer abatement measures to persons not cooperating with County personnel or the County's agents responsible for administering the County's Wildlife Damage Abatement and Claims Program. Abusive language, behavior or threats of violence or otherwise will be considered a failure on the part of an applicant to cooperate. This condition of administration will be provided by the County or its agent, in writing to program participants.
 - n. If the County elects to participate in the WDACP Venison Donation Program that is authorized by the WDNR in accordance with s. 29.89, Stats in a given year, the County will establish and coordinate development of the program.
 - o. The County will reimburse venison processing facilities for processing deer donated under a WDACP Venison Donation Program approved by the WDNR in accordance with s. 29.89, Stats. The County is obliged to reimburse participating venison processing facilities once it is determined that all WDACP Venison Donation Program requirements have been met by the facility.
2. WDNR agrees to:
- Provide current information on abatement effectiveness through the WDACP newsletter and/or changes to the WDACP Technical Manual.
- I. Wildlife Damage Claims.
- 1. The County agrees to:
 - a. Advise County WDACP enrollees in writing regarding procedures and requirements for submitting a wildlife damage claim, and all other WDACP eligibility requirements.
 - b. Require that potential claimants specify in writing or by telephone: the location of damage, crop(s) being damaged, species of wildlife causing damage and the date damage first occurred.
 - c. Require that potential enrollees have a signed enrollment form (WDNR form) on file to meet the hunting requirements in s. 29.889 (7m), Stats. and s. NR 12.36(2) Wis. Adm. Code. The County may

require the enrollee to keep a hunting access log, using the approved form. This log shall be kept complete and the enrollee shall make this log accessible to the County, counties agent or WDNR for their enforcement of the hunting access requirement and to investigate any complaints regarding compliance to the hunting access requirement in s. 29.889 (7m), Stats.

- d. Date the damage notice, inspect the alleged damage to verify the enrollee's statements and recommend abatement measures.
- e. Determine the amount of huntable land and the applicable number of hunters for each enrollee in accordance with ss. NR 12.31 (4), Wis. Adm. Code, notify each enrollee of the requirement to allow open public hunting or managed hunting access (at least 2 hunters per 40 acres of land suitable for hunting), and provide "Hunting by Permission Only" signs if requested by the enrollee. Land suitable for hunting all eligible species other than deer and elk shall be determined in a manner consistent with NR 12.31(4). Land suitable for hunting deer and elk shall be determined in a manner consistent with NR 12.31(4e). Participants who only receive a deer shooting permit and waive any eligibility to receive a wildlife damage claim payment are exempt from the public hunting requirement (s. NR 12.36 (1m)).
- f. Provide the WDNR, and the public, upon request, a list of enrollees (and their contact information) who have signed enrollment forms under the terms of the WDACP.
- g. Notify WDACP enrollees that ineligibility on any site will result if they fail to:
 - 1) Control hunting access on all contiguous land under the same ownership and control, except in situations involving apiaries on land not controlled by the enrollee as defined in s. 29.889 (7m)(am), Stats.
 - 2) Allow public hunting for the species causing damage (two options available).
 - a) Open public hunting, or
 - b) Managed hunting access – the presence of 2 hunters/40 acres of land suitable for hunting
 - 3) Sign enrollment form(s)
 - 4) File a wildlife damage complaint with the County within 14 days of first damage each year.
 - 5) Follow the County's abatement prescriptions.
 - 6) Notify the County, orally or in writing, 10 days prior to harvest of crops subject to a statement of claim so that the County can conduct a damage appraisal.
 - 7) Comply with the requirement that they not charge any hunting, hunting access fee or any fee associated with the hunting the species causing damage.
 - 8) Meet their shooting permit harvest objective if a shooting permit has been issued.
- h. Inspect the crop prior to harvest, conduct an appraisal upon the crops using appraisal methods detailed in the WDACP Technical Manual, and prepare a wildlife damage claim form.
- i. Retain the claim until the end of the calendar year to determine the claimant's compliance with the WDACP requirements.
- j. Establish, as described below, uniform unit prices for eligible crops and calculate the value of the eligible wildlife damage claim.
- k. Deduct from the total wildlife damage claim amount any charge for damage to equipment or

materials supplied through the WDACP.

- l. Summarize and prepare the necessary WDNR forms for all eligible wildlife damage claims for review by the designated County oversight committee at the January meeting. Notify in writing any claimant whose wildlife damage claim has been rejected and state the reasons for the rejection, as well as, the appropriate appeal procedures in time for the February committee meeting. Review and approve all properly filed wildlife damage claims and forward all approved claims for a calendar year to WDNR by the succeeding March 1st.
 - m. Deny all wildlife damage claims for crops that were harvested without notification of harvest or before an appraisal was completed (within a 10 day period from notification of harvest).
 - n. Deny all wildlife damage claims for a crop site for which a WDACP enrollment form was not signed by the claimant and filed with the County.
 - o. Deny all wildlife damage claims where the County did not receive a complaint within 14 days of first damage.
 - p. Deny all wildlife damage claims concerning crop sites where the County's abatement recommendations were not followed.
 - q. Ensure that crop damage resulting from improper crop management is not included in official crop damage appraisals conducted County staff prior to preparation of the enrollee's official wildlife damage claim.
 - r. Deny all wildlife damage claims where the enrollee with a deer damage shooting permit had not complied with the WDNR prescribed harvest objective. However, if there is compelling evidence which shows deer were unavailable to being shot, then the County shall review such evidence following procedures described in s. NR 12.37(4)(a)4.b., Wis. Adm. Code.
 - s. Deny all wildlife damage claims on row crops for damage occurring to these crops during a particular growing season after 90 percent of the county harvest for this crop has been completed. The County oversight committee shall consult the local FSA and UW Extension offices for assistance in making the 90 percent determination.
2. WDNR agrees to:

Accept the amount of wildlife damage for all properly filed wildlife damage claims approved by the County as final for purposes of review.
 3. It is mutually agreed by the County and WDNR that:
 - a. Damage assessment for compensation will be performed by County staff in accordance with the WDACP Technical Manual, and will be accepted by the County as complete and accurate "assessed damage".
 - b. Compensation prices will be established by the oversight committee, in cooperation with UW Extension, each year. Such prices will be established according to procedures set forth in the WDACP Technical Manual. Such prices will be applied to all individuals with eligible wildlife damage to that crop that year throughout the county.
 - c. Public complaints (abatement compliance, fraud, etc.) must be written and received by the County by December 31 to be given consideration in the wildlife damage claims determination process. Hunting access denial complaints shall be written and received by the County within 10 days of hunting access denial to be given consideration in the wildlife damage claims determination process, as described in the WDACP Technical Manual, Reference Manual).

- d. The County will not administer a damage appraisal and/or claims to persons not cooperating with County personnel or its agents responsible for administering the County's WDACP. Abusive language, behavior or threats of violence or otherwise will be considered a failure on the part of an applicant to cooperate. This condition of administration will be provided by the County or its agent, in writing to program enrollees
- e. As required by s. NR 12.37(4)(a)4.b., Wis. Adm. Code as part of the claims approval process, if a enrollee who has been issued a shooting permit is found not to be compliant with the harvest objective prescribed under his or her permit under s. NR 12.16(2)(a), Wis. Adm. Code, then the County, its agent, and the department shall consult before making a collective recommendation to grant an exemption to the harvest objective requirement. This group shall review the evidence and if there is consensus that an exemption is warranted, shall recommend that the County designated committee charged with approval of such damage claims, grant approval of the damage claim for the year in which the permit was issued. Compelling evidence that shall be used is detailed in s. NR 12.16(2)(b)2., Wis. Adm. Code.

J. Changes:

The terms of this Plan may be changed by written amendment approved by all Parties.

K. Termination:

1. The County may terminate participation in the WDACP upon notifying WDNR in writing thirty (30) days prior to termination.
2. WDNR shall terminate a County Plan of Administration if the County does not comply with all conditions of s.29.889, Stats., s. NR 12, Wis. Adm. Code, this Plan, the Wisconsin WDACP Technical Manual or fails to properly report costs of the program or claims. WDNR shall give 30 days written notice of termination.
3. WDNR agrees to reimburse the County for reasonable WDACP costs incurred and determined proper by WDNR under this Plan prior to the effective date of termination.

L. Length of Effect:

This Plan shall remain in effect until December 31, 2030 (5 years from WDNR approval).

M. Approvals:

Richland COUNTY

Date

By: _____

Title: Natural Resources - Chair

DEPARTMENT OF NATURAL RESOURCES

Date _____

By _____

Section Chief,
Bureau of Wildlife Management

CONTACT LIST:

1. Wisconsin Department of Natural Resources
Bureau of Wildlife Management - Administration
Brad Koele, Wildlife Damage Specialist
8770 Hwy J
Woodruff, WI 54568

phone: 715 356-5211 ext. 234

2. Richland County
Cathy Cooper County Representative
Richland County LCD Department
Richland Center, WI 53581 Phone

Phone: 608-647-2100

Email: cathy.cooper@co.richland.wt.us

3. If the County hires a contractor to conduct field work, that person's name, address and contact information should appear here.

Care Leaver,
29969 State Hwy 131
Wauzeka WI 53826
608 875 6413

**Natural Resources Committee
Agenda Item Cover**

Agenda Item Name: Discussion and Possible action approving the 2026 Wildlife Damage

Department:	Land Conservation & Zoning	Presented By:	Cathy Cooper
Date of Meeting:	11/03/25	Action Needed:	Vote
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve the 2026 Wildlife Damage budget and 5 year contract with Greg Cerven and DNR

Background:

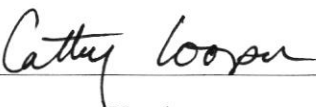
Every year, the Natural Resources committee has to approve the next years budget. Every 5 year, DNR requires the committee to approve a contract with DNR and the contractor to complete the wildlife damage assessments. The county has contracted for many years with Mr. Greg Cerven to assess crops for deer and other wildlife damage. The amount for the 2026 budget is in the county's budget for next year.

Attachments and References:

Financial Review:

(please check one)

☒	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☐	No financial impact		



Department Head



Administrator, Tricia Clements

Chapter 109 LAND DIVISION

ARTICLE 109.04. IN GENERAL

Sec. 109.04.010. Statutory authority.

The ordinance from which this chapter is derived is adopted under the authority granted by Wis. Stats. ch. 236 and Wis. Stats. §§ 59.02, 59.69, 236.45, 281.31 and 703.27.

(Ord. No. 2000-11, § 1.01, 4-26-2000)

Sec. 109.04.020. Purpose and intent.

- (a) The purpose of this chapter is to regulate and control the division of land within the unincorporated areas of the county for the following purposes: To promote the public health, safety and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion on the roads, streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewerage and other public requirements; to provide for proper ingress and egress; to prevent and control erosion, sedimentation and other pollution of surface and subsurface waters; to preserve natural vegetation and cover and promote the natural beauty of the county; to ensure adequate legal description and property survey monumentation of the subdivided land; to provide for the administration and enforcement of this chapter; and to provide penalties for its violation.
- (b) It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any recorded easements, covenants, deed restrictions or agreements, adopted ordinances, rules and regulations or permits previously issued pursuant to law. However, whenever this chapter imposes greater restrictions, the provision of this chapter shall govern.

(Ord. No. 2000-11, § 1.03, 4-26-2000)

Sec. 109.04.030. Validity and repeal.

All other ordinances or parts of this Code (including the floodplain, shoreland, sanitation, subdivision or other provisions) inconsistent or in conflict with this chapter, to the extent of inconsistency or conflict only, are repealed.

(Ord. No. 2000-11, § 1.04, 4-26-2000)

Sec. 109.04.040. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act of division means the execution and delivery of a deed, land contract or other conveyance which has the effect of dividing an existing parcel of land into two or more smaller lots or parcels or the recording of a certified survey map or Wis. Stats. ch. 236, plat, which has a similar effect.

Administrator means the county zoning administrator.

Block means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter or other name through which it may be identified.

Building means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or moveable property of any kind and which is permanently affixed to the land.

Certified survey map means a map of land division, not a subdivision, prepared in accordance with Wis. Stats. § 236.34, and in full compliance with the applicable provisions of this chapter. A certified survey map has the same legal force and effect as a subdivision plat.

Committee means the county natural resources standing committee as authority by Wis. Stats. § 59.69.

Cul-de-sac means a road having one end open to traffic and the other permanently terminated by a vehicular turnaround.

Department means the county zoning administrator and staff.

Easement means a grant by a property owner for the right to use all or part of the owner's land for a specific limited purpose.

Final plat means the map of record of subdivision, and any accompanying material.

Frontage means the length of the front property line of the lot or tract of land abutting a public street, road, highway or public right-of-way.

Grade means the slope of a road, street, alley, footpath, lot or block specified in percent.

Half street means a street or highway, typically bordering upon a boundary of a subdivision, which is only one-half the width of such a street or highway required by this chapter.

Highway means synonymous with street or road.

Highway, major, means a designated federal, state or county highway.

Improvement, public, means any sanitary sewer, storm sewer, drainage ditch, water main, roadway, park, parkway, public access, sidewalk, pedestrian walkway, planting strip, off-street parking area or other facility for which the county or town may ultimately assume the responsibility for maintenance and operation.

Land division means the division of a lot or parcel of lands into two or more smaller parcels for the purpose of transfer of ownership or building development.

Lot means a portion of a subdivision or other parcel of land which may be intended for transfer of ownership or for building development.

Lot, corner, means a lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.

Lot, through, also known as a double frontage lot, means a lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a through lot or double frontage lot both street lines shall be deemed front lot lines.

Navigable water means as defined in Wis. Stats. § 281.31(2) or in Wis. Admin. Code ch. NR 115 or in the county shoreland ordinance, whichever has the broader definition.

Outlot means a parcel of land other than a lot or block, intended for transfer of ownership, dedication or for use as a private right-of-way. An outlot may not be used as a building site unless it is in compliance with restrictions imposed under this chapter with respect to building sites. An outlot may be the site of a private road or private alley, a nonbuildable parcel having poor soils or topographic conditions or remnant parcel.

Owner means any person, group of persons, firm, corporation or any other legal entity having legal title to land sought to be divided under this chapter.

Parcel means all of a contiguous area of land to which legal or equitable title is held by a single owner, regardless of whether the owner acquired the land by one conveyance or by more than one conveyance and regardless of whether the contiguous land lies in more than one political unit.

Preliminary plat means a map showing the salient features of a proposed subdivision, submitted to the natural resources standing committee for the purposes of preliminary consideration.

Right-of-way means a strip of land occupied or intended to be occupied by a street, walkway, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for a similar use. The usage of the term "right-of-way" for land established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way, and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, walkways, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be shown on the plat or certified survey map and shall be dedicated to such public use by the owner of the lands depicted on the plat or certified survey map.

Road means and is synonymous with the term "street."

Roadway means the surfaced portion of a street or highway available for vehicular traffic.

Sewage disposal system, also known as private on-site waste disposal system, means an on-site septic, aerobic, experimental, holding or other system approved for use by the state department of commerce and conformity with all applicable codes.

Street means a public or private right-of-way which affords a primary means of vehicular access to abutting properties, whether designated as a drive, street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated, but excepting private driveways to buildings.

Street, major, means a street which carries traffic from minor streets to the system of major highways, including the principal entrance streets of a residential development and the principal circulating streets within such a development. Town highways known as roads or drives are typically designated as major streets.

Street, minor, means a street of limited continuity used primarily for access to abutting properties and local needs of a neighborhood. Town highways known as lanes are typically designated as minor streets.

Subdivider means any person, corporation, partnership, LLC or other legal entity or authorized agent thereof who undertakes the subdivision of land as defined in this section.

Subdivision design standards means the basic land planning standards established as guides for the preparation of preliminary plats and certified survey maps.

Subdivision, state, means a division of a lot, contiguous parcel or tract of land for the purpose of sale or of building development, where:

- (a) The act of division creates five or more parcels or building sites of 1½ acres each or less in area; or
- (b) Five or more parcels or building sites of 1½ acres each or less in area are created by successive divisions within a period of five years; or
- (c) As defined by Wis. Stats. ch. 236.

Tract means and is synonymous with the term "parcel."

Walkway means a walkway or crosswalk is a right-of-way within a block, dedicated to public use and intended primarily for pedestrians, but which may include utilities where necessary.

Water supply, private, means a well, or any other domestic water source and appurtenances, usually supplying only one lot.

Zoning regulations means all zoning regulations or ordinances duly adopted or approved by the governmental unit having zoning jurisdiction.

(Ord. No. 2000-11, § 1.05, 4-26-2000)

Sec. 109.04.050. Geographic jurisdiction.

The provisions of this chapter apply to all unincorporated lands within the county, except land which is within the extraterritorial zone of a city or village which has properly exercised its extraterritorial zoning authority. When a duly adopted town subdivision ordinance contains more restrictive provisions than the provisions of this chapter, then the town's more restrictive provisions shall apply. When any town adopts a subdivision ordinance after the effective date of the ordinance from which this chapter is derived, no provisions of such town ordinance shall be less restrictive than the provisions of this chapter. This chapter shall not repeal, impair or modify private covenants or other ordinances, except that it shall apply whenever it imposes stricter regulations.

(Ord. No. 2000-11, § 1.06, 4-26-2000; Ord. No. 06-9, § 1, 4-25-2006)

Sec. 109.04.060. Land divisions governed by this chapter.

(a) This chapter shall apply to:

- (1) This chapter shall apply to any act of division of a contiguous lot, parcel or tract on the effective date of the ordinance from which this chapter is derived for the purpose of recording where such act of division creates one or more new lots, parcels or tracts which are ten acres or less in area.
- (2) The certified survey map requirements of this chapter shall apply to any survey prepared for the purpose of monumenting or describing an existing lot, tract or parcel ten acres or less in size which was previously conveyed by a metes and bounds or rectangular description. In addition to other requirements of this chapter for a certified survey map, the recording date of the last previous deed of record conveying such lot, tract or parcel shall be shown on the face of the map.
- (3) In addition to the above (2), the certified survey map requirement, any change to the zoning of a parcel < 35 acres will need a certified survey map. A development review prior to the submission of a certified survey map will be required by the Zoning Office for the purposes of determining any associated zoning or other issues. The filing with the Richland County Register of Deeds which complies fully with Wi Stat. Chapter 236.34 after the certified survey map is reviewed.

(b) This chapter shall not apply to:

- (1) Transfers of interest in land by will or pursuant to court order.
- (2) Leases for a term not to exceed ten years, mortgages or easements.
- (3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the parcels resulting are not reduced below the minimum lot sizes required by this chapter or other applicable laws and ordinances. A survey map depicting the lands being exchanged or the parcels as they will exist after the exchange for the purpose of verifying that additional lots are not thereby created and the lots resulting therefrom are not reduced below the minimum sizes required by law shall be required unless there are existing certified survey maps or subdivision plats depicting the lands involved in the sale or exchange so that such verification can be made without the need for new or additional surveys.
- (4) Assessor's plats made under Wis. Stats. § 70.27.
- (5) Transfers of parcels which are larger than ten acres excluding any public highway right-of-way.

-
- (6) A correction document executed solely for the purpose of merely correcting typographical or scrivener's errors in a document recorded prior to the effective date of the ordinance from which this chapter is derived.
 - (7) Conveyance of land to a governmental unit for street or highway purposes.
 - (8) Options to purchase. However, this chapter shall apply to a conveyance given upon the exercise of an option to purchase, whether the option was granted before or after the effective date of the ordinance from which this chapter is derived.
 - (9) A deed in performance of a land contract entered into prior to May 1, 2000, which conveys all of the real estate originally conveyed by the land contract. However, this chapter shall apply to a deed given in partial performance of any land contract if the deed conveys a parcel which is less than the entire parcel of real estate originally conveyed by the land contract and which is ten acres or less in area.

(Ord. No. 2000-11, § 1.07, 4-26-2000; Ord. No. 2000-15, §§ 1—8, 7-18-2000)

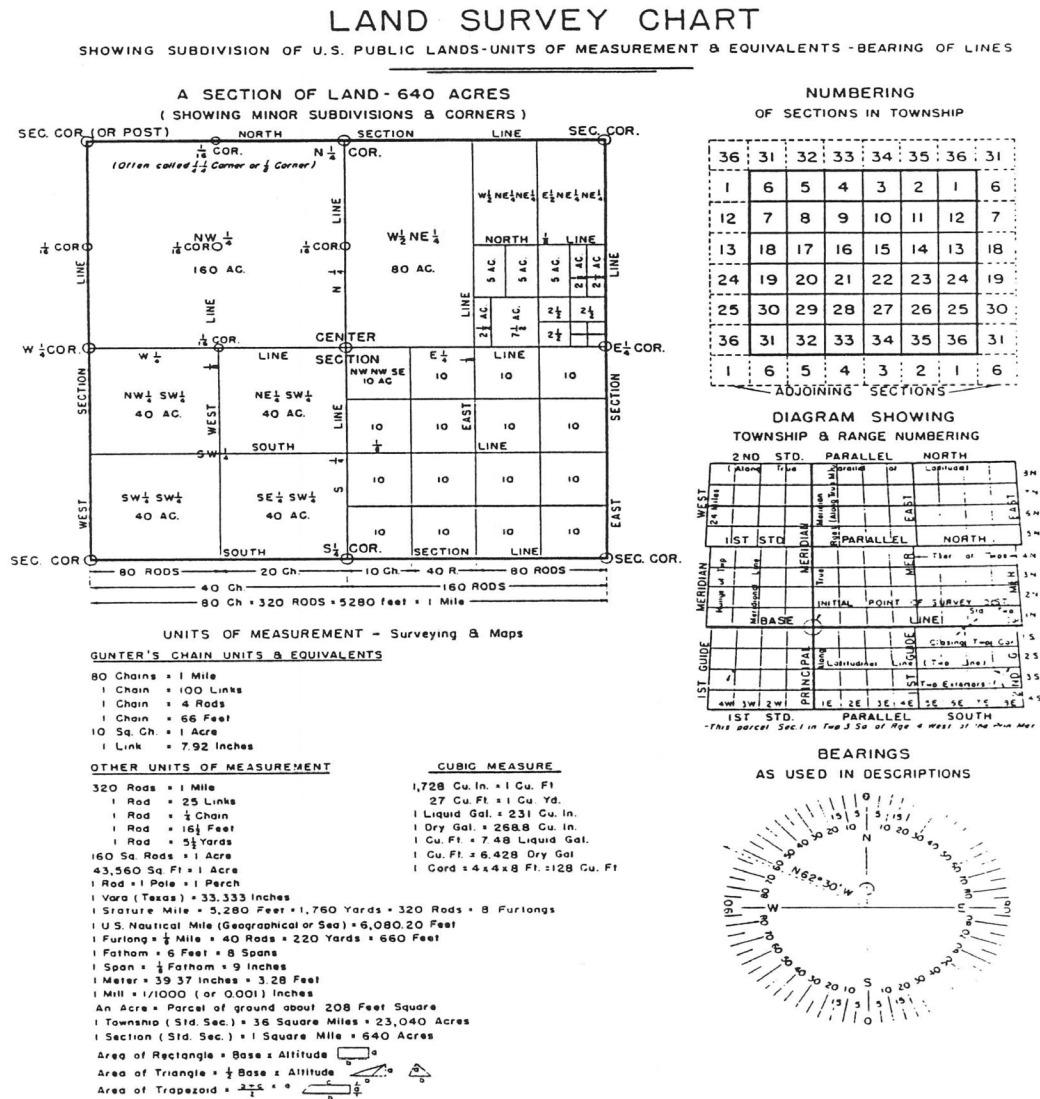
Sec. 109.04.070. Classification of land divisions.

Any contiguous parcel or tract of land which is owned, controlled or managed as a single entity shall be treated as a single parcel or tract for the purpose of this chapter unless it is divided by an existing dedicated street, public highway or by navigable water. The zoning administrator shall determine whether the proposed land division satisfies the above definition and this determination may be reviewed by the natural resources standing committee. Land divisions are classified under this chapter as either:

- (a) *Minor subdivision.* A minor subdivision shall include the creation of one but not more than four parcels or building sites which are ten acres or less in size or the division of a lot or outlot within a recorded subdivision into not more than four parcels or building sites without changing the original exterior boundaries of the lot or outlot within any five-year period.
- (b) *County subdivision.* A county subdivision shall include the creation of five or more parcels or building sites which are greater than 1.5 acres but not exceeding ten acres in size and may include not more than four parcels of 1.5 acres or less within any five-year period.
- (c) *State subdivisions.* Land divisions meeting the definition of state subdivisions are subject to mandatory state review under Wis. Stats. ch. 236 as well as county approval under this chapter.

(Ord. No. 2000-11, § 1.08, 4-26-2000)

Sec. 109.04.080. Land survey chart.



(Ord. No. 2000-11, app. A, 4-26-2000)

ARTICLE 109.08. PROCEDURES FOR APPLICATION AND REVIEW OF LAND DIVISIONS

Sec. 109.08.010. Preapplication consultation.

Prior to submitting an application for county approval of a land division, it is recommended that the applicant or agent meet with the administrator. At this meeting, the applicant should inform the administrator of

the location and nature of the project which will be proposed. Based upon this information, the administrator shall explain to the applicant:

- (a) Whether the proposal will require town, county or state reviews.
- (b) Which standards of this chapter apply and which standards of Wis. Stats. ch. 236 will apply to the land division.
- (c) The procedure to follow to submit a land division for review.

(Ord. No. 2000-11, § 2.01, 4-26-2000)

Sec. 109.08.020. Application and review of minor subdivisions.

- (a) Minor subdivisions shall be created by use of a certified survey map (CSM). The original map and an application, on a form supplied by the county, shall be submitted to the administrator. It is recommended that the original CSM not be recorded until final review and approval in case any changes are required as a condition of approval.
- (b) The CSM shall comply with the requirements of Wis. Stats. § 236.34, which include, but are not limited to, the following requirements:
 - (1) Date of preparation.
 - (2) Name of the owner of the parcel to be divided.
 - (3) Location of existing buildings and adjoining streets, highways, parks, cemeteries and subdivisions.
 - (4) Location of existing wells, drain field vents, septic, pump and holding tanks.
 - (5) Easements or private rights-of-way which adjoin or cross the property.
 - (6) If a certified survey map is created to depict boundaries of an existing parcel, reference to the previous deed of record shall be included on the map.
- (c) The administrator may send any minor subdivision to state agencies for advisory review and comments upon a determination that such a referral could yield information that might be useful in the review process.
- (d) When the administrator finds that the county requires additional information relative to a particular problem posed by the proposed subdivision, same shall have the authority to request such information in writing from the subdivider. Such additional information may include, but not be limited to, the following:
 - (1) All lands reserved for future public acquisition.
 - (2) Report on soil borings and percolation tests, as required by the Wisconsin Administrative Code for all lots not served by public sewer.
 - (3) Two-foot contour intervals in the areas of lots to be used for building sites and the installation of private water supplies and private sewage systems.
 - (4) An erosion control plan.
- (e) The application for any proposed minor subdivision with lots, parcels, or new public streets requiring direct access onto a county, state, or federal highway shall be reviewed by the highway commissioner or state department of transportation (DOT) as appropriate. When access is being requested onto a town road or county highway, a copy of the application shall be forwarded to the town chairperson or highway commissioner by the zoning administrator at the time of application. If, within five workdays, the application has not been approved or denied, the survey may be reviewed pursuant to subsection (f) of this section. When access is being requested onto a state or federal highway, there shall be compliance with the

provisions of Wis. Admin. Code ch. TRANS 233. A copy of the decision of the state department of transportation shall be submitted with the request for review of a survey map.

- (f) The administrator shall review and approve, conditionally approve, or disapprove a minor subdivision within 20 workdays from the date that a complete application is submitted unless this time period is extended by mutual agreement between the owner or agent and the administrator. A minor subdivision may be approved upon submittal provided an appointment has been made with the administrator. The administrator's decision shall be based upon the standards of this chapter and shall be provided to the subdivider in writing.
- (g) The approval or disapproval of a minor subdivision by the administrator is appealable to the county natural resources standing committee. Appeals shall be filed within 30 days of the date of the written decision of the administrator on forms available from the department.
- (h) The administrator shall transmit one copy of the minor subdivision to each of the town clerk and town chairperson of the town in which the division has been approved.

(Ord. No. 2000-11, § 2.02, 4-26-2000)

Sec. 109.08.030. Applications and review of proposed county subdivisions.

- (a) The requirements applicable to a minor subdivision set forth in section 109.08.020(b), (d) and (e) shall apply to county subdivisions.
- (b) County subdivisions shall comply with the requirements and procedures set forth in section 109.08.040, except that no transmittals to or approvals from the state objecting agencies are needed unless required by the zoning administrator where same finds a state review to be necessary.
- (c) The developer may request waiver of soil testing as required by section 109.08.040(b)(2). When soil survey maps and department records indicate uniform conditions exist relative to the installation of private sewage systems, testing may be waived. When the county has waived soil testing requirements, the developer shall provide a statement on the face of the plat that soil suitability for construction and operation of private sewage systems has not been verified.
- (d) All lots in county subdivisions shall have direct access to public streets. County subdivisions shall not be approved where private roads or easements are proposed to provide access.

(Ord. No. 2000-11, § 2.03, 4-26-2000)

Sec. 109.08.040. Application and review of proposed state subdivisions.

- (a) *Pre-preliminary plat conference.*
 - (1) When it is desired to create a state subdivision it is recommended that the subdivider meet with the administrator and appropriate town boards for a conference prior to preparation of the preliminary plat.
 - (2) It is also recommended that the following information be prepared for the conference:
 - a. A sketch of reasonable scale and accuracy showing the boundaries of the property being considered for division.
 - b. The proposed general layout.
 - c. A description of all contiguous lands owned by the divider.
 - d. Existing and proposed zoning for the subdivision.

-
- (b) *Preliminary plat submittal requirements.* For all state subdivisions, a preliminary plat conforming to Wis. Stats. § 236.11 shall be prepared for review. Material and information to be submitted shall include the following:
- (1) A preliminary plat map based upon a survey by a land surveyor registered in the state and a written application prepared on a form provided by the department. The plat shall show correctly on its face the following information:
 - a. A legal description of the exterior boundaries of the proposed land division and total area in acres or square feet to be divided.
 - b. Ordinary high water mark or, where established, an OHW elevation based on USGS datum, and boundaries of wetlands within or contiguous to the subdivision, from the most recent DNR wetlands inventory maps or as staked in the field by a wetland delineator as approved by the state.
 - c. Any existing lake, river or stream access.
 - d. The regional floodplain boundary if boundary of floodplain lands fall within the proposed plat.
 - (2) Report on soil borings and percolation tests as required in Wis. Admin. Code ch. SPS 385. The department shall be notified by the developer or soil tester at least two workdays prior to conducting soil tests for any proposed subdivision for the purpose of making a field appointment. Unless waived by the administrator, the department representative shall be on site for all soil testing.
 - (3) When the administrator finds that the county requires additional information on the preliminary plat or the accompanying documents, relative to a particular problem presented by the proposed subdivision, same shall have the authority to request in writing that additional information, including, but not limited to, the following:
 - a. Identification of surface drainage patterns, showing direction of flow, grading plan and indicating the manner and extent to which the drainage patterns will be altered by the subdivision and its development and an erosion control plan.
 - b. Proposed or existing deed or plat restrictions.
 - c. Identification of owners of record of abutting nonplatted lands and a plan for future use and development of adjoining land owned by the subdivider.
 - (4) The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of the features and that same has fully complied with this chapter.
- (c) *Preliminary plat approval process.*
- (1) For all preliminary plats not served by a public sewerage system, the department shall act as the agent for distribution of copies to all objecting and approving agencies and other agencies such as utility companies. The number of copies of each plat shall be determined by the zoning administrator's checklist for distribution of plats.
 - (2) The natural resources standing committee, within 90 days of the date of filing of a complete preliminary plat and application with the administrator, shall approve, approve conditionally or reject such plat unless the time is extended by mutual agreement with the divider. A letter setting forth the conditions of approval or the reasons for rejection shall be sent to the divider. One copy each of the plat and letter shall be placed in the natural resources standing committee's permanent file.
 - (3) Failure of the natural resources standing committee to act within 90 days, or the time as extended by agreement with the subdivider, shall constitute an approval. The 90-day time period shall commence with the filing of the complete plat and application and not the preliminary conference.

-
- (4) The natural resources standing committee or approving authority shall not approve any preliminary plat which is the subject of an objection of an objecting agency.
 - (5) The administrator shall not place the preliminary plat on the natural resources standing committee agenda for review unless there has been a complete submittal at least five workdays prior to the meeting.
- (d) *Final plat.* Upon approval of the preliminary plat, the subdivider or agent shall prepare a final plat for review. The application and review shall include the following:
- (1) A final plat prepared by a land surveyor registered in the state. The plat shall comply with all applicable requirements of Wis. Stats. ch. 236.
 - (2) In addition to the requirements of Wis. Stats. ch. 236, the final plat shall correctly show on its face:
 - a. Lands reserved for future public acquisition or for the common use of the property owners within the subdivision. Such lands shall be described and established as outlots.
 - b. Special restrictions required by the reviewing authorities.
 - c. Final plats shall provide all certificates required by Wis. Stats. § 236.21, and in addition, the surveyor shall certify specific compliance with all provision of this chapter.
 - (3) The administrator shall not place a final plat on the natural resources standing committee agenda for review unless the plat or a true copy is submitted at least five workdays prior to the meeting.
 - (4) The natural resources standing committee, within 60 days of the date of filing of a complete final plat with the administrator, shall approve, approve conditionally, or reject such plat, unless the time is extended by mutual agreement with the subdivider. If approved, the certifications on the plat shall be completed. If approved conditionally, the certifications shall not be completed until the conditions are met. If rejected, a letter or copy of the natural resources standing committee minutes setting forth the reasons for rejection shall accompany the plat.
 - (5) Failure of the natural resources standing committee to act within the 60 days, or the time as extended by agreement with the subdivider, shall constitute an approval.
 - (6) The natural resources standing committee shall not choose to approve any final plat which is the subject of an objection of any objecting agency.
 - (7) Relationship between preliminary and final plat:
 - a. Approval of a preliminary plat shall be deemed an expression of approval or conditional approval of the layout submitted and a guide to the preparation of the final plat which will be subject to further consideration by the natural resources standing committee at the time of its submission.
 - b. If the final plat conforms substantially to the preliminary plat as approved, including any conditions of the preliminary approval, and to local plans and ordinances authorized by law, it is entitled to approval. If the final plat is not submitted within six months of the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat.
 - (8) Partial platting. The final plat may constitute only that portion of the approved preliminary plat that the subdivider proposes to record at that time. Approval of a final plat for only a portion of the preliminary plat shall extend approval for the remaining portion of the preliminary plat for 12 months from the date of such final plat approval unless extended by the natural resources standing committee.
 - (9) Deed restrictions. The natural resources standing committee reserves the right to add or require further deed restrictions or covenants as provided in Wis. Stats. § 236.293 as a condition of final plat approval.

(Ord. No. 2000-11, § 2.04, 4-26-2000)

ARTICLE 109.12. SUITABILITY STANDARDS APPLICABLE TO MINOR SUBDIVISIONS AND STATE SUBDIVISIONS

Sec. 109.12.010. Authority and applicability.

- (a) Wis. Stats. § 236.45 authorizes the county to prohibit the division of lands where such prohibition will carry out the purposes set forth in this chapter. The county may also regulate the manner of land division in areas where divisions are permitted.
- (b) The suitability standards of this article are in addition to standards set forth in this chapter. The county may also regulate the manner of land division in areas where divisions are permitted.
- (c) These suitability standards shall be applied to all proposed land divisions under the authority stated herein.

(Ord. No. 2000-11, § 3.01, 4-26-2000)

Sec. 109.12.020. General suitability standards.

No land shall be divided which is determined by the administrator or natural resources standing committee to be unsuitable for its proposed use for reasons of flooding, inadequate drainage, adverse soil or rock formation, severe erosion potential, unfavorable topography, inadequate water supply or sewage capabilities, or any other features or circumstances likely to result in the imposition of unreasonable costs or to be harmful to the health, safety or general welfare of the future residents of the land division or of the community.

(Ord. No. 2000-11, § 3.02, 4-26-2000)

Sec. 109.12.030. Zoning.

- (a) Divisions of lands under this chapter shall be made in conformity with the county zoning regulations which are applicable in the town in which the division is located.
- (b) No permanent easement shall be recorded which reduces the lot size below the minimum required for the zoning district in which the lot is located.

(Ord. No. 2000-11, § 3.03, 4-26-2000)

ARTICLE 109.16. SUBDIVISION DESIGN STANDARDS

Sec. 109.16.010. Applicability.

Subdivision design standards shall apply to all divisions of land regulated by this chapter. Land division layouts shall be planned in proper relation to existing and proposed land divisions and streets, topography, surface water, vegetative cover and other natural features. Land divisions shall conform to any county development plan, local master plan or element thereof applicable to the lands included.

(Ord. No. 2000-11, § 4.01, 4-26-2000)

Sec. 109.16.020. Surface drainage and erosion control.

- (a) Land divisions shall be designed so as to minimize soil erosion and to provide reasonable management of surface water drainage. The natural resources standing committee may require engineering studies of erosion potentials and may impose preventive design requirements. The natural resources standing committee may require documentation of surface water drainage patterns and may impose design requirements to ensure that flows are transported and disposed of without causing undue erosion and siltation of surface waters, undue runoff onto adjoining lands or streets or other rights-of-way or excessive infiltration into locations of on-site wastewater disposal facilities. Dividers may request assistance and consultation from the department and natural resources standing committee in meeting the above requirements.
- (b) Stormwater easement and drainage right-of-way. When a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width or construction or both as will be adequate for drainage purposes. When possible, it is desirable that the drainage be maintained by an open channel with natural or landscaped banks and adequate width for maximum potential volume of flow.

(Ord. No. 2000-11, § 4.02, 4-26-2000)

Sec. 109.16.030. Public streets and roads and easements.

- (a) *Streets; general considerations.* Streets shall be designed and located in relation to existing and planned streets, to topographic conditions and natural terrain, to promote convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets. These provisions shall apply to all streets, roads and highways within the jurisdiction of this chapter.
 - (1) All newly created roads and any widened right-of-way, whether a recorded or unrecorded road, shall be surveyed by a registered land surveyor as a right-of-way plat and approved by the towns in which it lies and the county zoning department. If, when a survey is conducted adjacent to an existing town road and there is no record of a right-of-way width, a right-of-way shall be dedicated to the town on the survey that meets the town's standards.
 - (2) Town road names are subject to approval by the town board and the county zoning department to ensure conformity with the county-wide addressing system. Before any minor subdivision, county subdivision or state subdivision can be approved for recording, all streets and town roads shall be named with the approval of the administrator and these names as approved shall appear on the document to be recorded.
- (b) *Arrangement of streets.*
 - (1) All streets shall be properly integrated with the existing and proposed system of streets, highways and dedicated rights-of-way.
 - (2) All streets shall be properly designed to accommodate special traffic generators, such as industries, business districts, schools, churches and shopping centers.
 - (3) Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and sewer systems, and to require the minimum amount of streets necessary to provide convenient and safe access to property.
 - (4) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the natural resources standing committee such extension is not necessary or desirable for the coordination of the layout of

-
- the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- (5) In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.
- (c) *Access to major streets.* The number of residential streets entering a major street shall be kept to a minimum. When a subdivision borders on or contains an existing or proposed major street, the natural resources standing committee may require that access to such major streets be limited.
- (d) *Width of streets.* Right-of-way and paving widths of all streets shall be determined by the town board of the town in which the street is located but shall not be less than that specified in Wis. Stats. § 82.50.
- (e) *Culs-de-sac or dead-end streets.*
- (1) The use of culs-de-sac in street layouts shall be limited to portions of developments which, due to unusual shape, size, location, topography, floodplain, wetland or other condition may better be served by culs-de-sac than by continuous streets. A layout making unrestricted use of culs-de-sac or courts will not be acceptable.
 - (2) A cul-de-sac shall not be longer than 850 feet, measured on its centerline, unless, by reason of topography or other circumstances beyond the control of the developer, the natural resources standing committee, upon the recommendation of the administrator, finds a greater length to be justifiable.
 - (3) The diameter of the road of a permanent cul-de-sac shall be not less than 85 feet. The improved roadway shall not be less than 75 feet in diameter.
 - (4) Temporary cul-de-sac or "T" turnarounds may be required where a roadway will not be immediately completed as a through street. The natural resources standing committee may approve turnarounds of small diameter or different design on a case-by-case basis.
- (f) *Half streets.* Half streets in new subdivisions shall not be permitted without natural resources standing committee approval. When a half street is adjacent to a new subdivision, the other half of the street shall be dedicated by the subdivider. When a new subdivision abuts an existing street of inadequate right-of-way width, additional right-of-way width shall be required to be dedicated and the subdivider shall meet the requirements of this chapter.
- (g) *Street intersection.*
- (1) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection to two new streets at an angle of less than 70 degrees shall not be acceptable. Not more than two streets shall intersect at any one point unless specifically approved by the natural resources standing committee.
 - (2) Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of such street. Street jobs with centerline offsets of less than 125 feet shall not be permitted. When streets intersect major streets their alignment shall be continuous.
 - (3) The street grade at intersections may not exceed standards determined by the county highway commissioner or the town board on a case-by-case basis.
 - (4) When any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer, at the direction of the town board, shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide adequate sight distance.

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- (h) *Alleys.*
- (1) Alleys may be required by the natural resources standing committee where deemed necessary.
 - (2) The width of alleys shall not be less than 24 feet.
 - (3) Dead-end alleys are prohibited except under very unusual circumstances, and crooked and "T" alleys shall be discouraged. When dead-end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead end.
- (i) *Easements.*
- (1) Utility easements shall be at least ten feet wide.
 - (2) Roadway easements, if allowed, shall be at least 66 feet wide.
- (j) *Minimum lot frontage.* Every residential lot or parcel created under the terms of this chapter shall have a minimum of 33 feet of frontage directly on a public street. When the terms of this section cannot be met, a modification as authorized by section 109.28.030(b)(1) may be requested.
- (Ord. No. 2000-11, § 4.03, 4-26-2000)

Sec. 109.16.040. Lots and blocks.

- (a) *Residential blocks.*
- (1) The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated.
 - (2) Walkways, not less than ten feet wide, may be required by the natural resources standing committee through the center of blocks more than 900 feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.
- (b) *Nonresidential blocks.* Blocks designed for business, commercial, or industrial uses shall be of such length and width as may be determined suitable by the natural resources standing committee for the prospective use.
- (c) *Lots.* In general, the size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of applicable zoning regulations. No lot area calculation shall include any road right-of-way or permanent easement.
- (d) *Residential lots.* Residential lots to be served by private sewage systems shall comply with the rules of the state department of commerce and county sanitation regulations.
- (e) *Business, commercial and industrial properties.* Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the applicable zoning regulations.
- (f) *Corner lots.* Corner lots for residential use shall have extra width to permit full building setback as required in the appropriate zoning regulations.
- (g) *Lot frontage.* Every lot shall front on or abut a roadway as required by town ordinance or section 109.16.030(j).
- (h) *Drainage requirements.* Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

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- (i) *Lot lines.* Lot lines shall follow municipal boundary lines whenever practicable, rather than cross them.
 - (j) *Through lot and double frontage lot.* Through lots and double frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

(Ord. No. 2000-11, § 4.04, 4-26-2000)

Sec. 109.16.050. Land near water's edge.

The lands lying between the meander line, established in accordance with Wis. Stats. § 236.20(2)(g), and the water's edge and any otherwise unplattable lands, such as floodways, which lie between a proposed land division and the water's edge, shall be included as part of lots, outlots or public dedications in any map or plat abutting a lake or stream. This requirement applies not only to lands proposed to be divided, but also to all lands under option to the subdivider or in which same holds an interest and which abut a lake or stream as provided in Wis. Stats. § 236.16(4). Lands located below the ordinary high water mark of any navigable water shall not be included in the total area of any lot or parcel created under the terms of this chapter.

(Ord. No. 2000-11, § 4.05, 4-26-2000)

Sec. 109.16.060. Reservation of land.

When applicable, reservation of land shall be required which is in conformance with any county development plan or parts thereof.

(Ord. No. 2000-11, § 4.06, 4-26-2000)

ARTICLE 109.20. RESERVATION OF LAND

Sec. 109.20.010. Dedications.

- (a) *Roads.* The subdivider shall be required to offer for dedication to the county or town, whichever is applicable, all streets, roads and other public ways which are proposed to be established within the subdivision.
- (b) *Terms of reservation.* Reservation of land for public acquisition shall be for a period specified by the natural resources standing committee not to exceed ten years. Land so dedicated or reserved shall be shown on the final plat.
- (c) *Method of offering dedications.* Dedications shall be effected as provided in Wis. Stats. § 236.29. Dedications to the county shall require approval of the county board of supervisors. Dedication to a town shall require approval of the town board.

(Ord. No. 2000-11, § 5.01, 4-26-2000)

Sec. 109.20.020. Improvements.

- (a) *Survey monuments.* The surveyor shall install all survey monuments in accordance with the requirements of Wis. Stats. § 236.15.

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- (b) *Ties to the county coordinate system.* Any state or county plat or CSM recorded in the register of deeds office or any plat of survey recorded in the county surveyor's office shall be tied by lengths and bearings to the boundary line of a quarter section, private claim or federal reservation in which the subdivision lies; and description of monuments at ends of the line; and bearing and distance between those monuments. Boundary bearing references shall be the bearings established by the county in its county coordinate system. If no bearings have been established on any of the boundaries of the section being worked in, a reference to a magnetic, true or other identifiable direction may be used for reference to the boundary. When re-dividing an existing CSM or subdivision plat which is already connected to county bearings, the re-division may be referenced to those bearings.

(Ord. No. 2000-11, § 5.02, 4-26-2000)

Sec. 109.20.030. Commencement of improvements and construction.

No construction or installation of improvements shall commence in a proposed subdivision until the final plat has been approved by all reviewing authorities; provided, however, the construction or installation of improvements may commence following approval of a preliminary plat if the natural resources standing committee's approval of the preliminary plat included explicit approval of such commencement.

(Ord. No. 2000-11, § 5.03, 4-26-2000)

ARTICLE 109.24. CONDOMINIUMS

Sec. 109.24.010. Intent.

This article is specifically made applicable to condominiums. It is the intent of this article to regulate condominiums as they relate to zoning and the division of land for the purpose of establishing any condominium plat.

(Ord. No. 2000-11, § 6.01, 4-26-2000)

Sec. 109.24.020. Zoning.

Land divided for the establishment of a condominium plat shall meet the requirements of county zoning regulations or town zoning ordinance in independently zoned towns.

(Ord. No. 2000-11, § 6.02, 4-26-2000)

Sec. 109.24.030. Condominium plats.

A condominium plat shall be submitted to the natural resources standing committee for review and approval on the same basis as a state subdivision.

(Ord. No. 2000-11, § 6.03, 4-26-2000)

Sec. 109.24.040. Standards.

- (a) The provisions of this Code relating to suitability standards, design standards and dedications and improvements, shall apply to condominium plats, where appropriate.

(b) Condominium plats shall meet the requirements of Wis. Stats. § 703.11.

(Ord. No. 2000-11, § 6.04, 4-26-2000)

Sec. 109.24.050. Units.

(a) Unlike subdivision of lots and blocks, units, as defined in Wis. Stats. ch. 703, are applied to condominium plats. Units shall be fully described as provided by Wis. Stats. § 703.12.

(b) Units within multi-unit or multi-story structures shall be shown and described on the plat.

(Ord. No. 2000-11, § 6.05, 4-26-2000)

Sec. 109.24.060. Approval.

As a condition of approval of condominium plats, the natural resources standing committee may consider all provisions of Wis. Stats. ch. 703 prior to granting approval for the recording of the instruments specified.

(Ord. No. 2000-11, § 6.06, 4-26-2000)

ARTICLE 109.28. ADMINISTRATION AND ENFORCEMENT

Sec. 109.28.010. Natural resources standing committee.

The natural resources standing committee, as appointed by the county board, shall be empowered to conduct such hearings and meetings as necessary in accordance with this chapter and to approve, conditionally approve or reject applications under the terms as set forth herein and set fees and adjust them from time to time as is deemed necessary.

(Ord. No. 2000-11, § 7.01, 4-26-2000)

Sec. 109.28.020. Zoning administrator.

The administrator shall be responsible for the administration and enforcement of this chapter and may delegate duties to subordinates within the department.

(Ord. No. 2000-11, § 7.02, 4-26-2000)

Sec. 109.28.030. Fees, enforcement, penalties, variances and appeals.

(a) *Fees.*

(1) *Application fees.* The subdivider shall pay the fees specified in the county fee schedule at the time of formal submission of application.

(2) *Legal and engineering fees.* Upon mutual agreement, the subdivider shall pay the county at times specified by the natural resources standing committee, a fee equal to the actual cost to the county of any engineering or legal work incurred by the county in conjunction with the plat review. Engineering work shall include preparation of construction plans and specifications and inspections. Legal work shall include the drafting of contracts between the county and the subdivider and a review of covenants, easements and documents involved in dedications.

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- (3) *Permit fees.* Permit fees shall be set and amended from time to time by the county board of supervisors.
 - (4) *Double permit fee.* A double permit fee will be charged for all after-the-fact permit applications to partially recover the cost of obtaining compliance.
 - (b) *Variances and appeals.*
 - (1) *Variances.* When, because of unique topographic or other conditions of the land involved, or because of other conditions predating adoption of the ordinance from which this chapter is derived, or to achieve consistency with a city or village extraterritorial ordinance, it is inappropriate to apply literally the provisions of this chapter and where such literal applications would impose undue hardship, the natural resources standing committee may vary the requirements of this Code. The natural resources standing committee may attach conditions to the granting of such variances to ensure that the purpose and intent of this chapter is observed and that compliance with state law is achieved.
 - (2) *Appeals.* The county board of adjustments shall hear and decide appeals where it is alleged that the administrator erred in applying the provisions of this chapter. Any person aggrieved by a failure to approve any land division or condominium plat may appeal therefrom to the courts as provided by state law.
 - (c) *Replats, vacations or alterations in recorded plats.*
 - (1) Replots of all or part of a recorded land division shall occur pursuant to Wis. Stats. §§ 236.36 through 236.445.
 - (2) Upon submission to the county of a preliminary plat for an area for which a plat was vacated or altered by action pursuant to Wis. Stats. §§ 236.40 through 236.44, the natural resources standing committee shall hold a public hearing. While the proposed new plat is pending before the natural resources standing committee, notices of the hearing shall be mailed to the owners of all properties within the area of the subdivision and to all landowners within 300 feet of the proposed replat.
 - (d) *Surveying, mapping and recording of documents.* Any division of land which results in a state subdivision, county subdivision, minor subdivision or condominium plat as defined in this chapter shall be surveyed, mapped or platted, and the map or plat shall be approved as provided herein. The approved map or plat shall be recorded with the county register of deeds prior to conveying any lot, parcel or tract included within the proposed division. However, in the case of a subdivision which has been the subject of a preliminary plat approved by the natural resources standing committee, offers to purchase or contracts to convey parcels, lots, or tracts within the proposed land division may be entered into pending approval of the final plat if the offer to purchase or contract to convey states on its face that it is contingent upon recording of the final plat and shall be void if such plat is not recorded with a specified time.
 - (e) *Successive divisions.* Lots may be further divided, providing the parcels resulting from the further division meet all land division standards of this chapter and other applicable ordinances. It shall be unlawful for any person to build upon, divide, convey, record or monument any land in violation of this chapter or the Wisconsin Statutes.
 - (f) *Enforcement and penalties.*
 - (1) *Enforcement.*
 - a. This chapter shall be administered and enforced by the zoning administrator acting through the corporation counsel.
 - b. The administrator or designee may issue compliance orders, field directives, suspension orders or termination orders to enforce and ensure compliance with the provisions of this chapter.
 - (2) *Imposition of forfeiture for violations.*

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- a. Any person, partnership, corporation, limited liability company, trust, voluntary association or other legal entity who shall violate or fail or refuse to comply with any section of this chapter or any agent of any of the entities who participates in a violation, failure or refusal to comply with any section of this chapter shall forfeit to the county an amount as specified in the county penalty schedule, together with the costs of prosecution and any applicable assessments. Each day that a violation is maintained or permitted to exist shall constitute a separate violation.
 - b. In the event such forfeiture, costs and assessments are not paid, any natural person adjudged liable for such forfeiture, whether the person committed the violation as a natural person or as an agent, officer, director or in some other representative capacity shall, upon order of the circuit court, be imprisoned in the county jail until such forfeiture, costs and assessments are paid, but not to exceed 180 days.
 - c. Prosecution for a violation of this chapter may be brought and maintained against any of the following violators: a natural person, any partner of a violating partnership, any officer or director of a violating corporation or other entity, any managing member of a violating limited liability company or any trustee of a violating trust.
 - d. Any agent or employee of another person or entity who as such agent or employee materially participates in a violation of this chapter shall be subject to the forfeiture imposed under subsection (f)(2)b of this section.
 - e. The penalties of Wis. Stats. §§ 236.31 and 236.32 apply to this chapter.
 - f. Assessor's plats made pursuant to Wis. Stats. § 70.27 may be ordered by the county at the expense of the divider or the owners of record when a land division is created by successive divisions, not in compliance with this Code.
 - g. The zoning department shall withhold permits or approvals pursuant to this chapter and also land use permits under county zoning regulations, where the applicant, owner, or licensed contractor is in violation of this or any provision of this Code administered by the zoning department, and for any parcels of land which has any outstanding violations until the violations has been corrected. A request for waiver of these provisions may be made, to grant or deny a permit or approval on the merits of the application, to the natural resources standing committee.
- (3) *Other remedies available.* In addition to the imposition of a forfeiture, the county may, in circumstances it deems appropriate, bring a proceeding to enjoin any violation of either this chapter or of state law, pursuant to Wis. Stats. § 236.31 or pursuant to any other authority. Any such proceeding, if brought, shall not be deemed waived by the imposition of a forfeiture for the same violation, nor shall the pursuit of injunctive or other available remedies be deemed a waiver by the county of its right to seek a forfeiture for the same violation.

(Ord. No. 2000-11, § 7.03, 4-26-2000; Ord. No. 2002-33, § 1, 7-16-2002; Ord. No. 2004-35, §§ 1, 2, 12-14-2004; Ord. No. 06-38, § 1, 12-12-2006; Ord. No. 2000-11, § 2, 12-10-2008; Ord. No. 17-23, § 1, 10-31-2017)

Sec. 109.28.040. Recording and conveyance of lot or parcels included within land division requiring county approval.

- (a) *Recording.* Pursuant to Wis. Stats. § 236.45(2), the county register of deeds is directed to accept for recording all plats and certified survey maps and accompanying documents which are required to be prepared and approved by this chapter, and to keep and record same. The applicant shall be responsible for all recording fees. No person shall attempt to record a plat or document purporting to creating parcels of land for sale or development that is not in conformity with this chapter.

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- (b) *Conveyance*. Lanes described in plats and maps recorded pursuant to subsection (a) of this section shall be described by reference to the recorded plat or map and recording document number for all purposes, including those of assessment, taxation, devise, descent and conveyance as defined in Wis. Stats. § 706.01(3).

(Ord. No. 2000-11, § 7.04, 4-26-2000)

Sec. 109.28.050. Abrogation and greater restrictions.

It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to law. However, when this chapter imposes greater restrictions, the provision of this chapter shall govern. In their interpretation and application, the provisions of this chapter shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other power granted by state law.

(Ord. No. 2000-11, § 7.05, 4-26-2000)

Sec. 109.28.060. Waiver of liability.

- (a) In carrying out any of the provisions of this article or in exercising any power or authority granted to them thereby, there shall be no personal liability upon the department, its agents and employees.
- (b) In such matters, it is understood that the department, its agents and employees act as agents and representatives of the county.
- (c) Since there can be considerable variations in the ability of soil to absorb sewage effluent on the individual lots approved pursuant to this chapter, attention is directed to the necessity of conducting individual lot soil tests by a certified soil tester as specified in Wis. Admin. Code ch. SPS 383. There shall be no personal liability upon the department, its agents and employees where, as the result of individual lot soil tests, a state approved private sewage system other than the type expected must be used.

(Ord. No. 2000-11, § 7.06, 4-26-2000)

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Discussion and possible action updating acreage for CSM

Department:	Land Conservation & Zonir	Presented By:	Cathy Cooper
Date of Meeting:	11/03/2025	Action Needed:	Ordinance
Date submitted:	10/28/2025	Referred by:	

Recommendation and/or action language:

Approve an amendment to the land division ordinance Chapter 109.04.060 for certified survey map acreage requirements.

Background:

Was discussed at the Land Information Council meeting. After some discussion it was talked about that we would keep the current 10 acres or less required for a CSM and would worked on additional wording that if a parcel is going to be rezoned it would require a CSM on a parcel < 35 acres.

Attachments and References:

None

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☒	No financial impact		



Department Head



Administrator, Tricia Clements



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 PO Box 8911, Madison, WI 53708-8911
 Phone: (608) 224-4605 Fax: (608) 224-4615

Notice of Noncompliance with Farmland Preservation Program Tax Credit Requirements

(Farmland Preservation Program, ss. 91.80 and 91.82, Wis. Stats., and s. ATCP 50.16, Wis. Admin. Code)

LANDOWNER NAME		COUNTY		DATE NOTICE ISSUED
STREET ADDRESS				
CITY			STATE	ZIP
PHONE () -	E-MAIL			
CERTIFICATE OF COMPLIANCE NUMBER (IF ISSUED)				

Property Location (For additional property, please attach additional documentation.)

TOWNSHIP	RANGE	SECTION	TOWN, VILLAGE, CITY	PARCEL TAX ID #

The County Land Conservation Committee finds the following:

- ☐ Landowner failed to comply with applicable land and water conservation standards required under s. 91.80, Wis. Stats.
- ☐ Landowner failed to comply with a performance schedule under s. ATCP 50.16(3), Wis. Stats.
- ☐ Landowner failed to permit a reasonable inspection under s. 91.82(1)(c)1., Wis. Stats.
- ☐ Landowner failed to certify compliance as required under s. 91.82(1)(c)2., Wis. Stats.
- ☐ Property described above is not subject to a farmland preservation agreement or covered by a certified farmland preservation zoning district and therefore is ineligible for eligibility for farmland preservation tax credits.
- ☐ Landowner signed the voluntary waiver of rights.

The landowner may request to meet with the county land conservation committee to contest or discuss the violation, ATCP 50.16 (6)(b)(3).

Voluntary Waiver of Rights (Not available for property subject to a farmland preservation agreement)

By signing below, landowner wishes to waive the right for a hearing and farm inspection, and agrees to voluntarily refrain from collecting tax credits under subch. IX of ch. 71, Stats.

SIGNATURE OF LANDOWNER

DATE:

ADDITIONAL EXPLANATION OF NONCOMPLIANCE DETERMINATION:

Land Conservation Committee Signature

Based on the findings, the _____ County Land Conservation Committee hereby issues a Notice of Noncompliance under s. 91.82, Wis. Stats., for the landowner and property described in this notice. As of the date of this notice, **landowner is not eligible to claim any farmland preservation tax credits under subch. IX of ch. 71, Stats.**, unless this notice is subsequently withdrawn (cancelled) and not in effect at the end of the taxable year to which the claim relates.

AUTHORIZED SIGNATURE		DATE
PRINTED NAME AND TITLE		PHONE () -
STREET ADDRESS		
CITY	STATE	ZIP

This notice, issued by the County Land Conservation Committee, shall be provided to the Wisconsin Department of Revenue and the county planning and zoning committee, if the land is covered by a farmland preservation zoning ordinance. If the County Land Conservation Committee determines that an owner has corrected the failure described in this Notice of Noncompliance, the Committee shall withdraw (cancel) the Notice of Noncompliance and notify the landowner, the Department of Revenue, and the planning and zoning committee of the withdrawal (cancellation), on a form approved by DATCP.

Send copy of notice to:

Wisconsin Department of Revenue
DOR-FARMLAND 5-144
RSOB – Audit Bureau
PO Box 8906
Madison, WI 53708-8906

Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
Bureau of Land and Water Resources – Operations Program Associate
PO Box 8911
Madison, WI 53708-8911

Natural Resources Committee Meeting – 11/3/2025

Farmland Preservation Program Notice of Noncompliance (#5-#16)

The following landowners did not contact our office to request to appeal their NoN:

Banker, Steve P & Laci (#53-00371)

Bluff View Farm LLC & Parduhn Life Estate, Chrles @ & Doloras (#53-00348)

Condon, Maurice (#53-00450)

DeVault Trustees c/o Cheryl DeVault (#53-00470)

Furgason, Daniel L. – Swenson, Margaret Juanita (#53-00442)

Johnson, Todd J. (#53-00489)

Parduhn, Chris (#53-00370)

Rossing, Gerrald & Donna (#53-00357)

Sprecher, Melissa E. (#53-00393)

Sprecher, Terry A. (#53-00311)

Wanek, Frank L. & Kathy L. (#53-00304)

- **Note** - They have two certificates but only submitted one of them

White, Danny Trust E. & Paula M. Trust (#53-00521)

Explanation for Noncompliance determination:

Landowner failed to certify compliance as required under s. 91.82(1)(c)2., Wis. Stats. 2025 Compliance Self-Certification Form & Filing Fee were not submitted to our office by the deadline. 2 notices were sent to landowner via mail indicating the requirements and deadline.

under ss. 92.05 (3) (c) and (k), 92.14 (8), and 281.16 (3) (b) and (c).

History: 2009 a. 28.

91.82 Compliance monitoring. (1) COUNTY RESPONSIBILITY. (a) A county land conservation committee shall monitor compliance with s. 91.80.

(b) For the purpose of par. (a), a county land conservation committee shall inspect each farm for which the owner claims farmland preservation tax credits under subch. IX of ch. 71 at least once every 4 years.

(c) For the purpose of par. (a), a county land conservation committee may do any of the following:

1. Inspect land that is covered by a farmland preservation agreement or farmland preservation zoning and that is in agricultural use.

2. Require an owner to certify, not more than annually, that the owner complies with s. 91.80.

(d) At least once every 4 years, the department shall review each county land conservation committee's compliance with par. (b).

(2) NOTICE OF NONCOMPLIANCE. (a) A county land conservation committee shall issue a written notice of noncompliance to an owner if the committee finds that the owner has done any of the following:

1. Failed to comply with s. 91.80.

2. Failed to permit a reasonable inspection under sub. (1) (c)

- 1.

3. Failed to certify compliance as required under sub. (1) (c)

- 2.

(b) A county land conservation committee shall provide to the department of revenue a copy of each notice of noncompliance issued under par. (a).

(c) If a county land conservation committee determines that an owner has corrected the failure described in a notice of noncompliance under par. (a), it shall withdraw the notice of noncompliance and notify the owner and the department of revenue of the withdrawal.

(3) PROCEDURE. The department may promulgate rules prescribing procedures for the administration of this section by land conservation committees.

History: 2009 a. 28.

**Natural Resources Committee
Agenda Item Cover**

Agenda Item Name: Discussion and Possible action on issuing Notices of Non-compliance

Department:	Land Conservation & Zoning	Presented By:	Cathy Cooper
Date of Meeting:	11/03/25	Action Needed:	Vote
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Issue Notices of Non-compliance for Farmland Preservation Program participants who do not meet the requirements of the program

Background:

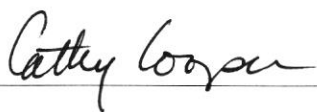
The Natural Resources committee is responsible to listen to appeals of participants of the Farmland Preservation Program that are being considered for Notice of Non-compliance for not meeting program requirements. The Committee is to issue the final decision on Non-compliance.

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☐	No financial impact		



Department Head



Administrator, Tricia Clements

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Discussion and Possible action the resolution for the Lake Monitoring

Department:	Land Conservation & Zoning	Presented By:	Cathy Cooper
Date of Meeting:	11/03/25	Action Needed:	Resolution
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve the resolution for the 2026 Lake Monitoring and Protection network grant

Background:

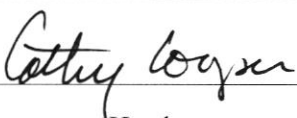
This grant reimburses the county for work they do to take care of aquatic invasive species. The Department of Natural Resources requires a county board resolution to apply for the grant

Attachments and References:

Financial Review:

(please check one)

☒	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☐	No financial impact		



Department Head



Administrator, Tricia Clements

Lake Monitoring & Protection Network Grant Application

Form 8700-284L (R 6/29/21)

Page 1 of 2

Notice: Use of this form is required by the Department of Natural Resources for any application filed pursuant to ch. NR 193, Wis. Adm. Code. Personal Information collected on this form, will be used for administrative purpose and may be provided to requesters to the extent required by Wisconsin's Public Records Laws [[ss.19.31-19.39 Wis. Stats.](#)] To be considered, applications must either be submitted electronically or postmarked by November 1st. The preferred method of application submittal is via email to DNRSurfaceWaterGrants@wisconsin.gov, using the **Submit by Email** button on this form.

Section 1: Accepting the County's Allocation

Who will be accepting the county's allocated funding? ☒ County ☐ Designated Cooperative Agent(s)	Single County Allocation Amount Requested 5,191.59
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Section 2: Applicant Information

Pre-application

County Richland		Period Covered by This Application January 01, 2026 - December 31, 2026	
Organization Address (where payment will be sent) 181 West Seminary Street		City Richland Center	State WI
Authorized Representative (AR) Name Cathy Cooper		AR Title Director Land Conservation & Zoning	
AR Phone Number (include area code) (608) 647-2100	Ext.	AR E-mail Address cathy.cooper@co.richland.wi.us	
Contact Representative Name (if different than AR)		Contact Representative Title	
Contact Phone Number (include area code)	Ext.	Contact Representative E-mail Address	

Section 3: Scope of Work

The scope of work will be submitted as an attachment along with the application materials. This outlines the activities to be completed as part of the grant and specifies project deliverables.

Section 4. Project Budget

Pre-application

Richland County is requesting their allocation amount of **\$5191.59** to apply towards work on the cooperative services listed below.

Item Description	Budget Category	Cash Cost
1. Clean Boats Clean Water Inspection	Salaries	\$ 935.26
2. Clean Boats Clean Water Inspection	Fringe Benefits	\$ 348.97
3. Education Events Adults/youth	Salaries	\$ 972.92
4. Education Events Adults/youth	Fringe Benefits	\$ 361.54
5. Snapshot day	Salaries	\$ 968.28
6. Snapshot Day	Fringe Benefits	\$ 572.28
7. AIS Signage installation/inspection	Salaries	\$ 206.44
8. AIS Signage Installation/inspection	Fringe Benefits	\$ 22.38
Purple Loosestrife	Salaries	\$ 500.28
Purple Loosestrife	Fringe Benefits	\$ 173.74
Bait Shop	Salaries	\$ 107.12
Bait Shop	Fringe Benefits	\$ 22.38
Total Project Costs		\$ 5,191.59
Administration Costs		\$
State Share Requested		\$ 5,191.59
The state share requested amount cannot exceed the allocation for the county		

Section 5: Attachments (check all that are included)

- ☒ Authorizing resolution (required)
☒ Scope of work (required)

**Lake Monitoring & Protection Network
Grant Application**

Form 8700-284L (R 6/29/21)

Page 2 of 2

Section 6: Certification

Signature of Authorized Representative

Date Signed

RESOLUTION NO. 25-

A Resolution Approving The Natural Resources Standing Committee Applying For And Accepting A Lake Monitoring And Protection Grant From The Wisconsin Department Of Natural Resources.

WHEREAS the Natural Resources Standing Committee and the Director Land Conservation and Zoning Director, Ms. Cathy Cooper, have recommended that the Committee be granted authority to apply for a Lake Monitoring and Protection Grant from the Wisconsin Department of Natural Resources to pay for staff time and supplies relating to aquatic invasive species projects in the County and

WHEREAS the Wisconsin Department of Natural Resource requires the county submits a resolution with the grant application.

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the Natural Resources Standing Committee to apply for a Lake Monitoring and Protection Grant from the Wisconsin Department of Natural Resources in the amount of up to \$5191.59 to pay for staff time and supplies for aquatic invasive species projects in the County, and

BE IT FURTHER RESOLVED, that the Richland County Land Conservation and Zoning Department will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorize and empowers the following employees to submit the following documents to the Wisconsin Department of Natural Resources for the financial assistance that may be available:

Task	Title of Authorized Representative
Sign and submit a grant application	Land Conservation Director
Enter into a grant agreement with the DNR	Land Conservation Director
Submit quarterly and/or final reports to the DNR to satisfy the grant agreement, as appropriate	Land Conservation Director
Submit reimbursement request(s) to the DNR no later than the date specified in the grant agreement	Land Conservation Director

BE IT FURTHER RESOLVED that there is no County match required for this grant and approval is hereby granted for the grant funds to be spent in accordance with the terms of the grant and the Land Conservation and Zoning Director, Ms. Cathy Cooper, is hereby authorized to sign on behalf of the County any documents needed to carry out this Resolution, and

BE IT FURTHER RESOLVED that the applicant will comply with all local, state and federal rules, regulations and ordinances relating to the project and the cost-share agreement, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

DATED: November 3, 2025	RESIDENTIAL OFFERED BY THE NATURAL		
PASSED: November 2, 2025	RESOURCE STANDING COMMITTEE		
PUBLISHED:	(3 November 2025)		
		FOR	AGAINST
DAVID TURK, CHAIR	STEVE CARROW	X	
RICHLAND COUNTY BOARD OF SUPERVISORS	JULIE FLEMING	X	

ROD PERRY	X
RICHARD MCKEE	X
ALAYNE HENDRICKS	X
RANDY SCHOONOVER	X

DEREK KALISH
RICHLAND COUNTY CLERK

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Discussion and possible action approving changes to fee schedule

Department:	Land Conservation & Zonir	Presented By:	Cathy
Date of Meeting:	11/03/2025	Action Needed:	Vote
Date submitted:	10/27/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Change the Short-term rental license fee to \$25.00
Add Sanitary reconnect \$300.00
Add Sanitary Plan revision within soil test location \$300.00
Add Sanitary Change of Plumber \$125.00

Background:

The short-term rental license fee should be \$25.00 not \$200.00. There is nothing in the sanitary fees for a reconnect to an existing septic system, revising a sanitary plan as long as it is within the existing soil test locations and a change of plumber for a septic installation.

Attachments and References:

Financial Review:

(please check one)

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☒	No financial impact		



Department Head



Administrator, Tricia Clements

Application for a rezone and conditional use permit on the same application	Zoning	\$800.00
Variance or special exception permit from BOA	Zoning	\$500.00
Permit for Mobile Tower Siting <i>Collocation 1</i>	Zoning	\$3,000.00
Sanitary Permits	Sanitary	\$550.00
Sanitary Permit Maintenance Agreement	Sanitary	\$30.00 Recording Fee
Rezone no-land division of existing parcels	Zoning	\$125.00
Permit for Mobil Tower Class 2 Collocation	Zoning	\$500.00
Digital Data Requests (GIS files, etc.)	Other	\$50.00
Maintenance Report Filing Fee- within 90 days	Sanitary	\$25.00
Maintenance Report Filing Fee- after 90 days	Sanitary	\$50.00
Renewals	Sanitary	\$125.00
Transfers	Sanitary	\$125.00
Ordinance Copies	Ordinance	\$.25 per page
Soil Testing Filing Fee	Other	\$125.00
Minor Subdivision Review/Certified Survey Map	Land Division	\$100.00 plus \$20.00 per lot
Preliminary Plats - Sewered & Unsewered	Land Division	\$350.00 plus \$20.00 per lot
Final State Plat	Land Division	\$350.00 plus \$20.00 per lot
Final County Plat	Land Division	\$350.00 plus \$20.00 per lot
Preliminary Condominium Plat	Land Division	\$350.00 plus \$20.00 per lot
Final Condominium Plat	Land Division	\$350.00 plus \$20.00 per lot
Copies	Miscellaneous	\$.25 each
Handling and Shipping	Other	\$ 5.00 plus postage
Scanned Copies	Other	\$ 1.00 per sheet
Copies of Photographs	Other	\$.50 per sheet

Short-term rental obtaining license/license renewal *Zoning* \$25.00
 Permit for Mobile Tower Siting *Collocation 2 Zoning* \$500.00
 Reconnect *Sanitary* \$ 300.00
 change of plumber *Sanitary* \$300.00
 Revision within current *Sanitary* \$ 300.00
 Soil test location

Meeting Dates

Hearing Month	Deadline	Natural Resources Standing Committee	BOA	County Board
		1st Monday 9:30 AM	2nd Thursday 3:00 PM	3rd Tuesday 7:00 PM
January	Dec 18th	5th	8th	20th
February	Jan 15th	2nd	12th	17th
March	Feb 12th	2nd	12th	17th
April	Mar 19th	6th	9th	14th
May	Apr 16th	4th	14th	19th
June	May 14th	1st	11th	16th
July	Jun 18th	6th	9th	21st
August	Jul 16th	3rd	13th	18th
September*	Aug 13th	Aug 31st	10th	15th
October	Sep 17th	5th	8th	27th
November	Oct 15th	2nd	12th	None
December**	Nov 12th	Nov 30th	10th	8th

All dates subject to change

* Dates changed due to holidays

** Date changed due to County Board

2nd Thursday
3:00 PM

8th

12th

Natural Resources Committee
Agenda Item Cover

Agenda Item Name: Discussion and Possible action on approving the 2026 Natural Resc

Department:	Land Conservation & Zonir	Presented By:	Cathy Cooper
Date of Meeting:	11/03/25	Action Needed:	Vote
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve the 2026 meeting schedule for the Natural Resources Committee

Background:

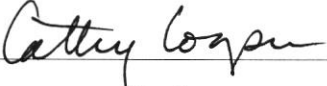
Each year, the dates for the meeting schedule needs to be reviewed. Rezone petition must go before the Natural Resources committee 2 weeks before the County Board meeting. Holidays and county board dates sometimes affect the schedule. Planning ahead makes it easier than trying to set dates after the year has begun.

Attachments and References:

Financial Review:

(please check one)

☐	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☐	No financial impact		


Department Head


Administrator, Tricia Clements

**Natural Resources Committee
Agenda Item Cover**

Agenda Item Name: Discussion and Possible action approving Wildlife Damage commod

Department:	Land Conservation & Zonir	Presented By:	Cathy Cooper
Date of Meeting:	11/03/25	Action Needed:	Vote
Date submitted:	10/28/2025	Referred by:	Natural Resources Committee

Recommendation and/or action language:

Approve the Wildlife Damage commodity price for Alfalfa hay at \$180/ton and the 80% harvest date.

Background:

The Natural Resources committee is responsible to set the commodity prices each year for crops that producers are seeking wildlife damage claims. The committee is also responsible for setting the date when approximately 90% of the crops are harvested so that wildlife damage claims that come in after that date are ineligible.

Attachments and References:

Financial Review:

(please check one)

☒	In adopted budget	Fund Number	
☐	Apportionment needed	Requested Fund Number	
☐	Other funding Source		
☐	No financial impact		



Department Head



Administrator, Tricia Clements