

March 21, 2016

**DOUGLAS COUNTY PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING**

Tuesday, April 5, 2016

**Regular Meeting – 9:00 a.m.; Public Hearing – 10:00 a.m.
Government Center Board Room, 1316 North 14th Street, Superior, Wisconsin**

Please call the Chair or Zoning Office (715-395-1380) if you are unable to attend.

MEMBERS: Mary Lou Bergman, Chair Patricia Ryan
 John Robinson, Vice Chair Robert Mock
 Nick Baker

A G E N D A

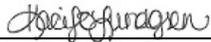
(Committee to maintain a two-hour meeting limit *or* take action to continue meeting beyond that time.)

1. Roll call.
2. Approval of minutes of the March 9, 2016, meeting (attached).
3. Reports:
 - a) Planning & Zoning/Board of Adjustment;
 - b) Rural Housing Authority;
 - c) Land Conservation;
 - d) Surveyor;
 - e) Land Records;
 - f) Real Property Lister; and
 - g) Retained Fees Account – Register of Deeds.
4. Action item/referral: From March 17, 2016, County Board meeting: Wisconsin Department of Administration, notice of Douglas County's completion of contractual obligations for Phase 1 funding of CDBG Housing contract (attached).
5. Informational item: Draft revision – 8.4 Douglas County Shoreland Ordinance (attached).
6. Suspend regular meeting; adjourn to public hearing.
7. Public Hearing (applications attached):
 - a) Amendment(s) to the Douglas County Zoning Ordinance:
 - 1) Petition No. 16-02 – James & Barbara Pettit; and
 - 2) Petition No. 16-03 – Tri Lakes Summit Park LLC.
 - b) Appeal of Subdivision Ordinance: David Hillila.
 - c) Conditional-use permit(s):
 - 1) Tri Lakes Summit Park, LLC;
 - 2) David & Angelia Olson; and
 - 3) Solon Springs Quarry, LLC.
 - d) Recap of zone change recommendations to the County Board.
8. Resume agenda.
9. Future agenda items.

cc: County Board Supervisors

Other interested parties

NOTE: Attachments to agenda are available in County Clerk's Office for review or copying. Action may be taken on any item listed on the agenda. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request, depending on the amount of notice we receive. Posted: Courthouse, Government Center, Telegram


Name _____ Date 3/21/16

Notice of Public Hearing
Douglas County Planning & Zoning Committee

A Public Hearing will be held by the Douglas County Planning & Zoning Committee at **10:00 a.m.** on **Tuesday, April 5, 2016** in the Government Center Board Room, Second Floor, 1316 North 14th Street, Superior, Wisconsin to hear the following:

a) Amendments to the Douglas County Zoning Ordinance:

1) Petition No. 16-02 – James & Barbara Pettit, Solon Springs, WI – Pt. NW1/4-NW1/4, Lot 1, CSM #1032, Vol 7, Pgs 203-204, Section 35, T45N-R12W; (SO-026-01237-03; Cemetery Road), Town of Solon Springs – from the R-2: Residential zoning district to the R-1: Residential zoning district, (proposed use: two lot subdivision), filed March 4, 2016 in the County Clerk’s Office.

2) Petition No. 16-03 – Tri Lakes Summit Park LLC, South Range, WI – NE1/4-NE1/4-NE1/4, Section 14, T46N-R14W; (SU-028-00626-00; 8007S Lindelof Dr.), Town of Summit – from R-2: Residential zoning district to the RR-1: Residential-Recreation zoning district, (proposed use: campground/mobile home park), filed March 9, 2016 in the County Clerk’s Office.

b) Appeal of Subdivision Ordinance:

David Hillila, Superior, WI – create two lots less than the minimum width required in the RR-1: Residential-Recreation zoning district – Lots 48-51 Wildwood Addition to Amnicon Lake, Section 12, T46N-R14W; (SU-028-01645-00 & 01647-00; 7874S & 7884S Brill Rd), Town of Summit.

c) Conditional-Use Permits:

1) Tri Lakes Summit Park LLC, South Range, WI – Commercial Campground (up to 36 sites) - NE1/4-NE1/4- NE1/4, Section 14, T46N-R14W; (SU-028-00626-00; 8007S Lindelof Dr.), Town of Summit.

2) David & Angelia Olson, Solon Springs, WI – year-round dwelling – N1/2-W1/2-NW1/4-SE1/4, Section 26, T46N-R11W; (HI-016-01190-01; Hazel Prairie Rd), Town of Highland.

3) Solon Springs Quarry LLC, Solon Springs, WI – temporary hot mix asphalt plant – Pt. SW1/4-NW1/4 & Pt. NW1/4-NW1/4, Section 18, T45N-R11W; (SO-026-00414-01 & 00415- 00; 10523 S Heyer Road), Town of Solon Springs.

Mary Lou Bergman, Chair
Steve Rannenberg, Planning & Zoning Administrator

If you have any comments on these items, let the Planning & Zoning Office know in writing prior to the meeting, or appear at the Public Hearing. Planning & Zoning Office, 1313 Belknap St., Rm. 206, Superior, WI 54880 (715-395-1380). Action may be taken on any item listed on the public hearing. In accordance with WI Statutes 59.69 (5)(a), attachments to public hearing notice and maps of subject properties are available for review in the Planning & Zoning Office, or at www.douglascountywi.org. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of accommodation to participate in the public meeting process, please contact the Douglas County Clerk’s Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request depending on the amount of notice we receive. TDD (715) 395-7521.

ST March 18 & 25, 2016

**PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING
Douglas County Board of Supervisors
Wednesday, March 9, 2016, 9:00 a.m., Government Center Board Room
1316 North 14th Street, Superior, Wisconsin**

Meeting called to order by Chair Mary Lou Bergman.

ROLL CALL: Present – Mary Lou Bergman, Patricia Ryan, Nick Baker, John Robinson, Robert Mock. Others present – Steve Rannenberg, Sue Radzak, Randy Jones, Ben Klitzke, Zach DeVoe, Shelly Wisniewski, Christine Ostern, Jon Fiskness, Jane Anklam, Mike Bodeen, Candy Anderson, Tom Stoneburner, Ed Grube, Scott Udeen, Shelley Nelson, Sheldon Johnson, Kaci Lundgren (Committee Clerk).

APPROVAL OF MINUTES: Motion by Ryan, second Mock, to approve the minutes from the January 13, 2016, meeting. Motion carried.

DEPARTMENT REPORTS:

Planning and Zoning/Board of Adjustment: Reports distributed.

Rural Housing Authority: News release distributed.

Land Conservation: Updating Farmland Preservation Plan and Watershed Plan for wetland mitigation. Emergency Watershed Program involvement for one more year; to follow through with maintenance and one-year guarantee on construction. Aquatic Invasive Species Grant denied.

Surveyor: Focus is on completion of scanning/indexing of PLSS corner sheets.

Land Records: Marissa Hansen, intern, received scholarship at WLIA Conference. Conference addressed creation of an app for building permits and the use of drones in the county.

Real Property Lister: 1,527 deeds processed in 2015, with a five-year average of 1,376 completed.

ACTION ITEMS/REFERRALS:

From January 21, 2016, County Board Meeting: FY2008 Economic Development Initiative-Special Project Grant – Grant Closeout: Included with agenda.

ACTION: Motion by Ryan, second Robinson, to receive and place on file. Motion carried.

Capital Projects Requests:

Pictometry and LiDAR Contract: Last flight completed in 2012, with the other to take place in Fall 2016. LiDAR component is critical to many projects, which cannot be accomplished without it.

ACTION (REFERRAL): Motion by Baker, second Ryan, to approve request to fund Pictometry and LiDAR contract out of 2016 capital improvement fund, in the amount of \$149,334.66, and refer to Administrator and Administration Committee. Motion carried.

Remonumentation: Program will assist in completion of State of Wisconsin's required benchmarks toward PLSS remonumentation.

ACTION (REFERRAL): Motion by Ryan, second Robinson, to approve request to fund remonumentation program out of 2016 capital improvement fund, in the amount of \$30,000, and refer to Administrator and Administration Committee. Motion carried.

INFORMATIONAL:

Concentrated Animal Feeding Operations (CAFOs) – Jane Anklam, Agriculture/Horticulture Educator: 1,000 animal units or more is considered a CAFO; DNR may designate smaller scale CAFOs if it has pollutant discharges to navigable waters. CAFO operations aren't prominent in the northern part of the state because sand and clay conditions don't allow much flexibility for manure application; weather is difficult to predict and crops that use the nutrients quickly are unsustainable.

Farmland Preservation – Christine Ostern, Douglas County Conservationist and Jane Anklam, Agriculture/Horticulture Educator: Handouts distributed. Current plan is 35 years old; plan to be updated by end of 2016. Anticipate ordinance, zoning, or policy change recommendations due to plan's revision.

2016-2018 Land Records Modernization Plan: Three-year plan to be submitted by March 31, 2016.

Proposed Amendment to the Douglas County Zoning Ordinance Regarding the Housing of Chickens: Town's Association requested comment on change to allow chickens within residential districts (R2 would no longer require a permit, and R1 would begin to allow without a permit). If an amendment is made, it was suggested to include other fowl (not just chickens), including geese and ducks.

Draft Revision – 8.4 Shoreland Zoning Ordinance: Minor changes recommended by DNR; to bring back to committee for approval in April, if legislature makes no further changes.

Break from 10:00 a.m. to 10:05 a.m.

PUBLIC HEARING:

Amendment to the Douglas County Zoning Ordinance:

1) **Petition No. 16-01 – Thomas & Kelley Stoneburner, Mendota Heights, MN - Pt. SW1/4-SW1/4, Lot 1, CSM #279, Vol 2, Pgs 73-74, Section 14, T48N-R10W; (BR-006-00609-01; 13661E County Road FF), Town of Brule – from the R-1: Residential zoning district to the RR-1: Residential-Recreation zoning district, (proposed use: dwelling), filed February 5, 2016 in the County Clerk's Office.**

One applicant present; correspondence received from Town of Brule with no objections.

ACTION: Motion by Ryan, second Baker, to approve rezone, as presented. Motion carried.

Conditional-Use Permits:

1) Adam Olson, etal, Kingsford, MI – accessory building – E1/2-SE1/4-NE1/4, Section 35, T44N-R13W; (GO-012-01881-01; 14214S West Mail Road), Town of Gordon.

Applicant not present; correspondence received from Town of Gordon with no objections. National Park Service notes that any further enhancements to property require new application and approval.

ACTION: Motion by Ryan, second Mock, to approve application, as presented. Motion carried.

2) Kelly Herrick, New Auburn, WI, (c/o Gary Peterson, Rice Lake, WI) – seasonal dwelling – Pt. NE1/4-NE1/4, Section 34, T44N-R13W; (GO-012-01864-00), Town of Gordon.

Applicant not present; correspondence received from Town of Gordon with no objections. Letter received from adjoining property owner in opposition due to an easement from the National Park Service. Property in process of changing owners; new owner may be unaware of issues and requirements surrounding permit.

ACTION: Motion by Baker, second Robinson, to hold application, until further information provided. Motion carried.

3) Daniel Swanson, Superior, WI – garage – E1/2-E1/2-SW1/4-SE1/4, Section 33, T47N-R13W; (OA-022-00912-03), Town of Oakland.

Applicant not present; correspondence received from Town of Oakland recommending acquisition of proper permits and no habitation in structure.

ACTION: Motion by Robinson, second Ryan, to approve application, with conditions as noted by town. Motion carried.

Conditional-Use Permit Renewal(s):

1) Udeen Trucking, Inc./Northern Horizon, Superior, WI – Permit #8150 for a non-metallic mine renewal – Pt. SW1/4-SW1/4, Section 21, T47N-R14W; (TS-030-00495-00; 497-00; 498-00; 3204E & 3228E County Road B), Town of Superior.

Applicant present; correspondence received from Town of Superior recommending implementation of town conditions dated 3/31/2010. Zoning recommends reduction of slopes to a 3:1 ratio; no mining to be done in R-2 district; top soil to be placed in reclaimed area; and Land Conservation Department to certify area.

ACTION: Motion by Ryan, second Baker, to approve application, with conditions as noted by town and Zoning Department. Motion carried.

2) Olson Brothers, Inc., Brule, WI – Permit #8196 for a non-metallic mine renewal – Pt. NW1/4-NW1/4, Section 24, T48N-R10W; (BR-006-00761-00; 3640S County Road H), Town of Brule.

Applicant not present; correspondence received from Town of Brule with no objections. Zoning recommends review by Land Conservation Department and financial assurance for property.

ACTION: Motion by Ryan, second Baker, to approve application, with conditions as noted by Zoning Department. Motion carried.

3) 18th Hole LLC, Superior, WI – Permit #8520 for a non-metallic mine renewal – Pt. N1/2- SE1/4-NE1/4 in Section 35; NW1/4-NE1/4; SW1/4-NE1/4; NE1/4-NW1/4; SW1/4-NW1/4; & SE1/4-NW1/4 in Section 36, T47N-R12W; HA-014-00925-00; 00942-00; 00943-00; 00945-00; 00947-00; 00949-00; 7070S 18th Street Rd), Town of Hawthorne.

Applicant present; correspondence received from Town of Hawthorne with recommendation of conditions as provided.

ACTION: Motion by Baker, second Mock, to approve application, with conditions as noted by Town of Hawthorne. Motion carried.

4) Town of Gordon, Gordon, WI – Permit #8600 for a non-metallic mine renewal – NW1/4-NW1/4 & NE1/4-NW1/4, Section 4, T44N-R10W; (GO-012-00095-00; 00096-00; 12070S Connors Meadow Rd), Town of Gordon.

Applicant not present; correspondence received from Town of Gordon with no objections.

ACTION: Motion by Robinson, second Ryan, to approve application as presented. Motion carried.

5) Town of Gordon, Gordon, WI – Permit #17002 for a non-metallic mine renewal – Entire Section 28, T44N-R13W; (GO-012-01853-00; 5995E Crotte Brook Road), Town of Gordon.

Applicant not present; correspondence received from Town of Gordon with no objections. Property owned by Douglas County Forestry Department; request made by Jon Harris, Department Manager, that if site is exhausted and town has no continued interest in mining, the property be reclaimed. If town will continue to mine, permit to remain in effect.

ACTION: Motion by Robinson, second Ryan, to approve application, with conditions as recommended by Forestry Department. Motion carried.

6) Mathy Construction - (Operator-Milestone Materials, Amery, WI) – Permit #21107

for a non-metallic mine renewal – Pt. SE1/4-SE1/4-SE1/4, Lots 1 & 2, CSM #958, Vol 7, Pgs 46-47, Section 36, T48N-R13W; (PA-024-00749-00; 00749-01; 7197E Bayfield Road), Town of Parkland.

Applicant representative present; correspondence received from Town of Parkland with recommendation of reclamation plan.

ACTION: Motion by Baker, second Mock, to approve application, with conditions as noted by town. Motion carried.

7) Roger Colby, Maple, WI – (Operator-Milestone Materials, Amery, WI) – Permit #22397 for a non-metallic mine renewal – NW1/4, SE1/4, Section 25, T48N-R11W; (MA-020-00589-00; 4220S Wuori Road), Town of Maple.

Applicant representative present; correspondence received from Town of Maple with recommendation of conditions as provided.

ACTION: Motion by Ryan, second Mock, to approve application, with conditions as noted by town. Motion carried.

ACTION: Motion by Ryan, second Mock, to extend meeting beyond two-hour limit. Motion carried.

8) Grube Aggregate LLC, Poplar, WI – Permit #14985 for a non-metallic mine renewal – NW1/4-SE1/4, Section 15, T47N-R12W; (AM-002-00398-00; 8676E Berg Park Road); Town of Amnicon.

Applicant present; correspondence received from Town of Amnicon with no objections. Zoning recommends reclamation plan, and financial assurance of property.

ACTION: Motion by Ryan, second Robinson, to approve application, with conditions as noted by Zoning Department. Motion carried.

Recap of Zone Change Recommendations to the County Board: One rezone (Stoneburner).

Reconvene regular meeting at 10:57 a.m.

ADJOURNMENT: Motion by Ryan, second Robinson, to adjourn. Motion carried. Meeting adjourned at 11:01 a.m.

Submitted by,

Kaci Lundgren, Committee Clerk



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR
SCOTT A. NEITZEL
SECRETARY

Division of Energy, Housing and
Community Resources
P.O. Box 7970
Madison, WI 53707-7970

February 16, 2016

Douglas Finn, County Chairperson
Douglas County
1313 Belknap St., Room 301
Superior, WI 54880

MARCH
7

RE: Community Development Block Grant (CDBG)-Housing Contract H 12-13-01
(Phase 1 funding)

Dear Chairperson Finn:

I am writing to inform you that the performance period of Phase 1 funding for CDBG-Housing contract H 12-13-01 ended Dec. 31, 2015. Douglas County met its contractual obligations in committing a minimum of 100% of the H.1 budget line (\$1,680,870) by the end of the Phase 1 performance period.

Thank you for your participation in the CDBG housing program. We are committed to working closely with you to achieve program success.

If you have any questions, please contact me at 608.267.2726 or Richard.radig@wi.gov.

Sincerely,

Rick Radig, CDBG-Housing Grant Specialist
Division of Energy, Housing and Community Resources

cc: Sheldon Johnson, Northwest Regional Planning Commission
Program Administrator

8.4 SHORELAND ZONING ORDINANCE

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

SECTION I. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, AND TITLE

1.1 Statutory Authorization

This ordinance is adopted pursuant to the authorization in Sections 59.69, 59.692, and 59.693, **59.694, 87.30, 236.45 and 281.31** Wis. Stats.

1.2 Finding of Fact

Uncontrolled use of the shorelands and pollution of the navigable waters of Douglas County would adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Douglas County, Wisconsin.

1.3 Purpose and Intent

For the purpose of promoting the public health, safety, convenience and welfare, **and promote and protect the public trust in navigable waters**, this ordinance has been established to:

1.31 Further the maintenance of safe and healthful conditions and prevent and control water pollution through:

- (1) Limiting structures to those areas where soil and geological conditions will provide a safe foundation;
- (2) Establishing minimum lot sizes to provide adequate areas for private ~~sewage disposal facilities~~ **on-site waste treatment systems**;
- (3) ~~Controlling shoreline alterations, dredging and lagooning~~ **filling and grading to prevent soil erosion problems; and**
- (4) **Limiting impervious surfaces to control runoff which carries pollutants.**

1.32 Protect spawning grounds, fish and aquatic life through:

- (1) Preserving wetlands and other fish and aquatic habitat;
- (2) Regulating pollution sources; and

(3) Controlling shoreline alterations, dredging and lagooning.

1.33 Control building sites, placement of structures and land uses through:

~~(1) Separating conflicting land uses;~~

~~(2)~~(1) Prohibiting certain uses detrimental to the shoreland area
shoreland-wetlands;

~~(3)~~(2) Setting minimum lot sizes and widths; and

~~(4)~~(3) Regulating side yards and building setbacks from waterways **Setting
minimum building setbacks from waterways; and**

(4) **Setting the maximum height of near-shore structures.**

1.34 Preserve shore cover **and restore shoreland vegetation** and natural scenic beauty through:

(1) Restricting the removal of natural shoreland cover;

(2) Preventing shoreline encroachment by structures;

(3) Controlling shoreland excavation and other earth moving activities; and

(4) Regulating the use and placement of boathouses and other structures.

1.4 Title Shoreland Zoning Ordinance for Douglas County, Wisconsin.

SECTION II. GENERAL PROVISIONS

2.1 Areas to be Regulated

Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Douglas County which are:

2.11 Within one thousand (1,000) feet of the ordinary high water mark of navigable lakes, ponds or flowages. If the navigable water is a glacial pothole lake, this distance shall be measured from the high water mark of the lake. Lakes, ponds or flowage in Douglas County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication "~~Surface Water Resources of Douglas County~~" **FH-800, 2009 "Wisconsin Lakes" book available at the following website: <http://dnr.wi.gov/org/water/fhp/lakes/lakemap>** or are shown on United States Geological Survey quadrangle maps or other zoning base maps.

2.12 Within three hundred (300) feet of the ordinary high water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Douglas County shall be presumed to be navigable if they are designated as ~~continuous~~ **perennial** waterways or intermittent waterways on United States Geological Survey quadrangle maps **(1:24,000)**. Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps or other existing county floodplain zoning maps shall be used to delineate floodplain areas.

2.13 The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas unless specifically exempted by law, all cities, villages, towns, counties and, when s. 13.48(13), Stats., applies, state agencies are required to comply with and obtain all necessary permits under, local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if s. 30.2022(1), Stats., applies. (NR 115.02) Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Stats.

2.134 Determinations of navigability and ordinary high water mark location shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate ~~district~~ office of the Department for a final determination of navigability or ordinary high water mark.

2.145 Under Section 281.31(2m), Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to lands adjacent to farm drainage ditches if:

- (1) Such lands are not adjacent to a natural navigable stream or river;
- (2) Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
- (3) ~~Such lands are maintained in nonstructural agriculture use.~~ **Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.**

2.2 ~~Shoreland Zoning~~ **Shoreland-Wetland Maps**

The maps designated below are hereby adopted and made part of this ordinance. They are on file in the office of the Zoning Administrator for Douglas County.

- (1) ~~United States Geological Survey 7.5' Quadrangle Maps for Douglas County:~~ **The most recent version of the Wisconsin Wetland Inventory, as depicted on the Department of Natural Resources Water Data Viewer is made part of this ordinance. The maps can be viewed at: <http://dnr.wi.gov/SL/viewer.html>.**

Amnicon Lake	75	Lake Minnesuing	84
Bennett	81	Lake Nebagamon	75
Black Lake	83	Lyman Lake	75
Borea	81	Metzger Lake	84
Buckety Creek	82	Minong Flowage	82
Chittamo	71	Moose Junction	83
Chittamo NE	71	Oulu	84
Cloverland	61	Parkland	75
Cloverton	83	Patzau	75
Dairyland	83	Poplar	75
Ellison Lake	84	Poplar NE	75
Empire Swamp	83	Scovils Lake	83
Esko	83	Solon Springs	82
Foxboro	54	South Range	75
Frogner	75	Sunnyside	75
Gordon	82	Superior	83
Island Lake	84	West Duluth	83
15' Quads:			
Brule			61

~~Use of 1961 15' USGS Quadrangle shall be limited to that area of Brule 15' not shown on 7.5', Cloverland 61, Lake Nebagamon 75, and Oulu 84.~~

- (2) ~~Wisconsin Wetland Inventory maps stamped "FINAL" on February 12, 1985.~~
- (3)(2) ~~Floodplain zoning maps identified as FIRM, FBFW, and dated February 4, 1981. Floodplain analysis identified in the Dam Failure Study for Pattison Park Dam dated May 1992 and Mooney Dam dated March 1995.~~ **The most recent version of the Flood Insurance Rate Maps created by the Federal Emergency Management Agency (FEMA) including the appendix listed in Ordinance 8.3**
- (4)(3) ~~Douglas County Official Zoning Map dated December 10, 1970~~ **and amendments.**

2.3 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 installation and maintenance of water supply and waste disposal facilities, the filling, grading, lagooning, dredging of any lands, the cutting of shoreland vegetation, the subdivision of lots, shall be in full compliance with the terms of this ordinance and other applicable local, state or federal regulations.

~~(However, see Section 9.0 for standards applicable to nonconforming uses.)~~ Buildings, signs and other structures shall require a permit unless otherwise expressly excluded by a provision of this ordinance. Property owners, builders and contractors are responsible for compliance with the terms of this ordinance.

2.4 Municipalities and State Agencies Regulated

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply when Section 13.48(13), Wis. Stats. applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when Section ~~30.12(4)(a)~~ **30.2022(1)**, Wis Stats., applies.

2.5 Abrogation and Greater Restrictions

The provisions of this ordinance supersede ~~all the~~ **any** provisions of ~~any~~ **in a** county zoning ordinance adopted under Sections ~~59.69 and 59.692~~, Wis. Stats. which **solely** relate to shorelands. **In other words, if a zoning standard only applies to lands that lie within the shoreland and applies because the lands are in shoreland, then this ordinance supercedes those provisions.** However, where an ordinance adopted under a statute other than Sections ~~59.69 and 59.692~~ Wis. Stats., **does not solely relate to shorelands** and is more restrictive than this ordinance, **for example a floodplain ordinance**, that ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

2.51 This ordinance shall not require approval or be subject to disapproval by any town or town board.

2.52 If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any amendments thereto, the town ordinance continues in all respects to the extent of greater restrictions, but not otherwise.

2.53 This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

2.54 The more restrictive provisions of the Douglas County General Zoning Ordinance are hereby incorporated and made part of this ordinance and shall have the same force and effect as if fully numerated herein.

2.55 (s.59.692(1d)(b), Wis Stats.) This ordinance may establish standards to regulate matters that are not regulated in NR 115, but that further the purposes of shoreland zoning as described in Section 1.3 of this ordinance,

2.56 (s. 59.692(1d)(b), Wis Stats.) The provisions of Douglas County Zoning Ordinance 8.0 Section IV, Subsection 4.4 apply to the shoreland zone and are referenced herein.

2.57 (s. 59.692(1k)(a)1., Wis. Stats.) Douglas County does not establish or regulate any of the following in the shoreland district:

(1) Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.

(2) Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.

2.6 Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by **Statute and** a standard in Wis. Adm. Code NR 115, and where the ordinance provision is unclear, the provision shall be interpreted in light of the **Statute and** NR 115 standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

2.7 Severability

If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION III. LAND DIVISION REVIEW AND SANITARY REGULATIONS

3.1 Land Division Review

The county shall review, pursuant to Section 236.45, Wis. Stats. and Douglas County Subdivision Ord 8.1, all land divisions in shoreland areas which create one or more parcels or building sites of less than 10 acres each within a 5-year period. In such review the following factors shall be considered:

- (1) Hazards to the health, safety or welfare of future residents;
- (2) Proper relationship to adjoining areas;
- (3) Public access to navigable waters, as required by law;
- (4) Adequate stormwater drainage facilities; and
- (5) Conformity to state law and administrative code provisions.

3.2 Limited Rezoning to Achieve Reduced Lot Sizes and Setbacks

3.21 Purpose

In some instances where an individual lot or small tract of land has unique characteristics, such as unique terrain, which would result in unnecessary hardship as defined in Section 13.2, if the owner were required to comply with one or more of the requirements for minimum lot sizes, width and setback, the Board of Adjustment may grant a variance. In other instances where larger areas are involved, the appropriate method for seeking a relaxation of the same minimum standards is by rezoning to establish a Planned Residential Unit Development overlay. The Planned Residential Unit Development is intended to permit smaller lots and setbacks where the physical layout of the lots is so arranged (often by setting them back farther from navigable water) as to better assure the control of

pollution and preservation of ground cover than would be expected if the lots were developed with the normal lot sizes and setbacks and without special conditions placed upon the Planned Residential Unit Development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.

3.22 Requirements for Planned Residential Unit Development

The County Board may at its discretion, upon its own motion or upon petition, approve a Planned Residential Unit Development, either by approving first an overlay district and then a plat or by approving only a plat for the specific planned residential project upon finding, after a public hearing, that all of the following facts exist:

- (1) Area. The area proposed for the Planned Residential Unit Development is at least 40 acres in size.
- (2) Pollution Control. The location and nature of the septic systems which will serve the home sites individually or collectively will assure that effluent from the septic systems will not reach the ground or surface waters in a condition which would contribute to health hazards, taste, odor, turbidity, fertility or impair the aesthetic character of navigable waters.
- (3) Preservation of Ground Cover. The location of home sites and the dedication of part of the land for the use by the public or residents of the Planned Residential Unit Development will preserve the ground cover of the shoreland and scenic beauty of the navigable water, prevent erosion, and other pertinent factors. Land not used for lots and streets shall be dedicated in perpetuity to remain in open space. This may be accomplished by conveyance in common to each of the owners of lots in the development or to a corporation formed by them, or by dedication to the county, town or municipality. Lands dedicated to the public must be accepted by action of the governing body of the accepting unit of government. If the land is to be conveyed to owners of lots in the development, a homeowner's association or similar legally constituted body shall be created to maintain the open space land. Any restriction placed on platted land by covenant, grant of easement or any other manner which was required by a public body or which names a public body as grantee, promisee or beneficiary, shall vest in the public body the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction.
- (4) Density. The number of platted home sites shall not exceed those which would have been possible if the same land were platted in accordance with the minimum lot sizes, setbacks and widths provided by the applicable provisions of the zoning ordinance. This figure shall be determined by dividing the total area of the subdivision, excluding streets, by the minimum lot size required by Section 4.0 of this ordinance.

- (5) Lot Sizes, Widths, Setbacks, and Tree-cutting. The lot sizes, widths, and setbacks shall not be less than those provided for in current statutes, Wis. Adm. Code Comm. Ch. 85 SPS 385, and shall not be so small as to cause pollution or erosion along streets or other public ways and waterways or so small as to substantially depreciate the property values in the immediate neighborhood. ~~Shore cover provisions in Section 6.0 shall apply except that maximum width of a lake frontage opening shall be 100 feet.~~

3.23 Procedure for Establishing a Planned Residential Unit Development District The procedure for establishing limited rezoning in the form of a Planned Residential Unit Development district shall be as follows:

- (1) Petition. A petition setting forth all of the facts required in Section 3.22 shall be submitted to the County Clerk with sufficient copies to provide for distribution by the Clerk as required by Section 3.23(2).
- (2) Review and Hearing. The petition shall be submitted to the county zoning agency established as required by Sections 59.69 and 59.692, Wis. Stats., which shall hold a public hearing and report to the County Board as required by law. Copies of the petition and notice of the hearing shall also be sent to the appropriate district office of the Department as described in Section 11.2 of this ordinance. The county zoning agency's report to the County Board shall reflect the recommendations of any federal, state or local agency with which the county zoning agency consults. If a petition seeks approval of a Planned Residential Unit development plat without first seeking the granting of an overlay district, a hearing shall be held on such plat as in any regular amendment to the zoning ordinance. If, however, a hearing is first held on the overlay for a Planned Residential Unit Development district, a second public hearing need not be held in connection with the approval of a subsequent plat or plats which comply with the overlay district as approved.
- (3) Findings and Conditions of Approval. The County Board shall make written findings as to the compliance or noncompliance of the proposed overlay district with each of the applicable requirements set forth in Section 3.22. If the petition is granted in whole or part, the County Board shall attach such written conditions to the approval as are required by and consistent with Section 3.22. The conditions of approval shall in all cases establish the specific restrictions applicable with regard to minimum lot sizes, width, setbacks and the location of septic systems and the preservation of ground cover and open space.
- (4) Planning Studies. A landowner or petitioner may at his own expense develop the facts required to establish compliance with the provisions of Section 3.22 or may be required to contribute funds to the county to defray all or part of the contribute funds to the county to defray all or part of the cost of such studies

being undertaken by the county or any agency or person with whom the county contracts for such work.

3.3 Sanitary Regulations

The county shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.

- (1) Where public water supply systems are not available, private well construction shall be required to conform to Wis. Adm. Code NR Ch. 812.
- (2) Where a public sewage collection and treatment system is not available, design and construction of private sewage disposal systems shall be governed by a private sewage system ordinance adopted by the county under Section 59.70(5), Wis. Stats. **and required to comply with Wis. Admin. Code SPS 383.**

SECTION IV. DIMENSIONS OF BUILDING SITES

4.1 Shoreland Lots **Purpose: Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare and protection against pollution of the adjacent body of water.**

4.2 Shoreline Lots **Lot Sizes**

4.21 **Minimum Area and Width.** ~~The minimum lot area and lot width for shoreline lots shall be 30,000 square feet and the minimum average lot width shall be 150 feet with at least 150 feet of frontage at the ordinary high water mark~~ **comply with the Zoning Schedule – Dimensional Requirements found herein.**

4.22 **Interior Lot Dimensions.** ~~Minimum interior lot dimensions are shown on the dimensional schedule attached as page 219~~ **Sewered and Unsewered Lots. Lot sizes shall comply with the Zoning Schedule – Dimensional Requirements found herein.**

4.33 Substandard Lots

4.331 After adoption of this ordinance, no lot areas shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Lots existing and of record prior to adoption of this ordinance, but of substandard size, may be devoted to uses permitted in the district in which located if such use can be accomplished in compliance with the lot and building dimensional schedule of this ordinance.

4.332 If two or more substandard lots with continuous frontage have the same ownership as of the effective date of this ordinance, the lots involved shall be

considered to be ~~an individual~~ **one** parcel for the purposes of this ordinance.

~~4.333~~ Lots created after adoption of this ordinance and which are not served by public sewer systems shall meet the minimum area requirements of the Douglas County Sanitary Code and the Douglas County Subdivision Control Ordinance. ~~Any shoreline lot must have a minimum area of 30,000 square feet and minimum width of 150 feet.~~

~~4.334~~ Other substandard lots. Except for lots which meet the requirements of Sections 4.31, 4.32, or 4.33, a building permit for the improvement of a lot having lesser dimensions than those stated in Sections 4.1 and 4.2 shall be issued only after granting of a variance by the Board of Adjustment.

~~4.335~~ Lots in Cluster Subdivisions

Lots in cluster subdivisions not served by public sanitary sewers may be reduced to the minimum allowed by the county private sewage system ordinance pursuant to the procedures set forth in Section 3.2 of this ordinance.

SECTION V. SETBACKS FROM THE WATER

5.1 Lots that Abut on Navigable Waters (NR 115.05(1)(b))

Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards and avoid water pollution. All buildings and structures, except **exempt structures**, ~~piers, boat hoists, boathouses and open fences which may require a lesser setback~~, shall be set back at least 75 feet from the ordinary high water mark of navigable waters.

5.2 Structures Exempt from the Minimum Setback in 5.1 in accordance with Wisconsin Statutes 59.692(1v) and WI Administrative Code NR 115.05(1)(b)(1m)

5.21 Boathouses.

~~5.31~~ (1) Boathouses shall be designed and constructed solely for the storage of boats and related equipment and shall not be used for human habitation **and may not be plumbed.**

~~5.32~~ (2) Boathouses shall be set back a minimum of 2 feet and no greater than 20 feet from the ordinary high water mark and shall be constructed in conformity with local floodplain zoning standards. **Boathouses shall be located within the viewing and access corridor.**

~~5.33~~ (3) One boathouse is permitted on a lot as an accessory building.

~~5.34~~ Boathouses shall not be constructed where the existing slope is more than 20%.

~~5.35~~ (4) Boathouses shall not exceed one story ~~or 14 feet in height~~ and 250 square feet in floor area.

~~5.36~~ Boathouses are not allowed in those townships where a resolution has been adopted prohibiting new construction, and formally presented as an ordinance amendment and approved by the County Board of Supervisors.

- (5) Existing exempt structures that were legally constructed may be maintained, repaired, replaced, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

5.22 Open-sided or screened structures referred to as minor structures within shoreland setback area (gazebo law).

- (1) The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high water mark.
- (2) The floor area of all the structures in the shoreland setback area will not exceed 200 square feet.
- (3) The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
- (4) The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water.

5.23 Stairways, walkways and lifts that are necessary to provide pedestrian access to the shoreline and are a maximum of 60 inches in width.

5.24 Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter, and satellite earth station antennas that are two meters or less in diameter.

5.25 Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pumphouse covers, private on-site wastewater treatment systems that comply with Wis. Admin. Code SPS 383, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.

5.23 Reduced Building Principal Structure Setbacks

5.31 A setback less than the 75' required setback from the ordinary high water mark shall be permitted for a proposed principal structure and shall be determined as follows:

- (1) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
 - (a) Both of the existing principal structures are located on adjacent lot to the proposed principal structure.

- (b) Both of the existing principal structures are located within 250' of the proposed principal structure.
 - (c) Both of the existing principal structures are located less than 75' from the ordinary high water mark.
 - (d) The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.
- (2) Where this is an existing principal structure in only one direction, the setback shall equal the distance the existing principal structure is set back from the ordinary high water mark and the required setback of 75' from the ordinary high water mark provided all of the following are met:
- (a) The existing principal structure is located on adjacent lot to the proposed principal structure.
 - (b) The existing principal structure is located within 250' of the proposed principal structure.
 - (c) The existing principal structure is located less than 75' from the ordinary high water mark.
 - (d) The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.

5.32 Setback reductions may **also** be permitted by the Board of Adjustment pursuant to Section 10.5 of this ordinance.

5.4 Increased Principal Structure Setbacks A setback greater than the required 75' from the ordinary high water mark shall be required for a proposed principal structure and determined as follows:

- (1) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
- (a) Both of the existing principal structures are located on adjacent lot to the proposed principal structure.
 - (b) Both of the existing principal structures are located within 200' of the proposed principal structure.
 - (c) Both of the existing principal structures are located greater than 75' from the ordinary high water mark.
 - (d) Both of the existing principal structures were required to be located at a setback greater than 75' from the ordinary high water mark.
 - (e) The increased setback does not apply if the resulting setback limits the placement to an area on which the structure cannot be built.

5.35 Floodplain Structures

Buildings or structures to be constructed or placed in a floodplain shall be required to comply with Douglas County Floodplain Ordinance 8.3. Legal pre-existing structures within the floodplain may not be replaced, modified or additions constructed that do not comply with Section 87.30 WI Stats and WI Admin Code NR 116.

SECTION VI. REMOVAL OF SHORE COVER

6.1 Shoreline Cutting

(NR 115.05(1)(c)1.) To protect natural scenic beauty, fish and wildlife habitat, and water quality, a county shall regulate removal of vegetation in shoreland areas, consistent with the following: The county shall establish ordinance standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow of effluents, sediments and nutrients.

Tree and shrubbery cutting in an area parallel to the ordinary high water mark, and extending 35 feet inland from all points along the ordinary high water mark, shall be limited in accordance with the following provisions:

6.11 ~~No more than 30 feet in any 100 feet, as measured along the ordinary high water mark, may be clear cut to the depth of the 35 foot area.~~ Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors is allowed. Per s. 59.692(1f)(b), Stats., the viewing corridor may be at least 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width or shoreline frontage owned.

6.12 Natural shrubbery shall be preserved as far as practicable and, where removed, it shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion and preserving natural beauty.

6.2 Paths

Any path, road or passage within the ~~35-foot area~~ access and viewing corridor shall be constructed and surfaced so as to effectively control erosion.

6.3 Cutting Plan

As an alternative to Section 6.2, a special cutting plan allowing greater cutting may be permitted by the County Zoning Committee by issuance of a conditional-use permit, pursuant to Section 10.3. An application for such a permit shall include a sketch of the lot providing the following information: location of parking, topography of the land, existing vegetation, proposed cutting, and proposed replanting. The Committee may grant such a permit only if it finds that such special cutting plans:

6.31 Will not cause undue erosion or destruction of scenic beauty, and

6.32 Will provide substantial visual screening from the water of dwellings, accessory structures and parking areas. Where the plan calls for replacement planting, the Committee may require the submission of a bond which guarantees the performance of the planned tree or shrubbery replacement by the lot owner.

6.4 Cutting More Than 35 Feet Inland

From the inland edge of the 35-foot area to the outer limits of the shoreland, the cutting of trees and shrubbery shall be allowed when accomplished using accepted forest management and soil conservation practices which protect water quality.

SECTION VII. FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING

7.1 General Standards

Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under Section 7.2 may be permitted in the shoreland area provided that:

7.11 It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.

7.12 Filling, grading, lagooning, dredging or excavating in a shoreland-wetland district meets the requirements of Section 8.13 of this ordinance.

7.13 All applicable federal, state and local authority is obtained in addition to a permit under this ordinance.

7.14 Any fill placed in the shoreland area is protected against erosion by the use of rip-rap, vegetative cover or a bulk head.

7.2 Permit Required

Except as provided in Section 7.3 a zoning permit is required:

7.21 For any filling or grading of any area which is within 300 feet landward of the ordinary high water mark of navigable water and which has surface drainage toward the water and on which there is either:

- (1) Any filling or grading on slopes of more than 20%;
- (2) Filling or grading of more than 2,500 sq. ft. in addition to the minimum necessary for the construction of the principal building and the installation of on-site waste treatment systems on slopes of 12%-20%;
or
- (3) Filling or grading of more than 5,000 sq. ft. in addition to the minimum necessary for the construction of the principal building and the installation of on-site waste treatment systems on slopes of 0%-12%.

7.22 For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high water mark of a navigable body of water or where the purpose is

the ultimate connection with a navigable body of water.

7.3 Soil Conservation Practices

Soil conservation practices such as terraces, runoff diversions and grassed waterways which are used for erosion control shall not require a permit under Section 7.2 when designed and constructed to Soil Conservation Service technical standards.

7.4 Permit Conditions

In granting a zoning permit under Section 7.2, the County Zoning Administrator shall attach the following conditions, where appropriate:

- 7.41 The smallest amount of bare ground shall be exposed for as short a time as feasible.
- 7.42 Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
- 7.43 Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
- 7.44 Lagoons shall be constructed to avoid fish trap conditions.
- 7.45 Fill shall be stabilized according to accepted engineering standards.
- 7.46 Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
- 7.47 Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or rip-rap are provided.

7.5 Impervious Surface Standards

7.51 Purpose: Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. County impervious surface standards shall apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.

7.52 Calculations of Percentage of Impervious Surface (Wis. Adm. Code NR 115.05(1)(e)) Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark by the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in 7.55 shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the

percentage of impervious surface.

- 7.53 General Impervious Surface Standard (NR 115.05(1)(e)2.) Up to 15% impervious surface is allowed on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark.
- 7.54 Maximum Impervious Surface (NR 115.05(1)(e)3.) A property may exceed the impervious surface standard under 7.53 provided the following standards are met:
- (1) For properties where the general impervious surface standard applies under Section 7.53 a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark.
 - (2) For properties that exceed the standard under 7.53 but do not exceed the maximum standard under 7.54(1), a permit can be issued for development with a mitigation plan that meets the standards found in Section 9.4
- 7.55 Excluded Impervious Surfaces (NR 115.05(1)(e) and s. 59.692(1k)(a)1.e.) Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under 7.52:
- (1) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
 - (2) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
- 7.56 Existing Impervious Surfaces (NR 115.05(1)(e)4.) For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in Section 7.53 or the maximum impervious surface standard in Section 7.54, the property owner may do any of the following:
- (1) Maintain and repair the existing impervious surfaces.
 - (2) Replace existing impervious surfaces with similar surfaces within the existing building envelope.
 - (3) Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the county shoreland ordinance, and the impervious surface meets the applicable setback requirements in s. Wis Admin. Code NR 115.05(1)(b).

SECTION VIII. SHORELAND-WETLAND OVERLAY DISTRICTS

8.1 Shoreland-Wetland Overlay District Designation

This district shall include all shorelands within the jurisdiction of this ordinance which are **designated as** wetlands of 5 acres or more (excluding point symbols) and which are shown on the Wisconsin Wetland Inventory maps that are adopted and made a part of this ordinance. A portion of wetland which is less than 5 acres in size, and which is located in the unincorporated shoreland area within the county, shall be included in the shoreland-wetland district where the wetland as a whole is 5 acres or larger, but extends across the corporate limits of a municipality, across the county boundary or across the shoreland limits, so that the wetland is not regulated in its entirety by the county. **on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.**

8.11 Locating Shoreland-Wetland Boundaries

Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory maps and actual field conditions, ~~at the time the maps were adopted~~, the Zoning Administrator shall contact the ~~appropriate district office of the Department~~ to determine if the shoreland-wetland district boundary as mapped **the map** is in error. If Department staff concur with the Zoning Administrator that a particular area was incorrectly mapped as a wetland **or meets the wetland definition but was not shown as wetland on the map**, the Zoning Administrator shall have the authority to immediately grant or deny a zoning permit in accordance with the regulations applicable to the correct zoning district. ~~The Zoning Administrator shall initiate a map amendment to correct any mapping errors.~~ **In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.**

8.12 Purpose

This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

8.13 Permitted Uses

The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of Chs. 30 and 31 **and 281.36**, Wis. Stats. and the provisions of other applicable local, state and federal laws:

- (1) Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, **flooding**, dredging, ditching, tiling or excavating as allowed under Section 8.13(2) or

8.13(3):

- (a) Hiking, fishing, trapping, hunting, swimming, and boating;
 - (b) The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;
 - (c) The pasturing of livestock;
 - (d) The cultivation of agricultural crops;
 - (e) The practice of silviculture, including the planting, thinning, and harvesting of timber; and
 - (f) The construction or maintenance of duck blinds.
- (2) Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
- (a) Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
 - (b) The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growth and harvesting of cranberries;
 - (c) The maintenance and repair of existing agriculture drainage systems where permissible by Section 30.20, Wis. Stats., including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agriculture use.

This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that the filling is permissible by Ch. 30 Wis. Stats., and that dredged spoil is placed on existing spoil banks where possible;
 - (d) The construction or maintenance of fences for the pasturing of livestock, including excavating and filling necessary for such construction or maintenance;
 - (e) The construction or maintenance of piers, docks, or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
 - (f) The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.

- (3) Uses which require the issuance of a zoning permit under Section 10.2 and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent ~~specifically~~ **specifically** provided below:
- (a) The construction and maintenance of roads which are necessary to conduct silvicultural activities or agriculture cultivation provided that:
 - (i) The road cannot as a practical matter be located outside wetland;
 - (ii) The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in Section 8.152;
 - (iii) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use; and
 - (iv) Road construction activities are carried out in the immediate area of the roadbed only.
 - (b) The construction or maintenance of nonresidential buildings provided that:
 - (i) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
 - (ii) The building cannot, as a practical matter, be located outside the wetland;
 - (iii) Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area; and
 - (iv) Only limited filling or excavating necessary to provide structural support for the building is authorized.
 - (c) The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries and public boat launching ramps and attendant access roads, provided that:
 - (i) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under Ch. 29, Wis. Stats., where applicable;

- (ii) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets criteria in Section 8.13(3)(a)-(c); and
 - (iii) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, **natural and outdoor education areas**, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
- (d) The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to their members and the construction or maintenance of railroad lines provided that:
- (i) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland; and
 - (ii) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in Section 8.15(2).

8.14 Prohibited Uses

Any use not listed in Sections 8.13(1), 8.13(2), or 8.13(3) is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with Section 8.15 of this ordinance and Section 59.69(5)(e), Wis. Stats.

8.15 Rezoning of Lands in the Shoreland-Wetland District

- (1) For all proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the appropriate ~~district~~ office of the Department shall be provided with the following:
- (a) A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this ordinance, within 5 days of the filing of such petition with the County Clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of this ordinance describing any proposed rezoning of a shoreland-wetland;
 - (b) Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to such hearing;
 - (c) A copy of the county zoning agency's findings and recommendations on each proposed amendment within 10 days after the submission of those

findings and recommendations to the County Board; and

- (d) Written notice of the County Board's decision on the proposed amendment within 10 days after it is issued.
- (2) A wetland, or portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
- (a) Storm and flood water storage capacity;
 - (b) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
 - (c) Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
 - (d) Shoreline protection against soil erosion;
 - (e) Fish spawning, breeding, nursery or feeding grounds;
 - (f) Wildlife habitat; or
 - (g) ~~Areas of special recreation, scenic or scientific interest, including scarce wetland types.~~ Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in NR 103.04 which can be accessed at the following web site: <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.
- (3) If the Department notifies the County Zoning Committee that proposed text or map amendment to the shoreland-wetland provisions of this ordinance may have a significant adverse impact upon any of the criteria listed in Section 8.15(2) of this ordinance, that amendment, if approved by the County Board, shall contain the following provision:
- "This amendment shall not take effect until more than 30 days have elapsed after written notice of the County Board's approval of this amendment is mailed to the Department of Natural Resources. During that 30-day period the Department of Natural Resources may notify the County Board that it will adopt a superseding shoreland ordinance for the county under Sections ~~59.69~~ and 59.692(6), Wis. Stats. If the Department does so notify the County Board, the effect of this amendment shall be stayed until the Sections ~~59.69~~ and 59.692(6), Wis. Stats., adoption procedure is completed or otherwise terminated."

~~8.2 Wild Lakes Overlay District~~

~~8.21. Designation and Intent~~

~~The Wild Lakes Overlay District includes all lakes in the unincorporated areas of~~

~~the County which do not have a habitable residence within 300 feet of the ordinary high water mark as of the adoption date of this amendment. The district regulations are intended to provide a high level of protection for shorelands and waters which are the most environmentally sensitive, with very limited natural carrying capacity and which have no existing development.~~

~~8.22 Permitted Uses~~

~~Any principal or accessory permitted use in the underlying zoning district.~~

~~8.23 Conditional Uses~~

~~Any conditional use authorized in the underlying district.~~

~~8.24 Minimum Lot Size~~

~~10 acres per dwelling unit.~~

~~8.25 Minimum Lot Width~~

~~At the Ordinary High water Mark: 300 feet per dwelling unit.~~

~~At the Minimum Shoreline Setback: 300 feet per dwelling unit.~~

~~8.26 Minimum Shoreline Frontage for Multifamily with Lake Access~~

~~(See Section 3.2 for Planned Unit Developments):~~

~~300 feet per dwelling unit granted riparian or lake access rights.~~

~~8.27 Minimum Shoreline Setback~~

~~175 feet from the ordinary high water mark (OHWM) for all structures except piers; other yard setbacks are the same as the underlying zoning district.~~

~~8.28 Boathouses and Boat Shelters~~

~~Boathouses and boat shelters are not permitted on Wild Lakes.~~

~~8.29 Shoreland Impact Area~~

~~Within 150 feet of the ordinary high water mark, vegetation removal and land-disturbing activities are restricted as follows:~~

~~In the area parallel to the ordinary high water mark, and extending 50 feet inland from all points along the ordinary high water mark, no more than 30 feet may be selectively cut on a lot up to 300 feet in width. Clear cutting within this area is prohibited. The balance of this area shall not be disturbed except for the removal of dead or diseased trees or shrubs.~~

~~In the area parallel to the ordinary high water mark, and extending from 50 feet inland to 150 feet inland from the OHWM, it is recommended that only selective cutting take place.~~

SECTION IX. ~~LEGAL PRE-EXISTING~~ NONCONFORMING USES AND ~~LEGAL PRE-EXISTING~~ STRUCTURES

- 9.1 The lawful use of a building, structure or property which existed at the time this ordinance, or an applicable amendment to this ordinance, took effect and which is not in conformity with the provisions of this ordinance, including the routine maintenance of such a building or structure, may be continued, subject to the conditions of this ordinance.
- 9.2 Shoreland Nonconforming Uses
- 9.21 Compliance with legal pre-existing principal building provisions. Any shoreland building, structure, premises or fixture that constitutes a nonconforming use and is also a legal pre-existing principal building must adhere to the provisions set forth in subsection for nonconforming shoreland structures.
- 9.22 Prohibited Expansion. The alteration of, or addition to, or repair in excess of fifty percent (50%) of the assessed value of any existing building, premises, structure or fixture for the purpose of carrying on a nonconforming use is prohibited. (see Wis. Stats. 59.69 (10) (am))
- 9.23 Exceptions to Prohibited Expansion. If the alteration, addition or repair of a legal pre-existing building or structure in the shoreland district with a nonconforming use is prohibited because it is for the purpose of carrying on a nonconforming use and is in excess of fifty percent (50%) of the assessed value of the existing building, premises, structure or fixture, the property owner may still make the proposed alteration, addition or repair if the property owner meets all provisions set forth in subsection 9.3 for legal pre-existing structures and:
- (1) The alteration, addition or repair is not for the purpose of carrying on a nonconforming use.
 - (2) A nonconforming use is permanently changed to a conforming use.
 - (3) The property owner appeals the determination of the Zoning Administrator and County Board of Adjustment or the Circuit Court finds in favor of the property under Secs. 59.694(4) or 59.597(10), Wis. Stats.
 - (4) The property owner successfully petitions to have the property rezoned by amendment of this Chapter and Sec. 59.69(5)(e), Wis. Stats.
- 9.24 Discontinuance. If a shoreland nonconforming use is discontinued for twelve (12) consecutive months, any future use of the building, structure or property shall conform to this Chapter.
- 9.25 Temporary Structures. If the shoreland nonconforming use of a temporary structure is discontinued, such nonconforming use may not be recommenced.

9.26 Nuisances. Uses that are nuisances shall not be permitted to continue as nonconforming uses.

9.3 Legal Pre-Existing Principal Structures and Buildings

9.31 Shoreland Setback. The minimum setback applied based on the classification of the water body to the ordinary high water mark of any navigable water body to the nearest part of a building or structure shall apply.

~~9.32 Legal Pre-existing Principal Structure Located Less than Thirty-five (35) Feet from the Ordinary High Water Mark. With respect to such structures located less than thirty-five (35) feet from the ordinary high water mark:~~

~~a. An existing structure that was lawfully placed when constructed, but that is located within the shoreland setback, may be maintained and repaired within its existing building envelope. Such internal improvements may be constructed without a land use permit.~~

~~b. Maintenance and repair includes such activities as interior remodeling, plumbing, insulation, and replacement of windows, doors, siding or roof. A flat roof may be replaced with a pitched roof subsequent to a land use permit and mitigation applies.~~

~~c. Repair or replacement of a foundation is considered maintenance and repair if:~~

~~1. The foundation is repaired or replaced to the size, including the footprint and total square footage and location that it had before the repair or replacement; and~~

~~2. If there is repair or replacement of 33% or more of the lineal perimeter of the foundation, the owner obtains a permit and complies with mitigation requirements under Subsection 9.4.~~

~~d. Repair or replacement of a foundation or wall(s) which requires any land disturbance in the vegetation protection area shall require a land use permit and the mitigation requirements of Subsection 9.4 are complied with.~~

9.32 Maintenance, Repair, Replacement or Vertical Expansion of Nonconforming Structures (s 59.692(1k)(a)1.b. and d.) An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback:

(1) May be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure.

(2) May be vertically expanded unless the vertical expansion would extend

more than 35 feet above grade level.

- (3) Special review and consideration will be given to situations where expansion of the structure beyond the existing footprint is necessary to comply with applicable state or federal requirements.

9.33 Legal Pre-existing Principal Structure Located Thirty-five (35) Feet or More but Less than Seventy-five (75) Feet from the Ordinary High Water Mark. A legal pre-existing principal structure located thirty-five (35) or more feet, but less than seventy-five (75) feet, from the ordinary high water mark may be expanded **laterally vertically**, provided that:

- (1) The resulting structure shall not exceed thirty-five (35) feet in height, as defined in ch. NR 115.05(1)(f), Wis. Adm Code.
- (2) **Lateral expansion is limited to 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.** The property owner obtains a land use permit and fulfills the mitigation requirements of Subsection 9.4 **by the date specified in the permit.**
- (3) All other provisions of the Douglas County Shoreland Zoning Ordinance shall be met.
- (4) If use of the principal structure has been discontinued for a period of twelve (12) months or more, any further use of the structure shall conform to this chapter.

~~9.34 Legal Pre-existing Principal Structure Located Seventy-five (75) Feet or More from the Ordinary High Water Mark. An existing structure that was lawfully placed when constructed, but that does not comply with the required building setback, may be expanded horizontally, landward or vertically provided that the expanded area meets the building setback requirements and all other provisions of the Douglas County Shoreland Zoning Ordinance are met.~~ **Expansion of a Nonconforming Principal Structure Beyond Setback (NR 115.05(1)(g)5m.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under Section 5.1, may be expanded horizontally, landward or vertically provided that the expanded area meets the building setback requirements per Section 5.1 and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but may be required per Section 7.5.**

~~9.35 Legal Pre-Existing Principal Structures Located on Class 3 Lakes or on Lots Adjoining or Including Rivers or Streams. Nonconforming principal structures located on lots on Class 3 lakes and streams which are set back at least seventy five (75) feet but less than one hundred twenty five (125) feet from the~~

~~ordinary high water mark, may be improved and expanded upon the issuance of a land use permit to the same extent as if they were conforming structures provided that:~~ Relocation of nonconforming principal structure (NR 115.05(1)(g)6.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per Sections 5.1 and 5.3 may be relocated on the property provided all of the following requirements are met:

- (1) The use of the structure has not been discontinued for a period of twelve months or more if a nonconforming use.
- (2) The existing principal structure is at least 35 feet from the ordinary high-water mark.
- (3) No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
- (4) The county determines that no other location is available on the property to build a principal structure with the same square-footage footprint to the structure proposed for relocation that will result in compliance with the shoreland setback requirement per Section 5.1.
- (5) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in Section 9.4 to include enforceable obligations of the property owner to establish or maintain measures that the county determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland sildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the Douglas County Register of Deeds.
- (6) All other provisions of the shoreland ordinance shall be met.

- a. ~~The mitigation requirements of Subsection 9.4 are complied with; and~~
- b. ~~Any addition is located no closer to the ordinary high water mark than the existing structure; and~~
- c. ~~If use of the principal structure has been discontinued for a period of twelve (12) months or more, any further use of the principal structure shall conform to this chapter.~~

~~(6) Additional Requirements for Certain Nonresidential Buildings Structures on Shoreland Lots.~~

~~(7) Replacement or Relocation of Legal Pre-Existing Principal Building. An existing principal structure that was lawfully placed when constructed, but that does not comply~~

~~with the required building setback, may be replaced or relocated on the property provided all of the following requirements are met (per 2011 WI Act 170 & NR 115 Wisconsin Administrative Code):~~

- ~~a. The use of the structure has not been discontinued for a period of twelve (12) months or more.~~
- ~~b. The existing structure is at least thirty-five (35) feet from the ordinary high water mark.~~
- ~~c. No portion of the replaced or relocated structure is located any closer to the ordinary high water mark than the closest point of the existing principal structure.~~
- ~~d. The county determines that no other location is available on the property to build a structure of comparable size to the structure proposed for replacement or relocation that will result in compliance with the shoreland setback requirement.~~
- ~~e. Mitigation requirements are complied with.~~
- ~~f. The county shall issue a permit that requires all other structures on the lot or parcel that do not comply with the shoreland setback requirement, and are not exempt under NR 115.05(1)(b)1m, Wisconsin Administrative Code, to be removed by the date specified in the permit.~~
- ~~g. All other provisions of the Douglas County Shoreland Zoning Ordinance shall be met.~~

~~(8) Class 3 Lakeshore Lots with Side Yard Setbacks. An existing principal structure located on a lot on a Class 3 water body which is greater than ten (10) feet from a side yard setback but less than the distance from the minimum side yard setback, and which is a legal pre-existing building solely for that reason, may be improved and expanded upon the issuance of a land use permit to the same extent as if it were a conforming structure, provided that:~~

- ~~a. The use of the structure has not been discontinued for a period of twelve (12) months or more.~~
- ~~b. The addition or expansion does not increase the nonconformity.~~

~~(9)(7) Compliance with Most Restrictive Zone Standards. Legal pre-existing principal structures, and buildings which are located in more than one **minimum** setback zone, shall comply with the standards of the more restrictive zone.~~

~~9.3 Impervious Surface Standards~~

~~The construction, reconstruction, expansion, replacement or relocation of any impervious surface within 300 feet of the ordinary high water mark of any navigable~~

waterway must meet the following requirements:

- ~~(1) Lots or Parcels with 15% or Less Impervious Surface. Up to 15% of the portion of a lot or parcel that is within 300 feet of the ordinary high water mark may consist of impervious surface without the need for mitigation.~~
- ~~(2) Lots or Parcels with More than 15% but no more than 30% Impervious Surface. Between 15% and 30% of the portion of a lot or parcel that is within 300 feet of the ordinary high water mark may consist of impervious surface provided that the landowner obtains a permit and provided that the mitigation measures of Subsection 9.4 shall apply.~~
- ~~(3) Lots or Parcels with More than 30% Impervious Surface. No more than 30% of the portion of a lot or parcel that is within 300 feet of the ordinary high water mark may consist of impervious surface.~~
- ~~(4) Existing Impervious Surfaces. For existing impervious surfaces that were lawfully placed when constructed, but that do not comply with the current standards, the property owner may do any of the following:
 - ~~a. Maintenance and repair of all impervious surfaces;~~
 - ~~b. Replacement of existing impervious surfaces with similar surfaces within the existing building envelope;~~
 - ~~c. Relocation or modification of existing impervious surfaces with similar or different impervious surfaces, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed at the effective date of the Douglas County Shoreland Zoning Ordinance, and meets the applicable setback requirements in s. NR 115.05(1)(b), Wisconsin Administrative Code.~~~~

9.4 Mitigation Measures

9.41 Actions that trigger mitigation

- (1) Exceeding the maximum impervious surface area allowed (s. 7.54(2))
- (2) Lateral expansion of a nonconforming principal structure (s. 9.33(2))
- (3) Relocation of a nonconforming principal structure (9.35(5))
- (4) Vegetative buffer required as mitigation under open-sided structure provision (s. 5.22(4))

9.412 Required mitigation

A site plan and implementation schedule describing any required mitigation shall

be submitted by the property owner or their authorized agent and approved by the Zoning Department prior to issuing the related land use permit(s). Mandatory practices for mitigation shall include:

- (1) Evaluation and if needed upgrading of any existing sanitary system on the subject property to meet current Douglas County and Department of Commerce regulations.
- (2) Implementation of standard erosion and storm water runoff control measures described in applicable sections of this ordinance.

9.423 Additional requirements: Shall accumulate at least two (2) points from among the following proposed or current practices:

- (1) Maintenance of an existing shoreland buffer area within 35 feet of the ordinary high water mark of ~~Class 1&2 Lakes and within 50 feet for Class 3~~ Lakes and Rivers/Streams (2 points).
- (2) Restoration of the shoreland buffer area within 35 feet of the ordinary high water mark of ~~Class 1&2 Lakes and within 50 feet for Class 3~~ Lakes and Rivers/Streams (2 points).
- (3) Restoration of native vegetation along both sideyards, minimum of 5 feet wide measured perpendicular to the lot line for the entire length of the lot. (1/2 point).
- (4) Removal of legal pre-existing accessory buildings from within the shoreland setback area (1 point per building).
- (5) Use of exterior building materials or treatments that are inconspicuous and blend with the natural setting of the site (1/2 point).
- (6) Removal of waterward improvements (seawalls, dockage, artificial sand beach etc. and / or restoration of emergent aquatic vegetation (~~4/4~~ 1 point for each distinct removal / restoration effort).
- (7) Any other mitigation that is deemed appropriate by the Zoning Administrator may be used to meet the mitigation requirement of Section 9.4.

9.434 A Shoreland Mitigation/Preservation Affidavit shall be signed and recorded with the Register of Deeds prior to the issuance of a zoning permit ~~for the expansion or improvement of a legal pre-existing principal building which requires mitigation under Section 9.3.~~

9.445 Type of Shoreland Buffer

The type of shoreland buffer restoration required **chosen** under Section 9.42 **or required under Section 5.22(4)** will be determined by the Zoning Department and/or the Land Conservation Department. The buffer type shall be either

woodland, prairie, or wetland. The woodland and prairie buffers shall comply with the standards set forth in Section 9.45 Table 1. Wetland buffers will also be permitted where deemed appropriate by the Zoning Department and/or the Land Conservation Department.

9.456 Table 1. Shoreland Buffer Planting Standards

Layer	Woodland Buffer		Prairie Buffer		Area Credits
	Minimum number of species	Density per 100 square feet	Minimum number of species	Density per 100 square feet	
Tree Canopy	3	1	2	0.2	Existing tree canopy edge viewing corridor
Shrub Understory	4	1.5	2	0.5	Existing shrub understory wet edge viewing corridor
Groundcover Plant Plugs	1	70	5	70	Existing well vegetated native ground cover
Groundcover seeding	1	Varies	5	Varies	Existing well vegetated native ground cover
<p>WI Biology Technical Note 1: Shoreland Habitat; Interim Standard # 643A, Shoreland Habitat provides specific criteria for Shoreland Habitat establishment and for determining the dimensions of the practice (Section V). It identifies the necessary components of a Shoreland Habitat establishment plan (Section VII), and lists criteria for operation and maintenance of the practice (Section VIII).</p>					

9.46 Type of Vegetation Recovery

- (1) **Natural Recovery**
Shoreland buffer areas that are suited for natural recovery will be allowed only after Zoning and /or County Land Conservation approval.
- (2) **Accelerated (planted) Recovery**
Areas not suited to natural recovery will require plantings to establish native vegetation and must be planted. Areas such as lawns or eroded sites with no seed source will require plantings. Dense turf grass growths that have been maintained for several years will need to be removed and native plantings installed. Planted buffers must meet the required plant

densities based on square footage of buffer area and the type of buffer (Table 1). Planting credits will be allowed for the viewing corridor, areas of existing native vegetation, and areas suited for natural recovery.

9.47 Douglas County Native Plant List

Species of plants must be selected from the Douglas County Native Plant List and approved for shoreline buffers by the Zoning and /or Land Conservationist. Substitutions must be approved by the Zoning and /or Land Conservationist. Substitutions to the list will be allowed in the event of lack of plant stock or seed availability on a case-by-case basis. All plants may be transplanted from areas outside of the buffer zone.

9.48 Planting Densities

Planting densities are based on the total area of the required buffer. Area credits calculated are subtracted from the total required density on an equal square footage of coverage basis. Trees must be at least 2 years old and greater than 1 foot tall to qualify as a credit or planting.

9.49 Shoreland Buffer Plan Requirements

A shoreland restoration plan shall be completed for all required shoreland mitigation or preservations. Plans must be approved by the Zoning and Land Conservationist.

(1) Shoreland Buffer Restoration Site Plans must include:

- (a) Name and address of property owner
- (b) Property address and legal description
- (c) Extent of the shoreland buffer
- (d) Scale (e.g. 1 inch = 10 feet)
- (e) North arrow
- (f) Ordinary high water mark (OHWM) location
- (g) Location of all structures in the shoreland buffer zone
- (h) Viewing and access corridor
- (i) Boundary of the shoreland buffer zone
- (j) Existing trees, shrubs, and native ground cover
- (k) Areas to be planted with trees, shrubs, and groundcovers
- (l) Implementation schedule
- (m) A plant species list; indicate if you are requesting substitutions from the prepared list
- (n) Erosion control practices (to be installed prior to and during buffer establishment)
- (o) Water diversions and channelized flow areas
- (p) Buffer Maintenance (weeding, replanting)

(2) Implementation schedule. The approved Shoreland Buffer Restoration Site Plan must be started within one year from the issue date of applicable

permit. All plantings and any other required activities in the Shoreland Buffer Restoration Site Plan must be completed within two years of the permit issue date.

9.5 ~~Replacement Of Existing Structures~~

(1) ~~Voluntarily Demolished.~~

~~Unless paragraph 2. applies, a structure may not be rebuilt or replaced closer than the applicable OHWM setback if it has been voluntarily demolished such that any of the following apply:~~

~~(a) Replacement of 50% or more of the building.~~

~~(b) The existing use of the structure has been discontinued for twelve consecutive months as a result of the demolition.~~

(2) ~~Damaged or Destroyed by Violent Wind, Fire, Flood, Vandalism, Ice, Snow, Mold and Infestation~~ As required by Section 59.692(1s), Wis. Stats., if an existing structure has been destroyed or damaged after October 14, 1997 by violent wind, fire, flood, vandalism, ice, snow, mold and infestation, the structure may be reconstructed or repaired to the size, location and use it had immediately before the damage occurred, subject to the following conditions:

~~(a) A structure that is destroyed or damaged due to a deliberate act by the landowner or by his or her agent, or due to general deterioration or dilapidated condition, may not be reconstructed or repaired, except in conformance with the standards of this ordinance.~~

~~(b) Except as provided in Section 87.30 (1d), Wis. Stats., a building located closer than seventy five feet (75') from the ordinary high water mark that is subject to regulation under a floodplain zoning ordinance may not be reconstructed or repaired except in compliance with the floodplain zoning ordinance.~~

~~(c) The landowner shall bear the burden of proof as to the size, location or use a destroyed or damaged structure had immediately before the destruction or damage occurred.~~

~~(d) Repairs are authorized under this provision only to the extent that they are necessary to repair the specific damage caused by violent wind, vandalism, fire or flood, and only that portion of the structure that has been destroyed may be reconstructed.~~

~~(e) The private onsite wastewater treatment (septic) system serving the principle structure shall meet current standards for new construction.~~

9.65 Legal Pre-Existing Nonconforming Uses

- 9.51 Burden of Proof. A property owner claiming a ~~legal pre-existing~~ **nonconforming** use and exemption from applicable regulations shall prove by a preponderance of the evidence that:
- (1) The use was legally established;
 - (2) The use predated zoning provisions with which it does not comply;
 - (3) The use was active and actual prior to adoption of such provisions and not merely casual and occasional or incidental to the principal use of the property in which case no vested right to continue the use shall have been acquired.
- 9.52 No Expansion. A ~~legal pre-existing~~ **nonconforming** use of a structure or premises shall not be expanded or enlarged. No such use shall be expanded within a structure which, on the date the use became ~~legal pre-existing~~ **nonconforming**, was only partially devoted to such use.
- 9.53 Discontinuance. If a ~~legal pre-existing~~ **nonconforming** use is discontinued for twelve (12) consecutive months, any future use of the building, structure, or property shall conform to this ordinance. If the ~~legal pre-existing~~ **nonconforming** use of a temporary structure is discontinued, such ~~legal pre-existing~~ **nonconforming** use may not be recommenced.
- 9.54 Nuisance. ~~legal pre-existing~~ **Nonconforming** uses which are nuisances shall not be permitted to continue.

SECTION X. ADMINISTRATIVE PROVISIONS

10.1 Zoning Administrator

The Zoning Administrator shall have the following duties and powers:

- 10.11 ~~Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications and appeal forms.~~ **Develop and administer a system of permits for new construction, development, reconstruction, structural alteration or moving of buildings and structures. A permit application shall be required to be submitted to the Zoning Office.**
- 10.12 ~~Issue permits and inspect properties for compliance with this ordinance.~~ **Regular inspection of permitted work in progress to insure conformity of the finished structures with the terms of the ordinance.**

- 10.13 ~~Keep records of all permits issued, inspections made, work approved and other official actions.~~ A variance procedure which authorizes the board of adjustment to grant such variance from the terms of the ordinance as will not be contrary to the public interest where, owing to special conditions and the adoption of the shoreland zoning ordinance, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship.
- 10.14 ~~Submit copies of variances, conditional uses and decisions on appeals for map or text interpretations and map or text amendments within 10 days after they are granted or denied to the appropriate district office of the Department.~~ A special exception (conditional use) procedure under Section 10.3 herein.
- 10.15 ~~Investigate and report violations of this ordinance to the appropriate county zoning committee and the District Attorney or Corporation Counsel.~~ The county shall keep a complete record of all proceedings before the board of adjustment, zoning agency and planning agency.
- 10.16 Written notice to the appropriate office of the Department at least 10 days prior to any hearing on a proposed variance, special exception or conditional use permit, appeal for a map or text interpretation, map or text amendment, and copies of all proposed land divisions submitted to the county for review under Ordinance 8.2.
- 10.17 Submission to the appropriate office of the Department, within 10 days after grant or denial any decision on a variance, special exception or conditional use permit, or appeal for a map or text interpretation, and any decision to amend a map or text of an ordinance.
- 10.18 Mapped zoning districts and the recording, on an official copy of such map, of all district boundary amendments.
- 10.19 The establishment of appropriate penalties for violations of various provisions of the ordinance, including forfeitures. Compliance with the ordinance shall be enforceable by the use of injunctions to prevent or abate a violation, as provided in WI Stats. 59.69 (11).
- 10.20 The prosecution of violations of the shoreland ordinance.

10.2 Zoning Permits.

- 10.21 When Required. Except where another section of this ordinance specifically exempts certain types of development from this requirement (~~as in Sections 8.31 and 8.32~~), a zoning permit shall be obtained from the Zoning Administrator before any new development, as defined in Section 13.2, or any change in the use of an existing building or structure, is initiated.
- 10.22 Application. An application for a zoning permit shall be made to the Zoning Administrator upon forms furnished by the county and shall include for the

purpose of proper enforcement of these regulations, the following **data information**:

- (1) Name and address of applicant and property owner;
- (2) Legal description of the property and type of proposed use;
- (3) A **to-scale** sketch of the dimensions of the lot and location of **buildings all existing and proposed structures and impervious surface calculations** relative to the lot lines, center line of abutting highways and the ordinary high water mark of any abutting ~~watercourse~~ **and the water level on a date specified waterways**.
- (4) Location and description of any existing private water supply or sewage system or notification of plans for any such installation.
- (5) **Plans for appropriate mitigation (when required).**
- (6) **Payment of the appropriate fee.**
- (7) **Additional information required by the Zoning Administrator.**

10.23 Expiration of Permit. Zoning permits shall expire 12 months from date issued if no substantial work has commenced.

10.3 Conditional-Use Permits

10.31 Application for a Conditional-Use Permit. Any use listed as a conditional-use in this ordinance shall be permitted only after an application has been submitted to the Zoning Administrator and a conditional-use permit has been granted by the County Zoning Committee.

10.32 Standards Applicable to All Conditional-Uses. In passing upon a conditional-use permit, the County Zoning Committee shall evaluate the effect of the proposed use upon:

- (1) The maintenance of safe and healthful conditions;
- (2) The prevention and control of water pollution including sedimentation;
- (3) Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage;
- (4) The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.;
- (5) The location of the site with respect to existing or future access roads;
- (6) The need of the proposed use for a shoreland location;

- (7) Its compatibility with uses on adjacent land;
- (8) The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems; and
- (9) Location factors under which:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.

10.33 Use Conditions. Upon consideration of the factors listed above, the County Zoning Committee shall attach such conditions, in addition to those required elsewhere in this ordinance, as are necessary to further the purposes of this ordinance. Violations of any of these conditions shall be deemed a violation of this ordinance. Violations of any of these conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking and signs; and type of construction. To secure information upon which to base its determination, the County Zoning Committee may require the applicant to furnish the following information:

- (1) A plan of the area showing surface contours, soil types, ordinary high water marks, ground water conditions, subsurface geology and vegetative cover.
- (2) Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space and landscaping.
- (3) Plans of building, sewage disposal facilities, water supply systems and arrangement operations.
- (4) Specifications for areas of proposed filling, grading, lagooning or dredging.
- (5) Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.
- (6) Rationale for why the proposed conditional use meets all of the conditional use criteria listed in the ordinance.

10.34 Notice, Public Hearing and Decision. Before ~~passing~~ **deciding** upon an application for a conditional-use permit, the County Zoning Committee shall hold

a public hearing. Notice of such public hearing, specifying time, place and matters to come before the Committee, shall be given a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be mailed to the appropriate ~~district~~ office of the Department at least 10 days prior to the hearing. The Zoning Committee shall state in writing the grounds for granting or refusing a conditional-use permit.

10.35 Recording. When a conditional-use permit is approved, an appropriate record shall be made of the land use and structures permitted and such permit shall be applicable solely to the structures, use and property so described. A copy of any decisions on a conditional-use permit shall be mailed to the appropriate ~~district~~ office of the Department within 10 days after it is granted or denied.

10.36 Revocation. Where the conditions of a conditional-use permit are violated, the conditional-use permit shall be revoked by the County Zoning Committee.

10.4 Variances

The Board of Adjustment may grant upon appeal a variance from the dimensional standards of this ordinance where an applicant convincingly demonstrates that literal enforcement of the provisions of the ordinance will:

- (1) Result in unnecessary hardship on the applicant,
- (2) Due to special conditions unique to the property, and
- (3) That such variance is not contrary to the public interest.

10.41 Notice, Hearing and Decision. Before passing on an application for a variance, the Board of Adjustment shall hold a public hearing. Notice of such hearing specifying the time, place and matters of concern, shall be given a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be mailed to the appropriate ~~district~~ office of the Department at least 10 days prior to the hearing. The Board shall state in writing the reasons for granting or refusing a variance and shall mail a copy of such decision to the appropriate Department ~~district~~ office within 10 days of the decision.

10.5 Board of Adjustment

The Chairman of the County Board shall appoint a Board of Adjustment consisting of 5 voting and 2 alternate members under Section 59.694, Wis. Stats. The County Board shall adopt such rules for the conduct of the business of the Board of Adjustment as required by Section 59.694, Wis. Stats.

10.51 Powers and Duties.

- (1) The Board of Adjustment shall adopt such additional rules as it deems

necessary and may exercise all of the powers conferred on such boards by Section 59.694, Wis. Stats.

- (2) It shall hear and decide appeals where it is alleged there is error in any order, requirements, decisions or determination made by an administrative official in the enforcement or administration of this ordinance.
- (3) It may grant a variance from the dimensional standards of this ordinance pursuant to Section 10.4.
- (4) In granting a variance, the Board may not impose conditions which are more restrictive than any of the specific standards in the ordinance. Where the ordinance is silent as to the extent of restriction, the Board may impose any reasonable permit conditions to effect the purpose of this ordinance.

10.52 Appeals to the Board. Appeals to the Board of Adjustment may be made by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be made within a reasonable time, 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 or other officer whose decision is in question shall promptly transmit to the Board all the papers constituting the record concerning the matter appealed.

10.53 Hearing Appeals and Applications for Variances

- (1) The Board of Adjustment shall fix a reasonable time for hearing on the appeal or application. The Board shall give public notice thereof by publishing a Class 2 notice under Ch. 985, Wis. Stats., specifying the date, time and place of the hearing and the matters to come before the Board. Notice shall be given to the appropriate district office of the Department at least 10 days prior to hearings on proposed shoreland variances and appeals for map or text interpretations.
- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances and appeals for map or text interpretations shall be submitted to the appropriate district office of the Department within 10 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 written resolution or order signed by the chairman 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.

10.6 Fees

General: The County Board may, by resolution, adopt fees including, but not limited to, the following:

- (1) Land use permits;
- (2) Conditional-use permits;
- (3) Planned Residential Unit Development reviews;
- (4) Public hearings; and
- (5) Legal notice publications.
- (6) **Variations and administrative appeals**

SECTION XI CHANGES AND AMENDMENTS

The County may, from time to time, alter, supplement or change the boundaries of use districts and the regulations contained in this ordinance in accordance with the requirements of Section 59.69 and 59.692, Wis. Stats., **and** Wis. Adm. Code Ch NR 115, ~~and Section 8.5 of this ordinance~~ where applicable.

- 11.1 Amendments to this ordinance may be made on petition of any interested party as provided in Section 59.69(5), Wis. Stats.
- 11.2 Every petition for a text or map amendment filed with the County Clerk shall be referred to the County Zoning Committee. A copy of each petition shall be mailed to the appropriate district office of the Department within 5 days of the filing of the petition with the County Clerk. Written notice of the public hearing to be held on a proposed amendment shall be mailed to the appropriate ~~district~~ office of the Department at least 10 days prior to the hearing.
- 11.3 A copy of the County Board's decision on each proposed amendment shall be forwarded to the appropriate ~~district~~ office of the Department within 10 days after the decision is issued.

SECTION XII. ENFORCEMENT AND PENALTIES

Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this ordinance in violation of the provisions of this ordinance, by any person, firm, association, corporation (including building contractors or their agents) shall be deemed a violation. The Zoning Administrator or the county zoning agency

shall refer violations to the District Attorney or Corporation Counsel who shall expeditiously prosecute violations. Any person, firm, association, or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than Fifty (\$50.00) dollars nor more than Two Hundred (\$200.00) dollars per offense, together with the taxable costs of action. Each day which the violation exists shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated pursuant to Sections 59.69, 59.69(11) and 66.0113, Wis. Stats.

SECTION XIII. DEFINITIONS

13.1 For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances, unless otherwise specified, shall be measured horizontally.

13.2 The following terms used in this ordinance mean:

Access & Viewing Corridor

a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone (NR 115.03(1d))

Accessory Structure or Use

a detached subordinate structure or a use which is clearly incidental to, and customarily found in connection with, the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use. Accessory structures include, but are not limited to, detached garages, barns, gazebos, patios, decks, swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

Accessory Construction

construction, replacement, placement, or modification of, but not limited to, decks, porches (open or screened), and walkways

Boathouse

any permanent structure designed solely for the purpose of protecting or storing boats and related equipment for noncommercial purposes

Building Envelope

is the three dimensional space within which a structure is built (NR 115.03(1p))

Conditional Use

a use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the Planning and Zoning Committee

County Zoning Agency

that committee or commission created or designated by the County Board under Section 59.69(2), Wis. Stats., to act in all matters pertaining to county planning and zoning

Department

the Wisconsin Department of Natural Resources

Development

any man-made change to improve real estate, including but not limited to the construction of buildings, structures or accessory structures; the construction or additions or substantial alterations to buildings, structures or accessory structures; the placement of mobile homes; ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations; and the deposition or extraction of earthen materials

Drainage System

one or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge

Existing Development Pattern

when principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline (NR 115.03(3m))

Expansion

any structural modification, which increases the existing structure envelope or footprint

Exterior Improvement

upgrades in aesthetics, function, or worth of the outside surface(s) or components of a structure. Such improvements may include, but are not limited to, structural alteration for the expansion or addition of doors, windows, replacement of basement/foundation walls and footings

Floodplain

the land which has been or may be hereafter covered by floodwater during a regional flood occurrence. The floodplain includes the floodway and flood fringe as those terms are defined in Wis. Adm. Code NR116.03(16)

Footprint

the land area covered by a structure at ground level measured on a horizontal plane. The footprint of a dwelling or building includes the horizontal plane bounded by the furthest exterior wall and eave (if present), projected to natural grade. For structures without walls (decks, stairways, patios, carports, etc) a single horizontal plan bounded by the furthest portion of the structure projected to natural grade. For the purposes of replacing or reconstructing a nonconforming building with walls, the footprint shall not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves or deck projected to natural grade. This would constitute lateral expansion under NR 115 and would need to follow NR 115.05(1)(g)5.

Generally Accepted Forestry Management Practices

forestry management practices that promote sound management of a forest (NR 1.25(2)(b)) as outlined in the most recent version of the department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226

Impervious Surface (NR 115.03(4g))

an area that releases as runoff all or a majority of the precipitation that falls on it.

Excludes (among other things): frozen soil and decks that have at least a ¼ inch space between deck boards with a pervious surface below.

Includes (among other things): rooftops, sidewalks, driveways, parking lots, shingles,

concrete, asphalt and streets (unless specifically designed, constructed, and maintained to be pervious). Roadways as defined in s. 340.01(54) or sidewalks as defined in s. 340.01(58) are not considered impervious surfaces.

Interior Improvement

upgrades in aesthetics, function, or worth of the interior surface(s) or components of a structure. Such improvements may include, but are not limited to, replacement or the addition of interior doors, cabinets, drywall, insulation, or plumbing, heating, and electrical system components. No land use permit is required for these activities.

Legal Pre-Existing Structure

a dwelling or other building, structure or accessory building that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform with one or more of the development regulations in the current zoning ordinance

Lot

a continuous parcel of land, not divided by a public right-of-way, and sufficient in size to meet the lot width and lot area provisions of this ordinance

Lot Area

the area of a horizontal plane bounded by the front, side and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters

Mitigation

(NR 115.03(4r)) means balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities.

Navigable Waters

Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state (NR 115.03(5)). Under s. 281.31(2)(d), Wis Stats, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under s. 59.692, Wis Stats, and ch. NR 115, Wis Adm Code, do not apply to lands adjacent to:

- (a) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
- (b) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

Nonconforming Use

a use of land, a dwelling, or a building that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform to the use restrictions in the current ordinance

Ordinary High Water Mark

the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics (NR 115.03(6))

Ordinary Maintenance and Repair

ordinary and routine actions necessary to continue or restore the safe and healthy use of a structure which has been damaged or has deteriorated through natural aging and wear and which does not result in a substantial structure improvement or a significant increase in value. Such actions may include, but are not limited to, painting and staining, and the repair of the following; exterior windows, skylights, doors, vents, siding, insulation, shutters, gutters, flooring, shingles, roofing materials, walls or the foundation, and internal improvements within the structural envelope without doing a structural alteration

Principal Building or Principal Structure

a structure that is designed for independent human habitation and includes sanitary and/or food preparation facilities whether such structure is attached to another structure(s) or stands alone

Regional Flood

a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years

Renovation and Remodeling

See "Ordinary Maintenance and Repair"

Routine Maintenance of Vegetation

normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance (NR 115.03(7m))

Shoreland Setback (Area)

an area in a shoreland that is within a certain distance of the ordinary high water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under section Wis Stats 59.692

Shoreland-Wetland District

the zoning district, created as a part of this shoreland zoning ordinance, comprised of shorelands that are designated as wetlands on the wetland maps which have been adopted and made part of this ordinance

Shorelands

lands within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain whichever distance is greater

Structural Alteration

any activity not considered ordinary maintenance and repair that results in a change to the integral framework, or the exterior silhouette or footprint of a structure

Structure

a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or firepit (s.59.692(1)(e) Wis Stats)

Substandard Lot

a legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements for a new lot

Unnecessary Hardship

those circumstances where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance

Variance

an authorization granted by the Board of Adjustment to construct, alter or use a building or structure in a manner that deviates from the dimensional and use standards of this ordinance

Wetlands

those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions

Adoption: October 3, 1985
Amendments: July 31, 1996
August 15, 1996
August 21, 1997
February 17, 2000
November 20, 2003
May 18, 2006
November 15, 2007
December 20, 2012
Date here, 2016

ZONING SCHEDULE - DIMENSIONAL REQUIREMENTS

	R-1	R-2	RR-1	A-1	C-1	I-1	F-1
Building Height Limit	35	35	35	35	35	60	35
Required Lot Area (Acres or sq. ft.)							
With Public Sewer	10,000 ²	5 acres	20,000 ²	5 acres	10,000 ²	1 acre	10 acres
Without Public Sewer	15,000	5 acres	20,000 ³	5 acres	20,000 ³	1 acre	10 acres
Minimum Lot Width							
With Public Sewer	75	300	150	300	75	200	300
Without Public Sewer	100	300	150	300	100	200	300
Lotline Setbacks Required							
Front	30	50	30	50	10	50	30
Side							
principal building	10	20	10	20	10	20	10
accessory building	5	10	5	10	5	10	5
Rear	40	50	40	50	20	50	40
principal building	40	50	40	50	20	50	40
accessory building	20	50	40	50	20	50	40
Floor Area, Residence (sq. ft.)							
3 or more bedrooms	1,000	1,000	700	1,000	700	700	700
2 bedrooms	900	900	600	900	600	600	600
1 bedroom	800	800	500	800	500	500	500
Floor Area, Mobile Home (sq. ft.)							
3 or more bedrooms	800	800	700	800	800	Not Allowed	Not Allowed
2 bedrooms	700	700	600	700	700		
1 bedroom	600	600	500	600	600		

¹ Unless specified elsewhere in this ordinance or on the official zoning map, the dimensional requirements of this schedule shall apply to the respective listed districts. ~~Requirements for the W-1: Resource Conservation, SP-1: Protection and PUD: Planned Unit Development are contained on the Official Zoning Map.~~

² Minimum for one-family dwellings; add 5,000 sq. ft. for each additional unit over one.

³ Plus additional area required by Wis. Admin. Code Ch. ~~Comm. 85~~ **SPS 385**

⁴ No lot shall be created with a length to width ratio greater than three (3) to one (1).

SETBACK REQUIREMENTS ON HIGHWAY AND ROADS, AS STATED IN SECTION 4.2, DOUGLAS COUNTY ORDINANCE:

The distance that is greater (measured from the centerline and from the right-of-way line), shall apply.

- (a) ALL STATE AND U.S. NUMBERED HIGHWAYS - 130 ft. from centerline or 66 ft. from right-of-way line.
- (b) ALL COUNTY TRUNK HIGHWAYS - 75 ft. from centerline or 42 ft. from right-of-way line.
- (c) ALL TOWN ROADS - 63 ft. from centerline or 30 ft. from right-of-way line.

SETBACK REQUIREMENTS FOR LAKES AND STREAMS 75 ft. from the high water mark of lakes or streams, ~~except for St. Croix, Brule and Eau Claire Rivers, which is 200 ft.~~

a) |

DOUGLAS COUNTY PLANNING & ZONING OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 - 395-1380
715 - 395-7643 FAX

JAMES P. PETTIT,
BARBARA J. PETTIT,

PETITION FOR AMENDMENT
TO DOUGLAS COUNTY
ZONING ORDINANCE

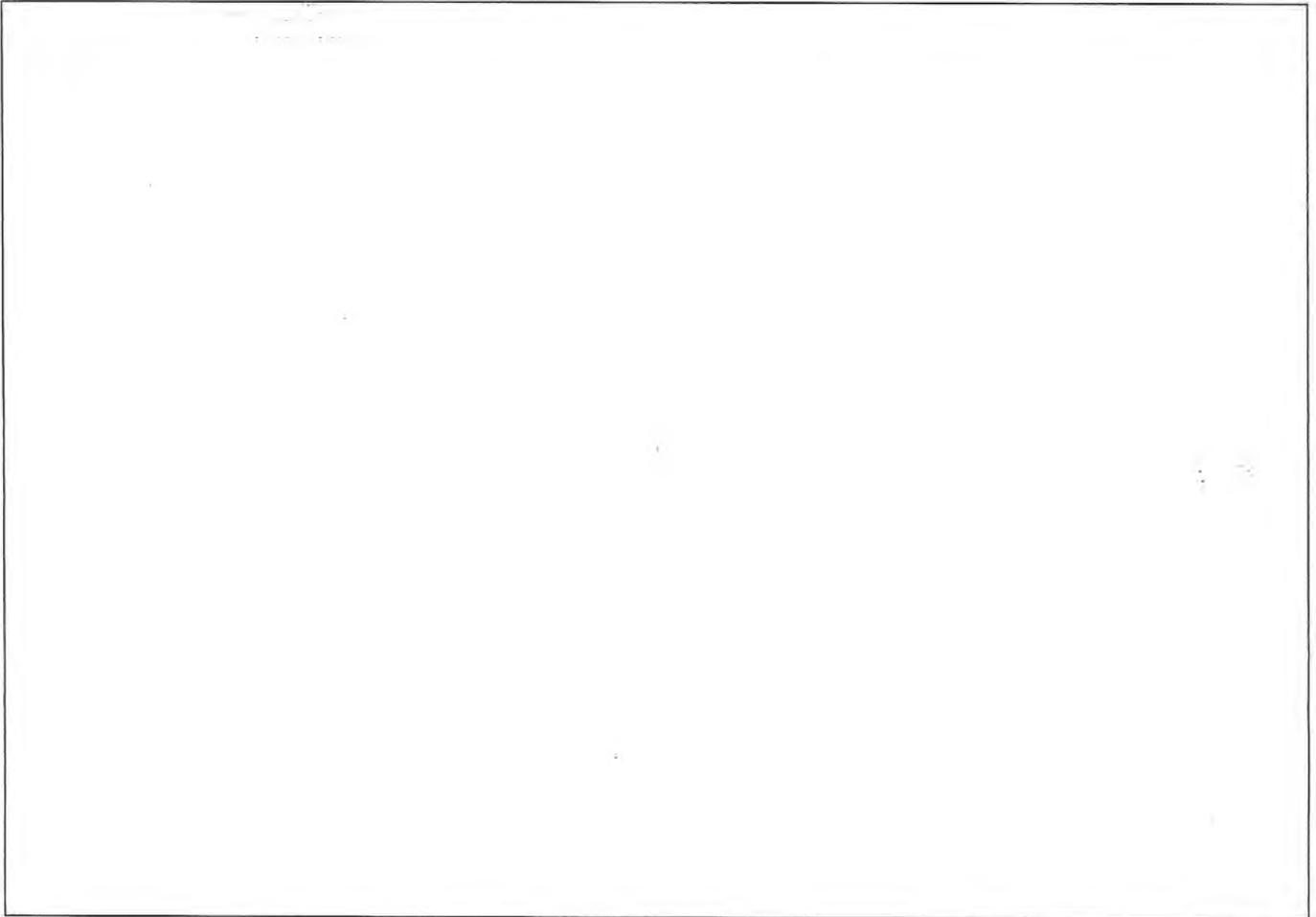
Petitioner(s). Petition No. 2016-2

TO THE DOUGLAS COUNTY BOARD OF SUPERVISORS AND ZONING COMMITTEE:

The Petitioner(s) hereby petitions you pursuant to Wis. Stat. § 59.69(5)(e)1, to amend the Zoning District Map of the Douglas County Zoning Ordinance by reclassifying the property as shown and stated below, from the R2-Residential District to the R-1 Residential District, as follows:

- The property proposed to be rezoned has a legal description of Lot 1, @ 511# 1032
Vol 17, Page 203-204
(50-026-01237-03)
If applicable, said property is in Section 35, Township 45 North,
Range 12 West, Town of SOLON SPRINGS.
- The property has the tax parcel number 50-026-01237-03.
- The lot or parcel size is: _____ length, by _____ width, at 5.25 acres.
The area to be rezoned is: _____ length, by _____ width, at 5.25 acres.
- The property is owned by JAMES + BARBARA PETTIT, whose
telephone number(s) is/are 715-378-2816, and whose mailing
address(es) is/are P.O. Box 305 - Solon Springs, Wis. 54888.
- Petitioner(s) requests this amendment for a proposed property use of
TO BE ABLE TO SUBDIVIDE PROPERTY INTO 2
PARCELS
- In making this Petition, Petitioner(s) gives permission for an inspection of the above-stated site by the Douglas County Office of Zoning Administration and/or Zoning Committee, and will allow photographs to be taken of the same if necessary.
- Contact the town clerk to place this application on the Town Board agenda prior to scheduled Zoning Committee hearing as required by Sec. 59.69 (5) (e) 3 Wis. Stats.

8. A dimensional diagram of the property is as shown below:



Dated: 3-4-16

Dated: _____

James P. Pettit
Petitioner

Petitioner

Date Received: 03-04-2016

Receipt No.: 11212

Date Paid: 275- pd 03-04-16

Vendor No.: 634935

Amount Paid: 275- Z.C. Decision: _____ County Board Decision: _____

Date of Zoning Committee Hearing: 04-05-2016 Date of County Board Meeting: 04-14-2016

a)2

DOUGLAS COUNTY PLANNING & ZONING OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 - 395-1380
715 - 395-7643 FAX

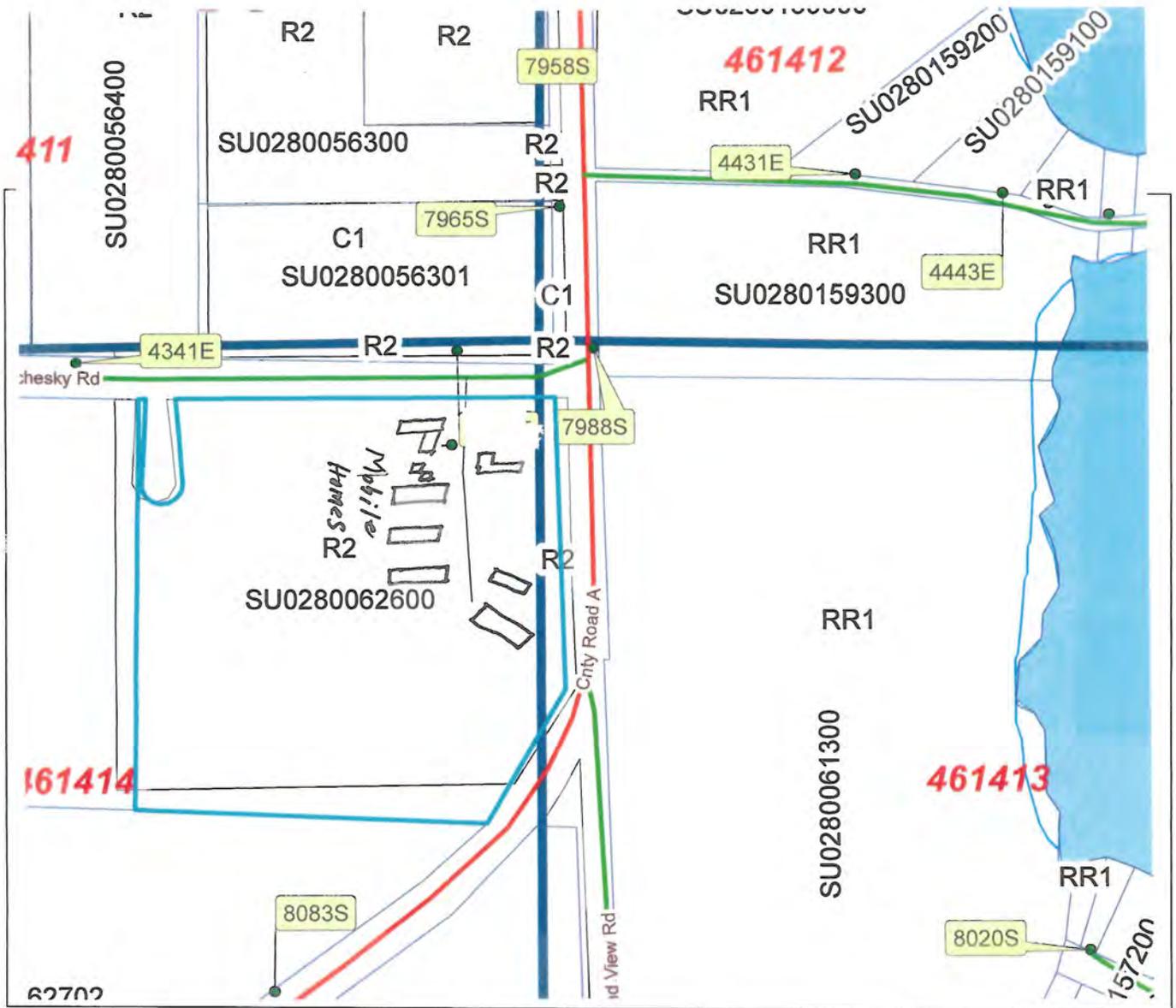
Tri-Lake Summit Park,
7139E Milkrot Rd South Range
WI 54874
Petitioner(s).

PETITION FOR AMENDMENT
TO DOUGLAS COUNTY
ZONING ORDINANCE
Petition No. 2014-3

TO THE DOUGLAS COUNTY BOARD OF SUPERVISORS AND ZONING COMMITTEE:

The Petitioner(s) hereby petitions you pursuant to Wis. Stat. § 59.69(5)(e)1, to amend the Zoning District Map of the Douglas County Zoning Ordinance by reclassifying the property as shown and stated below, from the R-2 Residential District to the RR-1 Residential Recreation District, as follows:

1. The property proposed to be rezoned has a legal description of NE NE NE 14-46-14; Ex R/W Cty Road A.
If applicable, said property is in Section 14, Township 46 North, Range 14 West, Town of Summit.
2. The property has the tax parcel number SU-028-00626-00.
3. The lot or parcel size is: _____ length, by _____ width, at 10.0 acres.
The area to be rezoned is: _____ length, by _____ width, at 10.0 acres.
4. The property is owned by Tri Lakes Summit Park LLC, whose telephone number(s) is/are 715-398-3043, and whose mailing address(es) is/are 7139 E Milkrot Rd
South Range WI 54874.
5. Petitioner(s) requests this amendment for a proposed property use of a campground and to eliminate the non-conforming use status of the existing mobile home park.
6. In making this Petition, Petitioner(s) gives permission for an inspection of the above-stated site by the Douglas County Office of Zoning Administration and/or Zoning Committee, and will allow photographs to be taken of the same if necessary.
7. Contact the town clerk to place this application on the Town Board agenda prior to scheduled Zoning Committee hearing as required by Sec. 59.69 (5) (e) 3 Wis. Stats.



Dated: _____

Dated: _____

Petitioner _____

Petitioner _____

Date Received: <u>03-09-2016</u>	Receipt No.: <u>11226</u>
Date Paid: <u>03-09-2016</u>	Vendor No.: <u>1806866</u>
Amount Paid: <u>275.-</u>	Z.C. Decision: _____ County Board Decision: _____
Date of Zoning Committee Hearing: <u>04-05-2016</u> Date of County Board Meeting: <u>04-14-2016</u>	

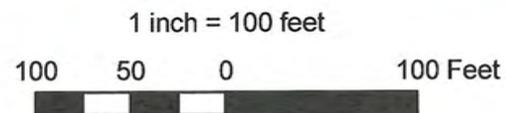


Map Printed: 3/10/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

ZC 2016-3 - Tri-Lakes Summit Park LLC
R-2 > RR-1, 04-05-2016 Hrg



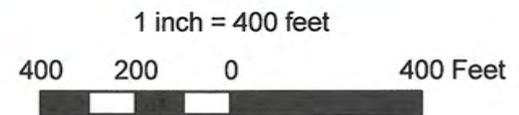


Map Printed: 3/10/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

ZC 2016-3 - Tri-Lakes Summit Park LLC
R-2 > RR-1, 04-05-2016 Hrg





DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
 1313 BELKNAP STREET, ROOM 206
 SUPERIOR, WI 54880
 715 - 395-1380
 FAX 715 - 395-7643

bl

NOTICE OF APPEAL OF SUBDIVISION ORDINANCE
 DOUGLAS COUNTY ZONING AND PLANNING COMMITTEE

No. 2016-01

Hearing Date ZC 04-05-2016

Date Filed 03-03-16 \$ 275. Fee Receipt No. 11208 Vendor No. 1806680

The undersigned hereby appeals to the Zoning and Planning Committee for a variance from the 8.1 Subdivision Ordinance Section IX.

Name: David Hillila

Mailing Address: 7865 S. Brill Rd, Superior, WI 54880

Phone: 715 392-3278

Fax: dhillila@yahoo.com

Legal Description: SEC 12, T 46 N, R 14 W lots 48 thru 51

Lot(s) 48-51

Block

Subdivision Name: Wildwood addition to Amnicon Lake

Section 12

T 46

N-R 14

W

Lot Area & Dimensions: (see surveyors map)

sq. ft.

x

ft.

Tax Parcel No: SU-028-01647-00 & SU-028-01645-00

Town of: ~~Amnicon~~ SUMMIT

Property Address: 7874 & 7884 Brill Rd

Lake Classification:

Zone District: RR-1: Residential-Recreation

Name of Registered Licensed Surveyor Creating Certified Survey Map: Bill Anderson

Variance Requested (Refer to 8.1 Subdivision Ordinance and appropriate Zoning Ordinance):

To create two lots that do not meet the proper lot width ~~or area.~~

Justification for Variance (Describe Unnecessary Hardship):

Two Residences are currently on the same tax parcel due to an accidental/incorrect value reversal made by a previous assessor between lots 48 and 51. Based on this incorrect valuation, the owner added lot 51 instead of 48 to lots 49 and 50

Other Pertinent Information or Ordinance Reference:

New property lines are being created to make each residence fit as close to zoning ordinances as possible.

Signature of Owner or Agent: 

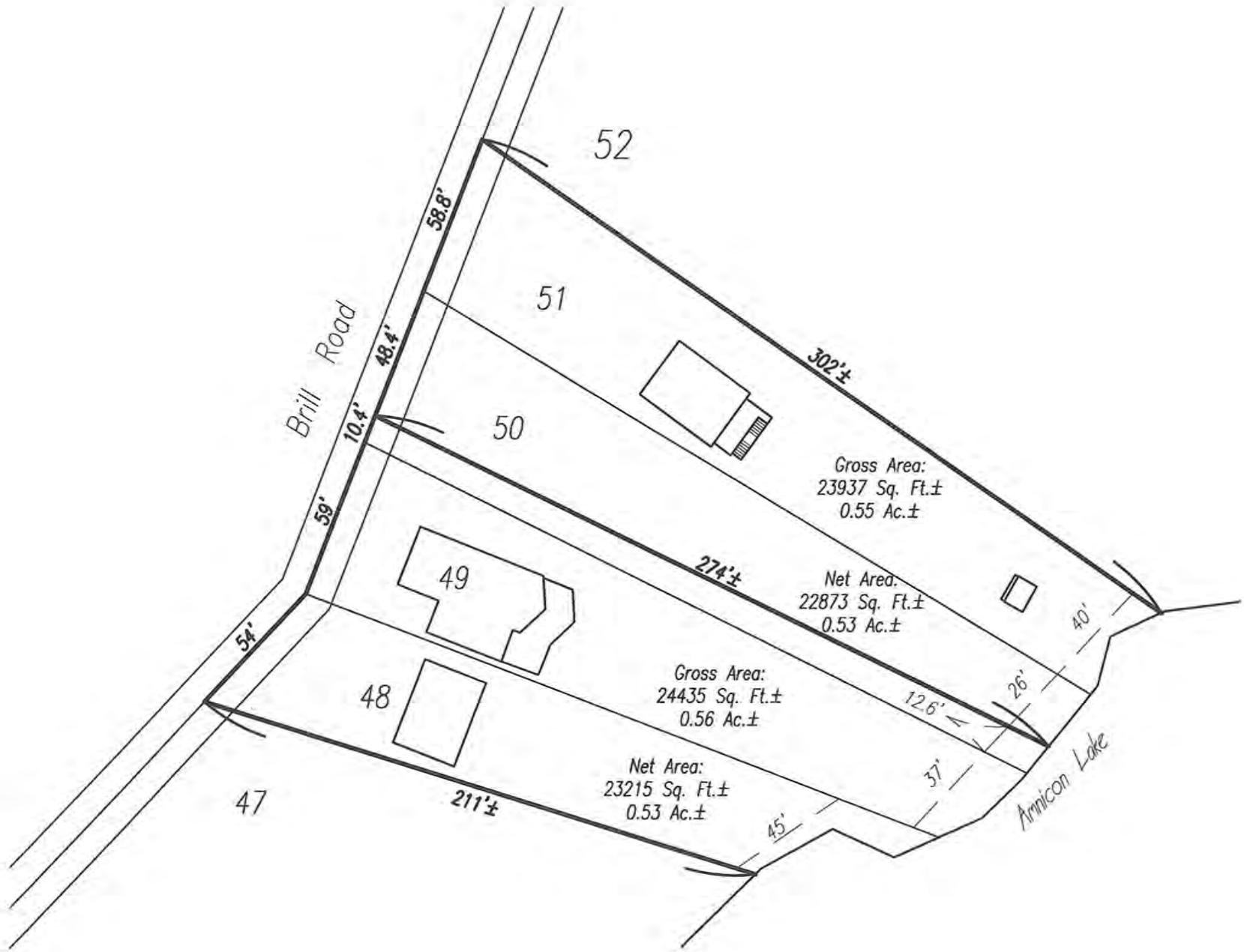
Phone: 715 392-3278

Agent Mailing Address: 7865 S. Brill Rd, Superior, WI 54880

Note: Attach copy of proposed survey or plat showing requested variance and any additional information. Please complete this form and return it with fee to the Douglas County Planning, Zoning & Land Information Office. Please contact the town clerk regarding review of this application by the Town Board.

Committee Action: Approved _____ Denied _____

Notes or Conditions:



47

48

49

50

51

52

Brill Road

Annicon Lake

58.8'

48.4'

10.4'

59'

54'

211'±

45'

12.6'

26'

40'

274'±

302'±

Gross Area:
23937 Sq. Ft. ±
0.55 Ac. ±

Net Area:
22873 Sq. Ft. ±
0.53 Ac. ±

Gross Area:
24435 Sq. Ft. ±
0.56 Ac. ±

Net Area:
23215 Sq. Ft. ±
0.53 Ac. ±

SU0280169600
HILLILA
7865 S BRILL RD

SU0280165200
GOLAT
NONE

SU0280165100
BREIDER
NONE

SU0280165000
BREIDER
7862 S BRILL RD

SU0280164900
BREIDER
7862 S BRILL RD

SU0280164800
BREIDER
NONE

SU0280164700
HILLILA
7874 S BRILL RD

SU0280164500
HILLILA
7884 S BRILL RD

SU0280164300
ERICKSON
7894 S BRILL RD

SU0280169700
HUDACEK
7881 S BRILL RD

SU0280170001
WICKSTROM
NONE

7881S

7865S

7874S

7884S

7894S

Brill Rd

Amnicon
Lake
-1





DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 - 395-1380 / FAX 715 - 395-7643

CI

20 Hrg: 04-05-2016

APPLICATION FOR PERMIT: **LAND-USE** **CONDITIONAL-USE**

APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON FRONT AND BACK OF THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

Property Owner's Name: Tri Lake Summit Park
 Mailing Address: 7139 E Mikrot Rd City, State, Zip South Range WI 54874
 Telephone: 715-398-3043 E-mail Address: _____

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

Tax Parcel #: SU-028-00626-00 Section 14 Town 46 N Range 14 W
 Town of: Summit Parcel Acreage or Size: 10.0 AC
 Property Address: NE NE NE, Ex Cty Rd A R/W
 Legal Description: 8007 S Lindelof DR
 Name of Adjacent Lake or Stream: _____ Wetlands: Yes No Zone District R-27 RR-1

Type of construction: 12 RVs / 24 pull-behind campers
(accessory building, dwelling, addition to seasonal dwelling, alteration to accessory building, relocate structure)
 Proposed Use: Commercial campground
(year-round or seasonal dwelling, storage, commercial use, change use of structure)

	Length	Width	Area (sq ft)	Height	Stories	# Bedrooms	# Occupants	Est Cost - \$
Dwelling								
Accessory Bldg								
Accessory Bldg								

Please stake building site prior to submitting this application.

Has any portion of the project been started? Yes _____ No X Sanitary Permit #: _____
 Signature of owner or agent: Gregory Mikrot (mikrot) Date: 3-8-16
 Agent address & phone number: _____

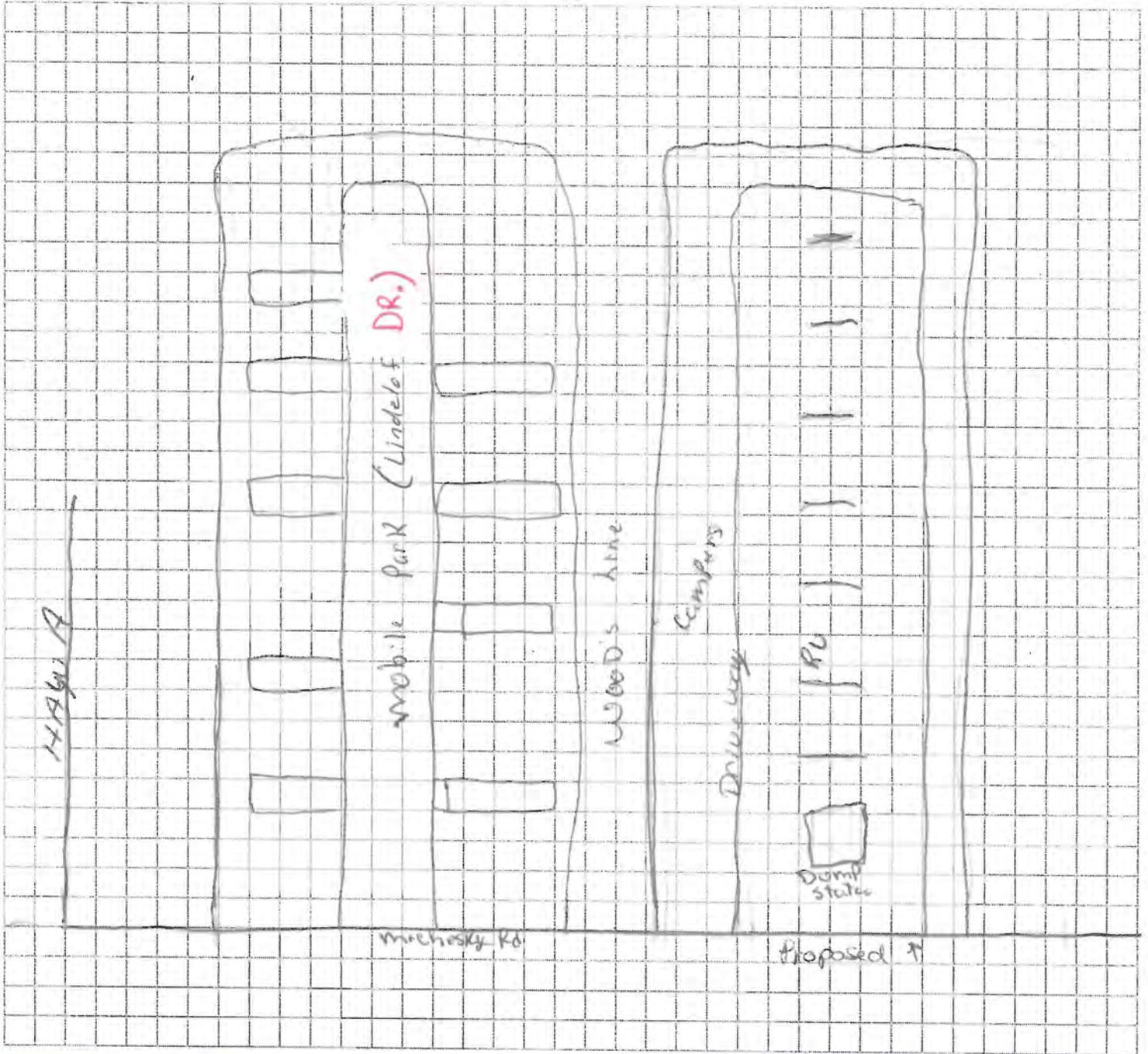
By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary.

Type	Amount	Date Paid	Receipt #
Land Use	\$		
Land Use	\$		
Cond. Use	\$ <u>275</u>	<u>03-09-2014</u>	<u>11227</u>
A-T-F Double	\$		
Vendor #	<u>1800866</u>		

PERMIT NO: _____
DATE ISSUED: _____
ZONE CHANGE NO: _____
VARIANCE NO: _____

LOT LAYOUT DIAGRAM

SCALE: 1 Block = _____ feet
If drawing is not to scale show all dimensions
N



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 page](#) or contact a Department of Natural Resources Service Center.

Additional responsibilities for owners of projects disturbing one or more acre(s) of soil

I understand that this project is subject to regulations regarding erosion control and storm water management and I will comply with those standards. For more information, visit the [Department of Natural Resources](#) or contact a Department of Natural Resources Service Center.

Applicant's Signature: *Jacqueline Miller*

Date: *3/9/16*

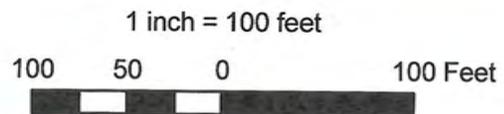


Map Printed: 3/10/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

CU - Tri-Lakes Summit Park LLC
Commercial Campground, 04-05-2016 Hrg



ca



DOUGLAS COUNTY

Planning, Zoning & Land Information Offices

1313 Belknap Street, Room 206
Superior, WI 54880

Stephen Rannenberg
Administrator

Keith Wiley
Assistant Administrator

Ben Klitzke
County Surveyor

Date: March 4, 2016

Conditional Use

DC Zoning Committee: 04-05-2016

To: Nora Anne Moss
7316 S County Road S
Lake Nebagamon, WI 54849

From: Steve Rannenberg, Planning and Zoning Administrator

Subject: Town Board action requested

Applicant: David V. Olson

Petition: CU, 1st structure, F-1 Zone District

Parcel ID / S-T-R / Zone Dist: HI-016-01190-01 / 26-46N-11W / F-1 ZD

1. We have received the attached application related to a proposed land use change in your town.
2. This proposed land use change is in the form of one or more of the following:

Petition to Rezone	<input type="checkbox"/>	Variance / appeal	<input type="checkbox"/>
Conditional Use Permit	<input checked="" type="checkbox"/>	Subdivision plat review	<input type="checkbox"/>
3. Please place this item on the next Town Board agenda for action by the board.
4. We would appreciate a response prior to our public hearing scheduled for April 5, 2016.

5. Objection: _____ No Objection: X

6. Comments _____

7. Signature: Nora Anne Moss Date: 3-8-16



DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 - 395-1380 / FAX 715 - 395-7643

CD

ZC Hrg: 04-05-2016

APPLICATION FOR PERMIT: LAND-USE **CONDITIONAL-USE**

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CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

Property Owner's Name: David V Olson 54873
Mailing Address: PO Box 402 City, State, Zip Solon, Springs WI
Telephone: 715-817-3206 E-mail Address: DVOISON@yahoo.com

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

Tax Parcel #: H I - 016 - 01190 - 01 Section 26 Town 46 N Range 11 W

Town of: Highland Parcel Acreage or Size: 10.0 Ac

Property Address: (to be assigned)

Legal Description: N-1/2 W 1/2 NW SE; subj to 50' driveway eas. ins leg

Name of Adjacent Lake or Stream: _____ Wetlands: Yes No Zone District F-1

Type of construction: Year-round dwelling w/ attached garage Gar
(accessory building, dwelling, addition to seasonal dwelling, alteration to accessory building, relocate structure)

Proposed Use: _____
(year-round or seasonal dwelling, storage, commercial use, change use of structure)

	Length	Width	Area (sq ft)	Height	Stories	# Bedrooms	# Occupants	Est Cost - \$
Dwelling	78	28424	2,064	8'	1	2	2	75,000
Accessory Bldg	36	28	1,008	10'	1			6,000
Accessory Bldg								

Please stake building site prior to submitting this application.

Has any portion of the project been started? Yes _____ No Sanitary Permit #: _____

Signature of owner or agent: [Signature] Date: 3-4-2016

Agent address & phone number: _____

By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary.

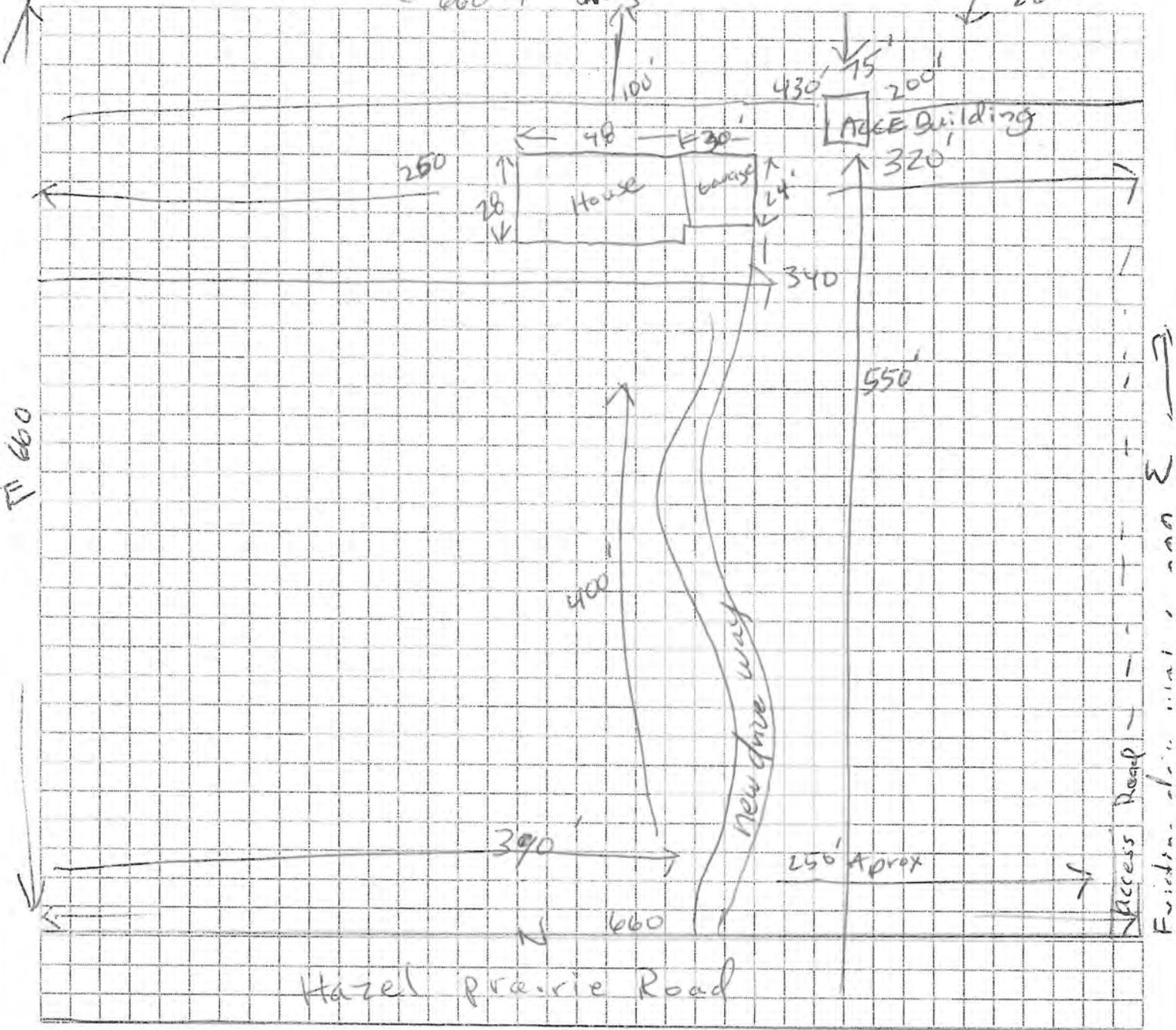
Type	Amount	Date Paid	Receipt #
Land Use	\$ 280	03-04-2016	11213
Land Use	\$ 190	03-04-2016	11213
Cond. Use	\$ 125	03-04-2016	11213
A-T-F Double	\$		
Vendor #	<u>1806701</u>		

PERMIT NO:
DATE ISSUED:
ZONE CHANGE NO:
VARIANCE NO:

LOT LAYOUT DIAGRAM

SCALE: 1 Block = _____ feet
If drawing is not to scale show all dimensions

*Acc Building
28x36x10'*



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Additional responsibilities for owners of projects disturbing one or more acre(s) of soil

I understand that this project is subject to regulations regarding erosion control and storm water management and I will comply with those standards. For more information, visit the [Department of Natural Resources](#) or contact a Department of Natural Resources Service Center.

Applicant's Signature: *Daniel Wilson*

Date: 3-4-2016



Map Printed: 3/4/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

CU - David V. Olson
1st Structure F-1, ZC Hrg: 04-05-2016





DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
 1313 BELKNAP STREET, ROOM 206
 SUPERIOR, WI 54880
 715 - 395-1380 / FAX 715 - 395-7643

C3

ZC Hrg.: 04-05-2016

APPLICATION FOR PERMIT: LAND-USE **CONDITIONAL-USE**

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CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

Property Owner's Name: Solon Springs Quarry LLC
 Mailing Address: C/O Anthony P.O. Box 235 City, State, Zip Solon Springs, WI 54873
 Telephone: 715-378-2311 E-mail Address: patrick.hahn@monarchpaving.com
acoffers@yahoo.com

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

Tax Parcel #: 50-026-00415-00 / 50-026-00414-01 Section 18 Town 45 N Range 11 W

Town of: Solon Springs Parcel Acreage or Size: _____

Property Address: 10523 S Meyer Rd.

Legal Description: PT SW NW (33.99 AC) / NW NW (32.91 AC)

Name of Adjacent Lake or Stream: _____ Wetlands: Yes No Zone District F-1

Type of construction: _____
 (accessory building, dwelling, addition to seasonal dwelling, alteration to accessory building, relocate structure)

Proposed Use: Temporary hot mix asphalt plant - 2016 const. season
 (year-round or seasonal dwelling, storage, commercial use, change use of structure)

	Length	Width	Area (sq ft)	Height	Stories	# Bedrooms	# Occupants	Est Cost - \$
Dwelling								
Accessory Bldg								
Accessory Bldg								

Please stake building site prior to submitting this application.

Has any portion of the project been started? Yes _____ No X Sanitary Permit #: CU # 7135

Signature of ^{operator} owner or agent: [Signature] Date: 3/8/2016

Agent address & phone number: Monarch Paving Company 768 U.S. Hwy 8, Amery WI 54001

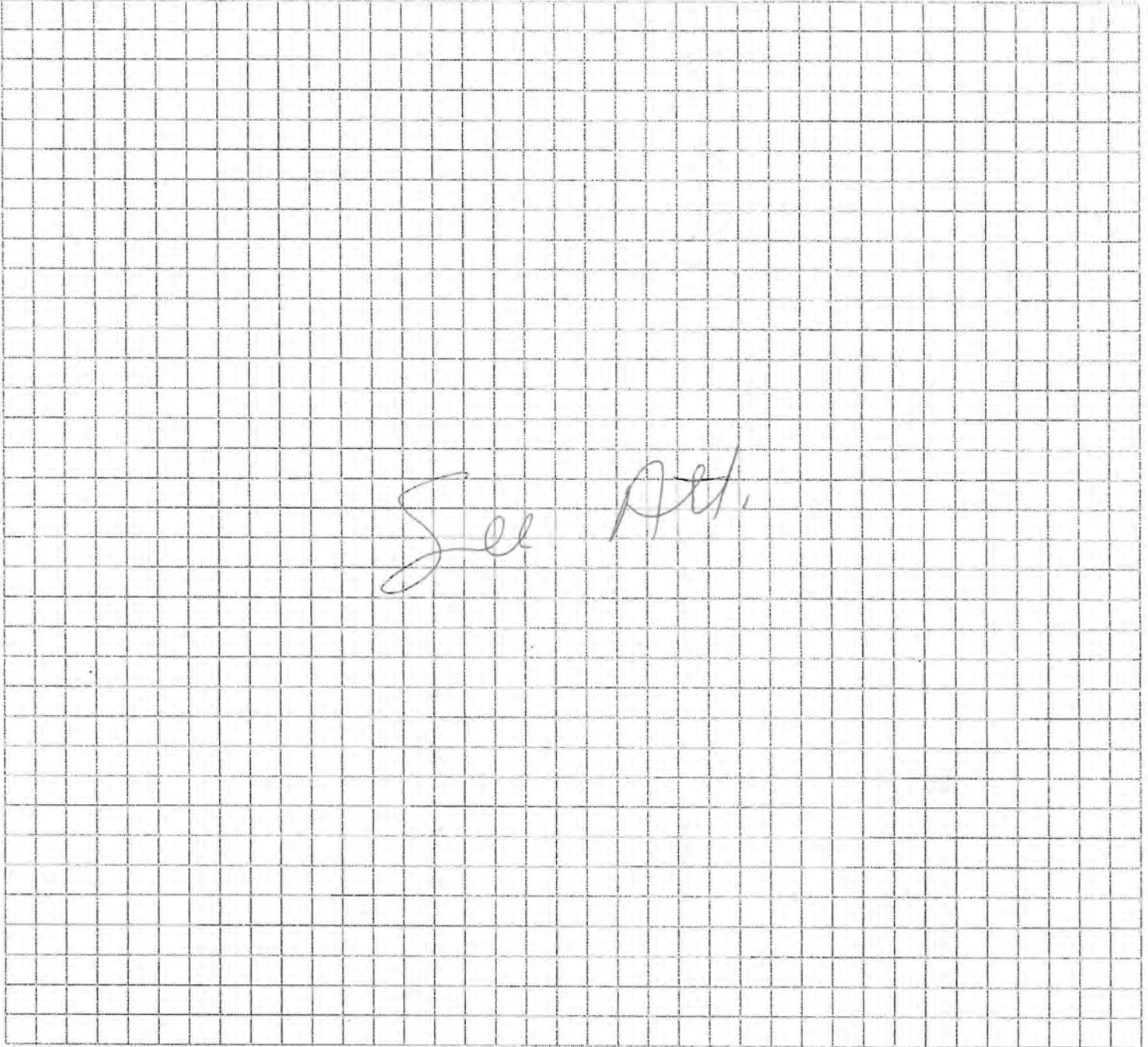
By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary.

Type	Amount	Date Paid	Receipt #
Land Use	\$		
Land Use	\$		
Cond. Use	\$ <u>275.-</u>	<u>03-09-2016</u>	<u>11225</u>
A-T-F Double	\$		
Vendor #	<u>14361</u>		

VARIANCE NO:	ZONE CHANGE NO:	DATE ISSUED:	PERMIT NO:
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N



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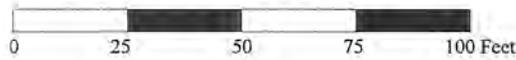
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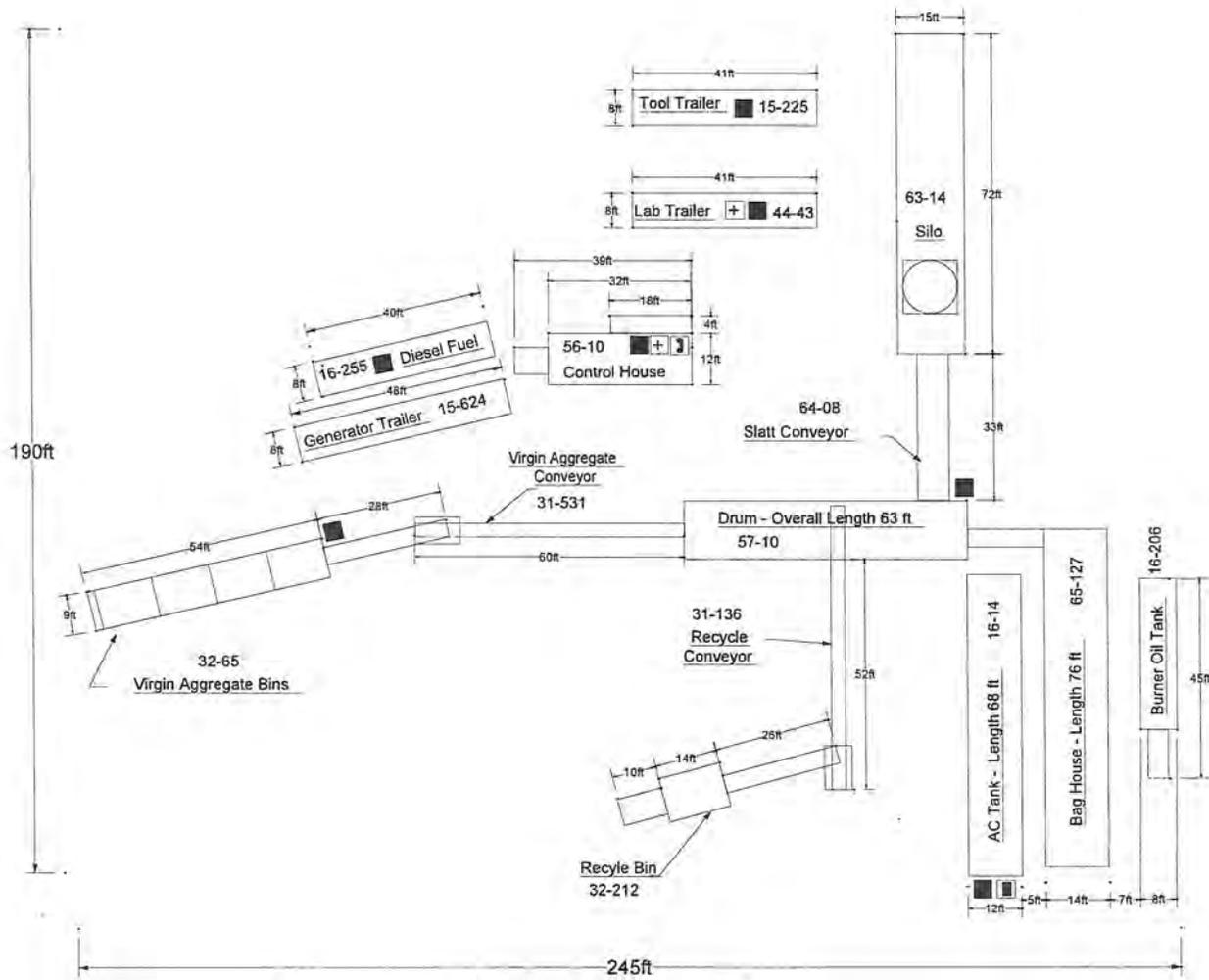
Applicant's Signature: P. A. H.

Date: 3/8/16

Plant 20 - Portable Haugen, WI



- Fire Extinguisher
- Burn Blanket
- + First Aid Kit
- ☎ Emergency Telephone



Solon Springs Quarry
2013 Aerial Photo
Property Lines are Approximate



1 inch = 400 feet



Map Printed: 3/9/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

CU - Monarch Paving Co.
Temp Hot Mix Asphalt Plant, 04-05-2016 Hrg

