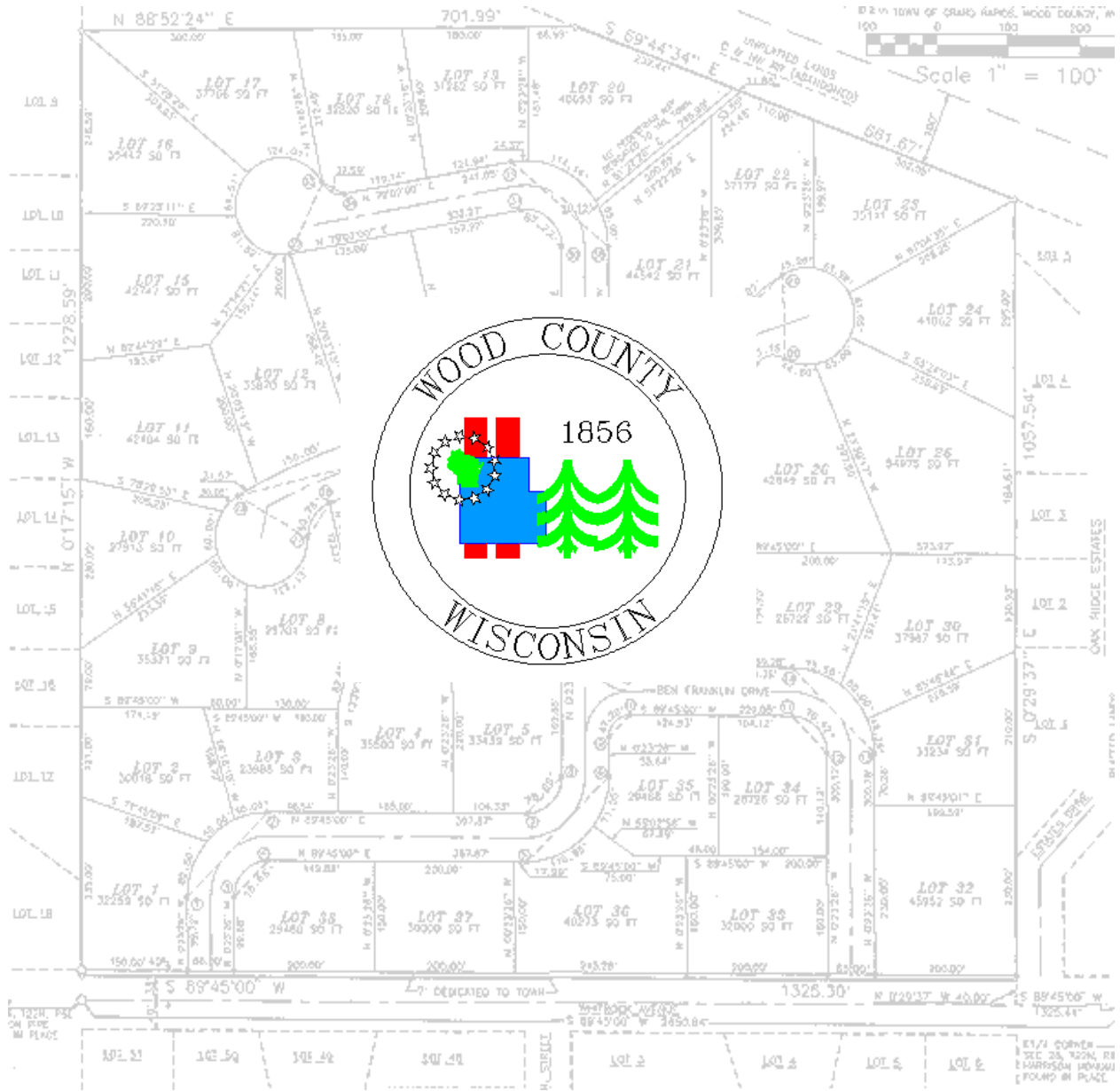


# Land Subdivision Ordinance

- Wood County Ordinance #701 -



Adopted by  
Wood County Board Resolution #96-7-4

**WOOD COUNTY ORDINANCE #701  
LAND SUBDIVISION ORDINANCE**

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**WOOD COUNTY ORDINANCE #701  
LAND SUBDIVISION ORDINANCE**

**Chapter 701 .01 INTRODUCTION**

**(1) Authority.** Pursuant to the authority granted by Sections 59.692, 144.26(2), 144.26(8), and 236.45 of the Wisconsin Statutes, the County Board of Supervisors of Wood County does ordain as follows:

**(2) Title.** This ordinance shall be known as, referred to, or cited as Land Subdivision Ordinance, Wood County, Wisconsin.

**(3) Purpose and Intent.** The purpose of this ordinance is to regulate and control the division of land within the unincorporated areas of Wood County for the following purposes: to promote the public health, safety and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewage and other public requirements; to provide for proper ingress and egress; to promote proper monumenting of subdivided land and conveyancing by accurate legal description and to provide safe and orderly subdivision layouts.

**(4) Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

**(5) Interpretation.** In their interpretation and application, the provisions of the ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Wood County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

**(6) Severability.** If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**(7) Period of Effectiveness.** This ordinance shall be effective after a public hearing, adoption by the County Board of Supervisors, and publication or posting as provided by law. It shall remain in full force and effect henceforth until repealed or amended.

## Chapter 701 .02 RULES AND DEFINITIONS

**(1) Rules.** In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when context clearly indicates otherwise.

- A. Words used in the present tense shall include the future, and words used in the singular shall include the plural, and plural the singular.
- B. The word "shall" is mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The masculine gender includes the feminine and neuter.

### **(2) Definitions.**

- A. **Alley.** A special public way affording only secondary access to abutting properties.
- B. **Block.** A group of lots existing within well defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers, and having an assigned number, letter, or other name through which it may be identified.
- C. **Building.** Any structure having a roof supported by columns or walls used or intended to be used for shelter or enclosure of persons, animals, equipment, materials or machinery.
- D. **Building Setback Line.** The nearest point to a street or normal high water line at which a building may be constructed excluding uncovered steps.
- E. **Certified Survey Map.** A map of a lot split prepared in accordance with Section 236.34, Wisconsin Statutes and the provisions of this ordinance. A certified survey map shall be required when the division of land creates two (2) parcels, building sites or outlots, any one of which is ten (10) acres or less in size, or the division of a block, lot or outlot within a recorded subdivision plat into not more than two (2) parcels or building sites without changing the exterior boundaries of said block, lot or outlot. A certified survey map shall also be required when it is proposed to combine a previously platted block, lot or outlot or part thereof with

another platted or unplatted parcel. A certified survey map shall also be required for any changes to previously approved certified survey maps or plats.

**F. Comprehensive Plan.** A plan, as defined by and developed in compliance with the provisions of Chapter 66.1001 of the Wisconsin Statutes and adopted by the County Board or any town, village or city of Wood County, as provided in Chapter 66.1001, Wis. Stats.

**G. Condominium.** Property subject to a condominium declaration established under Chapter 703, Wisconsin Statutes and shall include “conversion condominiums”, as defined by § 703.02, Wisconsin Statutes and “condominium plats,” pursuant to § 703.11, Wisconsin Statutes, 2005-2006.

**H. County.** Reference to County shall mean Wood County, including any agency, department or committee thereof.

**I. Double Frontage Lots.** A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot.

**J. Easement.** A right-of-way granted, but not dedicated, for a limited, specific use of private land. Easements shall not be used as a sole means for providing ingress and egress. [See 701.05 (6) C.]

**K. Extraterritorial Plat Approval Jurisdiction.** The unincorporated area within one and one-half (1 1/2) miles of a fourth class city or village and within three (3) miles of larger cities over which cities and villages may exercise plat approval provided they have enacted an Official Map Ordinance or Subdivision Control Ordinance in accordance with Section 236.10, Wisconsin Statutes. When the extraterritorial plat approval jurisdiction of adjacent municipalities overlap, the provisions of Section 66.32, Wisconsin Statutes shall apply. The jurisdiction in the overlapping area shall be divided on a line all points of which are equidistant from the boundaries of each municipality.

**L. Floodplain.** The land adjacent to a body of water which has been or may be hereafter covered by flood water during the regional flood. The floodplain includes the floodway and flood fringe.

**M. Frontage.** The length of the front property line of all parcels of land abutting a public street, road, highway, or body of water.

**N. Grade.** The slope of a road, street, or other public way specified in percent. The percent is based upon elevation difference in one hundred (100) feet of

horizontal distance [eg. five (5) feet of change in elevation of 100 feet horizontal distance would be a 5% grade.]

**O. Improvement, Public.** Any sanitary sewer, storm sewer, drainage ditch, water main, roadway park, park, parkway, public access, sidewalk, multiuse trail, planting strip, off-street parking area, or other facility for which the County or Town may ultimately assume the responsibility for maintenance and operation.

**P. Jog.** An offset in the intersection of two or more streets to a common street where the horizontal distance between the centerline of the streets is less than 300 feet.

**Q. Landlocked Parcel.** A parcel of land, with its own county tax identification number, that has no frontage on a public right-of-way.

**R. Lot.** A buildable parcel of land represented and identified in a subdivision or certified survey map as defined in this ordinance and in accordance with the applicable zoning ordinance.

**S. Multiuse Trail.** A public way, designed according to AASHTO standards unless otherwise provided by the Wood County Planning & Zoning Committee, to provide access to schools, churches, shopping centers or transportation facilities where deemed necessary to serve the needs of residents in a development area.

**T. Official Map.** A map established by ordinance in accordance with Section 62.23(6), Wisconsin Statutes. The map shows streets, highways, parkways, parks and playgrounds therefore laid out, adopted and established by law. The official map protects the beds of future streets as well as the beds of partially or wholly developed streets which are widened by essentially prohibiting construction of new buildings in such beds.

**U. Outlot.** A parcel of land, other than a lot or block, so designated on the plat or a remnant parcel of land which may not be used for building purposes.

**V. Person.** Includes a partnership, association, firm, trust, club, institution, company or corporation as well as the individual.

**W. Plat.** The map or drawing of a subdivision, prepared in compliance with the provisions of Chapter 236, Wisconsin Statutes and this ordinance.

**X. Plat Review Officer.** The Plat Review Officer for Wood County or his duly authorized representative.

**Y. Replat.** The process of changing, or the map or plat that changes, the exterior boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.

**Z. Street.** A public thoroughfare within the right-of-way of which affords the principal means of vehicular access to abutting property. A street may be designated as an avenue, boulevard, drive, highway, lane, parkway, place, road, thoroughfare, court, or other appropriate name. Streets are identified according to their functional classification. These are shown on applicable official maps.

**1. Arterial or Highway.** A street serving or designed to serve the rapid movement of concentrated volumes of vehicular traffic over relatively long distances. It provides primarily for movement between, rather than within, activity areas.

**2. Collector Street.** A street serving or designed to serve in the capacity of carrying moderate amounts of traffic between minor streets and arterials or highways and also providing access to individual lots. It provides for movement within, rather than between, activity areas.

**3. Cul-de-Sac.** A local street terminated at one end with a vehicular turn-around.

**4. Frontage Road.** A street which is parallel to and either adjacent to or within the right-of-way of a highway and used for access to abutting parcels, tracts or individual lots.

**5. Half Street.** A street located on the boundary of a plat whose centerline meets the boundary at an angle of less than 30 degrees or whose required right-of-way width is reduced by that boundary.

**AA. Subdivider.** Any person, as defined by this ordinance, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, certified survey map, or replat.

**AB. Subdivision.**

**1. State.** The division of a lot, parcel or tract of land by the owner thereof, or his agent, where the act of division creates five (5) or more parcels or building sites of one and one-half (1 1/2) acres each or less in size in area, or



where the act of division creates five (5) or more parcels or building sites of one and one-half (1 1/2) acres each or less in area by successive division within a five-year period. This plat shall be submitted to the Wisconsin Department of Administration for review.

**2. County.** The division of a lot, parcel or tract of land by the owner thereof, or his agent, where the act of division creates five (5) or more parcels or building sites of ten (10) acres each or less, but greater than one and one-half (1 1/2) acres, in area, or where the act of division creates five (5) or more parcels or building sites of between one and one-half (1 1/2) acres and ten (10) acres in size by successive division within a five-year period. This plat need not be submitted to the Wisconsin Department of Administration for review, but is to be recorded in the same manner as a “State” subdivision plat, as defined above.

**AC. Surveyor.** A registered land surveyor, licensed by the State of Wisconsin.

**AD. Town.** Reference to Town shall mean any Town government of Wood County including the Town Board, Town Clerk, or any other designated Town Committee.

**AE. Variance.**

**1. Area Variance.** An area variance provides an increment of relief (normally small) from a physical dimensional restriction, such as a building height or setback (per Wisconsin Supreme Court decision in State ex rel. Ziervogel v. Washington County Board of Adjustment, 2004 WI 23).

**2. Use Variance.** A use variance permits a landowner to put property to an otherwise prohibited use (Ziervogel, ¶ 21.).

## Chapter 701.03 GENERAL PROVISIONS

**(1) Jurisdiction.** The jurisdiction of this ordinance shall include all unincorporated lands within Wood County. This ordinance, insofar as it may apply to divisions of less than five (5) parcels, shall not apply to:

A. Transfers of interest in land by will or pursuant to court order.

B. Leases for a term not to exceed 10 years, mortgages or easements.

C. Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and any resultant lots are not reduced below the minimum sizes required by these regulations, and other applicable laws or ordinances of the County and Towns.

**(2) Compliance.** Any division of land which results in a subdivision plat, certified survey map, or replat, as herein defined, shall be in compliance with all the provisions of this ordinance and those sections of Chapter 236, Wisconsin Statutes, relating to subdivisions. No such subdivision, certified survey map, replat, or condominium plat, subdivision or development shall be approved or entitled to be recorded, and no improvements shall be made to the land without compliance with all the requirements of this ordinance, and:

A. Duly approved County, City or area comprehensive plans or approved plan components.

B. Applicable local ordinances.

C. The rules of the Department of Commerce relating to health and the provisions of COMM-85, Wisconsin Administrative Code.

D. The rules of the Division of Highways, Wisconsin Department of Transportation relating to safety of access to and from abutting state trunk highways or connecting streets and for the preservation of the public interest and investment in such streets or highways if the subdivision is an abutting plat.

**(3) Administration.** This Ordinance shall be administered by the Plat Review Officer of the Wood County Planning & Zoning Office. Where necessitated by Chapter 236, Wisconsin Statutes, the Wood County Planning & Zoning Committee shall have review authority. The Plat Review Officer may, at his discretion, refer certified survey maps or plats to the Planning & Zoning Committee for their comment and/or action or to concur with the Plat Review Officer's intended action.

**(4) Landlocked Parcels.** No landlocked parcels of any size shall be created as the result of surveys that are required to be completed and recorded under the terms of this ordinance.

**(5) Land Suitability.** Land shall not be subdivided which is held unsuitable for the proposed use by the County Planning & Zoning Office for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the community. The County Planning & Zoning Office, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing as provided in Section 701.03 (11).

In cases where all or part of the proposed division of land is in an area that lies in any floodplain and where the County Planning & Zoning Office has held the site to be unsuitable because of flood hazard and the subdivider wishes to contest that decision, the following procedure and standards shall apply:

**A. Procedure.** Upon receiving an application for a plat approval, the County Planning & Zoning Office shall, prior to rendering a decision thereon:

**1.** Require the applicant to submit, at the time of the pre-preliminary meeting [Section 701.04 (1)], two copies of an aerial photograph, or a plan certified by a registered surveyor or engineer, which accurately locates the proposed development with respect to the floodplain district limits, channel of stream, existing floodplain developments, together with all pertinent information such as the nature of the proposal, legal description of the property, fill limits and elevations, building flood elevations, and flood proofing measures.

**2.** Transmit one copy of the information described in subsection 701.03 (3) A. 1. c. to the Wisconsin Department of Natural Resources, with a request, where deemed necessary, to have that agency provide expert technical assistance in evaluating the effects of the proposed project upon flood heights, velocities, and floodplain storage areas and determination of flood protection levels.

**3.** Require the applicant to furnish the following additional information, as deemed necessary by the County Planning & Zoning Office or Planning & Zoning Committee, for the evaluation of the effects of the development upon flood flows and floodplain storage and to render a decision on the proposed floodplain use:

**a.** A typical valley cross-section showing the channel of the stream, the floodplain adjoining each side of the channel, cross-sectional area to be occupied by the proposed development, and high water information.

**b.** Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities, soil types and other pertinent information.

**c.** Profile showing the slope of the bottom of the channel or flow line of the stream.

**d.** Specifications for building construction and materials, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities.

**4.** Affirm, modify or withdraw its determination of unsuitability basing its decision on the following standards.

**B.** Standards.

**1.** In all cases the decisions of the County Planning & Zoning Office shall be consistent with the floodplain management standards of the Wisconsin Department of Natural Resources.

**2.** Building sites must be filled to an elevation and area sufficient to provide protection from the regional flood as defined by and according to the standards of the Wisconsin Department of Natural Resources.

**3.** Development of sites, either individually or in aggregate, shall not have an adverse effect on flood flows. Adverse effects shall be determined according to the standards of the Wisconsin Department of Natural Resources.

**4.** Development of sites shall not have an adverse effect on the storage capacity of the floodplain. Adverse effects shall be determined according to the standards of the Wisconsin Department of Natural Resources.

C. When the County Planning & Zoning Office determines that only part of a proposed plat may be safely developed, it shall limit development to that part and shall require that the method of development be consistent with its determination.

D. When the subdivider does not intend to develop the plat himself and the County Planning & Zoning Office, or where required by §236, Wisconsin Statutes, the Planning & Zoning Committee, determines that limitations are required to insure safe development, it may require the subdivider to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and on the face of the final recorded plat or, if this is not feasible, the deed restriction may be recorded separately and reference made to it on the face of the final recorded plat. Where land is dedicated to the County in such a subdivision, the dedication shall also include an enforceable interest in such deed restrictions.

**(6) Dedication and Reservation of Land.**

A. Whenever a tract of land to be subdivided embraces all or any part of a street or other public way which has been designated in an adopted official map, said public way shall be made part of the plat or map and dedicated by the subdivider in the locations and dimensions indicated on said official map and to the standards contained in Section 701.05(3) of this ordinance.

B. Whenever a proposed park, playground, public access, open space site, or other public land, other than streets designated in the adopted official map, is embraced, all or in part, in a tract of land to be subdivided, such proposed public lands shall be made a part of the plat or map and shall either be dedicated to the public or be reserved for acquisition at undeveloped land value, for a period not to exceed three (3) years from the date of recording, unless extended by mutual agreement between the subdivider and the public agency, or unless within the above time limit, the right to develop the land shall be released to the owner.

C. Subdivisions abutting on a navigable lake or stream shall, according to the provisions of Section 236.16 (3), Wisconsin Statutes, provide access at least 66 feet wide to the low water mark so that there will be public access, which is connected to existing public roads at least at one-half mile intervals as measured along the lake or stream shore, except where greater intervals and wider access is agreed upon by the Department of Natural Resources, the head of the Planning function of the Department of Administration, and the County Planning & Zoning Office, or where required by §236, Wisconsin Statutes, the Planning & Zoning Committee, and excluding shore areas where public parks or open space, streets or roads on either side of a stream are provided. The County Planning & Zoning Committee may require dedications of access points of greater width or at more frequent intervals at points designated by the Planning & Zoning Office. The width of the public access

shall be at least 66 feet wide at all points from its intersection with existing public roads to the low water mark.

**D.** The lands lying between the meander line established in accordance with Section 236.20 (2) (g), Wisconsin Statutes, and the water's edge shall be included as part of the lots, outlots, or public dedications in any plat or map abutting a lake or stream. This requirement applies not only to lands proposed to be subdivided, but also to all lands under option to the subdivider or in which he holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream as provided in Section 236.16 (4), Wisconsin Statutes.

**(7) Public Improvements.** The subdivider may begin work on any streets or other improvements required by the Town, at his own risk, after approval of the Preliminary Plat. All improvements shall be installed according to the Final Plat as approved by the Town Board and the County Planning & Zoning Office. Before recording the Final Plat with the County Register of Deeds, the subdivider shall contact the Town.

**(8) Variance.**

**A.** A subdivider of land may apply to the Board of Adjustment for a variance from the terms of this ordinance. To qualify for a variance, the applicant must demonstrate that their property meets **each** of the following three requirements:

**1.** Unique property limitations. Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

**2.** No harm to public interests. A variance may not be granted which results in harm to public interests. In applying this test, the zoning board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public. These interests are listed as objectives in the purpose statement of an ordinance and may include: public health, safety and welfare; water quality; fish and wildlife habitat; natural scenic beauty; minimization of property damages; provision of efficient public facilities and utilities; achievement of eventual compliance for nonconforming uses, structures and lots; and any other public interest issues.

### 3. Unnecessary hardship.

**a.** An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

**b.** For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests.

**c.** For a use variance, unnecessary hardship exists only if the property owner shows that they would have no reasonable use of the property without a variance.

### B. Variance Procedure and Fees.

**1.** Procedures for the Board of Adjustment shall be as specified in Ch. 59.694, Wisconsin Statutes.

**2.** The applicant for a variance from the terms of this ordinance shall pay all publishing fees for required public hearing notices, Board of Adjustment per diems and expenses, copying costs or copies of all documents in lieu of copying costs, and other expenses necessary to make a determination regarding the variance request.

**(9) Violations.** It shall be unlawful to build upon, provide improvements upon, divide, convey, or record any land in violation of this ordinance or the Wisconsin Statutes and no person, firm or corporation shall be issued a County Zoning Permit, Sanitary Permit and/or

a Town Building or Zoning Permit authorizing the building on or improvement of any subdivision, certified survey map or replat within the jurisdiction of this ordinance until the provisions and requirements of this ordinance have been fully met. The County may institute appropriate action or proceedings to enjoin violations of this ordinance or applicable Wisconsin Statutes.

**(10) Penalties.** Any person, firm or corporation that fails to comply with the provisions of the ordinance shall upon conviction thereof forfeit not less than twenty-five dollars (\$25.00) or more than two hundred dollars (\$200.00) for each violation, plus the costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

**(11) Appeals.** Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefrom as provided in Sections 236.13 (5) and 62.23 (7) (e) (10 to 15), Wisconsin Statutes.



## Chapter 701 .04 PROCEDURE

### (1) Pre-Application and Sketch Plan.

**A. Pre-Application Consultation.** Prior to filing an application for approval of a preliminary plat, the surveyor and/or the subdivider shall consult with the Plat Review Officer of the County to become informed of the purpose and objectives of this ordinance, adopted area and county comprehensive plans, or adopted plan components, and duly adopted plan implementation ordinances of the Town and the County. In so doing, the surveyor and/or subdivider will gain a better understanding of the subsequent required procedures. The subdivider shall consult the utilities serving the area to determine the location of their facilities and to find out about needed utility, drainage and other easements or other requirements to serve the proposed plat.

**B. Sketch Plan.** As a part of this consultation, or thereafter, but prior to filing an application for approval of a preliminary plat, the subdivider shall submit two (2) copies of a sketch plan of sufficient scale and accuracy indicating the following information:

1. Title, scale, north arrow, and date.
2. Boundaries of the property being considered for platting or development, including location of existing access points and location and name of adjacent street, highway and railroad rights-of-way.
3. Soil conditions, seasonally wet areas, rock outcrops and areas with existing slopes of over 12 percent, including the general direction of the slope.
4. Proposed filling, grading, lagooning and dredging with a general indication of the finished grade and percentages of slopes over 10 percent.
5. Delineation of any periodically flooded areas, approximate 100-year floodplain, navigable waters, shorelines, high water lines and wetlands.
6. Total acreage of subdivision, number of proposed lots, general lot layout showing proposed lot widths and depths, in accordance with relevant zoning regulations.

7. Land uses adjacent to proposed subdivision, proposed roads, easements of record, and proposed public access to navigable water, dedications, community facilities and utilities.

8. A description of all property owned or controlled by the subdivider contiguous to the proposed plat even though only a part of the area is proposed for immediate development.

9. Name and address of subdivider or his agent.

**(2) Preliminary Plat.**

**A. Submission.**

1. The subdivider shall, after the pre-application consultation, prepare and submit a preliminary plat to the Plat Review Officer. In addition to the preliminary plat, the Plat Review Officer may require a descriptive report as to how the subdivider will fulfill the requirements for public improvements.

2. The preliminary plat or shall be based upon exterior boundary survey of the area by a registered land surveyor which shall show clearly the existing conditions of the proposed subdivision and the adjoining sites within two hundred (200) feet including:

a. All information required in the sketch plan as per Section 701.04 (1) (B).

b. Existing buildings.

c. Wooded areas.

d. Data on covenants.

e. Statement of restrictive covenants.

f. Soil tests. For subdivisions where soil tests establish that the proposed subdivision will require holding tanks to serve private sewage disposal needs of twenty-five (25) percent or more of the lots in the proposed subdivision, approval to proceed with the development may be granted by the Wood County Planning & Zoning Committee after reviewing the viability of options for treatment of wastes, considering staff recommendations and

considering the public health, safety and general welfare of the county.

- g. Soil types.
- h. Distance to bedrock if less than six feet.
- i. Distance to groundwater table if less than six feet.
- j. Abutting subdivision names and certified survey map numbers.
- k. Significant topographic features of adjacent land.
- l. If any areas involved have slopes of ten (10) percent or more:
  - (i). The proposed layout shall be shown on a topographic map of not smaller than one (1) inch to one hundred (100) feet and having two (2) foot contour intervals referenced to U.S.G.S. datum or local datum.
  - (ii). Improvements, such as grading, tree planting, paving installation of public utilities and dedications of land, which the subdivider proposes to make or cause to be made, including a schedule of when the improvements will be provided, shall be shown on the map.
- m. For new streets, proposed street names shall be included on the preliminary plat.
- n. Street address ranges for all proposed streets shall be obtained from the Wood County Office of Emergency Management and placed upon the preliminary and final plats.
- o. Base flood elevation (BFE) data shall be determined for all new subdivision proposals greater than 5 acres in accordance with Federal Emergency Management Agency (FEMA) regulation 44 CFR 60.3 (b) (3).
  - (1) The BFE data and associated engineering study shall be submitted to the Wood County Planning & Zoning Office for review in accordance with Section 703.05 of the Wood County Floodplain Ordinance.

- (2) The subdivision developer shall submit a Letter of Map Revision (LOMR) to FEMA for review and approval once the Wisconsin Department of Natural Resources has reviewed and approved the engineering study. The developer shall be responsible for all LOMR fees.
- (3) The LOMR shall be obtained prior to subdivision plat approval.

**3.** A fee for the review of any preliminary plat is required by this ordinance. Fees shall be set by the Planning & Zoning Committee and shall be payable to the County of Wood at the time a preliminary plat is submitted to the Plat Review Officer for review. Said plats shall not be accepted and the review period shall not begin until the review fee has been paid in full. A schedule of fees shall be made available by the Planning & Zoning Office. A reapplication fee shall be required at the time of reapplication for approval of any preliminary plat that has been previously reviewed and acted upon.

**4.** The subdivider shall file two (2) copies of the preliminary plat plus additional copies as outlined in Section 701.04 (2) B below together with the fee to the Plat Review Officer at least fourteen (14) working days prior to the meeting of the County Planning & Zoning Committee at which action is desired. The Plat Review Officer or County Planning & Zoning Committee may require the subdivider to request a letter from each utility serving the area to be developed stating that the subdivider has shown on the preliminary plat a location and width for the necessary easements to serve the proposed plat.

**B. Distribution.** The Plat Officer shall, within two (2) days after filing, transmit copies of the plat to the following agencies:

- 1.** Two (2) copies to the applicable Town Clerk. The Town shall be notified of the time, date and place of the County Planning Agency meeting concerning the Plat.
- 2.** Two (2) copies to the clerk of an adjoining city or village if the Plat lies within extraterritorial plat approval jurisdiction of the city or village.
- 3.** Two (2) copies to the appropriate State plat review agency, as provided by Section 236.12 (2), Wisconsin Statutes, provided the plat meets the definition of a "state subdivision" as defined in Section 701.02(2)AC of this ordinance.

4. Four (4) copies to the Plat Review Section of the Department of Administration, as provided by Section 236.12 (2), Wisconsin Statutes, provided the plat meets the definition of a "state subdivision" as defined in Section 701.02 (2) AC of this ordinance.
5. Two (2) copies to the Department of Natural Resources if the subdivision is within the Shoreland or Floodplain Program Jurisdictional Area.
6. Two (2) copies to the Wood County Highway Department, if the plat is located adjacent to a County highway.
7. One (1) copy to each of the public utilities to be serving the area (natural gas, telephone, electric and water, and cable TV).
8. Two (2) copies to the Wisconsin Department of Transportation, District 4 Office, if the plat is located adjacent to a State highway.
9. One (1) copy to the Wood County Tax Lister.
10. One (1) copy to the Office of Emergency Management for review and approval of street names.
11. One (1) copy to the Wood County Sheriff's Department for review and approval of street names and comments regarding street alignment or other safety concerns.

### **C. Review and Approval.**

1. Approval of the preliminary plat shall be conditioned upon compliance with:
  - a. All provisions of this ordinance;
  - b. Any town or county ordinance, or, in the case of extraterritorial review, city or village ordinances;
  - c. A comprehensive plan under s. 66.1001, Wis. Stats., or, if the town or , in the case of extraterritorial review, the city or village, does not have a comprehensive plan, either of the following:

- (1) With respect to a town, city or village, a master plan under s. 62.23, Wis. Stats.
- (2) With respect to the county, a development plan under s. 59.69, Wis. Stats.

2. Following review of the Preliminary Plat and accompanying supplemental material by the Plat Officer and consideration of objections of agencies having the authority to object, the Plat Officer shall make a recommendation concerning the plat to the Planning & Zoning Committee. The Planning & Zoning Committee shall approve conditionally or reject the Preliminary Plat within sixty (60) calendar days from the filing date of the Preliminary Plat, unless this time is extended by agreement with the subdivider. Failure of the County Planning & Zoning Committee to act within sixty (60) calendar days shall constitute an approval.

3. If action is to conditionally approve the Preliminary Plat by the Planning & Zoning Committee, the Plat Officer shall properly endorse approval and place the date of approval on two (2) copies of the Plat. One (1) copy to be returned to the subdivider, and one (1) copy to be kept in the permanent file of the County Planning & Zoning Office. If revisions are to be made, said revisions shall be indicated on the plats prior to their endorsement. Such Preliminary Plat shall bear a certificate of approval as follows:

State of Wisconsin)  
 County of Wood)  
 The Wood County Planning Agency does hereby conditionally approve this preliminary plat in accordance with provisions of the Land Subdivision Ordinance, Wood County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 Wood County Planning Agency

By \_\_\_\_\_.  
 Plat Review Officer

4. Approval of the Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six (6) months of the Preliminary Plat approval and conforms to the Preliminary Plat layouts as indicated in Section 236.11 (1) (b), Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layouts.

5. No sign which is erected or placed on the site of the proposed plat advertising the sale or availability of lots shall include a map or diagram of the lot and street layout or design until after the preliminary plat has been approved by the Planning & Zoning Committee and signed by the Plat Review Officer.

**(3) Final Plat.**

**A. Submission.**

1. The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and State laws including Sections 236.15 [*surveying requirements*], 236.20 [*final plat*] and 236.21 [*certificates to accompany plat*], Wisconsin Statutes.

2. Where any lot that is being created crosses a forty line, said forty line shall be shown on the plat with distance and bearing of that line.

3. The final plat may consist of only that portion of the approved preliminary plat which the subdivider proposes to record and develop at that time. However, such portion shall conform to all requirements of this ordinance.

4. When only a portion of an approved preliminary plat is presented for final approval, the subdivider shall within six (6) months after approval of the preliminary plat, apply to the Plat Review Officer for an extension of the approval of the unrecorded portion of such preliminary plat without being required to pay additional fees. Extension of the approval of the unrecorded portion of the preliminary plat shall be for one year.

5. The final plat shall not be deemed received until all copies of the plat, completed forms and fees have been submitted to the Plat Officer and the plat shall not be distributed to approving agencies nor shall the review period begin until the Plat Review Officer deems the plat "received".

6. A fee for the review of any final plat shall be as determined by the Wood County Planning & Zoning Committee and shall be payable to the County of Wood at the time a final plat is submitted to the Plat Review Officer. A schedule of fees shall be made available by the Planning & Zoning Office.

**B. Distribution.**

1. The final plat shall be distributed in accordance with Section 236.12 [*procedure for approval of plats*], Wisconsin Statutes. For those copies to be sent to the Plat Review Section of the Wisconsin Department of Administration, the subdivider shall submit the necessary copies, forms and fees directly and provide written notification to the Plat Review Officer of that action. The written notification to the Plat Review Officer shall include the date of submission, number of copies submitted, list of State review agencies and verification that fees and State forms were included. The notification shall be dated and signed by the subdivider and retained in the final plat file in the Plat Review Officer's office.

2. In addition to subparagraph 1. above, sufficient copies shall be submitted and the Plat Review Officer shall, within two (2) business days after filing, transmit or cause to be transmitted, copies of the final plat to the following agencies:

- a. Two (2) copies to the Planning & Zoning Office.
- b. Two (2) copies to the applicable Town Clerk.
- c. Two (2) copies to the Clerk of the adjoining City or Village if the Plat lies within extraterritorial plat approval jurisdiction of that municipality.
- d. Two (2) copies to the Wood County Highway Commissioner if the plat is adjacent to a County highway.
- e. Two (2) copies to the Wisconsin Department of Transportation - District 4 Office if the plat is adjacent to a State highway.
- f. Two (2) copies to the Wood County Office of Emergency Management.
- g. One digital copy of the final plat shall be submitted on a CD in AutoCad .dwg or Microstation .dgn format or such other format that is compatible with GIS software and is acceptable to the Land Records Coordinator or GIS Specialist.

### **C. Review and Approval.**

1. Approval of the final plat shall be conditioned upon compliance with:



- a. All provisions of this ordinance;
- b. Any town or county ordinance, or, in the case of extraterritorial review, city or village ordinances;
- c. A comprehensive plan under s. 66.1001, Wis. Stats., or, if the town or , in the case of extraterritorial review, the city or village, does not have a comprehensive plan, either of the following:
  - (1) With respect to a town, city or village, a master plan under s. 62.23, Wis. Stats.
  - (2) With respect to the county, a development plan under s. 59.69, Wis. Stats.

**2.** The Plat Review Officer shall approve the final plat within sixty (60) days from the date of filing or recommend to the Planning & Zoning Committee that the plat be rejected. If the Planning & Zoning Committee rejects any provisions of the final plat, the basis for such rejection shall be provided to the surveyor and developer in writing. The County and local sixty (60) day review periods are to run concurrently.

**3.** After receiving written approvals from all approving agencies and upon approval of the Plat Review Officer or Planning & Zoning Committee and before recording of the final plat in the Register of Deeds Office, the Plat Review Officer shall certify on the face of the final plat that the plat is approved in accordance with the Wood County Land Subdivision Ordinance.

**(4) Replats**

**A.** When a Replat of a recorded subdivision or part thereof is proposed so as to change the boundaries, and areas dedicated to the public (eg., street rights-of-way or park lands) are to be altered, the subdivider shall initiate action to vacate or alter as provided by Sections 236.36 [*replats*] through 236.445 [*discontinuance of streets by county board*] of the Wisconsin Statutes. If areas to be dedicated to the public are not altered, the subdivider shall then proceed in accordance with the procedure for submitting a subdivision or, if applicable, a Certified Survey Map, in this ordinance.

**B.** A public hearing shall be held before the County Planning & Zoning Committee at the time the Preliminary Plat of Replat is submitted. Notice of the public hearing shall be of a Class 3 Notice, under Chapter 985, Wisconsin Statutes.

C. The subdivider shall furnish the names and addresses of all owners of record of all lots in the subdivision or the part of the subdivision proposed to be vacated or altered and utilities serving the area to the Plat Officer.

**(5) Condominium Plat.**

**A. Map Requirements and Review Fee.** All condominium plats shall comply with s. 703.11, Wis. Stats. and shall be submitted, together with the fee set by the Wood County Planning & Zoning Committee, to the Wood County Plat Review Officer for review and approval.

**B. Review and Approval.**

1. The Plat Review Officer shall review the condominium plat within ten (10) business days after submission to the Planning & Zoning Office. Failure of the Plat Review Officer to act on the condominium plat within ten (10) business days shall constitute approval.
2. The condominium plat shall be rejected by the Plat Review Officer only if it fails to comply with the s. 703.11 (2) (a) or (c), Wis. Stats.
3. If approved, the Plat Review Officer shall affix a certification of condominium plat approval to the plat, together with his or her signature and title.
4. A review fee, as set by the Wood County Planning & Zoning Committee shall be submitted, together with three (3) copies of the condominium plat.
5. One digital copy of the final plat shall be submitted in AutoCad .dwg, Microstation .dgn, or such other format and via such media that is compatible with GIS software and is acceptable to the Land Records Coordinator or GIS Specialist.

**(6) Certified Survey Maps**

**A. Map Requirements.**

1. When it is proposed to divide land into two (2) parcels, lots, outlots or building sites, or any combination thereof, any one of which is ten (10) acres or less in size, or when it is proposed to divide a block, lot or outlot into not more than two (2) parcels or building sites within a recorded plat, or when it

is proposed to combine previously surveyed and recorded parcels with other surveyed or unsurveyed parcels, the subdivider shall utilize a Certified Survey Map prepared in accordance with Section 236.34 [*recording of certified survey map; use in changing boundaries; use in conveyancing*], Wisconsin Statutes, and this ordinance. In cases where lots are being created from a large tract of land, tracts over twenty (20) acres in size need not be mapped. However, tracts of land of ten (10) acres or less in size shall not be left as unplatted lands. No landlocked parcels of any size shall be created as the result of surveys that are required to be completed and recorded under the terms of this ordinance.

**2.** The Certified Survey Map (Map) shall show correctly on its face, in addition to the information required by Section 236.34, Wisconsin Statutes, and Sections 701.03 (3) [*administration*], 701.03 (5) [*land suitability*], 701.03 (6) [*dedication or reservation of land*], 701.06 (4) B. 2 and 701.06 (4) B. 3, this ordinance, the following:

- a.** All existing buildings, watercourses, drainage ditches, easements of record and other significant features pertinent to proper land division.
- b.** Setbacks or building lines from public right-of-way or shorelines as provided in the Wood County Shoreland Zoning Ordinance.
- c.** All lands reserved for future acquisition under § 701.03(4)B.
- d.** Graphic scale.
- e.** Name and address of the owner, subdivider, and the surveyor, including his registration number.
- f.** Soil evaluation locations.
- g.** 100-year floodplain and wetlands.
- h.** No reference to unrecorded surveys shall be allowed.
- i.** If the lot(s) created by the certified survey are part of a previous certified survey map or subdivision plat, the previous survey map and/or plat shall be referenced on the new certified survey map.
- j.** Any remnant parcels ten (10) acres or less in size shall be shown.

**k.** Where the lot that is being created crosses a forty line, said forty line shall be shown on the map with distance and bearing of that line.

**l.** Except where it is determined to be essential, no newly created lots or outlots shall cross municipal boundary lines.

**3.** The following statement shall be placed on all certified survey maps submitted under this ordinance:

*This map does not transfer property ownership. Sale or transfer of property requires a deed.*

**4.** Soils evaluations shall be performed if the lots being created will not be served by an approved sanitary sewer system. The soils evaluations shall be performed in accordance with Chapter Comm 85.20, Wisconsin Administrative Code, and test results (SBD-8330) shall be submitted with the Map.

**a.** In lieu of submitting soils evaluation results with the certified survey map, the subdivider shall provide the following restriction on the face of the map:

*RESTRICTION - Soil evaluations have not been submitted. Therefore, it is unknown if the lots created by this map meet the requirements of the Wood County Private Sewage System Ordinance for a private on-site waste treatment system.*

**5.** Certificates shall be made on the face of the Map by the following:

**a.** The surveyor shall certify that he has fully complied with all the provisions of this ordinance and any municipal and/or extraterritorial requirements that may apply. The Surveyor's seal shall be applied and signed pursuant to Chapter A-E 2.02, Wisconsin Administrative Code.

**b.** The owner's and mortgagee's certificate of dedication of streets and other public areas shall be in substantially the same form as required by Section 236.21 (2) (a), Wisconsin Statutes.

**c.** Town Board certificate of approval when dedication of streets and public areas are involved.

**d.** Plat Review Officer certificate of approval.

**B. Submission and Distribution.**

**1.** The subdivider shall file eight (8) paper copies of the Map with the Plat Review Officer. The Plat Review Officer may require the subdivider to request a letter from each utility serving the area to be developed stating that the subdivider has shown on the certified survey map a location and width for the necessary utility easements to serve the proposed development.

**2.** A fee for review of any certified survey map shall be paid by the subdivider to the County of Wood at the time of filing with the Plat Officer. Fees shall be set by the Planning & Zoning Committee and shall be payable to the County of Wood at the time the certified survey map is submitted to the Plat Review Officer for review. Certified Survey Maps shall not be accepted and the review period shall not begin until the review fee has been paid in full. A schedule of fees shall be made available by the Planning & Zoning Office. A reapplication fee shall be required at the time the map is submitted for reapproval.

**3.** The Plat Officer shall, within two (2) days after filing, transmit two (2) copies of the Map to the following:

**a.** Town Clerk of the town in which certified survey map is located.

**b.** Wood County Highway Commissioner if the map is adjacent to a County highway.

**c.** Wisconsin Department of Transportation District 4 Office if the map is adjacent to a State highway.

**d.** The appropriate extraterritorial review agency.

**e.** One (1) copy of the map shall be submitted to the Wood County Tax Lister for his review.

**f.** Any recommendations the review agencies wish to make shall be submitted in writing to the Plat Officer within thirty (30) days of receipt of the Map. If the review agencies do not respond within the thirty (30) calendar-day period, it will be deemed that the review agency has no objection to the approval of the Map. The thirty (30)

day review period may be extended to sixty (60) days by the Plat Review Officer upon written request by the review agency.

### **C. Review and Approval.**

1. The Plat Officer shall review the Map for conformance with this ordinance and all ordinances, rules, regulations and adopted area and county comprehensive plans or adopted components which affect it. The Plat Officer shall, within ninety (90) calendar days from the date of filing of the Map, approve, approve conditionally or reject the Map unless continued by agreement with the subdivider, or his/her agent. If the Map is rejected, the reason shall be forwarded to the subdivider in writing. If the Map is to be approved, the Plat Officer shall so certify on the face of the original Map and notify the subdivider of same. Once a map has been officially rejected, any future map of the same parcel shall be considered a new map, not a revision of the rejected map.

2. The subdivider shall record the Map with the County Register of Deeds within six (6) months after the date of the last approval of the map and within twenty-four (24) months after the first approval of the map by the Plat Officer. Failure to do so will necessitate resubmittal of the Map to the Plat Officer.

## **Chapter 701 .05 DESIGN STANDARDS**

**(1) Street Arrangements.** The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any official map ordinance in effect. In areas for which an official map has not been prepared, the street layout shall recognize the functional classification of various street types and shall be developed and located in proper relation to existing and proposed streets, with due regard to topographical conditions, natural features, utilities, land uses, and public convenience and safety. The subdivision shall be so designed so as to provide each lot with satisfactory access to a public street as provided herein.

**A.** Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board and Plat Review Officer, or when necessary, the County Planning & Zoning Committee, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent tracts of land. Such streets shall terminate with a temporary turnaround of sixty-six (66) feet right-of-way radius and a roadway radius of not less than forty (40) feet.

**B. Arterial Street and Highway Protection.** Whenever the proposed subdivision contains or is adjacent to an arterial street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by double frontage lots, with a planting screen contained in a non-access reservation along the property line abutting the arterial street or highway, or by use of frontage roads.

**C. Stream or lake shores** shall have sixty-six (66) feet of public access platted to the low-water mark at intervals of at least one-half (1/2) mile as required by Section 701.03 (6) C. of this ordinance.

**D. Reserve strips** controlling access to streets or alleys shall be prohibited except where their control is definitely placed with the Town or County.

**E. Alleys** may be required in commercial and industrial districts to provide for off-street loading and service access, but shall not be approved in residential districts unless required by unusual topography or exceptional conditions. Dead-end alleys shall not be approved and alleys shall not connect to an arterial or collector street.

**F. Street names** shall not duplicate or be similar to existing street names, and existing street names shall be extended where it is deemed necessary and practical. Street names shall be approved by the Office of Emergency Management and the Wood County Sheriff's Department, who shall review street names for duplication, sound-alikes and safety reasons.

**(2) Limited Access Highway and Railroad Right-of-Way Treatment.** Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

**A.** When residential lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway or railroad, the following restriction shall be lettered on the face of the plat: "Direct vehicular access to (name of road) from lots abutting said road is prohibited."

**B.** Streets parallel to a limited access highway or railroad right-of-way when intersecting an arterial or collector street which crosses said railroad or highway, shall be located at a minimum distance of two hundred and fifty (250) feet from said highway or railroad right-of-way. A greater distance, where desirable and practicable, shall be determined by the Wood County Planning & Zoning Committee or their designee with due consideration of the minimum distance

required for the future separation of grades by means of appropriate approach gradients.

C. Local streets immediately adjacent and parallel to railroad rights-of-way should be avoided.

**(3) Street Design Standards**

A. The subdivider shall dedicate land for and improve streets as herein provided. Major streets shall generally conform to any adopted official map and comprehensive plan applicable to the area. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities, land uses and public convenience and safety.

B. The minimum right-of-way of all proposed streets shall be that specified on any applicable official map, or the following requirements, whichever is greater:

MINIMUM RIGHT-OF-WAY OF ALL PROPOSED STREETS			
Type of Street	Right-of-Way To Be Reserved	Right-of-Way To Be Dedicated	Pavement Width
Expressway	300 feet	66 feet	To be constructed by state or county.
Principal Arterial	200 feet	66 feet	To be constructed by state or county.
Minor Arterial	100 feet	66 feet	To be constructed by state or county.
Major Collector	80 feet	66 feet	24 ft, 10 ft, outside shoulder.
Minor Collector or Local	66 feet	66 feet	22 ft, 6 ft, outside shoulder.
Alley	25 feet	25 feet	20 feet.

C. Cul de sac streets designed to have one end permanently closed shall not normally exceed seven hundred-fifty (750) feet in length. The Planning & Zoning Committee may, after their review and receiving a written recommendation for approval from the local fire chief and Town Board, permit a cul de sac in excess of



750 feet, but not greater than 1,000 feet in length. All cul de sac streets shall terminate in a circular turn-around having a minimum right-of-way radius of sixty-six (66) feet and a minimum roadway radius of forty (40) feet. The length of the cul de sac shall be measured from the intersection of the centerlines of the cul de sac street and the intersecting street a maximum distance of 750 feet. That end point shall be the point of the radius of the cul de sac turnaround.

**D.** Half streets shall not be used for access until the other half is developed and shall be prohibited except where:

1. The other half has already been dedicated.
2. Agreement has been reached for provision of the other half with the adjoining property owner.
3. Its alignment is shown on an officially adopted street plan.
4. There is a case of unusual hardship.

**(4) Street Intersections.** Streets shall intersect each other at right angles and not more than two streets shall intersect at one point unless approved by the County Planning & Zoning Committee.

**A.** The number of intersections along arterial streets shall be held to a minimum. Wherever practicable the distance between such intersections should not be less than one thousand (1,000) feet unless specifically approved by the County Planning & Zoning Committee.

**B.** Street jogs with centerline offsets of less than three hundred (300) feet shall not be approved unless specifically authorized by the County Planning & Zoning Committee.

**(5) Blocks.** The widths, lengths, and shapes of blocks shall be suited to the planned use of the land, zoning requirements, limitations of soil and slope for private sewage systems, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography.

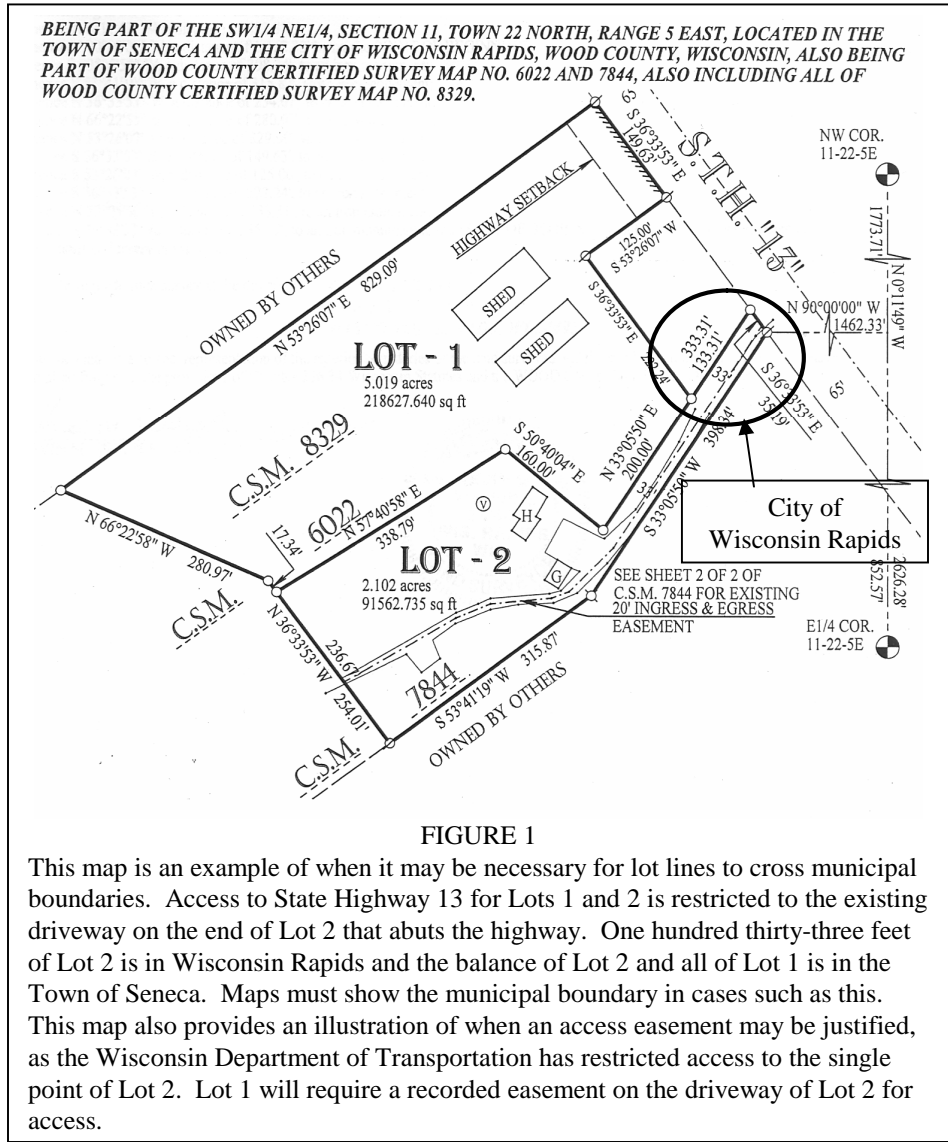
**A.** Block lengths shall not be less than six hundred (600) feet or more than one thousand five hundred (1,500) feet unless otherwise dictated by use or conditions.

**B.** Block widths shall be sufficient to provide lots of appropriate depth.

**C.** Multiuse trails of not less than ten (10) feet in width, plus a two (2) foot clearance on each side) may be required near the center and entirely across any block over nine hundred (900) feet in length where deemed necessary by the County Planning & Zoning Committee or Town Board to provide adequate bicycle and pedestrian circulation or access to schools, churches, shopping centers or transportation facilities. Developers shall consider the needs and destinations of bicyclists and pedestrians in designing access to and from the subdivision to provide alternate means of transportation.

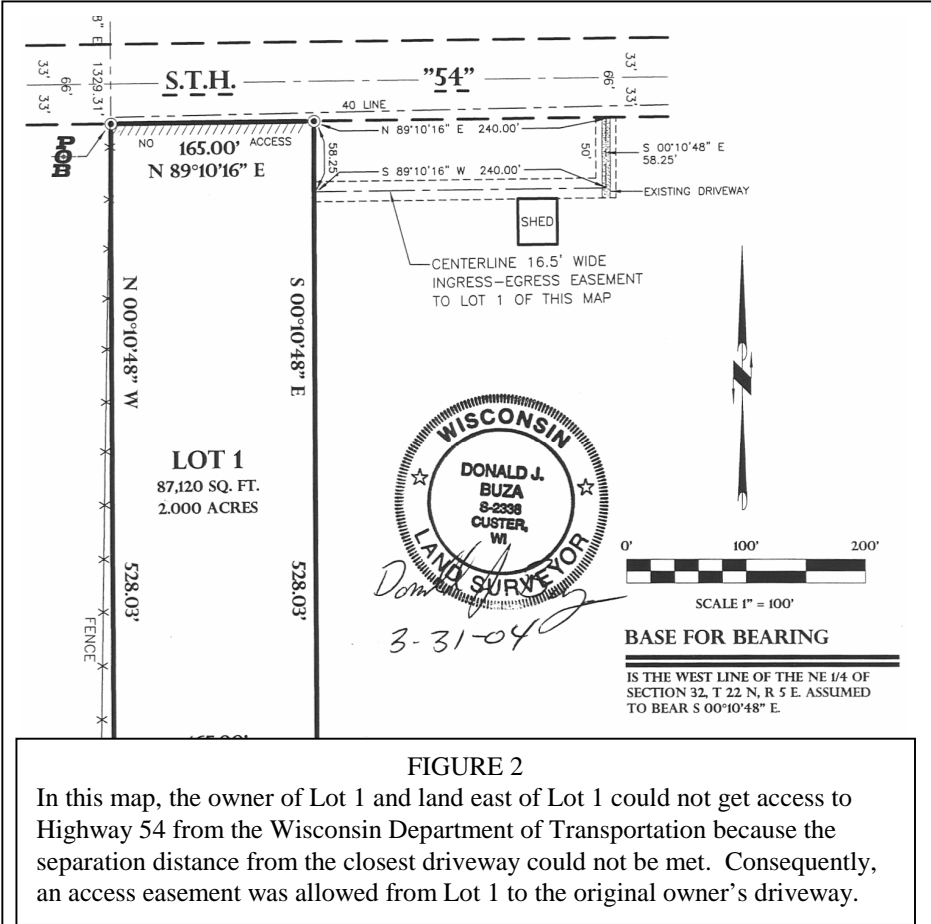
**D.** Utility Easements. All utility lines for electric power and telephone service shall, wherever possible be placed on mid-block easements along rear property lines except where lots abut a lake or stream. Utility easements shall be a minimum of twelve (12) feet in width.

**(6) Lots.** The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and proper architectural setting for the building contemplated. Lots designed for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning provisions for such use. Lot lines shall follow municipal boundary lines rather than cross them. When it is essential to cross municipal boundary lines (Figure 1), the municipal boundary line shall be shown on the face of the map and each municipality shall review said map for compliance with local ordinances prior to the Plat Review Officer's approval being applied to the map.



- A. Side lot lines should be at right angles to straight street lines or radial to curved street lines on which the lots face.
- B. Double frontage lots shall be prohibited except where necessary to provide separation of development from through traffic or to overcome specific disadvantages of topography and orientation.
- C. Access. Every lot shall have a minimum of thirty-three (33) feet of frontage on a public right-of-way that provides vehicular access. Access to each lot shall be

provided from the lowest jurisdiction road available unless otherwise permitted by the Plat Review Officer for purposes of public safety. The Plat Review Officer may require the subdivider to provide a letter from the Wood County Highway Commissioner, Wisconsin Department of Transportation District 4 Office and/or Town Board confirming that access is available for any lot. Access easements, outlots and shared driveways shall not be used as a sole means for providing ingress and egress, except in cases where access will not be allowed by either the Wisconsin Department of Transportation (see Figures 1 and 2) or the Wood County Highway Department by statute, code or written policy. Outlots shall not be created for the purpose of providing access to new, otherwise landlocked parcels as a substitute for the minimum frontage requirement of this section.



**FIGURE 2**  
 In this map, the owner of Lot 1 and land east of Lot 1 could not get access to Highway 54 from the Wisconsin Department of Transportation because the separation distance from the closest driveway could not be met. Consequently, an access easement was allowed from Lot 1 to the original owner's driveway.

**D.** Area and dimensions of lots shall conform to the requirements of the County Zoning Ordinance, or other applicable ordinances, and in areas not served by public sewer shall, in addition conform to the requirements of the Department of Commerce and Chapter COMM-85 of the Wisconsin Administrative Code. Whenever a tract is subdivided into parcels with areas in excess of the zoning requirements, such parcels should be arranged and dimensioned so as to allow re-subdivision of any parcels into normal lots in accordance with the provisions of this ordinance.

**1.** Depth of lots should be in suitable proportion to the width. Neither long, narrow nor wide, shallow lots are normally desirable. Normal depth should not exceed two and one-half (2 1/2) times the width nor be less than one hundred and fifty (150) feet, unless otherwise approved during the plat review process.

**2.** Width of lots shall conform to the requirements of the applicable zoning ordinance, but in no case shall the average lot width be less than one hundred (100) feet.

**3.** If a lot abuts a public or private road or street, the total lot size (area) does not include the land extended to the middle of the road or street.

**F.** Corner lots shall be designed with extra width to permit adequate building setback from both streets.

**(7) Building Setback Lines.** Building setback lines shall conform to the requirements of the applicable zoning ordinance or the following, whichever is more restrictive.

**A. Federal and State Highways.** One hundred-ten (110) feet from the center line of the highway or fifty (50) feet from the right-of-way line, whichever is greater.

**B. County Highways.** Seventy-five (75) feet from the centerline of such highway or forty-two (42) feet from the right-of-way line, whichever is greater.

**C. Town Roads.** Sixty-three (63) feet from the centerline of such highway or thirty (30) feet from the right-of-way line, whichever is greater.

**D. Visual Clearance Triangle.**

**1.** In each quadrant of every public street intersection there shall be a visual clearance triangle.

**a.** At intersections with speeds of thirty-five (35) miles per hour or greater in both directions of travel, the visual clearance triangle shall be determined by measuring sixty (60) feet along the property line for any "uncontrolled" traffic (not regulated by stop sign) and thirty (30) feet along the property line for any "controlled" traffic (regulated by stop sign).

**b.** At intersections with speeds of less than thirty-five (35) miles per hour in either direction of travel the visual clearance triangle shall extend fifteen (15) feet along the lot line in all directions of travel.

**2.** Objects permitted within highway setback lines and visual clearance triangles:

**a.** Open fences.

**b.** Utility poles and lines, and portable equipment.

**c.** The planting and harvesting of field crops, shrubbery and trees except that no trees or shrubbery shall be planted within a visual clearance triangle so as to obstruct the view.

## **(8) Drainage Easements.**

**A.** Where a surveyed parcel is traversed by a watercourse, drainageway or stream, an adequate drainageway or easement shall be required to handle storm water runoff. The location, width, alignment and improvement of such drainageway or easement shall be approved by the County Planning & Zoning Committee or the Plat Review Officer.

**B.** The subdivider shall construct storm water drainage facilities, which may include curb and gutters, catch basins and inlets, storm sewers, road ditches and open channels as may be required to provide adequate surface drainage for the subdivision.

**C.** Storm drainage facilities, where needed, shall be designed to permit the unimpeded flow of natural watercourses, insure the drainage of all points along the line of streets, and provide positive drainage away from on-site sewage disposal facilities. In designing storm drainage facilities, special consideration shall be given to protection against erosion and siltation of surface waters and preventing excess water run-off on adjacent property. The County Planning & Zoning Committee or

Town Board may require that easements or drainage ways of widths sufficient to accommodate anticipated storm water run-off be provided. All storm water drainage facilities shall be constructed in accordance with plans and standard specifications approved by the County Planning & Zoning Committee.

**(9) Utility Easements.** The Plat Review Officer may require adequate easements on each side of all rear lot lines, and on side lot lines, across lots or along front lot lines where necessary, for the installation of utility facilities. Such easements shall be noted as "Utility Easements" on the Final Plat or Certified Survey Map and shall be a minimum of twelve (12) feet in width.

## **Chapter 701 .06 REQUIRED PUBLIC IMPROVEMENTS**

**(1) Survey Monuments.** The surveyor shall install survey monuments in accordance with the requirements of Section 236.15, Wisconsin Statutes.

### **(2) Public and Private Sewage Disposal Systems.**

**A.** In areas that have a sanitary sewer system on or near the proposed subdivision, the local municipality furnishing such service and the County Planning & Zoning Committee shall determine the feasibility of service and the procedures to be followed by the subdivider in joining the system. If public sanitary sewer facilities are not available to the plat at the time of final platting, but will become available within a period of 3 years from the date of the plat recording, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals within the street to the street lot line and shall cap all laterals. The size, type and installation of all proposed sanitary sewers to be constructed shall be in accordance with plans and standard specifications approved by the local municipality which will furnish such services.

**B.** If public sewer facilities are not available, the subdivider shall make provisions for adequate private sewage system areas as specified by the Department of Commerce.

**1.** In areas that are not to be served by sewer systems, on-site private sewage systems utilizing soil absorption fields will be permitted only when soil tests conducted in accordance with Chapter Comm 85, Wisconsin Administrative Code, indicates the systems will function adequately. Such systems shall be installed in accordance with the County Private Sewage System Ordinance.

**2.** The County Planning & Zoning Committee may prohibit the installation of private onsite waste treatment systems requiring soil absorption systems

where such systems may impair water quality, and the Committee may, with the approval of the Department of Commerce, allow State approved alternative methods of waste treatment and disposal.

**3.** Plans for private sewage systems not utilizing soil absorption fields shall be approved in writing by the Department of Commerce and the County. The subdivider shall clearly indicate on the face of the Plat or Map and in any deed of conveyance that soil absorption fields are not to be used.

## **Chapter 701 .07 PLANNED RESIDENTIAL UNIT DEVELOPMENT**

**(1) Purpose.** Grouping of residences in cluster subdivisions will permit individual minimum lot sizes to be reduced provided overall density limits within the subdivision are maintained. The remaining undeveloped area within the subdivision is to be used to provide common open space. Groupings of buildings, common water supply and common sewage disposal systems are encouraged in proper respect to the preservation of natural resources.

**(2) Review.** Planned Residential Unit Development Subdivisions shall be submitted for review in the same manner as any other subdivision as outlined in Section 701.04 of this ordinance.

### **(3) Requirements.**

**A.** Proposed Cluster Developments shall include a minimum of 5 acres and shall be platted according to the requirements of this ordinance.

**B.** The maximum permitted number of lots in such development shall be determined by dividing the total area of the subdivision, excluding streets, by the minimum lot sizes required by the Town or County Zoning Ordinance.

**C.** The minimum distance between principal structures shall be 20 feet.

**D.** Excess land not used for lots, parking areas and streets shall be dedicated for open space purposes. This may be accomplished by conveyance in common to each of the owners of lots in the development or by dedication to the County or Town. Lands dedicated to the public must be accepted by appropriate 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.



**E.** 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.

**F.** Water supply and sewage disposal shall meet the minimum standards of the appropriate state agencies, the County Private Sewage System Ordinance, and other applicable regulations.

**G.** Tree cutting provisions of the County Shoreland Zoning Ordinance (Section 704.05) shall apply which allows thirty (30) percent of the water frontage to be clear cut. The maximum width of a lake frontage opening for the planned residential unit development shall be one hundred (100) feet.

## **Chapter 701 .08 CONSTRUCTION**

**(1) Commencement.** Work towards construction of improvements required by the Town may commence at the subdivider's risk after approval of the Preliminary Plat. All improvements shall be installed in compliance with the Final Plat as approved by the Town Board and the Plat Review Officer.

**(2) Building Permits.** No land use permit, sanitary permit and/or building permit shall be issued for placement and/or erection of a structure on any lot until all the requirements of this ordinance have been met.

**(3) Plans.** The following plans and accompanying construction specifications may be required by the Town Board and the City or Village with plat approval jurisdiction before authorization of construction or installation of improvements:

**A.** Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.

**B.** Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.

**C.** Storm sewer plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.

**D.** Water main plans and profiles showing the locations, sizes, elevations and materials of required facilities.

- E. Erosion control plans.
- F. Landscaping plans, including parking lots and the balance of lots.
- G. Additional special plans or information as required.

**(4) Inspection.** The subdivider, prior to commencement of any work within the subdivision, shall make arrangements with the Town Board and the County Highway Engineer, to provide for adequate inspection. The Town Board and the County Highway Engineer shall inspect and approve all completed work prior to release of sureties.

#### **Chapter 701 .09 AMENDMENTS**

As the governing body of Wood County, the County Board of Supervisors does hereby establish the following procedures:

- A. The County Board may alter, supplement, amend or change any, or all, of this ordinance in accordance with State Statutes. All amendments shall be made by the County Board upon recommendation of and after a public hearing by the County Planning & Zoning Committee.
- B. Notice of the hearing shall be given by publication of a Class 2 Notice, under Chapter 985, Wisconsin Statutes.
- C. Any amendment to this ordinance shall be published in form suitable for public distribution.