

AMENDMENTS TO BAYFIELD COUNTY ZONING ORDINANCE

(Deleted text lined through; new text bolded and underlined)

("Revised" 7/28/10-11:42am)

Sec. 13-1-4 Definitions.

(a) The following terms used in this Chapter have the meanings indicated:

(4x) ***Bunkhouse/Guest Quarters.*** A residential accessory structure or part of a residential accessory structure with or without plumbing which is used as temporary sleeping quarters only; ~~no cooking facilities~~ no cooking or food preparation facilities ; and no greater than 500 sq. ft. of enclosed dwelling space.

(56m) ***Residence.*** A structure, or that part of a structure, which is arranged, designed, used or intended to be used as home, with one or more person(s).

Sec. 13-1-21 General Land Use Requirements.

(b) **Land Use Permits.**

(6) ***Concurrent Jurisdiction Exemption.*** A permit under this Chapter ~~shall~~ may not be required where another regulatory agency has concurrent jurisdiction and the substantive concerns of this Chapter are addressed and resolved by issuance of a permit under the authority of that regulatory agency. ~~or under the direction of the Bayfield County Land and Water Conservation Department.~~

(e) **Fees.**

cc. Miscellaneous

2. Failure to Obtain Permit Prior to Construction Double Fee
Possible Citation
(Doubling of fee may be waived by Department in its sole discretion)

Sec. 13-1-29 Multiple Unit Developments.

(b) **Requirements.**

(3) Multiple Unit Developments not providing shoreline access to navigable waters shall have a minimum of 30,000 square feet of open space per unit, with the following exceptions:

c. A Multiple Unit Development in an R-3 zoning district shall have a minimum open space requirement of two acres (87,120 sq. ft.) per unit.

d. A Multiple Unit Development in an F-1, A-1, or R-2 zoning district shall have a minimum open space requirement of 4.5 acres (196,020 sq. ft.) per unit.

Sec. 13-1-29 Multiple Unit Developments.

(b) Requirements.

- (7) Multiple Unit Developments shall not be allowed in A-2, or F-2 zoning districts and Multiple Unit Developments of more than three units shall not be allowed in A-1 or F-1 zoning districts. A single lot in an A-1 or F-1 zoning district requesting more than three units shall require a rezone.

Sec. 13-1-29A Conservation Subdivisions

(b) Requirements.

- (9) Conservation Subdivisions shall not be allowed in A-2, or F-2 zoning districts and Conservation Subdivisions of requesting more than three ~~units~~ lots shall not be allowed in A-1 or F-1 zoning districts. More than three lots in an A-1 or F-1 zoning district shall require a rezone.

Sec. 13-1-40 Nonconforming Uses and Structures.

- (4) ***Additional Requirements for Nonconforming Buildings and Structures on Shoreland Lots.*** Except as otherwise provided in paragraphs (4a) and (4b), nonconforming buildings and structures on inland lake lots shall be subject to paragraphs (c)(2) and (3) of this Section, and in addition thereto, principal buildings and structures on such lots of six hundred (600) square feet of enclosed dwelling space or larger shall be subject to the following provisions of this paragraph:

b. With respect to structures located twenty (20) or more feet but less than forty (40) feet from the ordinary high water mark:

1. A life time maximum of one hundred seventy-five (175) square feet of enclosed dwelling space.

2. Shall be located on the landward side of the structure.

3. Shall be permitted if the resulting structure's resulting height does not exceed twenty-six (26) feet.

4. Its footprint does not exceed one thousand five hundred (1,500) square feet, its roof overhang does not exceed one thousand nine hundred (1,900) square feet, its enclosed dwelling space does not exceed two thousand five hundred (2,500) square feet, and

5. A plan meeting all of the following requirements is submitted to and approved by the Bayfield County Zoning Department and is fully implemented and complied with:

1.a. The septic system shall be upgraded in accordance with COM 83, Wis. Adm. Code, and the Bayfield County Sanitary Private Sewage Ordinance.

2.b. Water runoff from the structure shall be handled in accordance with best management practices.

3.c. A shoreline vegetation protection area shall be established and maintained for at least one-half of the distance from the ordinary high water mark to the structure. Any natural vegetation located closer to the structure than one-half the distance from the ordinary high water mark shall also be maintained.

4.d. The mitigation requirements of paragraph (5) below are complied with.

c. With respect to such structures located forty (40) or more feet but less than seventy-five (75) feet from the ordinary high water mark.

1. The resulting structure shall not exceed twenty-six (26) feet in height, as defined in Section 13-1-22(h).

2. The addition shall be within the existing footprint or landward thereof and

a. Shall not increase the existing footprint by more than fifty percent (50%)

b. Shall not increase the resulting footprint (of the existing structure and addition combined) beyond one thousand five hundred (1,500) square feet. ~~(but this provision does not prohibit an addition to a structure whose existing footprint is more than one thousand five hundred (1,500) square feet if the addition does not increase the footprint)~~

c. May have a vertical addition (i.e. 2nd story) provided the existing structures integrity and load bearing capacity is verified (in writing) by a structural engineer.

d. May have a horizontal / lateral addition if the expanded area meets the building setback requirements provided all

the provisions of paragraph (4) c. are complied with.

Sec. 13-1-62 Classification of Uses.

- (b) A lot created by the subdivision of a parcel of land in an F-1 zoning district into three (3) or more lots of less than ten (10) acres each within a five (5) year period, regardless of any change(s) in ownership during such period, may not be improved with a single family dwelling or duplex unless the subdivision has been approved as a Conservation Subdivision meeting the requirements of Section 13-1-29A or an Alternative Development meeting the requirements of Section 13-1-63(e). ~~[Note; Under Section 13-1-29A(b)(9) a Conservation Subdivision in an F-1 zoning district may not be developed with more than 3 units.]~~

Sec. 14-1-42 Fees.

- (a) The applicant shall pay the fee specified in Section 13-1-21(e)(1) for each lot created.
- (b) A Class B special use fee shall be required prior to any review of subdivision plats.
- ~~(b)~~(c) The applicant shall also pay the recording fee as determined by the Register of Deeds prior to recording a certified survey map or plat.

Sec. 15-1-18 Maintenance Program.

- (a) Maintenance agreements for all POWTS using a soil absorption component shall be recorded with the Bayfield County Register of Deeds prior to the issuance of a sanitary permit.
- (b) The applicant for a sanitary permit shall be provided written notice of the maintenance program at the time the sanitary permit is issued.
- ~~(b)~~(c) The maintenance and servicing of all POWTS in Bayfield County shall occur as required by Comm. 83.54 Wis. Adm. Code and Sec. 145.245 Wis. Stats.
- ~~(e)~~(d) The reporting of the inspection, maintenance and serving event shall be specified by the County and shall include the minimum requirements of Comm. 83.55 Wis. Adm. Code.