

Article A: Preamble

Sec. 14-1-1 Title.

This Chapter shall be known as the "Bayfield County Subdivision Control Ordinance" or "County Subdivision Control Code."

Sec. 14-1-2 Intent and Purpose.

This Chapter is intended to regulate and control the division and subdivision of land within the unincorporated areas of Bayfield County in order to promote the public health, safety and general welfare and to encourage the most appropriate use of land. This Chapter is also intended to achieve the purposes listed in Ch. 236, Wis. Stats., and the Bayfield County Zoning Ordinance.

Sec. 14-1-3 Statutory Authority.

These regulations are adopted under the authority granted by Secs. 59.97, 59.971, 144.26, 236.12 and 236.45, Wis. Stats.

Sec. 14-1-4 Jurisdiction.

The jurisdiction of this Chapter shall include all unincorporated lands within Bayfield County exclusive of those lands held in public trust by the federal government or those tribal owned lands located within the Red Cliff Indian Reservation.

Sec. 14-1-5 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Applicant.** Any person, firm or corporation or any agent thereof, dividing or proposing to divide land as defined by the terms of this Chapter.
- (b) **Board of Adjustment.** A County committee created under the authority of Sec. 59.99, Wis. Stats., to act in a quasi-judicial capacity to resolve land use issues.
- (c) **Certified Survey Map.** A map prepared by a registered land surveyor of a land division of up to four (4) lots, meeting the requirements of Ch. 236.34, Wis. Stats., and of this Chapter.
- (d) **Cul-de-Sac.** A road having one end open to traffic and the other permanently terminated by a vehicular turnaround.
- (e) **Easement.** The legal authorization by a property owner providing for the use by another of a designated portion of his/her property for a specified purpose.

- (f) **Lot.** A parcel of land under common ownership. Except for lots and outlots established by certified survey map or plat approved pursuant to this chapter, contiguous lands under common ownership shall constitute a single lot for purposes of this chapter and land under common ownership but separated by a river, stream, non-fee title public road, private road or easement shall constitute a single lot for purposes of this chapter. Lands under common ownership separated by fee title public road, state or federal highway or public lake bed shall not constitute a single lot. *Effective May 30, 2006.*
- (g) **Lot Area.** The horizontal projection of a lot, exclusive of any portion of public right of way or any portion of a lot thirty (30) feet or less in width. Measurements are to be made by standard surveying methods. Any portion of a lot covered by a private easement shall be included in the lot area.
- (h) **Outlot.** A parcel of land not suitable for or not intended for development and designated as an outlot on a certified survey map or plat approved pursuant to this chapter. No outlot may be improved with a building or other structure unless a conditional use permit has been issued therefore.
- (i) **Preliminary Map or Plat.** A map showing the salient features of a proposed land division to an approving authority for purposes of preliminary consideration.
- (j) **Plat.** A map of subdivisions, prepared in the manner prescribed in Ch. 23, Wis. Stats.
- (k) **Replat.** The process of changing, or the map or plat which changes, the boundaries of a recorded plat or part thereof.
- (l) **Road Frontage.** The shortest horizontal straight line which can be established between the point where one side lot line intersects the right-of-way to the other side line.
- (m) **Service Road.** Streets parallel and adjacent to arterial roads which provide access to abutting properties and separation from through traffic.
- (n) **Shoreline Frontage.** The shortest horizontal straight line which can be established between points on the side lot lines at the waterfront end of a lot or parcel abutting a navigable lake or stream. At least one point along the horizontal straight line must lie on the ordinary high water mark, and its entire extent must lie wholly within the lot or parcel. Any part of the line located within the right of way of a public road or street shall be excluded from measurement of the shoreline frontage.
- (o) **Street.** Any public way, road, avenue, highway or part thereof.
- (p) **Surety Bond.** A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the applicant.

- (q) **Subdivision.** The division of a parcel of land for the purpose of transfer or development which results in the creation of five (5) or more parcels of less than five (5) acres in area within a period of five (5) years.
- (r) **Variance.** In specific cases, a deviation from the terms of the Chapter as will not be contrary to the public interest and where owing to conditions peculiar to the lot or property in question, a literal enforcement of the provisions of this Chapter will result in unnecessary hardship.
- (s) **Zoning Committee.** The Bayfield County Planning and Zoning Committee a committee created by the County Board of Supervisors under the authorization of the Wisconsin Statutes to act in matters of land use.
- (t) **Zoning Department.** The Bayfield County Planning and Zoning Department.

Sec. 14-1-6 through Sec. 14-1-19 Reserved for Future Use.