

Article B: General Provisions

Sec. 14-1-20 Administration.

The administration and enforcement of this Chapter shall reside with the Planning and Zoning Department of the Bayfield County Board of Supervisors and its duly authorized staff.

Sec. 14-1-21 Compliance.

- (a) No person, firm, or corporation shall divide land for the purpose of sale, transfer, or development that creates one or more lots of less than five (5) acres, or of less than nineteen (19) acres if any part thereof is located within shorelands (as defined in Section 13-1-4(a)(60), without obtaining approval of the Planning and Zoning Department and without complying with the provisions of this Chapter.
- (b) Where applicable, the subdivider shall also comply with the provisions of Ch. 236, Wis. Stats.; the rules of the Wisconsin Department of Commerce as they relate to private sewage systems; the rules of the Wisconsin Department of Transportation as they relate to safety of access and preservation of public interest concerns; and all other laws, regulations or requirements having appropriate authority.
- (c) Should any provision of this Chapter conflict with any other law, then the provisions of the more stringent requirement, regulation, restriction or limitation shall prevail.
- (d) No land use permit shall be issued, nor shall any construction activity commence on any lot requiring approval under this Chapter, until final lot division approval has been granted.

Sec. 14-1-22 Exclusions.

The provisions of this Chapter shall not apply to:

- (a) Transfers of land pursuant to court order or will.
- (b) The sale or exchange of parcels between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by the Bayfield County Zoning Code or other applicable laws or ordinances.
- (c) Leases for a term not to exceed ten (10) years, mortgages or easements.

- (d) Cemetery plats and assessor plats made under the provisions of Secs. 157.07 and 10.27, Wis. Stats.
- (e) Sale and exchange of parcels of public utility or railroad right of way to adjoining property owners where approved by the city, village, town or County.

Provided, however, that parcels excluded from the provisions of this Chapter under this section are not excluded from the dimensional requirements of Chapter 13 for buildable lots contained in Sections 13-1-60 and 13-1-32.

Sec. 14-1-23 Violations and Penalties.

- (a) Any violation of the terms of this Chapter not corrected on the written order of the Zoning Committee or Department within the time specified, shall be referred to the Zoning Committee who shall determine the further action to be taken.
- (b) The violation of any condition attached by the Zoning Committee to a land division approval shall constitute a violation of this Chapter.
- (c) Any person, firm, or corporation found guilty of violating any provisions of this Chapter, shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) and the full cost of prosecution, plus the costs of any compliance required to rectify the violation. Each day of violation shall constitute a separate offense.
- (d) Violations of the provisions of this Chapter are also subject to the terms of Ch. 66.119, Wis. Stats., and Title 1, Chapter 2 and Section 1-1-6 of the Bayfield County Code of Ordinances.

Sec. 14-1-24 Disclaimer of Liability.

This Chapter shall not be construed as assuming any liability on the part of Bayfield County, or any officer or employee thereof, for any problems or damages which may occur as a result of reliance upon and conformance with, this Chapter.

Sec. 14-1-25 Interpretation.

These regulations shall be liberally construed in their interpretation and application to provide for the orderly growth and development of the unincorporated areas of Bayfield County, and shall not be deemed as a limitation or repeal of any other power granted by the Wisconsin Statutes.

Sec. 14-1-26 Amendments.

The Bayfield County Board of Supervisors may make amendments to this Chapter in the manner prescribed by the Wisconsin Statutes.

Sec. 14-1-27 Variances and Appeals.

- (a) Any person seeking a variance from the terms of this Chapter, or aggrieved by a decision rendered by the Zoning Committee or Zoning Department may request and be granted a public hearing before the Bayfield County Board of Adjustment as provided in Section 13-1-102. An appeal notice shall be filed with the Zoning Department within thirty (30) days from the date of the order or decision from which the appeal is being made.
- (b) The Board of Adjustment may grant upon appeal in specific cases and subject to appropriate conditions and safeguards, a variance from the terms of this Chapter where, owing to special conditions, a literal enforcement will result in practical difficulty and unnecessary hardship.
- (c) Any variance granted shall be in total conformity with all applicable laws and regulations; the public health, safety and general welfare; and the spirit of this Chapter. Variances granted shall not be considered a precedent in any way.

Sec. 14-1-28 Right to Access.

The Zoning Committee and its duly authorized staff shall be granted access, with the consent of the property owner or his/her agent, to any premise during regular business hours for the purpose of performing inspections necessary to assure compliance with this Chapter.

Sec. 14-1-29 Vacating and Replatting.

Recorded maps or plats may be vacated or altered pursuant to Secs. 236.36 through 236.44, Wis. Stats., which are adopted by reference and applied to all land divisions regulated by this Chapter.

Sec. 14-1-30 through Sec. 14-1-39 Reserved for Future Use.