

For the Zoning Dept To Issue a Land Use Permit The Following Dimensions are Required		Minimum Average Width / Frontage	Minimum Side & Rear Yard Setbacks		Shoreland Setback
Zoning District	Minimum Area	Non-Shoreland / Shoreland	Accessory Building	Principal Building	Ordinary High Water Mark
R-RB, R-1	30,000 sq. ft.	150'	10'	10'	
F-1, R-2, A-1	4½ acres	300'	30'	75'	
R-3	2 acres	200'	20'	20'	75' from
F-2, A-2	35 acres	1,200'	30'	75'	OHWM
I, C*	20,000 sq. ft.	100'	5'	5'	or
R-4					Bank/Bluff
(a) Sewer/water	10,000 sq. ft.	75'	10'	10'	
(b) Sewer only	15,000 sq. ft.	75'	10'	10'	
(c) Water only	20,000 sq. ft.	100'	10'	10'	

Lots/Parcels in shoreland must comply with Article D, Section 13-1-60 and if creating lot(s) Article C, Section 14-1-40 Survey and Recording Requirements. F-1 & Ag-1 zoning districts require Town Board approval for residences.

- (b) Commercial zoning districts within and utilizing the services of a sanitary district shall be permitted to apply R-4 Zoning District lot size standards. Commercial zoning districts not located within a sanitary district that involves a residence shall apply R-1 Zoning District lot size standards.
- (c) The minimum road frontage on a cul-de-sac shall be fifty (50) feet in a R-1, R-3, R-4, R-RB, Commercial, or Industrial Zoning District.
- (d) The radius of a cul-de-sac shall not be less than forty-five (45) feet in a F-1, R-2, A-1, R-3, F-2, A-2, Industrial, Commercial, or R-4 Zoning District.
- (e) The side yard setback for buildings and structures may be reduced to not less than one-third of the otherwise required setback where a proposed division of land will separate buildings of an existing farmstead. The reduced setback shall apply only along the property line that separates the existing farmstead and only to buildings and structures that predate the proposed division. The Zoning Committee may require drainage, visual screening, and other measures to mitigate the effect of side yard setback reduction as a condition of division approval.

**** If your lot does not meet the requirements above, please read Sec 13-1-26 below**

Sec. 13-1-26 Substandard Lots of Record.

- (a) **Substandard Lots of Record.** The following substandard lots of record, if recorded in the Bayfield County Register of Deeds Office, may be used as building sites, subject to the provisions set forth in subsection (b) below:
 - (1) A non-shoreland substandard lot or contiguous lots of record which is or are not serviced by a public sanitary sewer and which is or are at least 10,000 sq. ft. in area and 65 ft. in width at the building line
 - (2) A non-shoreland substandard lot or contiguous lots of record which is or are served by a public sanitary sewer and which is or are at least 7500 sq. ft. in area and 50 ft. in width at the building line.
- (b) **Substandard lots of record must comply with the following provisions in order to be used as building sites.**
 - (1) The proposed use of the site is permitted in the zoning district in which it is located.
 - (2) All applicable setback requirements of this ordinance and all provisions of the Bayfield County Sanitary and Private Sewage Ordinance are complied with.
- (c) **Buildings Sites on Substandard Shoreland Lots.** A legally created lot for a parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:
 - (1) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.
 - (2) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
 - (3) The substandard lot or parcel is developed to comply with all other Bayfield County Zoning Ordinance requirements.
- (d) **Other Substandard Lots.** A building permit for the improvement of a lot having lesser dimensions than those described in subsections (a) and (b) above, or a shoreland lot having lesser dimensions than those described in subsection (c) above shall be issued only after the granting of a variance by the Board of Adjustment.

Note: If you have a sub-standard lot of record, it may be buildable provided it meets the above criteria and you obtain a copy of the recorded deed showing the parcel was created before your Township adopted zoning.

Sec. 13-1-61 Zoning Districts.

This Section is to divide the unincorporated areas of Bayfield County into districts within which the uses of land will be mutually compatible:

- (a) **R-1 Residential-1.** This district provides for permanent residential developments in unsewered neighborhood environments capable of being served with required services and utilities while, at the same time, being protected from traffic hazards and the intrusion of incompatible land uses.
- (b) **R-2 Residential-2.** This district is to require large lot residential development as a means of preserving the space characteristics of country living.
- (c) **R-3 Residential-3.** This district is to provide medium size lots for residential development as a means of preserving estate living.
- (d) **R-4 Residential-4.**
 - (1) This district provides for permanent residential developments in neighborhood environments with water and/or sewer as well as other services and utilities. Such developments should be protected from traffic hazards and the intrusion of incompatible land uses.
 - (2) Upon the installation of public sewer and/or water supply facilities in an existing unincorporated village, the area may be rezoned to the Residential-4 District.
 - (3) The Residential-4 District is not intended for and shall not be applied to areas outside existing unincorporated villages.
- (e) **R-RB Residential-Recreational Business.** This district is intended to provide for permanent or seasonal residential development and associated recreational value.
- (f) **F-1 Forestry-1.** This district is to provide continuation for forestry programs and to permit compatible recreational development.
- (g) **F-2 Forestry-2.** This district is to provide for large contiguous tracts that may be used primarily for forestry programs; no residential structures allowed.
- (hi) **A-1 Agricultural-1.** This district is designed to provide areas for general agriculture and to prevent the encroachment of scattered commercial and industrial enterprises, and small lot residential development.
- (ij) **A-2 Agricultural-2.** This district is to provide for large contiguous tracts that may remain in general agricultural use; no residential structures allowed.
- (j) **C Commercial.** This district is intended to provide for the orderly and attractive grouping, at convenient locations, of retail stores, shops, offices, and establishments serving the daily needs of the area.
- (k) **I Industrial.** This district is intended to provide for any manufacturing or industrial operation, which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the County as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, or other similar factors, and subject to such regulatory controls as will reasonably insure compatibility in this respect. Any use determined to be objectionable by the Zoning Administrator or the Zoning Committee on the basis of the aforementioned grounds shall be denied, subject to appeal under Section 13-1-102.
- (l) **W Conservancy.** This district is intended to be used to prevent destruction or alteration of natural or manmade resources which are considered to have valuable ecological or aesthetic assets. All efforts should be made in these areas to preserve the qualities for which they have been set aside.
- (m) **UVOD Unincorporated Village Overlay District.**
 - (1) The Unincorporated Village Overlay District is created to accommodate the land use patterns of those established unincorporated villages where, in order to insure development consistent with the intent of this Chapter, special provisions shall be applied.
 - (2) The Unincorporated Village Overlay District shall encompass the lands contained in the Villages of Drummond, Cornucopia, Iron River, Herbster, Grand View, and Port Wing as these boundaries are delineated on the orders creating these respective sanitary districts created under the provisions of Ch. 60.3, Wis. Stats, and on file at the Register of Deeds Office.
 - (3) This District shall also include the property included within the Cable Sanitary District service area in Section 18-43-7, in the Town of Cable, as shown on the map of said section showing proposed zoning district changes for the Cable Sanitary District prepared by the Bayfield County Land Records Department and filed with the Bayfield County Planning and Zoning Department on April 20, 2005.
- (n) **S-W Shoreland-Wetland.** The Shoreland-Wetland Overlay District is created to accomplish the objectives contained in Ch. NR 115, Wis. Adm. Code, and Title 13, Chapter 3 of this Code of Ordinances. This district, delineated on the final Wisconsin Wetlands Inventory Maps for Bayfield County, shall supersede all zoning districts previously mapped prior to the adoption of Title 13, Chapter 3.

~ SETBACK REQUIREMENTS ~

Water

Wetlands

All structures shall be setback 25' on all mapped wetlands (2 acres or greater).

Ordinary high water mark (OHWM) of navigable waters:

All structures shall be set a minimum of:

75' from the OHWM on **Class 1 - Class 2** and **Class 3** navigable waters.

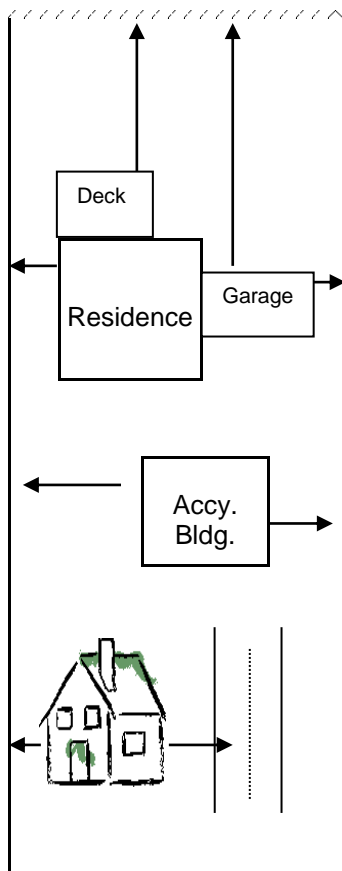
Property Lines

Principal Structures shall be setback:

- 5' in (C) and (I) Zoning Districts
- 10' in (R-RB), (R-1), (R-4) & (M) Zoning Districts & Class (1) Lakes *
- 20' in (R-3) Zoning Districts & Class (2) Lakes *
- 75' in (R-2), (Ag-1) & (Ag-2) and (F-1) & (F-2) Zoning Districts

Accessory Structures (i.e. storage shed, residential garages, saunas, etc.) shall be setback:

- 5' in (C) & (I) Zoning Districts
- 10' in (R-RB), (R-1), (R-4) & (M) Zoning Districts & Class (1) Lakes *
- 20' in (R-3) Zoning Districts & Class (2) Lakes *
- 30' in (R-2), (Ag-1) & (Ag-2), (F-1), & (F-2) Zoning Districts & Class (3) Lakes *



Location of Accessory Structures. An accessory structure to a conforming or nonconforming structure shall comply with the applicable setbacks set forth in Section 13-1-32 and 13-1-60 and shall be located at least 5 feet from the structure.

Highway and Road Setbacks: **

- All **State** or **U.S. Highways**: 110' from centerline **or** 50' right-of-way, whichever is greater.
- All **County** Highways: 75' from centerline **or** 42' from right-of-way, whichever is greater.
- All **Town** Roads: 63' from centerline **or** 30' from right-of-way, whichever is greater.
- All **Private** Streets or Roads: 40' from the centerline except individual driveways.
- All **Cul-de-sacs**: 75' from centerline **or** 30' from right-of-way, whichever is greater.

** Exception: A setback equal to the average setbacks of existing principle buildings within 300' of the proposed structure shall be permitted. In no case shall this be less than 1/2 the requirement setback from the right-of-way.



Note: All setback distances are horizontal measurements from the furthest extension of the structure (i.e., decks, eaves, bowed windows, etc.)

Residential-Recreational Business (R-RB), Residential-1 (R-1), Residential-2 (R-2), Residential-3 (R-3), Residential-4 (R-4), Forestry-1 (F-1), Forestry-2 (F-2), Agricultural-1 (Ag-1), Agricultural-2 (Ag-2), Industrial (I) Commercial (C), Municipal (M).

The required shoreline setback shall be 75 feet back from the top edge of the bank or bluff, and if a lot is located in an area of active or potential erosion designated on a map entitled Erosion Hazard Areas—Bayfield County, a greater setback may be required as determined by the Zoning Committee or its duly designated agent.

Web Site Available: www.bayfieldcounty.org/147