

Excerpt from

# **A Model County Shoreland Zoning Ordinance for Protecting Wisconsin's Shorelands**

## **4.0 MINIMUM LOT SIZE FOR CONFORMING LOTS. (NR 115.05(1))**

4.1 PURPOSE. (NR 115.05(1)(a)) Minimum lot sizes in the shoreland area have been established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.

4.2 SEWERED LOTS. (NR 115.05(1)(a)1) For each lot served by public sanitary sewer the minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be 65 feet with at least 65 feet of frontage width at the ordinary high water mark.

4.3 UNSEWERED LOTS. (NR 115.05(1)(a)2) For each lot not served by public sanitary sewer the minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet with at least 100 feet of frontage width at the ordinary high water mark.

## **5.0 SUBSTANDARD LOTS. (NR 115.05(1)(a)3)**

5.1 A legally created lot or 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 ordinance requirements.

*NOTE: The intent of this provision is to allow lots that were legally created that currently do not meet the minimum lot width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots that have been reconfigured by a certified survey map or consolidated into one legal description with the register of deeds, which result in a larger (closer to conforming) lot should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds but have one tax parcel number assigned by the Real Property Lister or Assessor for taxing/assessing purposes should be considered separate building sites and should not be considered consolidated. Lots that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring.*

5.2 OTHER SUBSTANDARD LOTS. Except for lots which meet the requirements of section 5.1 a building permit for the improvement of a lot having lesser dimensions than those stated in sections 4.2 and 4.3 shall be issued only if a variance is granted by the board of adjustment.