

TOWN OF LAND O' LAKES  
VILAS COUNTY, WISCONSIN

ORDINANCE #2009-1

ORDINANCE REGULATING CONSTRUCTION, SUBDIVISION, AND LAND USE IN  
THE TOWN OF LAND O' LAKES, WISCONSIN

THIS ORDINANCE INCLUDES:

- 1) The original ordinance "ORDINANCE REGULATING CONSTRUCTION, SUBDIVISION, AND LAND USE IN THE TOWN OF LAND O' LAKES, WISCONSIN" dated April 14, 1972, signed by Barbara J. Clemmer, Town Clerk; Jerry Sparks, Town Chairman; James Cestkowski, Town Supervisor and Donald S. Gorski, Town Supervisor. (Repealed by Ordinance #98-6-1)
- 2) "ORDINANCE REGULATING CONSTRUCTION, SUBDIVISION, AND LAND USE IN THE TOWN OF LAND O' LAKES, WISCONSIN" dated April 11, 1990, signed by Mildred Mendlik, Town Clerk; Ronald Ramesh, Town Chairman; Henry Mitchell, Town Supervisor and Michael Stopczynski, Town Supervisor
- 3) Ordinance #98-6-1 "AMENDING AND REVISING THE ORDINANCE REGULATING CONSTRUCTION, SUBDIVISION, AND LAND USE IN THE TOWN OF LAND O' LAKES, WISCONSIN, PASSED APRIL 11, 1990" dated June 30, 1998, signed by Lyn Bybee, Town Clerk-Treasurer; Richard Peterson, Town Chairman; John Rasmussen, Town Supervisor and Henry Mitchell, Town Supervisor

SECTION I -- NAME

This ordinance shall be known and cited as the Land O' Lakes Lakeland Development Ordinance.

SECTION 2 -- PURPOSE

The purpose of this ordinance is to promote public health, safety and general welfare of the inhabitants of the Town of Land O' Lakes and to regulate and control the growth and development of the land within said town.

SECTION 3 -- APPLICABILITY

This ordinance shall apply to all land in the Town of Land O' Lakes within five hundred (500) feet of the high-water mark of any lake or river in, or partially in, said town.

SECTION 4 -- SEVERABILITY

The several terms and provisions of this ordinance shall be deemed severable, and if any provisions of it or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons and circumstances shall not be affected hereby.

SECTION 5 -- RESIDENTIAL STRUCTURES PERMITTED

Except as provided in this ordinance, it shall be unlawful to construct any building or structure other than a *single family dwelling*, caretaker's house, boat house, guest house, garage, or service building upon any land to which this ordinance is applicable, as set forth in section three hereof, nor may any such permitted building or structure be devoted to commercial purposes.

SECTION 5A. -- PRIVATE SCHOOL STRUCTURES AND USES PERMITTED

Notwithstanding the provisions of Section 5 of this Ordinance, it shall be lawful and permitted for a land owner, and its successors in title, to use, improve, maintain and operate those portions of the land that are depicted on the map attached hereto as Exhibit 1 (the "Private Residential School District") as a private residential school, which may include from time to time, classroom

buildings, study halls, gymnasiums, dormitories, staff housing, faculty housing, guest housing, greenhouses, wastewater treatment facilities, food service facilities, museums, libraries, places of worship, auditoriums, swimming pools, laboratories, observatories, garages, storage buildings, service buildings, and any and all other buildings required for the operation of such a private residential school.

#### SECTION 6 – MINIMUM LOT SIZE

Within the area to which this ordinance is applicable, no building shall be constructed on a lot having less than two hundred (200) feet of water frontage and less than sixty thousand (60,000) square feet of land.

#### SECTION 7 – SETBACK REQUIREMENTS

Within the area to which this ordinance is applicable, no building other than a boat house shall be built within seventy-five (75) feet of the normal high-water mark of said lake or river; nor shall any building be built within fifteen (15) feet of the side line of any lot or within seventy-five (75) feet of the center line of any town road *or private road* and also *septic systems*, garages and outbuildings shall not be built within fifteen (15) feet of the side line of any lot or within seventy-five (75) feet of the center line of any town, or private road. In connection with the development, use or operation of a private residential school as permitted by the provisions of Section 5A of this Ordinance, more than one principal building used for such private residential school purposes may be constructed and maintained on a single lot.

#### SECTION 8 – SUBDIVIDING RESTRICTED

No land to which this ordinance is applicable shall be subdivided in any manner violative of the provisions of this ordinance; however, any owner of a vacation resort or commercial property may subdivide such vacation resort or commercial property so as to allocate one lot for each residential dwelling, cottage, or cabin now in existence, subject to the terms, requirements and provisions of Vilas County Zoning and Water Protection Ordinance.

#### SECTIONS 9 AND 10 REPEALED, AND THE PROVISIONS OF THE 1998 ORDINANCE ARE HEREBY SUBSTITUTED IN LIEU THEREOF

#### SECTION 11 – LIMITATIONS OF ORDINANCE

At the discretion of the property owner, the lawful use of any building or land as existing and lawful on the date of the enactment of this ordinance may be continued, even though such use may not be in conformity with the provisions of this ordinance. No provision of this ordinance shall be interpreted or construed to prohibit the construction or alteration of a single-family dwelling on a single lot or tract of land smaller than the minimum requirements of this ordinance, provided such single lot or tract was recorded as such prior to the date of the enactment of this ordinance.

#### SECTION 12 – CONTINUING OFFENSE

Each day a violation of this ordinance shall continue shall constitute a separate offense.

#### SECTION 13 – PENALTIES

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this ordinance shall be subject to a fine of not less than ten (\$10.00) dollars nor more than two hundred (\$200.00) dollars together with the costs of the action, and in case of default of payment thereof, to imprisonment in the county jail for not less than one (1) day nor more than six (6) months, or until such fine and costs be paid.

In addition to the above penalties, compliance may be enforced by injunctive order at the suit of the town, the county, or the owner or owners of land within the Town of Land O' Lakes Lakeland development area.

SECTION 14 - EFFECTIVE DATE

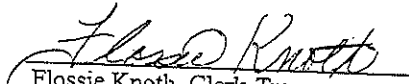
This ordinance shall be in full force and effect from and after its passage and public posting and after having been approved by the Vilas County Board.

GENERAL REPEALER

That, except for the 1967 Ordinance (dated May 15, 1967, relating to the Town of Land O' Lakes Airport), the 1990 Ordinance and the 1998 Ordinance, all other ordinances or resolutions, or parts of ordinances or resolutions, in conflict with the provisions of this Ordinance or of the 1967 Ordinance, the 1990 Ordinance or the 1998 Ordinance are hereby repealed.

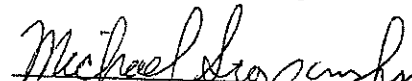
DATED THIS 11<sup>TH</sup> DAY OF MARCH 2009.

ATTEST:

  
Flossie Knoth, Clerk-Treasurer

  
Daniel G Balog, Town Chairman

  
Samuel Otterpohl, Town Supervisor

  
Michael Stopczynski, Town Supervisor

**Re: Land O' Lakes Lakeland Development Ordinance Amendment**

1           **WHEREAS**, the attached amendments to the Town of Land O' Lakes Lakeland  
2 Development Ordinance #2009-1, Section 5 and Section 7, were adopted as final by the  
3 Land O' Lakes Town Board on the 11<sup>th</sup> day of February, 2009 after the Land O' Lakes  
4 Town Plan Commission Public Hearing that was held on January 28, 2009; and

5           **WHEREAS**, the Vilas County Board must approve these amendments prior to  
6 them taking effect and Wis. Stat. 60.62(3), provides for such procedure; and


7           **WHEREAS**, the Vilas County Zoning Committee has reviewed these  
8 amendments and recommends approval of the attached amendments.

9           **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of  
10 Supervisors in session this 21st day of April, 2009 that the attached amendments to the  
11 Town of Land O' Lakes Lakeland Development Ordinance #2009-1, Section 5 and  
12 Section 7, are hereby approved pursuant to Wis. Stat. 60.62(3)

*Fiscal Impact Statement:*

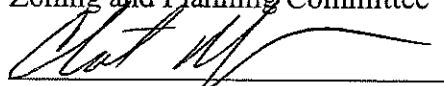
- Included within Resolution
- See Attached
- Not applicable

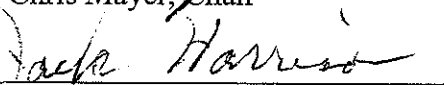
APPROVED AS TO FORM

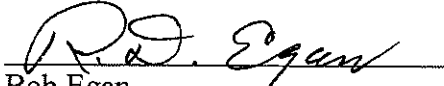
  
Corporation Counsel

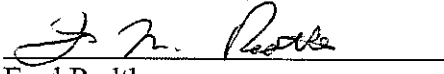
SUBMITTED BY:

Zoning and Planning Committee

  
Chris Mayer, Chair

  
Jack Harrison, Vice Chair

  
Bob Egan

  
Fred Radtke

  
Maynard Bedish

I, David R. Alleman, Clerk of Vilas County, Wisconsin, do hereby certify that the attached resolution is a true and correct copy of a resolution which was approved by the Vilas County Board of Supervisors on the 21<sup>st</sup> day of April, 2009.

A handwritten signature in cursive script that reads "David R. Alleman". The signature is written in black ink and is positioned above a horizontal line.

David R. Alleman  
Vilas County Clerk