

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Oconto County Planning and Zoning Committee of the Oconto County Board of Supervisors will hold a public hearing on proposed text amendments to the Oconto County Land Division Ordinance on Monday, February 12, 2018 beginning a 2:15 pm or as soon thereafter as the committee may convene at the Abrams Town Hall, 5877 Main St, Abrams, WI. The changes to be considered are as follows:

When bold & underlined print is used it indicates an addition to the ordinance. When strikeout print is used it indicates a deletion from the ordinance.

13.550 REALIGNMENT CERTIFIED SURVEY MAPS**13.551 Classification**

A Certified Survey Map that reconfigures lot boundaries between existing parcels to address the following exchange(s) of lands that occur among adjacent property owners: including but not limited to encroachments, occupation issues, gaps and overlaps (junior/senior rights issues), attachments/exchange of parts of platted lots to adjoining parcels, as well as other situations wherein the result creates no new additional parcels.

13.552 Pre-Application Consultation

Prior to submitting an application for County approval of a Realignment Certified Survey Map, the applicant or agent may meet with the County Planning & Zoning Administrator. At this meeting, the applicant will inform the administrator of the location and nature of the project which will be proposed. Based upon this information, the administrator will explain to the applicant:

(a) Whether the proposal will require County or County and State reviews, documents, and any procedures required.

(b) Which standards of the ordinance will apply.

(c) The Planning & Zoning Administrator shall make and retain a record of such pre-application consultation and a summary of the information shared at the meeting.

13.553 Application for Realignment Certified Survey Map

Where it is desired to realign the boundaries of an existing parcel (s) to resolve encroachment or other issues and to establish a concise legal description for record of title, conveyance, etc., the subdivider shall do so by use of a Realignment Certified Survey Map which complies with the requirements of §236.34 Wisconsin Statutes and all applicable sections of this ordinance. The Realignment Certified Survey Map shall be prepared by a Registered Land Surveyor. The subdivider, or their designated agent, shall file the application and two (2) copies of the Realignment CSM with the Planning & Zoning Administrator.

13.554 County Action upon Receipt of Application for Realignment Certified Survey Map

(a) Upon receipt of an application for a Realignment Certified Survey Map, the Planning & Zoning Administrator shall transmit two (2) copies of the map to the Oconto County Land Information Systems Department. The Land Information Systems Department shall have objecting authority in the Realignment Certified Survey Map approval process. Their recommendation must be returned to the Planning & Zoning Administrator within fifteen (15) days from the date the copy is transmitted. If a recommendation is not received within fifteen (15) days it shall be deemed an approval.

(b) The Planning & Zoning Administrator shall review and approve, conditionally approve or disapprove Realignment Certified Survey Maps, within thirty (30) calendar days of the date submitted. The Planning & Zoning Administrator's decision shall be based upon the standards of this section, Wisconsin Statutes and all applicable portions of this ordinance. This decision shall be in writing.

(c) Any substantial change determined by the Planning & Zoning Administrator may cause the Realignment Certified Survey Map to be re-submitted including all fees and review. In addition every re-submittal or submittal required to clarify matters regarding said maps shall constitute a new time frame for review purposes.

13.555 Appeal

(a) The applicant may appeal the decision of the Planning & Zoning Administrator. This appeal must be received within thirty (30) days of the date of the decision of the Planning & Zoning Administrator. The appeal shall be in writing and shall explicitly state what part of the denial is being appealed and why. Upon receipt of the appeal the Planning & Zoning Administrator shall transmit the appeal to the Planning & Zoning Committee.

(b) The committee shall, within forty (40) calendar days of the date of submission, review the appeal against the applicable standards of this ordinance, and approve, approve conditionally or deny the appeal based upon a determination of conformity or non-conformity with the applicable standards.

(c) The action of the committee on the appeal shall be stated in writing in the minutes of the committee meeting and those minutes or an extract thereof shall be mailed to the applicant. Failure of the committee to act within forty (40) days of the date of submission to the Committee or within a time as extended by agreement with the subdivider shall constitute an approval.

13.556 Requirements of Realignment Certified Survey Maps

(a) In addition to all requirements of §236.34 Wisconsin Statutes the Realignment Certified Survey Map shall include the following:

(1) The face of the map shall show:

CERTIFIED SURVEY MAP NO.

A Realignment SURVEY

(2) A clear and concise legal description that exactly matches the bearings and distances shown on the map. The error of closure for the legal may not exceed 1 in 3,000.

(3) Owners name, along with reference to the recorded document(s) from Oconto County records that show(s) title to the Platted area. The reference to the recorded document(s) of the affected property may be shown on the map, in the Surveyor's Certificate or in the Owner's Certificate.

(4) Show recorded document(s) reference or platted status (i.e. State or County Plat by name and lot number, CSM by volume, page and lot number) of adjoining lands.

(5) Area of each lot shown in square feet (nearest square foot) and acres (nearest 100th acre).

(6) All curve data. (All arc distances shall be shown on the map)

(7) Existing road(s) showing road name and right angle width.

(8) Building setback lines shall be shown or noted on the face of the map. A note to the effect that "prior to construction applicable building setback lines for the property contained herein must be established by the Oconto County Planning & Zoning Department" shall meet this requirement.

(9) Floodplain, wetland and shoreland boundaries. Source of the data shall be identified.

(10) Locations of existing buildings, watercourses, drainage ditches, fences and any other pertinent features.

(11) Locations and names of adjoining parks, cemeteries, subdivisions, ponds, streams, lakes and flowages.

(12) Any proposed lake or stream access or any proposed lake or stream improvement or relocation.

(13) A 2 1/2" x 3" box be provided on sheet one for recording information by the register of deeds. This location upon certain situations may be altered by the zoning administrator.

(14) Certificates of approval in substantially the same form as required by §236.21(2)(a) and §236.21(3) Wisconsin Statutes, and as per this ordinance as follows:

(A) Owner(s) Certificate with Notary Seal

(B) County Planning & Zoning Certificate

(C) Other certificates that maybe required by the Planning & Zoning Administrator and §236.21 WI Statutes. (including but not limited to, Town & County Treasurer's Certificates, Town Certificates, etc.)

(15) Certification that the CSM is a true and correct representation of the features surveyed and mapped and that the Surveyor has fully complied with Chapter 236, the Oconto County Land Division Ordinance and any other local ordinances.

(16) Where the Planning & Zoning Administrator finds that the County requires additional information relative to a particular problem presented by the proposed subdivision, the Planning & Zoning Administrator shall have the authority to request such information from the subdivider. Such additional information may include, but not be limited to the following:

(A) Identification of surface drainage patterns, showing direction of flow, grading plan and indicating the manner and extent to which the drainage patterns will be altered by the subdivision and its development.

(B) Information concerning the potential for soil erosion resulting from the land division.

(C) All adjoining lands reserved for future public acquisition.

(D) Two-foot contour intervals in the areas of the lots to be used for building sites and the installation of private water supplies.

(E) Erosion and sediment control measures.

(F) Report on Soil Borings and Percolation Tests. Locations of borings shall also be shown on the face of the map.

(H) Any other additional information and special restrictions required by the reviewing authorities.

13.1009 Lots

(i) Substandard lots: Exchange of lands between property owners involving substandard lot(s) may be permitted as part of a Realignment Certified Survey Map subject to the following standards:

(1) Any exchange shall not increase the non-conformity of an existing substandard lot(s) provided in the Oconto County Land Division and Zoning Ordinance dimensional standards or any other applicable ordinance.

(2) Any exchange does not reduce conforming lot(s) below the minimum dimensional standards of the Oconto County Land Division and Zoning Ordinances or any other applicable ordinance.

This hearing is open to the public. All interested parties are invited to attend. Notice is further given that a copy of the proposed amendments to the ordinance will be on file and open for inspection in the office of the Zoning Administrator for a period of at least two weeks prior to the public hearing.

Dated this 24th day of January, 2018.

THE OCONTO COUNTY PLANNING & ZONING COMMITTEE OF
THE OCONTO COUNTY BOARD OF SUPERVISORS

By: Patrick Virtues
Zoning Administrator