

Title 5 Chapter 16

Placement of Homes or Structures on
Parcels of Land Outside of a Platted Subdivision

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5-16-1: SHORT TITLE:

This chapter shall be known and may be cited as the “PLACEMENT OF HOMES AND STRUCTURES” Ordinance

5-16-2: PURPOSE:

- A. To review and approve the location of structures on parcels of land larger than five (5) acres which are located outside of a platted subdivision.
- B. To promote the orderly layout and use of land in the Town of Lake Mills.
- C. To preserve tillable land, wetlands, and other special environmental assets.
- D. To minimize the length of access drives.
- E. To prevent soil erosion damage to shorelines, lakes, and streams.
- F. To conserve and protect land, water, and air resources and to protect surface and groundwater quality.

5-16-3: AUTHORITY:

The Town Board has been granted village powers by the electorate under Wis. Stats. 60.22(3) and therefore the Town Board may exercise certain zoning authority under Wis. Stats. 61.35, which allows for a planning commission which shall be known hereunder as a Town Planning Commission under Wis. Stats. 62.23, it is also including but not limited to powers granted in Wis. Stats. 60.62 and all other powers granted by Wisconsin State Statutes to the Town regarding the use of a planning commission to assist the Town to manage and plan future growth in the Town of Lake Mills, including any zoning powers wherever granted.

5-16-4: DEFINITIONS:

Applicant: A person who has submitted an application for permit pursuant to this chapter. The person a permit will be or has been issued pursuant to this chapter. Each person applying for a permit or registration.

Application: A document to be filled out and submitted for registration or permit pursuant to this chapter.

Movable structure: A structure that by design is free standing, is not structurally fixed to the ground, has no permanent foundation, and can be relocated quickly and easily by dragging, lifting or rolling.

Day: A period of 24 hours or calendar day, unless otherwise indicated.

Permit: A document issued by the town to allow, authorize, or sanction activity pursuant to this chapter.

Person: A natural human being (person), sole proprietorship, partnership, limited liability company (LLC), corporation, or association or the owner of a single –owner entity that is disregarded as a separate entity under Chapter 71, Wis. Stats.

Town: The Town of Lake Mills, Jefferson County, Wisconsin.

Town Chairperson: The chair of the Town Board of the Town of Lake Mills, Jefferson County, Wisconsin.

5-16-5: APPLICATION PROCEDURE:

- A. Applicant is to apply with the Town Clerk and complete a "Structure Placement Review" form.
- B. Applicant is to provide the clerk with a proposed site plan when applying for the review.
- C. The Site plan is to be drawn to scale and shall be scalable when given to the clerk.
 1. Site plan is to show all setbacks from property lines and any easements.
 2. The proposed structure along with any existing structure shall be located.
 3. The entire parcel shall be shown on the site plan and any contiguous land under the same ownership shall also be included. Aerial photo recommended.
- D. Application must be filed 15 days prior to the date of the meeting.

5-16-6: EXEMPTIONS:

The following shall be exempt from review under this ordinance:

- A. Moveable structure
- B. Structure less than or equal to 100 sq. ft.

5-16-7: APPROVAL PROCEDURE:

- A. Applicant must appear before the Town Planning Commission for site review.
- B. The planning commission will review and comment on the proposed site plan.
- C. When the Town Planning Commission and the applicant agree on structure placement the Town Planning Commission shall issue a written approval.
- D. The applicant may then apply for a building permit if one is required.

5-16-8: FEE:

Application fee shall be paid when filling out an application for structure placement review. If application is filed late the fee doubles. The fees are stated on the Town of Lake Mills Fee Schedule.

5-16-9: PENALTIES:

Any person who violates, disobeys neglects, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance and structure placement agreement shall:

1. Upon conviction thereof, forfeit not less than One Hundred (\$100.00) dollars nor more than Five-Hundred (\$500.00) dollars and the cost of prosecution, including reasonable attorney fees, for each offense.
2. In default of payment of such forfeiture and costs, such person may be ordered to be imprisoned in the County jail of Jefferson County, Wisconsin, until the payment of such forfeiture and costs of prosecution, but not exceeding thirty (30) days for each offense.
3. Each day of violation shall constitute as a separate offense.

5-16-10: RULES AND REGULATIONS:

The Town Board shall have the authority from time to time to adopt, amend, alter, and repeal administrative rules and regulations as may be necessary for the proper administration of this chapter. Such regulations shall be adopted in accordance with the procedures established by Title 1 Chapter 18 of this code.

5-16-11: SEVERABILITY:

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the other portions and/or sections of this ordinance shall not be affected.

5-16-12: ADOPTION AND AMENDMENTS:

This ordinance shall be in full force and effect from its date of adoption and publication as provided by law.

- A. Adopted August 11, 1998
- B. Amended: November 13, 2012
- C. Amended: July 12, 2022

Adopted this 12th day of July , 2022.

Attest: _____
Robin Untz, Town Clerk

Thomas Buechel, Chairperson

David Schroeder, Supervisor I

James Heinz, Supervisor II

Application:

Structure Placement Review Form

Name of Land Owner(s): _____

Address of Land Owner(s): _____

Home Phone #: _____ Work Phone #: _____

Contractor's Name (if known): _____

Address of Contractor: _____

Work Phone #: _____ Fax #: _____

Parcel #: _____ Number of Acres: _____

Address of Property: _____

- A. Applicant is to provide the clerk with a proposed site plan when applying for the review. This site plan is to be drawn to scale and shall be scalable when given to the clerk. Site plan is to show all setbacks from property lines and any easements. The proposed structure along with any existing structure shall be located. The entire parcel shall be shown on the site plan and any contiguous land under the same ownership shall also be included.
- B. Applicant must appear before the Town Plan Commission for site review. The Plan Commission will review and comment on the proposed site plan. When the Town Plan Commission and the applicant agree on structure placement the Town Plan Commission shall issue a written approval. The applicant may then apply for a building/structure permit, if one is required.
- C. The Structure Site review form, Site Plan, and payment of \$50.00 shall all be given to the Town Clerk fifteen (15) days prior to the next Town Plan Commission meeting. Town Plan Commission meetings are held the 1st Tuesday of each month at 8:00 pm, at the town hall, unless you are contacted with a different date.

AS APPLICANT, I understand the above fee and agree to payment of the required fee, I UNDERSTAND THAT I MUST APPEAR BEFORE THE PLAN COMMISSION PRIOR TO APPROVAL OF THIS FORM, and I understand that the Plan Commission and Town Board may enter upon my property to ensure that I comply with the placement of any or all structures being applied for at this time.

Signature: _____ Date: _____

.....
Signature of Plan Commission Chairperson: _____

Date: _____ Approved: _____ Denied: _____

Any person who violates, disobeys, neglects, omits, or refuses to comply with, or who resists the enforcement of any of the ordinance Title 5 Chapter 16 and structure placement agreement, shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$500.00 and the cost of prosecution, including reasonable attorney fees, for each offense.