

Juneau County Board of Supervisors

Courthouse, 220 East State Street
Mauston, Wisconsin 53948



Resolution 05 - 23

May 17, 2005

INTRODUCED BY: Land, Forestry, Parks & Zoning Committee

INTENT: AMENDING SECTION 23.07, JUNEAU COUNTY CODE OF ORDINANCES.

ORDINANCE NO. 01 - 05

WHEREAS, the Juneau County Land, Forestry, Parks and Zoning Committee has concluded that current user fees should be adjusted to cover costs of mapping services provided by the Juneau County Surveyor.

NOW, THEREFORE, BE IT ORDAINED, by the Juneau County Board of Supervisors, that Chapter 23, Juneau County Code of Ordinances is amended as indicated on the ADDENDUM attached hereto, to be effective beginning on July 1, 2006.

JUNEAU COUNTY LAND, FORESTRY, PARKS AND ZONING COMMITTEE:

Alan K. Peterson
Alan K. Peterson, Chairperson

David Arnold
David Arnold

Beverly Larson
Beverly Larson

Jerry Niles
Jerry Niles

Arthur J. Jahncke
Arthur J. Jahncke

Adopted by the County Board of Supervisors
of Juneau County on 5-17 2005.
Kathleen C. Kobylski
Kathleen C. Kobylski
County Clerk

Juneau County Board of Supervisors

Courthouse, 220 East State Street
Mauston, Wisconsin 53948



ADDENDUM

AMENDMENTS TO CHAPTER 23 JUNEAU COUNTY CODE, PERTAINING TO SURVEYOR'S FEES

23.07 Administration

- (5) There shall be a non-refundable review fee of \$200.00 per plat, \$50.00 per certified survey map, plus \$5.00 per lot. A re-review fee may be charged for major revisions of a map at the discretion of the County Surveyor. Future fees may be adjusted as necessary by approval of the Land, Forestry, Parks and Zoning Committee. In addition, the developer shall reimburse the County for any consulting, attorney or engineering fees incurred by the County or the city, village and town in reviewing proposed plats or survey maps.

1 **CHAPTER 23. PUBLIC ROAD ACCESS AND MAPPING STANDARDS**
2

3 23.01 Authority and Purpose.
4

5 This ordinance is adopted for the purpose of promoting orderly and proper division of, and
6 development of land, and to assure that adequate roads exist to serve developed real estate in
7 Juneau County. These standards are adopted by authority of sec. 236.45, Stats., and shall apply
8 within the entire County, including incorporated villages and cities. This ordinance is not a
9 zoning ordinance and does not authorize any County regulation of the use to be made of land
10 except to require road access and certified survey maps as stated herein. Towns, villages and
11 cities may vary from these standards by adopting an ordinance providing road and land division
12 regulations which are more restrictive than these standards. A copy of such ordinances shall be
13 filed with the County.
14

15 23.02 Definitions.
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- 17 (1) The term "developer" shall mean a person, corporation, partnership, or other entity
18 which undertakes to purchase and improve real estate.
19 (2) The term "frontage" means the distance, in feet, that a lot borders on a public road,
20 measured from one corner of a lot intersecting the right-of-way to the farthest corner
21 of the lot which intersects the right-of-way. The distance may be the aggregate of
22 more than one side of a corner lot or an irregular lot.
23 (3) The term "land division" means a division of a lot, parcel or tract of land by the
24 owner thereof or the owner's agent for the purpose of sale or building development or
25 other purpose which results in the creation of a parcel of land of 15.0 acres or less in
26 area.
27 (4) The term "lot" means a parcel of real estate, 15 acres or less in area, which is created
28 by the act of dividing the parcel from a larger parcel. The term includes the parcel of
29 land remaining after a parcel more than 15 acres in area has been divided off. The
30 term shall not include land which is conveyed to the owner of a contiguous parcel. A
31 pre-existing parcel of land which is being conveyed without changing its boundaries
32 is not required to be reviewed or surveyed under this ordinance.
33 (5) The term "road" means a path or way upon which vehicles or other modes of
34 transportation may travel, but does not include a railroad, a bicycle trail, or a walking
35 trail.
36 (6) A "public road" is a road which is owned by, or established under easement in favor
37 of, the State of Wisconsin, a County, town, city, or a village. The term also includes
38 a road which has been worked or used by a town, city or village as a public road for
39 more than ten years.
40

41 23.03 Road Access Required.
42

43 No lot may be created unless the lot has of 40 feet or more of frontage on a public road.
44

45 23.04 Road Standards.
46

- 47 (1) All public roads constructed to serve lots created in Juneau County shall meet the
- 48 following minimum standards and any other standards adopted by the city, village or
- 49 town in which the road is located. These standards do not require that any existing
- 50 roads be upgraded, except that existing roads may be required to be upgraded at the
- 51 discretion of a local government where a land division or subdivision necessitates
- 52 such an upgrade.
- 53 (2) Right-of-way. The public road shall have at least four rods (66 feet) of right-of-way
- 54 dedicated to the public. No new roads may be dedicated or laid out using easements
- 55 for the right-of-way. New roads shall be dedicated or laid out on land which is
- 56 owned or will be acquired by the authority which will be responsible for maintenance
- 57 of the road.
- 58 (3) Road surface. The public road shall have at least 20 feet of hard surface, with three-
- 59 foot shoulders on each side. Shoulders may be grassed or vegetated surfaces or
- 60 gravel, depending on soil conditions prevailing in the area.
- 61 (4) Grade. The maximum grade of a public road shall be 11 percent.
- 62 (5) Construction. The public road shall have an 8-inch gravel base, compacted and
- 63 stabilized. Paving shall consist of a 2-inch asphalt mat, or a double coat of gravel
- 64 with seal coating. If a town, city or village chooses to require use of a sub-base, the
- 65 8-inch gravel base requirement may be satisfied by a combination of sub-base and
- 66 base which is at least 8 inches thick..
- 67 (6) Public roads should be laid out to be through streets if possible. If cul-de-sacs are
- 68 used, the cul-de-sac shall have a right-of-way diameter of at least 60 feet with a paved
- 69 surface having a radius of 40 feet.
- 70 (7) If needed to convey surface water, public roads shall have ditches and culverts sized
- 71 and designed to carry surface water in a manner consistent with the natural flow of
- 72 the water. Generally, ditches and culverts will not be required in areas with flat
- 73 terrain and adequate surface water percolation.
- 74 (8) Utility services, including electrical, natural gas, water, sewer, telephone, cable,
- 75 telecommunications, and other common carrier media, shall be run underground
- 76 along the right-of-way unless the utility indicates the services cannot be run
- 77 underground.

79 23.05 Public Road Development.

- 81 (1) The cost of construction of new public roads shall be borne by the developer of lots
- 82 served by the new public road, and not by the public.
- 83 (2) Before public road construction may commence, a developer shall execute an
- 84 agreement with the local town, village or city to secure completion of the public road,
- 85 including a performance bond.
- 86 (3) Before a public road is accepted for dedication by a town, village or city, it shall be
- 87 inspected by the governing body or its designee and approved as to suitability.
- 88 (4) Every developer of a new public road shall warrant the public road to be free of
- 89 defects and deficiencies for a minimum of one (1) year from the date it is accepted by
- 90 the local town, city or village.
- 91 (5) No lots may be sold, nor building permits issued for construction on a lot, until the
- 92 gravel base of a public road has been completed and accepted by the local unit of

93 government. A public road may be laid in gravel base form and allowed to settle for
94 as much as a year before it is completed.

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96
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98 23.06 Waiver
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100 The governing body of a town, city or village may waive the following requirements if the literal
101 application of the requirements would cause an unreasonable hardship to the property owner:
102

- 103 (1) The requirement of a paved surface may be deferred for as much as one year,
104 provided a completion bond has been signed to secure completion of the road.
- 105 (2) The maximum grade of 11 percent, but only to permit construction of short road spurs
106 to reach buildable land, and in no case more than 16 percent.
- 107 (3) The shoulder requirement, where limited clearances make the requirement
108 impractical.
109

110 23.07 Certain Land Divisions To Be Accomplished By Certified Survey Map; Administration
111

- 112 (1) All proposed plats, and certified survey maps which create lots shall be submitted to
113 the Juneau County Zoning Department for review under Ch. 23, Juneau County Code,
114 and Ch. 236, Wis. Stats. This requirement shall not apply to the following land
115 divisions:
 - 116 (a) Transfers of land by will or pursuant to court order.
 - 117 (b) Leases for terms of ten years or less, easements or mortgages.
 - 118 (c) The sale or exchange of land between owners of adjoining parcels if additional
119 parcels are not created thereby and the lots resulting are not reduced below the
120 minimum size prescribed by state law.
 - 121 (d) Land divisions in cities, villages or towns which have adopted a land division
122 ordinance.
- 123 (2) The County shall forward a copy of the proposed map or plat to the Town in which
124 the plat or map is located. The Town, City or Village shall have 45 days in which to
125 review the proposed map or plat, after which time the county shall proceed to act on
126 the map or plat.
- 127 (3) All land divisions not exempted under par. (1) shall be made by a certified survey
128 map, which survey map must be submitted to the County Zoning Department for
129 review under Ch. 23, Juneau County Code, and Ch. 236, Wis. Stats.
- 130 (4) No certified survey map or plat of a land division may be recorded unless it bears the
131 signature of the County Clerk attesting to the approval of the certified survey map by
132 the Land, Forestry and Parks & Zoning Committee, or the responsible official of a
133 local unit of government which has adopted a local ordinance which results in the
134 land division review being performed by the local unit. If a local unit adopts such an
135 ordinance, it shall file a copy of the ordinance with the Register of Deeds so the
136 Register of Deeds is advised of the proper officer to sign the map or plat.
- 137 (5) The Juneau County Land, Forestry, Parks & Zoning Committee shall act as the
138 reviewing and objecting agency for Juneau County under the provisions of Ch. 236,

139 Wis. Stats. The Committee shall adopt any comments received from the Town in
140 determining whether or not to object to the plat or map.
141 (6) There shall be a non-refundable review fee of \$200 per plat, \$35 per certified survey
142 map, plus \$2 per lot. In addition, the developer shall reimburse the County for any
143 consulting, attorney's or engineering fees incurred by the County or the city, village
144 and town in reviewing proposed plats or survey maps.
145

146 23.08 Penalties. Any person who sells a parcel of land which is not created by certified survey
147 map or plat, in violation of the requirements of this chapter, shall forfeit the sum of \$200
148 plus court costs and assessments. In addition, a person who improperly creates a parcel
149 without following the requirements of this procedure shall follow the required procedures
150 to obtain approval of the map or plat and shall pay twice the permit and other fees
151 required by this Chapter. Any person who records a map or plat which is not approved as
152 required by the provisions of this chapter shall forfeit \$200 plus court costs and
153 assessments.
154

155 Article Two: This revised ordinance shall take effect upon its publication, and shall apply to lots
156 created on or after the date. The revenue generated from fees paid for review of certified survey
157 maps shall be credited to the budget of the Zoning Department.
158

159 Dated: April 17, 2001
160

161 LAND USE PLANNING COMMITTEE

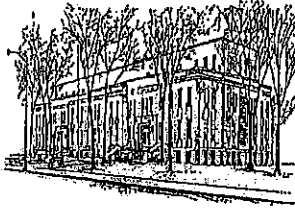
162 /s/ Sharon Halverson

163 /s/ Art Jahncke

164 /s/ Jerry Niles
165

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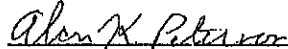
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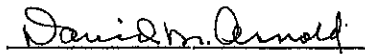
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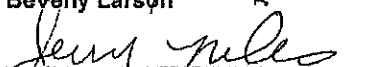
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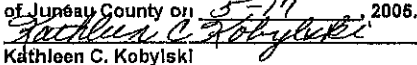

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