

**TOWN of ATHELSTANE**  
**LAND DIVISION ORDINANCE**  
**ORDINANCE # 5**

The Town Board of Athelstane, Marinette County, Wisconsin does hereby ordain as follows:

**1. Definition:**

(1) For the purposes of this chapter, the following definitions shall be used.

Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word shall is mandatory.

**a. Land Division.** Any division of a lot, parcel or tract of land where the act of division creates a lot, parcel or building site.

**b. Lot.** A contiguous parcel of land under one (1) ownership, and undivided by public road or railroad rights-of-way. All calculations of lot area shall be exclusive of any dedications, right-of-way, easements or reservations.

**c. Parcel.** Contiguous lands under the control of a subdivider(s) not separated by streets, highways or railroad rights-of-way.

**d. Private Road.** A strip of land, which provides vehicular ingress and egress to more than one lot, parcel or tract of land which is under private ownership.

**e. Public Road.** A strip of land, which provides vehicular ingress and egress to a lot, parcel or tract of land which has been dedicated to the public or public has a perpetual easement.

**f. Sub divider.** A person, firm, corporation and/or their designated agent initiating the creation of land division or subdivision.

**g. Tax Parcel.** Any parcel which is assessed and taxed as one unit or assigned a single parcel number in a current year.

**2. GENERAL PROVISIONS.** The provisions of this chapter shall apply to all the Town of Athelstane.

**(1) No lot shall be created less than three (3) acres in size.**

All calculations of lot area shall be exclusive of any dedications, right-of way, easements or reservations.

**Exceptions:**

**(a)** Transfer of interest or pursuant to court order.

**(b)** Leases for a term not to exceed ten (10) years, mortgages or easements.

**(c)** The sale or exchange of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below four-tenths (0.4) acre in size.

**(2) Access:** No lot, parcel or tract of land shall be created unless it is accessible to a public or private road. (See Town of Athelstane Road Ordinance)

**(3) Review.** The Town Board shall review creation of lot(s) prior to recording to ensure that minimum lot size and access requirements identified in sub par (1) & (2) are met.