

**TOWN OF ATHELSTANE  
BUILDING AND LOT SIZE ORDINANCE  
ORDINANCE NO. 1**

SECTION 1. BUILDING PERMITS

- A. No dwelling, building, structure, mobile home, well or septic system, or any part thereof shall be erected or installed, enlarged, altered, set up, relocated, moved or razed within the Town of Athelstane by any individual, owner, firm, or corporation, until a building permit has been obtained from the proper agent of the Town of Athelstane.
1. A dwelling is defined as any room or group of rooms forming a single habitable unit with facilities that are used for or intended to be used for living, sleeping, cooking and eating.
- B. Any and all permits required by the State of Wisconsin and, or the County of Marinette must be obtained prior to obtaining a Building Permit from the Town of Athelstane or the Town's appointed state certified inspector.
- C. The Town of Athelstane does not require a permit for any maintenance, replacements and or repairs.
- D. Such permit shall be issued by the Town Clerk or person designated by the Town Board upon application, including the following:
- a. name and address of the owner of the property
  - b. address of the property, including parcel number
  - c. description of the work to be completed
- E. Building permits shall expire after six (6) months unless substantial work has commenced. All permits shall expire after two (2) years.
- F. The cost of the building permit shall be twenty-five (\$25) dollars.
- G. Building inspection costs, if applicable, are the responsibility of the landowner.
- H. Signs are posted to advise landowners of Building Permit requirements.
- I. Variance requests – Variances shall only be granted for reasons which are permitted by law and only after a hearing and determination by the Town Board that the variance is in the public interest and consistent with the provisions of this Ordinance. Any person requesting a variance shall pay a fee of \$250.00 to the Town Clerk. In granting or denying a variance, the Land Use Commission and the Town Board shall consider those factors which are permitted by law including, but not limited to, the hardship which will be incurred by the landowner if a variance is not granted, the intent and the purpose of the Ordinance and such other factors as are relevant. The Land Use Commission shall submit its recommendation to the Town Board after a public hearing and the Town Board shall act on the request after consideration of the recommendation at a public hearing.

## SECTION 2. MINIMUM DWELLING AND LOT SIZE

- A. A minimum usable living space of six hundred (600) square feet is required for any dwelling, manufactured or modular home constructed for human occupancy.

Shoreland property shall be not less than one and a half (1 1/2) acres.

Off water land shall be not less than three (3) acres.

- B. No more than one multi family dwelling shall be erected or maintained on any tax parcel number.

- C. Non conforming buildings and lot sizes:

- a. In the event that any structure not in conformity with this ordinance is destroyed by any casualty or falls into disrepair, no person may erect, replace or repair any such nonconforming structure.

## SECTION 3. SETBACKS

- A. The minimum setback for buildings, decks or porches shall be seventy five (75) feet from the centerline of any Town, County or private road and one hundred ten (110) feet from the centerline of any State or Federal highway.

- B. The minimum setback for buildings, decks or porches shall be fifteen (15) feet from all side and rear lot lines.

- C. The overhang of any structure shall be the point from which the setback shall be measured.

- D. Fences are exempt from the 15 ft. setback from the back and side property lines.

## SECTION 4. MANUFACTURED HOMES

- A. NO INSPECTIONS REQUIRED:

No inspections required for HUD Homes with a steel frame and a 3/12 pitch on the roof (basically a double wide mobile/manufactured home.) These homes are pulled to the site and placed on a basement, slab, etc. There will be a red sticker on the front left corner of the building indicating it is a HUD home. These homes are built based on Federal Rules and Regulations. Note: electric hook ups, basements will be inspected.

- B. INSPECTIONS ARE REQUIRED AND BUILDING PERMITS WILL BE ISSUED BY THE TOWN CLERK AND THE TOWN'S APPOINTED STATE CERTIFIED INSPECTOR FOR:

Manufactured dwellings built in factories to UDC standards and trucked to the site and placed on the foundation or frost wall. Attached garages will also be inspected.

- C. Trailers/mobile/manufactured homes built before June 16, 1976 are not allowed in the Town of Athelstane. Per Federal Regulations, inspections were not required for trailers/mobile/manufactured homes built before June 16, 1976. Trailers/mobile/manufactured homes built after June 16, 1976 are considered the same as stick built homes and inspections are required.
- D. Only one (1) manufactured unit shall be permitted on any single recorded tax parcel in the Town of Athelstane.
- E. No person shall maintain any mobile home park or campground in the Town of Athelstane.
- F. For the purposes of this ordinance, a “mobile home park” shall be any parcel of real estate on which are located more than one mobile home, recreational vehicle, trailer, camper of any type not owned by the owner or occupier of the real estate.
- G. All manufactured homes are required to be placed on a cement slab with hurricane tie downs or on a crawl space or basement anchored as required by State Code.

#### SECTION 5. RECREATIONAL VEHICLES

- A. A recreational vehicle shall be defined as a vehicle having an overall length of fifty three (53) feet or less and a body width of eight (8) feet or less which is primarily designed as temporary living quarters for recreation, camping or travel use, which is self propelled or is mounted or drawn by another vehicle. The basic terms describing said vehicles include, but are not limited to; travel trailer, camping trailer, truck camper and motor home.
- B. The wheels of any recreational vehicle shall not be removed except for repairs, which shall be completed within ninety (90) days. No recreational vehicle shall be fixed to the ground in any manner that would prevent ready removal.
- C. Recreational vehicles shall not be attached to a private sewage system other than for purposes of dumping.
- D. Recreational vehicles shall be licensed annually for road travel by the Wisconsin Department of Motor Vehicles.

#### SECTION 6. PENALTY

- A. Any person not in compliance shall be adjudged a forfeiture of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars. Each day that an individual is in violation of this Ordinance shall be considered a separate violation for which a separate penalty may be applied.

This ordinance adopted by the Town Board of the Town of Athelstane on this 8<sup>th</sup> day of February, 2006.

