(2) If a preliminary condominium plat is submitted it shall be reviewed by the Iron County Zoning Committee which respect to unit layout and parcel size. Within forty (40) days of the date of receiving the plat by registered mail, certified mail or receipted delivery to the zoning office, the Committee shall take action to approve, approve conditionally or reject such plat and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by written agreement with the owner or his agent. Failure of the Committee to act within forty (40) days, or extension thereof, shall constitute an approval of the preliminary condominium plat.

(3) If the final condominium plat is submitted with the information as required in Subsection (f)(1) above (including a copy of the condominium declaration) within one (1) year of the approval of the preliminary condominium plat, and it conforms to the layout shown on the plat, and if such plat satisfies the conditions imposed by the Committee, it shall be entitled to approval. If the Iron County Zoning Committee fails to act upon the plat within forty (40) days of receiving the plat by registered mail, certified mail or receipted delivery to the zoning office, and the time has not been extended by written agreement with the owner or his agent, and if no unsatisfied objections have been filed within that period, the final condominium plat shall be deemed approved and upon demand a certificate to that effect shall be made on the face of the plat.

(g) **Amendments.** An amendment may be made to any recorded condominium plat pursuant to the procedures set forth in Chapter 703, Wis. Stats., provided that the amended condominium plat is first presented to the Iron County Zoning Committee for consideration of approval. Such amendment shall not be recorded until the approval of the Iron County Zoning Committee has been obtained. Within forty (40) days of the submission of such an amendment, the Iron County Zoning Committee shall take action to approve, approve conditionally or reject such amendment, and shall state in writing any conditions for approval or reasons for rejection unless the time is extended by a written agreement with the owner or his agent. Failure of the Committee to act upon the plat within forty (40) days, or extension thereof, shall constitute an approval of the condominium amendment.

(h) **Commercial Condominiums.** Commercial condominiums, where zoning permits, shall not be subject to the requirements of Sections 8-1-2 through 8-1-6 herein, provided that the units or parts thereof shall not be used for residential purposes. Building sizes, setbacks, parking requirements, lot sizes, and construction shall conform to the requirements of any other applicable Iron County ordinances.

(i) **Town Ordinances.** Nothing contained herein shall be construed to prohibit any town from enacting an ordinance that would be more restrictive than the provisions contained herein provided the town ordinance is not in conflict with any provisions hereof or any provisions of Chapter 703, Wis. Stats., and that the ordinance is properly drawn up in compliance with Section 60.74, Wis. Stats.

(j) **Condominiums With Public Sewer.** With condominiums with public sewer, parcel size shall conform to the dimensional requirements of the Iron County Land Use and Shoreland Protection Ordinance, or any other applicable Iron County Ordinance.

Sec. 8-1-8 Easements.

(a) The County Planning Agency shall require rear or side lot line utility easements at locations and of widths deemed adequate by the committee, but in no case less than ten (10) feet.

(b) The County Planning Agency shall require that easements or drainage ways of widths sufficient to accommodate storm water runoff be provided where a subdivision includes a segment or segments of water courses, drainage ways, channels, or streams.

Sec. 8-1-9 Reservation.

The County Planning Agency may require that suitable sites be dedicated or reserved for future public uses such as parks, playgrounds and open spaces. In locating such sites consideration shall be given to preserving scenic and historic sites, stands of fine trees, marshes and shorelines. Reservation of land for public acquisition shall be for a period not to exceed three (3) years.

Sec. 8-1-10 Variances.

(a) The County Planning Agency may grant variances from the provisions of this Chapter after holding a public hearing, with ten (10) days notice in writing to owners of adjoining lands and upon finding that:

(1) Because of the unique topographic or other conditions of the lands involved, literal application of the Chapter would impose a hardship.

(2) The variance will not violate the purpose of the Chapter or the provisions of Chapter 236, Wis. Stats.

(b) The requirement of filing and recording a plat for a subdivision or a certified survey shall not be waived.

Sec. 8-1-11 Fees.

(a) **Subdivisions.** Prior to approval of the final plat, the applicant shall pay to the County Zoning Administrator as a fee for checking and verifying the plat, a sum computed from a schedule determined by the County Planning Agency. A current copy of the schedule shall be on file in the offices of the County Zoning Administrator and County Clerk.

(b) **Certified Survey Map.** Prior to approval of the final certified survey map the applicant shall pay to the County Clerk as a fee for checking and verifying the plat, a fee to be determined by the County Planning Agency. A current copy of the fee schedule shall be on file in the offices of the County Clerk and Zoning Administrator.

Sec. 8-1-12 Enforcement and Penalties.

The County Zoning Enforcement Agent shall have responsibility for enforcement of this Chapter. No land use permit shall be issued for construction on any lot until the final plat for the subdivision has been duly recorded or the certified survey map recorded. Any person who violates this Chapter shall forfeit a sum of up to Two Hundred Dollars ($200.00), plus the costs of prosecution, the each day of violation.

Sec. 8-1-13 Definitions.

For purposes of this Chapter, certain words or terms used herein are defined as follows:

(a) **Alley.** A narrow service way providing a secondary public means of access to abutting properties.

(b) **Arterial of Major Highway.** A street which serves or is designed to serve the rapid movement of concentrated volumes of traffic over relatively long distances. This type of street provides primarily for movement between rather than within activity areas.

(c) **Block.** A parcel or tract of land bounded on at least one (1) side by a public street and on the other sides by natural or man-made barriers or unplatted land.

(d) **Collector Street.** A street which serves or is designed to serve the moderate speed movement traffic from minor streets to arterials or major highways and to provide access to individual lots. This type of street provides for movement within rather than between activity areas.

(e) **County Planning Agency.** A County zoning committee authorized by Sec. 59.97, Wis. Stats., or any agency created by the County Board and authorized by statute to plan land use.

(f) **Dead End Street.** A street or portion thereof with only one (1) vehicular outlet.

(g) **Easement.** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

(h) **Minor or Local Street.** A street which serves or is intended to serve primarily as an access to abutting lots.

(i) **Navigable Water.** Any continuous stream or river and any named lake or pond or flowage shown on the "Detailed Zoning Maps Iron County." In the event of any conflict reference shall be made to United States Geological Survey Quadrangle maps of the affected water course of other body of water whereby continuous streams and named lakes shall be deemed navigable and intermittent streams and unnamed lakes as non-navigable.

(j) **Street.** Includes streets, roads, avenues, lanes or other ways.

(k) **Subdivider.** Any person, firm, corporation, partnership, or association who shall lay out, for the purpose of sale or building development, any subdivision or part thereof as defined herein.

(l) **Subdivision—Etc.**

(1) The act of division creates five (5) or more parcels or building sites of one and one-half (1-1/2) acres each or less in area; or

(2) Five (5) or more parcels or building sites of one and one-half (1-1/2) acres each or less in area are created by successive divisions within a five (5) year period.