

2 **RESOLUTION: Repeal Paragraph 23 of Motion Number 520 to the State of Wisconsin**
3 **2015-2017 Budget Bill (SB 21 and AB 21) Relative to Shoreland Zoning**
4 **Standards**

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6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, the State of Wisconsin has adopted NR 115 of the Wisconsin Administrative Code relating to
8 Shoreland Zoning Standards, and Winnebago County has adopted and administered the minimum requirements of
9 said standards since 1968; and

10 **WHEREAS**, the Joint Finance Committee for the State’s 2015-17 biennial budget process has passed
11 Paragraph 23 of Motion Number 520 (attached hereto) which significantly changes the standards for regulation of
12 existing non-conforming structures in shoreland areas contrary to the adopted standards of NR 115; and

13 **WHEREAS**, Winnebago County has a substantial number of nonconforming structures existing in its
14 shoreland areas that no longer will be subject to any oversight which will cause development near County waterways
15 to go completely unchecked relative to its compliance with other state and county regulations, such as sanitary,
16 zoning, stormwater/erosion control, and floodplain/wetland standards; and

17 **WHEREAS**, with no oversight, property owners that rebuild or remodel nonconforming structures in
18 shoreland areas may unknowingly be in violation with the aforementioned state and county regulations causing after-
19 the-fact enforcement by the County and therefore potentially placing a significant burden (financial, development
20 delays, etc) on shoreland property owners to come into compliance; and

21 **WHEREAS**, with no oversight, neighboring property owners and the general public may be negatively
22 impacted, specifically as it relates to property values, erosion & runoff from the site, substandard sanitary impacts,
23 increased flooding issues, and overall enjoyment of the County’s waterways; and

24 **WHEREAS**, Paragraph 23 of Motion Number 520 also removes the ability of the DNR to appeal any action
25 of a County Board of Adjustment decision which diminishes state support for the shoreland program and its goals of
26 protecting the waterways of the state; and

27 **WHEREAS**, State organizations including the Wisconsin Counties Association, Wisconsin County Code
28 Administrators, Wisconsin Land and Water Conservation Association, and Wisconsin County Planning and Zoning
29 Directors (attached hereto) have gone on record supporting the repeal of Paragraph 23 of Motion Number 520 of the
30 2015-17 budget bill, and request that these issues be addressed through the normal legislative process to allow for
31 important input from the general public regarding managing development activity around our state waterways.

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33 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
34 requests the State of Wisconsin to repeal Paragraph 23 of Motion Number 520 of the 2015-17 State Budget Bill (SB
35 21 and AB 21), and request the State of Wisconsin to discuss any changes to NR 115 through the normal legislative
36 process to allow for open public discussion and input on this issue.

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38 **BE IT FURTHER RESOLVED** that the Winnebago County Clerk is directed to send a copy of this Resolution
39 to members of the State’s Joint Finance Committee, Governor of the State of Wisconsin, State Senators and
40 Representatives serving Winnebago County constituents, the Wisconsin Counties Association, and each County in
41 the State of Wisconsin.

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Respectfully submitted by:
Thomas Egan, District #33
Chuck Farrey, District #30
COUNTY BOARD SUPERVISORS

Committee Vote: _____

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this ____ day of _____, 2015.

Mark L Harris
Winnebago County Executive