

TOWN OF BLUE MOUNDS

ORDINANCE AMENDMENT AMENDING
THE TEXT OF THE TOWN ZONING ORDINANCE
RELATED TO VARIANCES

The Town Board has reviewed a proposed amendment to sec. 1.098 Variances.

The Town Board is aware from experience with construction projects over time that there are occasional errors in locating structures. These may result from surveying errors or uncertainty, removal of location stakes or other mistakes. The Town does not intend to allow deliberate violations of setbacks. However, there are circumstances in which literal compliance with setbacks would require expensive reconstruction of a building with no economic gain.

For that reason, the Town Board has determined to amend the Town Zoning Ordinance's language on variances to authorize a variance of less than one foot where the error was unintentional or compliance would cause economic waste.

Therefore, the Town Board does hereby Ordain as follows:

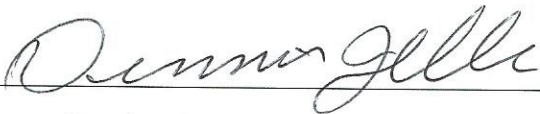
(7) Hearing and Final Decision.

(e) Negligence or error of a contractor in locating a setback, side yard or building location shall not be considered a practical difficulty or a hardship, unless the Board finds that the variance necessary is 1 foot or less and either (1) the encroachment would not likely have been disclosed by a locational survey, or (2) compliance absent a variance would involve substantial economic waste. Prior to granting a variance under this subsection, the Board shall afford the adjoining property owner the opportunity to be heard.

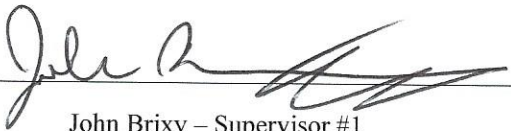
The amendment shall take effect upon its publication on the Town's website.

Dated May 10, 2021

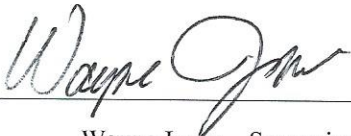
TOWN BOARD OF THE TOWN OF BLUE MOUNDS



Dennis Jelle – Chair



John Bixy – Supervisor #1



Wayne Jones – Supervisor #2

ATTEST:



Mike Freitag - Clerk

TOWN OF BLUE MOUNDS

ORDINANCE AMENDMENT AMENDING
THE TEXT OF THE TOWN ZONING ORDINANCE
RELATED TO KENNEL SETBACKS

The Town Board has reviewed a proposed amendment to sec. 1.0622, Kennel; secondary standards. The section currently states that a kennel must be set back "1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel." The Town Board believes that the setback should have been written as 100 feet. The 1000 – foot setback currently contained in the ordinance is unreasonable.

Therefore, the Town Board does hereby Ordain as follows:

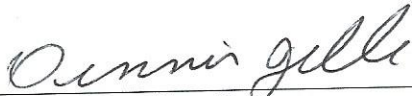
Section 1.0622 (2) of the Town Zoning Ordinance is amended to read:

(2) Kennel Setbacks. All kennels, outdoor runs, and exercise areas shall be no closer than 100 1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel.

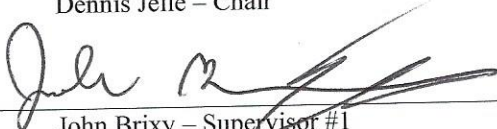
The amendment shall take effect upon its publication on the Town's website.

Dated May 10, 2021.

TOWN BOARD OF THE TOWN OF BLUE MOUNDS



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