

## Land Use Guidelines for Owners, Buyers and Builders in Forest County

---

Revision 3/2020

The purpose of this guide is to provide helpful hints to those individuals who anticipate improvements to their property or construction on their newly acquired lands.

This guide will discuss some of the basic provisions of the Forest County Zoning Ordinance and the procedures required to obtain permits.

If your questions regarding purchase of property or construction are not answered, please contact the Zoning Dept. for further information.

Forest County Zoning, Courthouse  
200 East Madison Street  
Crandon, Wisconsin 54520

Administrator: Jeannie Fannin 715-478-3893

Administrative Assist. Sandy Beauchaine 715-478-3893

Office Hours: Monday through Friday  
8:00 a.m. to 4:30 p.m.

Zoning agendas will be posted to the web as soon as compiled or at least 24 hours before the meeting. If you have an agenda item, please contact the Zoning Office at the above number and we will try to place your item on the next meeting agenda unless directed otherwise by the governing committee.

When directing questions to the Zoning office, please have your tax bill on hand. It describes your property by computer identification number and by section, township and range. As you will come to know, location is everything in the world of zoning and land use.

## Township Zoning Status

The Towns of Hiles, Argonne, Crandon, Nashville and Wabeno are zoned completely by the County.

The Town of Lincoln administers their own zoning ordinance, except for the shoreland areas described below, where the county shoreland code is in effect.

The Towns of Alvin, Armstrong Creek, Blackwell, Caswell, Freedom, Laona, Popple River and Ross are unzoned, except for the area described below where the shoreland and sanitary ordinance is administered by the County.

### Areas Regulated by Shoreland Zoning

Land use is regulated in all shore land areas in Forest County

- 1000 feet of the **Ordinary High Water Mark** of navigable lakes, ponds and flowages.
- 300 feet of the **Ordinary High Water Mark** or to the landward side of the floodplain of a navigable river or stream, whichever distance is greater.

The **OHWM** is the point on the bank or shore up to which the water by its presence and action or flow, leaves a distinct mark indicated by erosion, destruction of or change in vegetation, or other easily recognizable characteristics. Waters are legally navigable if they have a bed or bank and levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on a recurring basis. Floodplain boundaries adjacent to rivers and streams are determined by official maps and flood studies adopted by the Forest County Zoning Department.

### Wisconsin Department of Natural Resources WDNR

Permits are required from the WDNR for activities such as installing shore land stabilization structures called rip rap (rock or other approved materials), grading of shore land areas of over 10,000 square feet (100 X 100 feet). The placing of a dock or the excavation of wildlife ponds needs DNR approval. A Stormwater permit is required from the DNR if you are removing the vegetation or grading more than 1 acre of your property in **any** location. Of these activities, only shore land alterations need further permit approval from the Forest County Zoning Office. Call the Rhinelander DNR office and ask for a "water quality specialist" at 715-365-8900.

## Army Corp of Engineers

The Corps may have jurisdiction and may require a permit if you are doing any filling or grading near a wetland connected to a navigable waterway. Call your regional DNR water quality specialist in Rhinelander for specific information or check on the web under Army Corp of Engineers. Our current Army Corp representative is Nick Domer. He can be reached at 651-290-5855.

## Building and Site Construction

When you are ready to build on or improve upon your property there are steps to take to insure that you or your builder will not be kept waiting for permits.

### First Things First

- **Legal title.** A deed, land contract, or other legal instrument must be recorded in the Forest County Register of Deeds office to legally transfer ownership. The Zoning Office can only issue building permits to the legal owner of the property. However, soil tests are attached to a specific area and can be performed and recorded in the Zoning Office at any time as long as the correct property identification number and owner is indicated.
- **Fire Number Application.** Download the physical address (fire number) application form from the home page of the Forest County web site. Read and follow the directions carefully as this number will be required on most of your paperwork. These numbers are issued within thirty days of application.
- **Sanitary Inspections at the time of sale.** If you have purchased property with a habitable structure, a sanitary inspection must be done. The rules for these inspections are as follows:
  - a) Property **without** permit in the County file system **over 10 years** old requires:
    1. visual inspection
    2. soil bore or pit to demonstrate 36 inches of separation between system bottom and any limiting factor (water or heavy soil)
    3. system delineation to demonstrate size and location
    4. results reported to the County
  - b) Property **with** permit in County file system **over 10 years old** requires:
    1. visual inspection
    2. results reported to the County
  - c) Property **without** permit in county file system **under 10 years old** requires:
    1. visual inspection
    2. soil bore or pit to demonstrate 36 inches of separation between system bottom and any limiting factor
    3. system delineation to demonstrate size and location
    4. results reported to the County

No inspection is required on any system that has been inspected in the last 5 years by a licensed master plumber, licensed master plumber restricted service or a POWTS Inspector.

## **Improvements Can Require Sanitary Inspections**

An inspection may be required if you are adding bedrooms or if you are disconnecting and reconnecting an existing system.

- a) Property improvement **with** permit information in County file system
  - 1. visual inspection
  - 2. soil pit evaluation if expansion of system is required outside tested area
  - 3. results reported to the County
- b) Property improvement **without** permit information in County file system
  - 1. visual inspection
  - 2. soil pit evaluation below system to 36 inches
  - 3. system delineation to demonstrate size and location
  - 4. additional soil pit evaluation if expansion of system is required
  - 5. results reported to the County

## **All New Development Requires a Sanitary Permit**

- **Sanitary Permits**

Wisconsin law requires a sanitary permit prior to issuance of a Uniform Dwelling Code permit from the State.

Wisconsin law requires a sanitary permit prior to installation repair or any work on a private sewage system.

Wisconsin law requires a state licensed Master Plumber or Master Plumber Restricted Sewer to install, repair, or work on a private sewage system.

County Ordinance requires a sanitary permit prior to issuance of a land use permit.

- **Soil evaluation**

After you have identified the area where your dwelling will be placed it is time to call a **certified soil tester**. A list is provided in this web site.

A soil evaluation test is a method used to determine if the site and soil conditions of a lot can absorb wastewater. Wastewater is all water that carries waste derived from ordinary living. Examples are toilet waste, sink water, dishwater, laundry water, and showers.

Private sewage system wastewater cannot be disposed of into soils that have bedrock or groundwater (wetland) near the surface. These types of soil conditions could cause your well to become contaminated. There must be sufficient suitable soil below the system so that wastewater can be properly treated. This is reflected in the state requirement of 36 inches of suitable soil below each system. Poorly drained soils lead to eventual system failures.

- **Certified Soil Testers (CST)**

Wisconsin law requires that the soil test be performed by a Certified Soil Tester. In most cases, the CST excavates three pits and maps the infiltrative qualities of the soil they find. This report is filed in the Forest County zoning Office.

Soil test are good forever on the area they are performed as long as they are legible.

**\*\*Caution\*\*** The area for a private waste disposal system will be designated by the CST and this area must be set aside and only used for effluent treatment. No structures can be located within this area or located near this area without making absolutely sure you can meet all setbacks. Call the Zoning Office for specifics. It is also available at the Department of Safety and Professional Services, Safety and Buildings website. Look for SPS. 383.44.

The tested area may include room for a secondary sanitary site. It is suggested that you inform the CST where you plan to build your structure. It is strongly suggested you provide your well driller a copy of your soil evaluation so they do not invalidate your test by placing the well within regulated setbacks.

Take your soil test to a Wisconsin licensed plumber. He will complete the necessary forms and obtain the permits for you. Permits are good for two years and may be simply renewed if no code changes have occurred.

## **State Permit Requirements- Uniform Dwelling Code**

**When building a new home** (excerpt from Department of Safety and Professional Services, Safety and Buildings)

The Home Safety Act (Act), which changes one- and two-family dwelling code enforcement in Wisconsin, was effective December 18, 2003.

This Act included important changes to the enabling statutes for the Wisconsin Uniform Dwelling Code (UDC), which is the statewide building code for one- and two-family homes built since June 1, 1980.

Although the code always applied to the construction of dwellings, until the effective date of the Act, municipalities of 2500 or less population had the option of whether or not to have inspections under the UDC in their municipality. Now, all municipalities in the state are required to provide for inspection or the Safety and Buildings Division will enforce the code for new dwelling construction.

(The Act does not affect existing requirements for local requirements for permitting and inspection of dwelling alterations or additions, commercial buildings or agricultural buildings.)

**The Safety and Buildings Division Has Organized an Enforcement System Using Certified Inspection Agencies. Forest County Belongs to This Program.**

## **Uniform Dwelling Code Compliance Requirements**

If you are planning on building a new home in Forest County there are certain State inspection requirements that must be met. One of your first calls after deciding to build should be to the local building inspector. The inspector will send you the appropriate forms that give you an idea of what is required and in what order. In Forest County, the following Agency handles building inspections;

Duff Leaver Inspections  
N 3405 Orchard Road  
Antigo, Wisconsin 54409

Phone/fax 715-216-4734

Website: [duffleaverinspections.com](http://duffleaverinspections.com)

email: [duffleaver@me.com](mailto:duffleaver@me.com)

**Required Inspections.** The following inspections are required under Section 20.10 of the Wisconsin Administrative Uniform Dwelling Code. **Failure to call for required inspections will result in daily citations and uncovering of un-inspected work. Please give 48 hours notice for inspections.**

- **Footings**
- **Foundation . Call inspector before backfilling.**
- **Structural Call inspector before the framing is concealed.**

- **Electrical**
- **HVAC**
- **Plumbing**
- **Insulation**
- **Occupancy**

#### State Contracted UDC building Permit Fees

Single family Dwelling up to 2000 square feet.....	\$725.00
2001-3000 sq ft.....	\$800.00
3001 sq. ft and up .....	\$800. Plus
\$0.10 per sq ft. over 3001 sq. ft.	

Note: Call for specific pricing on your project.

Modular Homes & Federal HUD Homes (valuation based on cost of home, foundation, porches, decks and attached garages)

Up to \$40,000.00.....	\$300.00
\$40,001.00 and up .....	\$425.00 plus \$0.95 per thousand

Dwellings with none or partial utilities

Up to 600 sq ft. ....	\$250.00
Over 600 sq. ft. ....	\$250 plus \$0.40 per sq. ft.

Add to above totals for:

Plumbing Inspection:.....	\$100.00
Electrical Inspection: .....	\$100.00
HVAC Inspection .....	\$100.00
Electrical meter inspection: .....	\$60.00

Re- inspections: .....\$55.00

### County Land Use Permits

**Section 20.03** of the County ordinance requires land use permits. Permits will be issued to insure compliance with provisions of the ordinance. All development requires a permit.

No structure shall be built, moved or structurally altered until a land use permit has been issued by the Zoning Office.

**Development:** Means any man made change to improved or unimproved real estate, including, but not limited to the construction of structures or accessory structures, the construction of additions or substantial alterations to structures or accessory structures, the placement of mobile homes, ditching, lagooning, dredging, filling, grading, paving, excavation, or drilling operations and the deposition or extraction of earthen materials.

## **The Location of Your Property Determines County Permit Requirements.**

If your project profile meets the above specifications then **location** becomes very important. You must secure a land use permit if:

- Your property is in the Townships of Wabeno, Argonne, Hiles, Nashville and the Town of Crandon.
- Your property is in the shoreland area described before as being 1000 feet from any lake and 300 feet from a river. If unsure, call the office and we will use our GIS mapping system to determine your location.

### **Other Townships**

If your property is located within the Township of Lincoln and outside the shoreland areas, you will need to contact their Clerk's office in order to get a hold of the current Zoning Administrator.

## **Filling out Your Permit**

Download the Forest County permit application from this website. To complete this permit you will need:

- The legal description of your property
- A parcel identification number from your deed or tax bill
- A map, Certified Survey, tax map or hand drawn map that delineates the size and shape of your property
- A drawing on this map showing the location and if necessary, the height of proposed improvements, their size and the distances to all roads, lot lines, bodies of water or OHWM, sanitary system and wells. On smaller parcels, distances to the neighbor's sanitary and well placement may be necessary
- Fire number (can be downloaded from the front page of the website)
- Proof of a current sanitary permit



## **Flood Plains**

Forest County has mapped flood hazard areas and flood shadows. Building is limited and sometimes completely restricted in these areas with some exceptions or under certain conditions. **All development in a floodplain area requires permits.**

If you are contemplating a new dwelling, and if after inquiry or by lender notification, you find your property is in a designated flood hazard area or flood shadow, you must try to remove your land from the floodplain designation by procuring a Letter of Map Amendment or LOMA from FEMA (Federal Emergency Management Agency). These map amendments are applied for by a licensed professional surveyor or engineer that has been certified to set elevations from known locations.

Improvements to a structure in a known floodplain are limited to 50% of the total equalized evaluation. Call this office for more information relating to flood plain development.

## **Land Divisions**

Land divisions in Forest County are governed by three different sets of ordinance or rules. Again, location will dictate which rule you must follow when attempting to divide your land.

- **Shoreland** All Forest County Shoreland, as described on page 2 are governed by the Forest County Zoning Ordinance. All land divisions must be approved by the Zoning Committee if less than 5 acres.

The following basic rules apply to the subdivision of Forest County shore lands.

Riparian lots require 20,000 square feet of area. They require 100 feet of frontage at the OHWM and 100 feet of frontage at an access point.  
Back lots on lakes also require 20,000 square feet of area.

**Note:** The Zoning Committee has reserved the authority to reduce the road frontage requirements if conditions warrant.

- **Unzoned Areas:** Townships, as listed on page 2, that do not submit to County Zoning Ordinances are governed by the Forest County Subdivision Ordinance. The basic rule is that all land division less than 5 acres must be on a Certified Survey Map and be approved by the Zoning Committee. Dimensional requirements are per State Statute.

- **Zoned Areas:** Townships that submit to County Zoning Ordinances are governed by that Ordinance for area and road frontage. The basic rule for rural lots is 2 acres.
- **Basic Rule:** Any land division in the county that is less than five (5) acres must be by CSM (certified survey map).

## **Shoreland Alteration Permits**

Except as provided under other sections of our ordinance, a shoreland alteration permit is required for the filling, grading, landscaping, lagooning, dredging, ditching, or excavation of a shore yard or shore land in the following instances:

- Alterations for the construction of structures permitted under special zoning permission, and walkways if located in, on or over steep slopes or rock, saturated, or unstable soils.
- For any filling, grading, or landscaping of an area not associated with construction, which is within three hundred (300) feet landward of the OHWM of navigable water, which has surface drainage toward the water.

**Note:** Alterations of more than 10,000 square feet requires a DNR permit.  
Call the regional office in Rhinelander at 715-365-8900.

- For any filling, grading or landscaping of an area associated with construction and is within 300 feet landward of the OHWM of navigable water and has surface drainage toward the water shall complete an approved erosion control plan before being issued a land use permit.

## **Whose Responsibility Is It?**

It is the responsibility of the owner to procure all land use permits and to hire a licensed sanitary installer. Contractors may apply for permits but landowners must sign all documents.

**Final note to new landowners.**

All new and perspective Forest County property owners should make extensive efforts to find the legal and environmental status of their property, their inquiries should include but not be limited to,

- Condition of all well and sanitation facilities located on the property.
- Suitability of soils in areas intended for construction.
- Variance or conditional use designations attached to property.

Welcome to Forest County, this is truly a land with many views!

**Remember to check with your Town Clerk for any other permits required.**

### **Township Recycling**

Please check with your local clerk for site location and hours of operation.