

**CHAPTER 5**  
**MAJOR SITE CONDOMINIUMS**

**5.01 General.**

- (1) Establishment of condominium plats that create 5 or more units, either as an original condominium or by addition to a condominium under s. 703.26, Wis. Stats., that are 10 acres or less in size shall follow the procedures in this chapter.
- (2) The design of the proposed major site condominium shall be based on a site analysis, such that the design shall preserve the natural features of the site and avoid areas of environmental sensitivity. Additionally, the design shall, to the maximum extent practicable, minimize need for cut and fill activities, avoid creation of unnecessary impervious surfaces, avoid utilization of flood prone areas, and minimize adverse effects of traffic and surface water drainage on neighboring properties.

**5.02 Conceptual Sketch Plan**

- (1) Before submitting a preliminary major site condominium plat for approval, the declarant shall prepare a conceptual sketch plan and shall submit to the Planning Department one full-size copy of the plan and one copy of the plan reduced to 11 inches by 17 inches.
- (2) The conceptual sketch plan shall cover the entire area proposed for development at the time of submittal and shall be prepared in accordance with this Ordinance. Where a declarant owns, has an interest in, or controls adjacent lands in addition to those proposed for development at the time of submittal, such declarant shall submit a conceptual sketch plan for the development of the adjacent lands if the applicant proposes to develop those lands in the future.
- (3) Layout and Format. The conceptual sketch plan shall contain or have attached thereto the following information:
  - (a) Existing Conditions.
    1. Applicable existing zoning districts for land in and abutting the major site condominium;
    2. Total approximate acreage of the entire area proposed for development;
    3. Location and right-of-way width of existing roads. Parks and other public lands, permanent buildings and structures, easements, and section and corporate lines within the subject area and all land owned or controlled by the declarant to a distance 200 feet beyond the subject area shall also be indicated. Aerial photos may be used to accomplish this requirement;
    4. Boundary lines of adjoining land within 200 feet of the subject area. The owners of such lands shall be identified by name;
    5. Topographic data shall be provided at vertical intervals of 2 feet. Door County Digital Contour Maps shall be used for all topographic mapping;

6. Location and size of all existing navigable and non-navigable streams, wetlands, wooded areas, rock outcrops, rock holes, escarpments, drainage courses, lakes, ponds, wells, septic systems, cesspools, sewers, water mains, culverts, driveways, power transmission poles and lines, underground facilities, and other utilities within the conceptual sketch plan area and to a distance of 200 feet beyond. Aerial photos may be used to accomplish this requirement;

7. All areas within the proposed development and contiguous property of the declarant where the slope is in excess of 25% when measured over 50 feet or more of horizontal distance;

8. Parcel Identification Numbers for all parcels proposed to be included in the condominium plat.

(b) Conceptual Sketch Plan Design Features.

1. Number and layout of units;

2. Location of common elements;

3. Location of limited common elements;

4. Number and layout of proposed roads;

5. Location of driveways;

6. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other non-public uses exclusive of single family dwellings.

(c) Supplementary Data to be Supplied with Conceptual Plan.

1. Provision for water supply;

2. Provision for sewage disposal;

3. A letter from the Town Chairperson of the town in which the proposed land division is located stating that the town has been made aware of the proposed condominium;

(4) Review. The declarant or an agent acting on behalf of the declarant may present the conceptual sketch plan to the Committee in order to facilitate discussion in an informal atmosphere regarding the layout and design of the proposed condominium plat. The Planning Department shall within 30 days of such request schedule a presentation at a regularly scheduled Committee meeting.

**5.03 Preliminary Condominium Plat.** The preliminary major site condominium plat shall conform substantially to the conceptual plan presented to the Planning Department or the Committee.

(1) Submittal. The declarant shall prepare and file with the Planning Department 6 full-size copies and 8 copies reduced to 11 inches by 17 inches of all pages of the preliminary condominium plat.

- (2) Information Requirements. The preliminary plat of the proposed condominium shall contain or have attached thereto all of the information described in Chapter 6, Design Standards, Improvements and Dedications, and the following:
- (a) Evidence of the landowner's authorization for preparation of the preliminary condominium plat.
  - (b) The proposed name of the condominium, which name shall not duplicate or be alike in pronunciation of any condominium plat heretofore recorded in the county, unless considered an addition to the condominium plat.
  - (c) A survey of the property as provided in s. 703.11(2)(b), Wis. Stats., including section, town, and range numbers.
  - (d) The names, phone numbers and addresses of the declarant, any agent having control of the land, surveyor, engineer, and designer of the plan and certification of ownership or declarant's authorization of agent.
  - (e) A north point arrow or symbol.
  - (f) A certification of surveyor certifying to the accuracy of the survey.
  - (g) The date of preparation and date of subsequent revisions.
  - (h) A small detailed scale drawing of the condominium plat in relation to its location within the section(s).
  - (i) Topographic data showing 2-foot contours.
  - (j) A copy of the proposed condominium declaration.
  - (k) The layout of proposed roads, showing right-of-way widths and proposed names of roads.
  - (l) The locations and widths of proposed sidewalks, bike paths, and utility easements.
  - (m) The front, rear, side, road setback lines for principal buildings, if the Door County Zoning Ordinance is applicable to the property proposed for the condominium plat.
  - (n) Any sites, other than roads, sidewalks, bike paths, and utility easements, intended to be dedicated or reserved for parks or other public use. The dimensions and acreage of such sites shall be shown.
  - (o) The location and description of survey monuments.
  - (p) A unit identification system as provided in s. 703.11(3), Wis.Stats.
  - (q) A wetland delineation report and map reviewed by and approved by the Planning Department.
- (3) Other Requirements. The preliminary plat shall comply with the following:

(a) It shall be prepared by a land surveyor who is registered in the state of Wisconsin and shall conform to all County requirements and the requirements of this Ordinance.

(b) S. 1.09(2) of this Ordinance.

(c) Chapter 6, Design Standards, Improvements and Declarations, of this Ordinance.

(d) The graphic scale shall not be less than one inch to 100 feet or a scale as agreed to by Planning Department staff and applicant.

(4) Review and Decision.

(a) After reviewing the preliminary condominium plat and data for compliance with this Ordinance as in effect when the subdivider submitted the preliminary plat, the Committee shall approve, approve conditionally, or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection. Conditions of approval may include the kind and extent of improvements to be made by the declarant. (Amended: March 10, 2011; Ord. No. 2011-07).

(b) Failure of the Committee to act within 40 calendar days of submittal of a complete preliminary plat shall constitute an approval of the preliminary plat, unless such time is extended by agreement between the County and the declarant.

(c) If the final condominium plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final condominium plat is not submitted within 36 months after the last required approval of the preliminary plat, any approving authority may have refuse to approve the final plat or may extend the time for submission of the final plat. The final condominium plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat that the subdivider proposes to record at that time. (Recreated: March 10, 2011; Ord. No. 2011-07).

#### **5.04 Final Condominium Plat.**

(1) Submittal. The applicant shall prepare and file with the Planning Department the final plat in accordance with the following:

(a) A copy of the final condominium declaration.

(b) The original plat shall be prepared as provided in s. 703.11(2)(d), Wis. Stats.

(c) Final plats shall conform substantially to the approved preliminary plat, except contours and principal building setback lines do not have to be shown.

(2) Requirements.

(a) The final condominium plat shall be prepared by a land surveyor who is registered in the state of Wisconsin and shall conform to all County requirements and the requirements of this Ordinance.

(b) The final condominium plat shall show on its face all lands reserved for future public dedication or reserved for the common use of unit owners within the plat. If common property is located within the plat, then provisions for its use, maintenance, and ownership must also be provided with the plat.

(c) Certificates. All final plats shall provide all the certificates required by s. 703.11(4), Wis. Stats.

(d) The final plat shall show on its face evidence of acceptance of any dedications by the governmental entity(ies) receiving the dedications.

(3) Final Condominium Plat Review and Approval.

(a) The Planning Department shall provide conclusions as to whether the final condominium plat conforms substantially to the preliminary plat with a recommendation to approve the final plat. The conclusions and recommendations shall be made part of the record and are not required to be submitted in writing. (Recreated: March 10, 2011; Ord. No. 2011-07).

(b) The Planning Department shall approve or reject the final plat and shall state in writing any reasons for rejection. If approved, a written statement certifying approval shall be affixed to the condominium declaration and plat.

(c) The Planning Department shall act within 40 calendar days of final plat submittal, unless such time is mutually extended by both parties, or unless the approval of the governmental entity(ies) is required under s. 5.05, Major Site Condominiums Involving Dedication of Land. Failure of the Planning Department to act within the time limits imposed in this subsection shall constitute an approval.

**5.05 Major Site Condominiums Involving Dedication of Land.** Major site condominiums that involve the dedication of public rights-of-way or other dedications of public lands shall require approval of the applicable governmental entity(ies). The Planning Department shall not approve such major site condominiums until approval of the applicable governmental entity(ies) has been obtained.

**5.06 Improvements Required.** All improvements required to be installed by the declarant shall be inspected and approved by the Planning Department prior to issuance of a building permit.

**5.07 Recordation.** The final condominium plat shall be recorded within 12 months of the date of the last approval of the plat and within 36 months after the first approval. Failure to record the plat within the time specified shall nullify the approval of the final plat. (Recreated: March 10, 2011).

**5.08 Replat.** Any replat of a recorded condominium plat or part thereof shall be done in accordance with s. 703.095, Wis. Stats.