



## Pending Changes to Wisconsin Shoreland Regulations

If you plan to buy, subdivide, remodel or construct improvements near a lake, river or wetland in Wisconsin, you should be aware that Wisconsin's Shoreland Protection regulation has changed and your County's equivalent shoreland zoning ordinance is changing. By February 2014, each county in Wisconsin must implement its own shoreland ordinance to be in compliance with the Wisconsin Department of Natural Resources' (DNR) revised shoreland rules. However, several counties have already implemented new shoreland zoning ordinances and many others have draft ordinances under review. If you are concerned with a specific parcel of land that could be impacted by this new regulation, you should review that County's draft ordinance and work now to seek permits or investigate whether variances are feasible to allow future development.

Some landowners may have been misled by conversations with other waterfront property owners about the severity of the new regulations or the jurisdictional limits of the "shoreland" zone and their impact. Others may believe the issue has "gone away" because the state and DNR agreed to defer implementation of the rule. However, it is certain that the regulations will be implemented and are becoming stricter in many respects. As a result, now is the time to understand how the regulatory changes might affect your property and to get permits for construction work near lakes, rivers and wetlands.

Key issues to watch in your County ordinance include potential changes to the setback (distance from the waterfront) for development, the length of shoreline required for new development, the minimum width of lot required at the building site, the maximum impervious surface limitations within the shoreland zone, and the mitigation required to expand a non-conforming structure that is close to the water.

If you are expanding an existing structure, or are considering expanding in the future, you must review the existing and proposed ordinances very carefully. Although the following link to the DNR website is very useful, the Gonzalez Saggio & Harlan LLP Land Development Practice Group has closely followed the development of the pending DNR regulations, is experienced with difficult shoreland zoning issues and stands ready to assist with your unique situations, including defense against the almost certain enforcement of shoreland and wetland regulations in the coming years.

For more information about the evolving Wisconsin regulations regarding constructing improvements on a lot near a lake, river or wetland, please follow this DNR Link:

<http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm>

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**For more information about the GSH Land Development Practice Group, please [click here](#).**

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