

**Ordinance No. 9-23-770**  
**Monona Common Council**

**AN ORDINANCE AMENDING SECTION 473-4 E. OF THE CODE OF ORDINANCES  
REGARDING LAND DIVISIONS**

**WHEREAS**, a number of recent Certified Survey Map applications have requested exceptions to the existing section 473-4 E. of the Code of Ordinances specifically relating to access to streets and the width of the street and right-of-way adjacent to newly created parcels; and,

**WHEREAS**, the existing Code requires that any land division shall result in lots fronting a dedicated street at least 60 feet in width; however, this dimension is unlikely to be met given the existing conditions of the City streets; and,

**WHEREAS**, the Plan Commission recommends that the goal for land divisions should be to confirm adequate right-of-way width; and,

**WHEREAS**, the proposed revised language to 473-4 E. was drafted with input from both the Public Works Director and the City Attorney and is recommended by both the Public Works Committee and the Plan Commission.

**NOW, THEREFORE**, the Common Council of the City of Monona, Dane County, Wisconsin, do ordain as follows:

**SECTION 1.** Section 473-4 E. of the Code of Ordinances is hereby amended to read as set forth in the attached Exhibit A.

**SECTION 2.** This ordinance shall take effect upon passage and publication as provided by law.

Adopted this 2 day of October, 2023.

BY ORDER OF THE CITY COUNCIL  
CITY OF MONONA, WISCONSIN



Mary K. O'Donnor  
Mayor

ATTEST:



Alene Houser  
City Clerk

Council Action:

Date Introduced: 9-18-23

Date Approved: 10/2/23

Date Disapproved: \_\_\_\_\_

## EXHIBIT A

### § 473-4 Land divisions.

A. Definition. As used in this section, the following terms shall have the meanings indicated:

#### LAND DIVISION

The division of any parcel of land within the City for purposes of sale or building development. It shall not include:

- (1) Transfers of interest in land by will or pursuant to court order.
  - (2) Leases for a term not to exceed 10 years, mortgages or easements.
  - (3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the parcels resulting are not reduced below the minimum lot sizes required by this chapter or other applicable laws or ordinances.
  - (4) Land division creating four or more lots or building sites within a period of five years.
- B. Certified survey map. A division creating not more than four lots in a period of five years. Any person desiring to accomplish land division by certified survey map shall file with the Plan Commission a certified survey map as defined in § 236.34, Wis. Stats., and eight acceptable copies thereof together with a written application for approval at least five days prior to the meeting of the Plan Commission at which action is desired.
- C. Public hearing. The Plan Commission may schedule a public hearing on the proposed land division before taking action. In such case, the City Clerk shall give notice of the proposed land division to property owners within the area in which the land division is proposed as shall be deemed necessary.
- D. Review of division. The proposed land division shall be reviewed by the Plan Commission and the Public Works Committee for conformity with the provisions of this Code and the Official Map and Master Plan of the City.
- E. Access to streets required. No proposed land division shall be approved unless all of the resulting lots front on adjoin a dedicated street at least 32 feet in width (face to face) located within a public right-of-way at least 60 feet in width.
- F. Action on application. The Plan Commission and Council shall, within 90 days of application, approve, approve conditionally, or reject the proposed land division. The applicant shall be notified in writing of any conditions of approval or the reasons for rejection.
- G. Compliance with statutes. The certified survey map shall comply with § 236.34, Wis. Stats., which is adopted by reference as part of this chapter.
- H. Variances. When in the judgment of the Plan Commission or Council, it would be inappropriate to apply literally any of the provisions of this chapter because extraordinary hardship would result, the Council may grant such variance from the provisions hereof so that substantial justice may be done and the public interests secured.