

18.125.030 Fees for land use permits.

- A. The fee for a land use permit shall be as set by the county board.
- B. A double fee shall be charged by the department if construction or structural alteration is started or a use is changed prior to the issuance of a land use permit. The fee may be increased to a maximum of quadruple the original fee at the discretion of the Planning and Development Department Director. Such fee shall not release the applicant from full compliance with this subtitle nor from prosecution for violation of this subtitle.
- C. There shall be no fees for land use permits for accessory structures that meet the criteria in 18.41.010 B.3.
- D. The applicant may be required to pay the cost of any extraordinary costs for site plan approval such as consultant fees or engineering studies. (Ord. 168-53, Sec.11, 2025; Ord. 167-3, Sec. 1, 2023)

SUBTITLE VIII. NONCONFORMITIES & VESTED RIGHTS

Chapters:

<u>18.131</u>	<u>Generally</u>
<u>18.132</u>	<u>Nonconforming Uses</u>
<u>18.133</u>	<u>Nonconforming Lots</u>
<u>18.134</u>	<u>Nonconforming Structures</u>
<u>18.135</u>	<u>Nonconforming Site Improvements</u>
<u>18.136</u>	<u>Applications and Projects in Progress</u>

Chapter 18.131

GENERALLY

Sections:

<u>18.131.010</u>	<u>Purpose.</u>
<u>18.131.020</u>	<u>Applicability.</u>
<u>18.131.030</u>	<u>Effective date.</u>

18.131.010 Purpose.

A. Within the districts established by this title or amendments hereto, there exist uses, structures, lots, or site improvements that were lawful prior to the adoption of this title but would be prohibited or more greatly restricted under the terms of this title. These uses, structures, lots, and site improvements are declared legal nonconformities as defined in 18.131.020 and Chapter 18.162. (Ord. 167-3, Sec. 1, 2023)

B. The County finds that nonconformities adversely affect the orderly development and value of other property in a zoning district and are incompatible with permitted uses in the district in which they are located.

C. is the intent of this subtitle to:

1. permit legal nonconformities until they are removed, but not to encourage their continuation;
2. protect property rights by providing for the continuation of nonconforming buildings, structures, lots, site improvements, and applications;
3. implement the requirements of Wis. Stats. §§ 59.69(10) and 66.10015 and Wisconsin common law on nonconformities and vested rights. (Ord. 167-3, Sec. 1, 2023)

18.131.020 Applicability. This subtitle is part of the Eau Claire County Zoning Ordinance and is subject to town approval as provided in Wis. Stat. § 59.69. It applies to any nonconformity. A “nonconformity” means any nonconforming use, nonconforming lot, nonconforming structure, nonconforming site improvement, or application or project in progress on the effective date. (Ord. 167-3, Sec. 1, 2023)

18.131.030 Effective date. For purpose of this subtitle, the “effective date” means the time that any ordinances that create a nonconformity take effect. (Ord. 167-3, Sec. 1, 2023)

Chapter 18.132

NONCONFORMING USES

Sections:

<u>18.132.010</u>	<u>Generally.</u>
<u>18.132.020</u>	<u>No increase in nonconformity.</u>
<u>18.132.030</u>	<u>Change to a conforming use.</u>
<u>18.132.040</u>	<u>Discontinuance.</u>
<u>18.132.050</u>	<u>Nuisances.</u>
<u>18.132.060</u>	<u>Existing conditional uses.</u>
<u>18.132.070</u>	<u>Specific uses.</u>

18.132.010 Generally. A nonconforming use of land or structure that existed at the time of adoption of this title, or amendments hereto, may be continued, but shall comply with the provisions in this section. (Ord. 167-3, Sec. 1, 2023)

18.132.020 No increase in nonconformity.

- A. Only that portion of the land in actual use may continue to be used.
- B. The nonconforming use shall not be extended, enlarged, substituted, or moved in a manner to increase its nonconformity, except when required by law or order or to bring the use into conformity with the provisions of this title. (Ord. 167-3, Sec. 1, 2023)