

2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb3015/1
RNK&MGG:kmg:rs

SENATE AMENDMENT 5,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

April 5, 2002 – Offered by Senators WELCH and GEORGE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 48, line 10: after that line insert:

3 **“SECTION 150m.** 59.6925 of the statutes is created to read:

4 **59.6925 Review of zoning decisions. (1) DEFINITIONS.** In this section:

5 (a) “Department” means the department of natural resources.

6 (b) “Shoreland zoning standard” has the meaning given in s. 59.692 (1) (c).

7 (c) “Special area variance” means a variance for the improvement or expansion
8 of a residential structure that is in existence on the effective date of this paragraph
9 [revisor inserts date], that relates to those provisions of a zoning ordinance which
10 govern area, setbacks, frontage, height, bulk, or density.

11 **(2) REVIEW, SUIT PROHIBITED.** The department may not review the granting of
12 a special area variance by a county board of adjustment under s. 59.694 (7) (c) for

1 compliance with shoreland zoning standards or with any county zoning ordinance,
2 and the state may not initiate or proceed with a civil action or intervene in a civil
3 action to challenge the granting of a special area variance, if the special area variance
4 was granted after October 31, 2001, and before January 1, 2002, and the residential
5 structure to which the special area variance applies is all of the following:

6 (a) Located on a parcel of land that is comprised of 2 or more previously separate
7 and discrete parcels of land.

8 (b) Located on a parcel of land that has one boundary that is adjacent to a
9 highway and another boundary that is adjacent to the ordinary high-water mark of
10 a navigable body of water.”

11 (END)