

## Town sorting out land division mess

Written by MARK JAEGER

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### **Officials contend split of parcel on Highway O was done without permission, creating illegal lots**

Members of the Town of Saukville Plan Commission learned last week just how difficult it is to correct what is being characterized as an illegal land division.

The bureaucratic nightmare centers around a parcel of land on Highway O that was in the Worth family estate. Years of contention among family members resulted in a court order to sell the property.

To settle the estate claims, approximately 13 acres on the east side of the road was sold to Joe Bintz, who hopes to raise alpacas on the property. That parcel includes an existing home.

The remaining 38 acres of farmland in the parcel was sold to farmer Robert Roden.

The problem, according to Town Chairman Barb Jobs, is that the land division was never presented to the town for approval.

Adding to the confusion, Ozaukee County officials told Roden, who has been leasing the land for decades, he would not be able to create an access drive to the farmland off of the county highway because the land division was not recognized as a legal split.

Jobs said the town would not have approved the new lot created for Bintz, because it has less than the 250 feet of road frontage as dictated by the zoning code for land with A-4 agricultural zoning.

That zoning designation is used for parcels up to 10 acres in size. For larger parcels, A-5 zoning would be required, which requires at least 300 feet of road frontage.

Determining road frontage is a challenge, because the parcel is located on a curve in the road.

“It was never our intention to create an illegal land division. We just wanted to preserve as much of that land in agriculture as possible,” said Robert Worth, a member of the family trying to resolve the contested estate.

Worth said he has spent \$200,000 trying to resolve the matter.

The solution, according to Jobs, would be for the landowners to reconfigure the parcels created from the Worth land so that the Bintz property is no more than 10 acres, with sufficient frontage on Highway O to meet the 250-foot minimum.

Any revisions in the property will still need to come to the Plan Commission, and Jobs said the

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town is likely to assess a double fee — which would boost the application cost to \$600 — because of the illegal initial action.

Even with town approval, the land division would also need the support of the Village of Saukville because the land is within the village's extraterritorial review area.