

RESOLUTION 2026-01

UPDATING THE TOWN OF DEERFIELD COMPREHENSIVE PLAN FOR THE 2030 REVISION REGARDING DRIVEWAY SETBACKS ADJACENT TO WETLAND DELINEATIONS

WHEREAS, the Town of Deerfield on ~~Mar~~ March 9, 2020, adopted the updated Town of Deerfield Comprehensive Plan as the Town's Comprehensive Plan under Section 66.1001(4), Wisconsin Statutes with said Plan reviewing procedures for consideration of replacement or refinement by the year 2030, and

WHEREAS, the Town of Deerfield does not consider a gravel driveway as a "structure" as described in Dane County Ordinance 11.03(2)(a)2 where walkways, rail systems, and stairways are exempt.

WHEREAS, the Town of Deerfield has determined that a 75-foot setback for driveways adjacent to wetland delineations should be reduced to a 25-foot setback if driveways are constructed according to the Town of Deerfield Driveway Ordinance.

NOW, THEREFORE, BE IT RESOLVED that Chapter five, Open Space Corridors, Town Policies and Programs will be amended to add the following bullet:

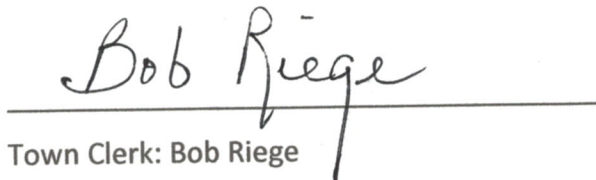
- Driveways that are located near delineated wetlands are required to have a 25-foot setback and construction must adhere to the Town's Driveway Ordinance.

Adopted and approved this ¹⁰~~8~~^{August} day of ~~June~~^{B.F.}, 2026, by the Board of Supervisors of the Town of Deerfield, Dane County, Wisconsin.



Town Chair: Mike Schlobohm

Attest:



Town Clerk: Bob Riege

Ordinance 11.03(2) Setbacks.

(a) Except as provided in sections [11.03\(2\)\(b\)](#) and [11.03\(2\)\(c\)](#), the setbacks for all buildings and structures, shall not be less than:

1. Seventy-five (75) feet, measured horizontally, from an ordinary high-water mark;
2. Seventy-five (75) feet, measured horizontally, from the boundary of wetlands two acres or larger in area, or;
3. As specified by the county flood plain zoning ordinance, Chapter 17, Dane County Code.

(b) Exceptions with shoreland zoning permit. Subject to the approval of a shoreland zoning permit by the zoning administrator, the following structures may be located within the setback from an ordinary highwater mark described in s. [11.03\(2\)\(a\)1.](#)

1. Broadcast signal receivers, including satellite dishes or antennas that are one (1) meter or less in diameter and satellite earth station antennas that are two (2) meters or less in diameter.
2. Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of sixty (60) inches in width, provided they are located within the access and viewing corridor described in s. [11.04\(4\).](#)

(c) Exceptions with shoreland mitigation permit. Where the director has approved a shoreland mitigation permit under s. [11.05\(4\)](#), the following may be located within the setback from an ordinary highwater mark described in s. [11.03\(2\)\(a\)1.](#)

1. Boathouses. One boathouse per lot is permitted as an accessory building within the access and viewing corridor described in s. [11.04\(5\)\(a\)](#), provided all of the following conditions are met:
 - a. The boathouse does not exceed a width of 16 feet, as measured parallel to the ordinary highwater mark;
 - b. The footprint of the boathouse does not exceed 450 square feet;

- c. The height of the structure does not exceed 12 feet, as measured from the ordinary highwater mark;
 - d. The existing slope of the proposed boathouse site does not exceed 20%;
 - e. The boathouse has no plumbing or cooking facilities;
 - f. The boathouse has no more than two windows or skylights, with rough openings for each not to exceed 4 square feet in area;
 - g. All portions of the boathouse are above the ordinary highwater mark, and;
 - h. The boathouse complies with all side-yard, rear-yard and other setbacks for residential accessory structures under Chapter 10, Dane County Code, and with all floodplain requirements of Chapter 17, Dane County Code.
2. Reduced setback. Where an existing development pattern exists, proposed principal buildings may have a reduced setback as follows:
- a. Where there is a principal building on each side of the proposed site, the setback for the proposed building shall be the average of the setbacks of the existing buildings.
 - b. If there is an existing principal building on only one side, the setback for the proposed building shall be the average of the required setback under s. [11.03\(2\)\(a\)](#) and the existing building's setback.
 - c. Notwithstanding a. and b. above, under no circumstances shall any building or structure intrude on the vegetative buffer zone described in s. [11.04](#).
3. Marina fuel tanks. Replacement of an existing marina fuel system tank, provided all of the following conditions are met:
- a. Due to physical limitations of the property, it is not possible to construct a replacement marina fuel system tank at a compliant setback from an ordinary high-water mark;
 - b. Fuel tanks and fuel lines are of at least double-wall construction;

- c. Monitoring devices are installed and maintained to detect any leaks from fuel system tanks and lines. Leak monitoring method shall be state approved electronic interstitial devices installed and maintained to detect any leaks from fuel system tanks and lines;
 - d. The dispensing of motor fuel into watercraft is conducted in conformance with the provisions of Wisconsin Administrative Code Chapter COMM 10. Retail sale of Class I or II liquids shall be limited to self-propelled marine craft;
 - e. Fuel dispensing systems for watercraft have automatic nozzles with non-drip provisions;
 - f. At the time of application for a shoreland zoning permit, the landowner provides evidence of compliance with all necessary local, state or federal permits, regulations, plan design review or other approvals related to fuel system design, construction and maintenance.
4. Minor structures, provided all of the following conditions are met: