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WRA: Disappointed by Wisconsin Supreme Court decision in shoreland zoning case

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(Madison, Wis.) – The Wisconsin REALTORS® Association is disappointed by the Wisconsin Supreme Court's decision in the **Anderson v. Town of Newbold** decision, which is both a loss for the environment and for 50 years of legislature led precedence.

While this case addresses an individual's attempt to subdivide waterfront property, the court's decision may have a much bigger effect of towns across the state, ignoring state shoreland zoning standards in favor of creating their own lot size requirements. The current shoreland zoning program established a uniform regulatory framework that ultimately provides protection for Wisconsin waterways as well as assurance for waterfront property owners to reasonably and responsibly develop their property.

By authorizing towns to develop their own lot size requirements in shoreland areas, the court's decision could serve as a basis for the systematic disregard of the state's uniform lot size requirements in shoreland areas, which is one of the most important tools Wisconsin has to protect water quality, natural scenic beauty, and wildlife within and near our lakes, rivers, and streams.

"Allowing towns to regulate development density in shoreland areas through their platting authority is in direct conflict with the efforts made by the legislature to take towns out of the shoreland development regulatory business," said Tom Larson, the WRA's Executive Vice President. "In fact, such a ruling by the court opens the floodgates to towns trying to regulate development densities in shoreland areas through their own minimum lot size requirements."

Such a legislative overturn could result in a decrease in development densities in shoreland areas, reducing property values of vacant waterfront land, and lessening available waterfront inventory to purchase.

The recent Wisconsin Supreme Court decision related to shoreland zoning standards will have strong implications making it difficult for waterfront property owners to develop their property at reasonable densities while still complying with regulations designed to protect water quality and natural scenic beauty.

Find the Supreme Court review **HERE**.