



**Wisconsin
County Code
Administrators**

February 20, 2008

Representative Mary Williams
Chairperson / Committee on Property Rights
Room 17 West, State Capitol
PO Box 8953
Madison WI 53708

RE: AB 805 relating to: compensation for the reduction in the fair market value of private real property.

Dear Representative Mary Williams:

I am writing to you on behalf of the Wisconsin County Code Administrators (WCCA). WCCA is an Association of County Planning, Zoning and Sanitary Code Officials throughout the State of Wisconsin who are responsible for administering many land use and environmental health regulations.

WCCA opposes Assembly Bill 805.

This Bill is an assault on planning, zoning and other land use regulations. This bill effectively would put a governmental unit, such as a county, in the position of being sued for damages for any zoning change, change in ordinances or adoption of a land use plan.

For example, if a lake association petitions a county, with support of a majority or all land owners involved, to change a zoning district from a business type use to single family use, the county would be exposed to damages from the one individual that objects, and may want to use the parcel for business purposes. The opposite request, rezoning a parcel from single family use to business use, could expose the county to damages because an individual's perceived residential value of the property is lost.

If a county wanted to institute a new ordinance to regulate off-premise signs, the county could be sued for damages because an individual would lose the opportunity to allow a sign company to construct a sign on their property. If a county wanted to establish a setback to the right of way for traffic safety reasons, the county could get sued for damages because some individual could not construct up to the right of way. The scenarios that I could propose are infinite.

WCCA respectfully requests the Committee on Property Rights to defeat this Bill.

If you have any questions or concerns regarding this correspondence please feel free to contact me at 715-369-6176.

Sincerely,

Karl Jennrich, 2nd Vice President,
Wisconsin County Code Administrators
Oneida County Planning and Zoning Dept.
PO Box 400
Rhinelander WI 54501

Cc: WCCA Executive Board
Wisconsin Counties Association
Representative Sheryl Albers
Representative Terry Musser
Representative Scott Gunderson
Representative Louis Molepske
Representative Barbara Gronemus