



WALWORTH COUNTY

■ Land Use & Resource Management ■

Waiver of Foundation Survey

Note: Owner signature MUST be witnessed by Notary. Read entire document before signing.

This waiver may be used for open decks, swimming pools, or structures more than 1 ½ times all setback requirements. This waiver may also be used for other projects as approved by the Zoning Administrator.

This waiver, entered into this _____ day of _____, _____ by and between the Walworth County Land Use and Resource Management Department and (property owner(s)) _____,

who own real property located at (property address): _____

and further identified as tax parcel number: _____,

for the construction as identified and permitted on County Zoning Permit Number: _____.

For the construction permitted to be exempt from the foundation survey requirement of the Walworth County Code of Ordinances Chapter 74, the property owner(s) agrees with the County that:

- 1. The Property Owner will abide by all ordinance requirements, permit conditions and directions of the Walworth County Zoning Division pertaining to the above-mentioned construction activity.**
2. This waiver shall be binding upon the property owner(s), successors or assigns. This waiver shall be disclosed to any future property owners, successors or assigns.
3. The Property Owner agrees that the County shall have authority to enter the premises for inspections during normal working hours, if a complaint should arise related to zoning.
4. If an inspection is completed by the Zoning Division, the Land Use and Resource Management Department determines that a foundation survey is still needed to accurately verify setbacks, the Owner agrees to comply with the submittal of a foundation survey, prepared by a registered land surveyor, within 60 days of notice.
5. If Property Owner submits a foundation survey, prepared by a registered land surveyor, found to be in compliance with item #1 above, all parties agree that the waiver will be null and void.
6. In consideration for the granting of this waiver, the Owner understands, and agrees that he/she waives his/her right to appeal the County's determination that a zoning violation exists, should it arise, regarding the above referenced construction. This does not negate an owner from applying for a variance from the Walworth County Board of Adjustment within the time limit identified by ordinance.
7. This waiver is voluntary and freely made with full knowledge of its consequences.
8. This waiver shall be interpreted in accordance with the laws of the State of Wisconsin.
9. This is a fully integrated agreement and contains the entire agreement between parties. Any prior written or oral agreements which are different in terms, conditions, and provisions of this waiver shall be of no effect and shall not be binding upon either party.

Owner(s) Signature

Notary Public

Subscribed and sworn to before me on this _____ day of _____, _____.

Walworth County Land Use and Resource Management

By: _____ Date: _____

Title: _____

Zoning Permit Number: _____

Date Zoning Permit Issued: _____

(Signature)

My commission expires: _____

Revised: 8.4.25

**Walworth County Land Use and Resource Management
P.O. Box 1001, Elkhorn, WI 53121**