



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, November 1, 2018:

Packet Pages:

- 1-2 Agenda
- 3-5 Draft meeting minutes from October 4, 2018
- 6-16 Monthly reports
- 17 Town of Berlin zoning maps
- 18 Town of Berlin Farmland Preservation Plan maps
- 19-93 Proposed Zoning Ordinance text amendments
- 94 Public hearing notice
- 95-103 **Item I: Owners/Applicants:** Douglas J & Sandra M Linde **General legal description:** Lost Creek Road, #004-00471-0300 (±5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW¼ of Section 20, T16N, R13E, Town of Brooklyn **Request:** Rezone ±5.8 acres from R-3 Multiple Family Residence District to R-4 Rural Residential District
- 104-113 **Item II: Owner/Applicant:** Matt Boelter Farms, LLC – Chad Boelter **General legal description:** W1609 County Road X, #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E, Town of Mackford **Request:** Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.
- 114-124 **Item III: Owner/Applicant:** Barbara Meyer **Agent:** Kim Michaelson, Power of Attorney **General legal description:** W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Part of the SE¼ of Section 35, T17N R13E, ±10 acres, Town of Berlin. **Request:** Rezone from A-2 General Agriculture District to A-1 Farmland Preservation District (±3 acres) & R-4 Rural Residential District (±7 acres). To be identified by certified survey map.

If you have questions or need additional information, please contact the Land Use Planning & Zoning Department at (920) 294-4156.



GREEN LAKE COUNTY
Land Use Planning & Zoning Committee
571 County Road A, Green Lake, WI 54941
Office: (920) 294-4156 FAX: (920) 294-4198

Land Use Planning & Zoning Committee Meeting Notice

Date: 11/01/18 Time: 5:15 p.m.
Green Lake County Government Center, Room #0902
571 County Road A, Green Lake, WI 54941

AGENDA

**Committee
Members:**

William Boutwell
Robert Lyon
Harley Reabe
Curt Talma
Peter Wallace
Alternate:
Keith Hess

Carole
DeCramer,
Secretary

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Minutes: 10/04/18
5. Public comments: 3-minute limit
6. Public appearances
7. Correspondence
8. Department activity reports
 - a. Financial reports
 - b. Permits
 - c. Violation reports
9. Department/Committee activity
 - a. Comprehensive Plan amendment update
 1. Town of Berlin Farmland Preservation Plan map amendment
 2. Town of Berlin zoning map amendment review
 - b. Amendments to Chapter 350 of the zoning ordinance
10. Future committee activities
 - a. Future agenda items
 - b. Meeting date:
December 6, 2018
Business meeting 5:15 p.m.
Public hearing 6:00 p.m.

6:00 p.m. Public Hearing

Item I: Owners/Applicants: Douglas J & Sandra M Linde **General legal description:** Lost Creek Road, #004-00471-0300 (±5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW¼ of Section 20, T16N, R13E, Town of Brooklyn **Request:** Rezone ±5.8 acres from R-3 Multiple Family Residence District to R-4 Rural Residential District

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend, who needs visual or audio assistance, should contact the Land Use Planning & Zoning Department at 294-4156, no later than 3 days before the meeting.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item II: Owner/Applicant: Matt Boelter Farms, LLC – Chad Boelter **General legal description:** W1609 County Road X, #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E, Town of Mackford **Request:** Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item III: Owner/Applicant: Barbara Meyer **Agent:** Kim Michaelson, Power of Attorney **General legal description:** W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Part of the SE¼ of Section 35, T17N R13E, ±10 acres, Town of Berlin. **Request:** Rezone from A-2 General Agriculture District to A-1 Farmland Preservation District (±3 acres) & R-4 Rural Residential District (±7 acres). To be identified by certified survey map.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

11. Adjourn

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend, who needs visual or audio assistance, should contact the Land Use Planning & Zoning Department at 294-4156, no later than 3 days before the meeting.

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, October 4, 2018**

CALL TO ORDER

Chair Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 5:15 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

PLEDGE OF ALLEGIANCE

Present: **William Boutwell, Robert Lyon, Harley Reabe, Curt Talma, Peter Wallace**

Absent:

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director
Carole DeCramer, Committee Secretary
Dawn N. Klockow, Corporation Counsel

APPROVAL OF MINUTES

Motion by Boutwell/Wallace, unanimously carried, to approve the 09/06/18 minutes

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE

Kirkman reported that he received notice from the county clerk that committee members that attended the planning and zoning training session on August 29th can claim that as a meeting on their reimbursement forms.

DEPARTMENT ACTIVITY REPORTS

a. Financial reports

Kirkman discussed the monthly financial reports, land use permits, and sanitary permits reports.

b. Permits

Kirkman explained the list of issued land use and sanitary permits for the month of August.

c. Violations

The committee discussed the list of land use violations and septic violations.

DEPARTMENT/COMMITTEE ACTIVITY

a. Review zoning ordinance text amendments

The committee reviewed the proposed text amendments, Articles I-V, as presented by Kirkman.

6:01 p.m. Recessed for the public hearing.

PUBLIC HEARING ITEMS

Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.

Item I: Owner/Applicant: Dornfeld Farms, Inc., Michael Dornfeld **General legal description:** W4659 County Road GG, #012-00597-0000 (±26.67 acres), Part of the NE¼ of Section 31, T14N, R12E, Town of Manchester **Request:** Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be determined by certified survey map.

a. Public hearing

No one appeared for this request.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read through the rezone criteria. The Town of Manchester approved the request.

c. Committee decision

Motion by Boutwell/Reabe, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

6:06 p.m. The committee reconvened to the business portion of the meeting.

Continued discussion on:

DEPARTMENT/COMMITTEE ACTIVITY

a. Review zoning ordinance text amendments

The committee will continue this discussion, beginning with Article VI, at the November 1st committee meeting.

b. Review timeline for ETZA absorption project

The deadlines for the county taking over the City of Berlin's ETZA, as listed on the timeline, were explained by Kirkman.

c. Review Town of Berlin Farmland Preservation Plan map amendment

The committee discussed the changes that are proposed for the Town of Berlin's Farmland Preservation Plan map amendment.

d. Review Town of Berlin zoning map amendment

The Town of Berlin zoning map amendment was reviewed and discussed.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

b. Meeting Date

November 1, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:00 p.m.

ADJOURN

6:37 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer

Committee Secretary

APPROVED ON:

FEES RECEIVED		SEPTEMBER				YEAR-TO-DATE				BUDGET
		2017		2018		2017		2018		2018
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
LAND USE PERMITS										
Residential	New	3	750	7	3,500	32	11,700	20	9,050	-
	Alterations	12	2,250	11	1,550	60	8,900	83	14,650	-
Commercial	New	1	150	1	400	4	1,150	4	1,200	-
	Alterations	-	-	1	150	2	1,100	8	1,100	-
Agricultural	New	1	150	-	-	19	2,900	13	3,050	-
	Alterations	-	-	-	-	4	750	2	150	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
Total		17	\$ 3,300	20	\$ 5,600	121	\$ 26,500	130	\$ 29,200	\$ 34,800 84%
SANITARY PERMITS (POWTS)										
Residential	New	-	-	-	-	17	5,135	15	4,275	-
	Replacement	5	1,400	10	2,875	45	13,035	39	10,180	-
	Reconnect	1	280	4	1,195	1	280	7	2,110	-
	Modify	1	150	-	-	3	300	3	580	-
	Repairs	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	2	635	-
	Replacement	-	-	-	-	1	280	-	-	-
	Reconnect	-	-	-	-	-	-	1	280	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
	Total	7	\$ 1,830	14	\$ 4,070	67	\$ 19,030	67	\$ 18,060	\$ 24,600 73%
NON-METALLIC MINING PERMITS										
Annual Permit Fees		-	-	-	-	18	14,500	18	15,300	
Total		-	\$ -	-	\$ -	18	\$ 14,500	18	\$ 15,300	\$ -
BOARD OF ADJUSTMENT										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		2	750	-	-	4	1,500	3	1,125	-
Appeals		-	-	-	-	-	-	-	-	-
Total		2	\$ 750	-	\$ -	4	\$ 1,500	3	\$ 1,125	\$ 750 150%
PLANNING & ZONING COMMITTEE										
Zoning Change		2	750	2	750	9	3,750	17	6,375	-
Conditional Use Permits		-	-	-	-	3	1,500	5	1,875	-
Variance		-	-	-	-	-	-	1	375	-
Total		2	\$ 750	2	\$ 750	12	\$ 5,250	23	\$ 8,625	\$ 7,000 123%
MISC.										
Rental Weatherization		-	-	-	-	14	350	-	-	-
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-
Total		-	\$ -	-	\$ -	14	\$ 350	-	\$ -	\$ 6,500 0%
SURVEYOR										
Certified Survey Maps		3	510	1	165	36	6,585	25	4,335	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	-	-	-	125	-	2,719	
Total		3	\$ 510	1	\$ 165	36	\$ 6,710	25	\$ 7,054	\$ 6,000 118%
GIS (Geographic Information System)										
Map Sales		-	75	-	15	-	192	-	85	200
Land Records Transfer		-	2,656	-	2,448	-	22,576	-	24,665	27,000
Land Information Grant		-	-	-	-	-	9,080	-	9,500	9,080
Total		-	\$ 2,731	-	\$ 2,463	-	\$ 31,848	-	\$ 34,250	\$ 36,280 94%
GRAND TOTAL		31	9,871	37	13,048	272	105,688	266	113,614	\$ 115,930
										Total 98%

For 09/01/18 09/30/18

Revenue Summary Report

FJRES01A

Periods 09 09

Land Use & Zoning Month End Revenue

MER100-10-P&Z

Account No/Description	Budget Amount	Period Amount	Y-T-D Amount	Balance	Percent Received
10 Land Use Planning and Zoning					
18-100-10-43502-000-000 Wisconsin Fund Grant	6,500.00	.00	.00	6,500.00	.00
18-100-10-44400-000-000 Land Use Permits	34,800.00	5,600.00	29,200.00	5,600.00	83.91
18-100-10-44400-001-000 BOA Public Hearing	750.00	.00	1,125.00	-375.00	150.00
18-100-10-44400-002-000 PZ Public Hearing	7,000.00	750.00	8,625.00	-1,625.00	123.21
18-100-10-44400-003-000 Misc	.00	280.00	2,999.57	-2,999.57	.00
18-100-10-44409-000-000 Non-Metallic Mining	.00	.00	15,300.00	-15,300.00	.00
18-100-10-44410-000-000 Sanitary Permits	24,600.00	3,790.00	17,780.00	6,820.00	72.28
18-100-10-46131-001-000 GIS Map Sales	200.00	15.00	85.00	115.00	42.50
18-100-10-46131-002-000 Strategic Fund	9,080.00	.00	.00	9,080.00	.00
18-100-10-46762-000-000 Certified Survey Maps	6,000.00	165.00	4,335.00	1,665.00	72.25
18-100-10-47411-000-000 Interdepartment transfer/Land Records	27,000.00	.00	2,025.00	24,975.00	7.50
18-100-10-49320-000-000 Applied Funds	9,500.00	.00	9,500.00	.00	100.00
10 Land Use Planning and Zoning	125,430.00	10,600.00	90,974.57	34,455.43	72.53

Run Date 10/03/18 10:23 AM

GREEN LAKE COUNTY

Page No 1

For 09/01/18 09/30/18

Expenditure Summary Report

FJEXS01A

Periods 09 09

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

Account No/Description	Adjusted Budget	Y-T-D Encumb	Period Expended	Y-T-D Expended	Available Balance	Percent Used
10 Land Use Planning and Zoning						
53610 Code Enforcement						
18-100-10-53610-110-000 Salaries	281,520.00	.00	22,288.00	204,472.29	77,047.71	72.63
18-100-10-53610-140-000 Meeting Payments	600.00	.00	.00	471.32	128.68	78.55
18-100-10-53610-151-000 Social Security	21,539.00	.00	1,664.09	16,642.71	4,896.29	77.27
18-100-10-53610-153-000 Ret. Employer Share	18,865.00	.00	1,486.86	14,414.44	4,450.56	76.41
18-100-10-53610-154-000 Health Insurance	63,361.00	.00	4,780.08	49,020.72	14,340.28	77.37
18-100-10-53610-155-000 Life Insurance	504.00	.00	49.05	406.05	97.95	80.57
18-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	.00	6,250.00	3,250.00	65.79
18-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	40.00	260.00	13.33
18-100-10-53610-245-000 Wisconsin Fund Grant	6,500.00	.00	.00	.00	6,500.00	.00
18-100-10-53610-307-000 Training	916.00	.00	15.00	935.53	-19.53	102.13
18-100-10-53610-310-000 Office Supplies	1,930.00	.00	.00	861.77	1,068.23	44.65
18-100-10-53610-312-000 Field Supplies	300.00	.00	.00	60.30	239.70	20.10
18-100-10-53610-320-000 Publications-BOA Public Hearing	500.00	.00	.00	609.50	-109.50	121.90
18-100-10-53610-320-001 Publications-PZ Public Hearing	2,000.00	.00	.00	2,314.50	-314.50	115.73
18-100-10-53610-321-000 Seminars	1,085.00	.00	330.00	463.00	622.00	42.67
18-100-10-53610-324-000 Member Dues	100.00	.00	.00	100.00	.00	100.00
18-100-10-53610-330-000 Travel	500.00	.00	.00	429.17	70.83	85.83
18-100-10-53610-352-000 Vehicle Maintenance	734.00	.00	.00	346.85	387.15	47.25
53610 Code Enforcement	410,754.00	.00	30,613.08	297,838.15	112,915.85	72.51
10 Land Use Planning and Zoning	410,754.00	.00	30,613.08	297,838.15	112,915.85	72.51

Land Use Permits: 09/01/18 - 09/30/18



Parcel #	Town	Site Address	Owner Name	Permit Fee	Construction Cost	Project
004-00351-0100	Brooklyn	North St	Zodrow Properties LLC	\$ 300.00	\$ 150,000.00	Single-family dwelling
004-00410-0503	Brooklyn	North St	John Loberg	\$ 400.00	\$ 250,000.00	Storage building
004-00659-0000	Brooklyn	N5681 County Road A	Rogers Revocable Trust	\$ 150.00	\$ 23,000.00	New boathouse
006-00061-0000	Green Lake	N4503 County Road AK	Thomas E Trapp (Walker's)	\$ 150.00	\$ 3,000.00	Alter roof line to fix leaking roof
006-00542-0200	Green Lake	N3047 E Little Green Rd	Sandra Sargent Rev Living Trust	\$ 150.00	\$ 72,000.00	Kitchen addition; entertainment room addition
006-00792-0600	Green Lake	W3240 County Road K	Deborah M Mestek Trust	\$ 900.00	\$ 795,000.00	Single-family dwelling
006-00814-0200	Green Lake	W2866 Oak Terrace Ln	Michael & Julia Kreuziger	\$ 150.00	\$ 5,000.00	New deck
006-01096-0000	Green Lake	W1258 Spring Grove Rd	Steven T & Carol W Campbell	\$ 150.00	\$ 49,000.00	Replace patios, retaining wall, steps to lake
006-01480-0000	Green Lake	W2672 Oakwood Beach Rd	James A & Juliene F Buenger	\$ 150.00	\$ 6,000.00	Stormwater swales, downspout lines, infiltration chambers
006-01545-0000	Green Lake	W1888 Woodbine Ave	Timothy & Marley Crane	\$ 50.00	\$ 800.00	Removing tree & re-grade land
006-01551-0000	Green Lake	W1912 Tuleta Hill Rd	Kenneth & Carol Gillen	\$ 900.00	\$ 775,000.00	Single-family dwelling; impervious surface device
006-01596-0000	Green Lake	W1516 Sandstone Ave	KBH Revocable Trust	\$ 150.00	\$ 15,000.00	Paver patio, retaining walls, grading
012-00394-0000	Manchester	S Gate Rd	Lynn W & Lisa M Dumke	\$ 500.00	\$ 385,000.00	Single-family dwelling
014-00403-0000	Marquette	W6860 Jolin Rd	Andrzej Skoczen	\$ 150.00	\$ 2,000.00	Garden shed
014-00690-0102	Marquette	State Road 73	Roger Swanson	\$ 150.00	\$ 45,000.00	Single-family dwelling
016-00398-0000	Princeton	N4548 N Lill Ave	Martina Urban Trust	\$ 150.00	\$ 15,000.00	New boathouse
016-00540-0000	Princeton	N4326 S Lakeshore Dr	Christopher Elko	\$ 150.00	\$ 99,000.00	Attached garage; addition to principal structure
016-00565-0000	Princeton	N6731 County Road Y	Susan L Dockus	\$ 150.00	\$ 80,000.00	Single-family dwelling
016-01533-0000	Princeton	N4394 S Lakeshore Dr	Mary Spath	\$ 150.00	\$ 32,000.00	Bathroom addition; replacing flat roof w/trusses
018-00084-0100	St. Marie	N7295 Whitetail Ln	Anthony G Barone	\$ 600.00	\$ 450,000.00	Single-family dwelling w/attached garage & screen porch

Totals

\$ 5,600.00 \$ 3,251,800.00

Sanitary Permits Issued: 09/01/18 - 09/30/18



Parcel #	Town	Site Address	Owners	Permit Fee	Permit Type
004-00286-0100	Brooklyn	N6215 Sunnyside Rd	Thomas & Geraldine Kono	\$ 280.00	Replacement System
004-00351-0100	Brooklyn	North St	Zodrow Properties LLC	\$ 280.00	New System
006-01108-0100	Green Lake	W1128 Scott Hill Rd	John S Feeney	\$ 280.00	Replacement System
008-00622-0000	Kingston	W6470 E Pine St	Allan Hoffman	\$ 280.00	Replacement System
008-00633-0000	Kingston	W6463 E Pine St	Teresa Buchs	\$ 280.00	Replacement System
012-00350-0000	Manchester	N1251 Salemville Rd	Leonard F Baggett	\$ 280.00	Replacement System
012-00394-0000	Manchester	S Gate Rd	Lynn W & Lisa M Dumke	\$ 280.00	New System
014-00445-0000	Marquette	N3196 Oak Rd	Gerald & Terry Stollfuss	\$ 280.00	Replacement Tank Only
014-00665-0000	Marquette	W4087 Old Ditch Rd	Richard G Stel	\$ 280.00	Replacement System
016-00099-0000	Princeton	W4531 Old Green Lake Rd	Bret & Kimi Sandleback	\$ 280.00	Replacement System
016-00167-0400	Princeton	W3306 Princeton Rd	Dustin J McCarroll	\$ 280.00	New System
016-01113-0000	Princeton	N4570 Elm St	Cynthia Beth Purpero	\$ 355.00	Replacement System
018-00084-0600	St. Marie	N7295 Whitetail Ln	Mariam Barone	\$ 355.00	New System
018-00622-0000	St. Marie	N8115 Pone Lily Rd	Julie Lyn Blader	\$ 280.00	Replacement System
Total				\$ 4,070.00	

Land Use Violations 11/01/18



Parcel #	Town	Site Address	Owner Name	Vio Type	Violation Description	# Vios	Vio Date
004-00356-0000	Brooklyn	N5736 Spaulding Hill Rd	Thresher, Michael P	Junk	TVs, monitors, etc.; final violation notice sent; deadline is Nov. 30	1	5/24/2018
004-00570-0000	Brooklyn	N Lawson	Egbert Excavating, Inc	Zoning	Expansion of a use which requires new conditional use permit	3	4/5/2018
006-01817-0000	Green Lake	W2220 Spring Lake Rd	James A & Janet K Harder	Zoning	Accessory use on vacant parcel w/o principal use; established	1	7/17/2018
014-00420-0000	Marquette	W6853 Puckaway Rd	Matthew Hutton-Okpalaeke	Zoning	Vehicle has been removed; Corp Counsel to collect fine	1	8/13/2018



POWTS Violation Report 11/01/18

Parcel #	Town	Site Address	Owner Name	Violation Description	Vio Date	# Vios	Notes
002004610100	Berlin	N7977 37TH AVE	Lee C Otis Revocable Trust	Tank failure not structurally sound.	8/7/2018	2	Letter sent on 10/26/2018
004000550100	Brooklyn	W1011 TOWN LINE RD	Brian A & John E Storck	Tank failure not structurally sound.	10/10/2018	1	Letter sent on 10/26/2018
004002320000	Brooklyn	N6698 COUNTY ROAD PP	Glen J & Carolyn M Bennett	No vents on dispersal cell	9/7/2018	1	Letter sent on 10/26/2018
004002560300	Brooklyn	N6254 SUNNYSIDE RD	Donald/Jean Sonntag Rev Trust	Tank baffles not present or secure.	7/5/2018	1	Letter sent on 10/26/2018
004002801801	Brooklyn	W750 STATE ROAD 23 49	David M & Cindy S Siekierke	Tank lid not properly secured.	10/9/2018	2	Letter sent on 10/26/2018
004002850400	Brooklyn	W586 STATE ROAD 23 49	Robert & Bonnie Schrader	Tank failure not structurally sound.	7/21/2017	1	Letter sent, no response
004002860100	Brooklyn	N6215 SUNNYSIDE RD	Thomas & Geraldine Kono	Tank failure not structurally sound.	6/29/2018	2	Letter sent on 10/26/2018
004002860300	Brooklyn	N6219 SUNNYSIDE RD	Audrey I Kelma	Tank failure not structurally sound.	6/6/2017	1	Tank has been replaced
004003150200	Brooklyn	W1002 STATE ROAD 23 49	Coachlite Green Lake LLC	Tank overfull and discharging to ground surface.	11/6/2017	4	Letter sent on 10/26/2018
004003190100	Brooklyn	W1049 STATE ROAD 23 49	Radene M Abel; Gary W Benz	Tank failure not structurally sound.	10/23/2017	1	New system will be installed Spring 2019
004003200300	Brooklyn	W963 STATE ROAD 23 49	Wallenfang Rev Intervivos Trust	Tank overfull and discharging to ground surface.	10/17/2017	3	Letter sent, no response
004003650000	Brooklyn	N6269 N LAWSON DR	Arthur Rowley	Holding tank overflowing to ground.	4/24/2018	2	Egbert will fix the alarm
004003760000	Brooklyn	N6205 N LAWSON DR	John W & Lorene A Kinas	Tank lid not properly secured.	8/1/2018	2	Letter sent on 10/26/2018
004004250000	Brooklyn	W2466 PRINCETON RD	Paul Koehn	Tank overfull and discharging to ground surface.	6/27/2017	2	New system has been installed
004004430300	Brooklyn	W2354 STATE ROAD 23	Juli Realty LLC	Tank overfull and discharging to ground surface.	7/6/2018	12	Working with DSPS to design a new system
004004810000	Brooklyn	W1944 S LAWSON DR	Joseph Gaffney	Tank overfull and discharging to ground surface.	8/6/2018	2	Kinas working on a new system
004006880000	Brooklyn	W1973 S LAWSON DR	Clarence W & Joann I La Mire	Tank lid not properly secured.	5/14/2018	6	Letter sent, no response
004007610100	Brooklyn	N4901 CRAIG RD	Bradley D Koller	Tank baffles not present or secure.	10/10/2018	1	Letter sent on 10/26/2018
004008390500	Brooklyn	W3299 PRINCETON RD	Marc G Dosogne Living Trust	Tank failure not structurally sound.	10/4/2018	1	Letter sent on 10/26/2018
004011380000	Brooklyn	W817 SILVER CREEK RD	Dalbke Family Trust Agreement	Holding tank overflowing to ground.	9/5/2018	6	Letter sent on 10/26/2018
004017600000	Brooklyn	W2017 TAYLOR LEE LN	Donald/Lorraine A Schuster Trust	Tank lid not properly secured with locking device.	8/2/2018	1	Letter sent on 10/26/2018
006000800100	Green Lake	N4550 HORNER RD	Edwin C & Holly J Thorp	Tank failure not structurally sound.	11/17/2017	1	Letter sent, no response
006001800000	Brooklyn	W945 COUNTY ROAD K	William & Arlene Koller Rev Trust	Tank failure not structurally sound.	8/8/2018	2	Letter sent on 10/26/2018
006004710100	Green Lake	W103 STATE ROAD 44	Joshua T Schill	Tank overfull and discharging to ground surface.	12/19/2017	5	Letter sent, no response
006006880500	Green Lake	N2765 COUNTY ROAD Q	Melissa Oliver	Tank failure not structurally sound.	6/26/2018	2	letter sent, no response
006011080100	Green Lake	W1128 SCOTT HILL RD	John S & Gretchen Z Feeney	Tank failure not structurally sound.	6/19/2017	1	Has a permit for a replacement system

008000990000	Kingston	N2070 INDIAN MOUND RD	Donna M Scheier	Tank failure not structurally sound.	6/23/2018	1	Letter sent on 10/26/2018
008001470000	Kingston	W5824 COUNTY ROAD BH	Thomas A & Lynn A Wren	Buried Holding Tank access opening.	9/13/2018	1	Letter sent on 10/26/2018
008001700000	Kingston	N1634 COUNTY ROAD FFF	John C Buffington	Filter not functioning properly.	12/5/2017	1	Letter sent, no response
008006040000	Kingston	N751 COUNTY ROAD FF	National Exchange Bank & Trust	Tank failure not structurally sound.	7/30/2018	1	Letter sent on 10/26/2018
010002500100	Mackford	N1842 N BRAVE RD	Larmey Construction Inc	DSPS 382.10(2)(d); Section 145.135(1); Section 334-4C(1	11/18/2016	1	Letter sent on 10/26/2018
010006700000	Mackford	W1376 COUNTY ROAD AW	Kastein Properties LLC	No vents on dispersal cell	7/26/2018	1	Letter sent on 10/26/2018
012001820000	Manchester	W3312 STATE ROAD 44 73	Steven P Kieffer	Tank overfull and discharging to ground surface.	10/15/2018	1	Letter sent on 10/26/2018
012002910100	Manchester	N1325 COUNTY ROAD S	Greg & Judy MacDonald	Tank baffles not present or secure.	10/3/2017	1	Letter sent, no response
012003500000	Manchester	N1251 SALEMVILLE RD	Leonard F Baggett	Tank overfull and discharging to ground surface.	5/29/2018	1	Has a permit for a replacement system
014003190000	Marquette	W7160 DRAGER RD	George A & Dawn M Corris	Tank failure not structurally sound.	10/3/2018	1	Letter sent on 10/26/2018
014005750000	Marquette	N4091 WICKS LNDG	Richard G Zodrow	Tank failure not structurally sound.	7/17/2018	1	Letter sent on 10/26/2018
014005820000	Marquette	N4075 WICKS LNDG	William D & Arlene Koller Rev Trust	Tank failure not structurally sound.	7/17/2018	1	Letter sent on 10/26/2018
014005820000	Marquette	N4075 WICKS LNDG	William/Patricia Frost et al Rev Trust	Tank failure not structurally sound.	7/17/2018	1	Letter sent on 10/26/2018
014007060000	Marquette	W3802 COUNTY ROAD BB	AAE Farm LLC	Tank overfull and discharging to ground surface.	8/2/2018	1	Letter sent on 10/26/2018
016000120000	Princeton	N6124 SWAMP RD	Donna Drews	Tank lid not properly secured.	10/12/2018	2	Letter sent on 10/26/2018
016000730000	Princeton	N5890 COUNTY ROAD D	Norman W & Lorraine M Liebe	Tank overfull and discharging to ground surface.	7/28/2018	3	Letter sent on 10/26/2018
016000840000	Princeton	W4819 KRISTINE CT	Darrell L Schueler	Tank overfull and discharging to ground surface.	7/2/2018	1	Letter sent on 10/26/2018
016001000100	Princeton	W4617 OLD GREEN LAKE RD	Marjorie A Mlodzik	Tank failure not structurally sound.	9/26/2018	1	Letter sent on 10/26/2018
016001120100	Princeton	W4537 STATE ROAD 23 73	Patrick L & Lisa M Sorensen	Tank lid not properly secured.	1/19/2018	3	Letters are being refused by owner
016001150100	Princeton	W4564 STATE ROAD 23 73	Richard W Weber	Tank failure not structurally sound.	9/18/2018	2	Letter sent on 10/26/2018
016001230400	Princeton	W4478 OLD GREEN LAKE RD	Harold Roehl	Tank lid not properly secured.	9/6/2018	2	Letter sent on 10/26/2018
016001400000	Princeton	W4022 OLD GREEN LAKE RD	Crystal M & Darin P Marschall	Tank overfull and discharging to ground surface.	6/5/2018	16	New system has been installed
016001550100	Princeton	W3464 OLD GREEN LAKE RD	Home of Divine Mercy Inc	No vents on dispersal cell	5/4/2017	1	Kinas working on a new system
016001720000	Princeton	W3457 STATE ROAD 23	David J Bogucke	Tank overfull and discharging to ground surface.	11/30/2017	2	Letter sent, no response
016001860100	Princeton	N5346 LAZY L RD	Robert E & Victoria J Foelske	Tank lid not properly secured.	10/5/2018	1	Letter sent on 10/26/2018
016002110000	Princeton	W4263 STATE ROAD 23 73	Daniel M Chionchio	Tank failure not structurally sound.	9/6/2018	1	Letter sent on 10/26/2018
016002120000	Princeton	W4289 STATE ROAD 23 73	Russell G & Wendy R Wanasek	Tank failure not structurally sound.	6/26/2018	1	Letter sent on 10/26/2018
016002690100	Princeton	W4689 COUNTY ROAD T	Arland W Kirst	Tank lid not properly secured.	8/30/2018	2	Letter sent on 10/26/2018
016004360100	Princeton	N4579 FOX RIVER DR	Rodney & Lois Gross Joint Rev Trust	Tank failure not structurally sound.	8/30/2018	2	Letter sent on 10/26/2018
016004630000	Princeton	N4487 MAPLE LN	Gayle Heckelman	Tank failure not structurally sound.	9/26/2018	2	Letter sent on 10/26/2018
016004650000	Princeton	N4467 HICKORY LN	Hills irrevocable Trust	Lid on tank not properly secured.	7/28/2017	3	Letter sent, no response
016004740000	Princeton	N4502 MAPLE LN	David William Janke	Tank failure not structurally sound.	9/28/2018	1	Letter sent on 10/26/2018

016004740100	Princeton	N4496 MAPLE LN	Kincaid Family Trust	Tank lid not properly secured.	9/28/2018	2	Letter sent on 10/26/2018
016005790000	Princeton	W5482 LOSINSKI RD	James M Wegner	Tank failure not structurally sound.	9/5/2017	2	Letter sent, no response
016006570100	Princeton	W5453 COUNTY ROAD J	Repco Rentals LLC	Holding tank overflowing to ground.	9/27/2018	2	Letter sent on 10/26/2018
016006610000	Princeton	N6357 STATE ROAD 73	Jeffrey G Klingbeil	Tank failure not structurally sound.	9/18/2018	1	Letter sent on 10/26/2018
016006660200	Princeton	N6140 PLEASANT DR	Joseph St Louis; Karla Uerling	Tank overfull and discharging to ground surface.	5/8/2018	2	New system has been installed
016006770000	Princeton	N5981 CANAL ST	Brunson, Day, Daye, Drager, Lewis	Tank overfull and discharging to ground surface.	1/8/2018	3	Letter sent on 10/26/2018
016006770000	Princeton	N5981 CANAL ST	Brunson, Day, Daye, Drager, Lewis	Tank overfull and discharging to ground surface.	1/8/2018	3	Letter sent on 10/26/2018
016006841700	Princeton	N5853 OAK TREE ACRES	Jeffrey A Steckbauer	Tank failure not structurally sound.	9/25/2018	1	Letter sent on 10/26/2018
016006880000	Princeton	N5803 COUNTY ROAD T	William & Rosanne Wick	Tank failure not structurally sound.	9/28/2018	1	Letter sent on 10/26/2018
016006920100	Princeton	N5775 COUNTY ROAD T	Lisa Gallegos	Tank lid not properly secured.	8/7/2018	1	Letter sent on 10/26/2018
016006950000	Princeton	N5632 COUNTY ROAD T	Douglas Lichtenberg	Tank failure not structurally sound.	9/13/2018	2	Letter sent on 10/26/2018
016007550000	Princeton	N5498 MERRILL LN	Nathan A & Lori A Henderson	Holding tank overflowing to ground.	9/11/2018	7	Letter sent on 10/26/2018
016007650100	Princeton	N5201 BEND RD	John Coda	Tank failure not structurally sound.	9/7/2018	1	Letter sent on 10/26/2018
016009090200	Princeton	N5096 KUHARSKI RD	Dowe & Lori J Schweder	Tank overfull and discharging to ground surface.	9/11/2018	3	Letter sent on 10/26/2018
016009320000	Princeton	N5105 LUECK LN	Douglas R Pollard	Tank lid not properly secured.	8/30/2018	3	Letter sent on 10/26/2018
016010230000	Princeton	N5809 COUNTY ROAD D	Scott J Sullivan	Tank baffles not present or secure.	7/16/2018	1	Letter sent on 10/26/2018
016010870000	Princeton	N4621 OAK RD	Robert A & Laurie K Sumanis	Tank lid not properly secured.	8/21/2017	1	Letter sent, no response
016010920000	Princeton	N4643 OAK RD	Edwin R Hendrickson Rev Trust	Tank failure not structurally sound.	10/5/2018	2	Letter sent on 10/26/2018
016010990000	Princeton	N4683 OAK RD	James F & Elizabeth A Oeth	Tank failure not structurally sound.	8/23/2018	1	Letter sent on 10/26/2018
016011050000	Princeton	N4709 OAK RD	Michael Zelensek; Marsha Minott	Tank overfull and discharging to ground surface.	9/19/2018	2	Letter sent on 10/26/2018
016011060000	Princeton	N4713 OAK RD	Jack/Sandra Karlovich Family Trust	Tank baffles not present or secure.	8/19/2018	1	Letter sent on 10/26/2018
016011130000	Princeton	N4570 ELM ST	Joseph M Purpero	Tank failure not structurally sound.	7/10/2017	1	Kinas working on a new system
016011150000	Princeton	N4546 ELM ST	James E & Dawn R Albright	Tank failure not structurally sound.	8/9/2018	1	Letter sent on 10/26/2018
016014050000	Princeton	W5552 OXBOW TRL	Daniel P & Bonnie Kallas	Tank failure not structurally sound.	8/30/2018	1	Letter sent on 10/26/2018
016014230000	Princeton	W5656 OXBOW TRL	John R Korn; Korn Trust No 81	Tank failure not structurally sound.	9/10/2018	1	Letter sent on 10/26/2018
016014250000	Princeton	W5668 OXBOW TRL	Paul J Sauer	Tank failure not structurally sound.	9/12/2018	1	Letter sent on 10/26/2018
016014370000	Princeton	N5027 FOX RIVER LN	William/Dorothy Jacobson Rev Trust	Tank failure not structurally sound.	7/18/2018	2	Letter sent on 10/26/2018
016014610000	Princeton	N5141 FOX RIVER LN	William A Kieck	Lid on tank not properly secured.	6/22/2017	14	Has a permit for a replacement system
016014810000	Princeton	W4834 EVERGREEN DR	WCS Trust	Tank lid not properly secured.	11/2/2017	1	Letter sent, no response
016017560000	Princeton	W5285 OAK TREE CT	Randall S Raith	Tank failure not structurally sound.	5/10/2018	1	Letter sent on 10/26/2018
018000841100	St. Marie	N7215 WHITETAIL LN	Grainger; Roddy	Lid on tank not properly secured.	10/5/2018	1	Letter sent on 10/26/2018
018000850000	Seneca	W4224 HUCKLEBERRY RD	Bruce & Deborah L Deibert	Tank failure not structurally sound.	8/9/2018	1	Letter sent on 10/26/2018

018002170000	Seneca	W3201 COUNTY ROAD J	Richard L & Mary H Push	Tank lid not properly secured.	10/12/2018	2	Letter sent on 10/26/2018
154000280000	Marquette (Vil)	241 W 4TH ST	Richard S & Jessica E Semrow	Tank failure not structurally sound.	8/22/2018	1	Letter sent on 10/26/2018
154001970000	Marquette (Vil)	140 W FRONT ST	Dominic J Cramer Family Trust	Tank baffles not present or secure.	7/12/2018	1	Letter sent on 10/26/2018
206012930000	Berlin (City)	322 N KOSSUTH ST	Terry & Sue Luscher	Tank failure not structurally sound.	6/14/2018	2	Working with Thoma for a replacement
206014600000	Berlin (City)	386 RAILROAD ST	Timothy L & Kristine D Johnson	Tank baffles not present or secure.	9/12/2018	1	Letter sent on 10/26/2018



Proposed Zoning Districts Land Use Planning & Zoning

Effective January 2nd, 2019

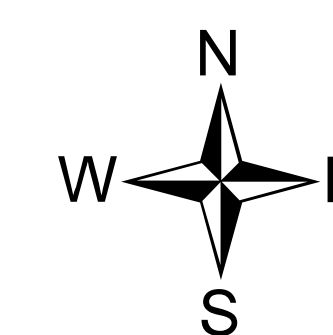
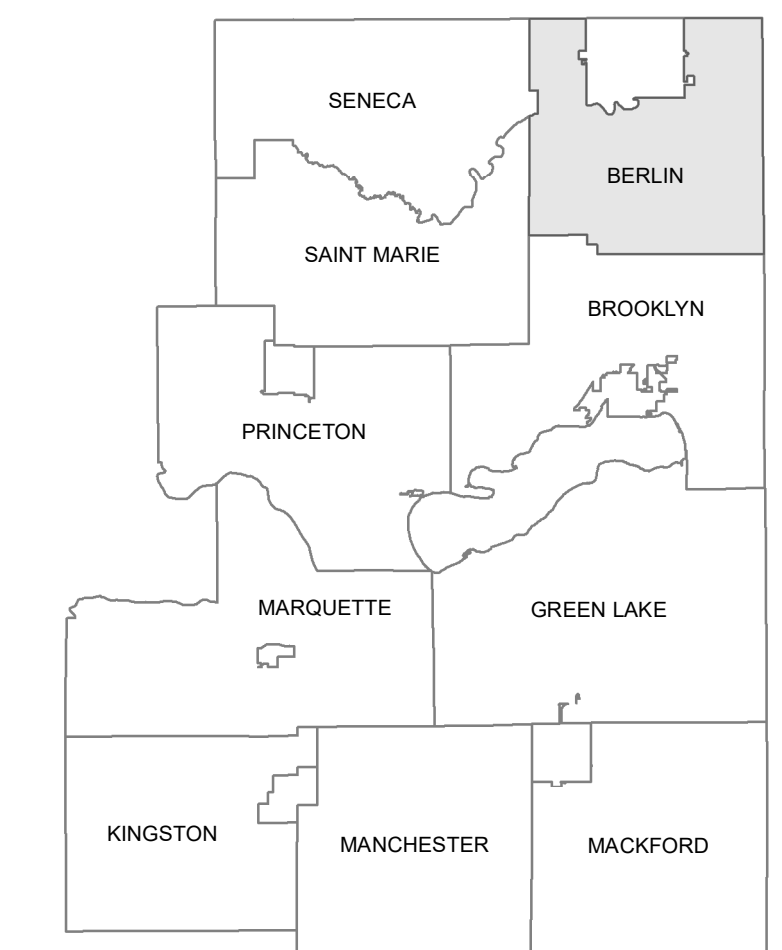
TOWN OF BERLIN

Legend

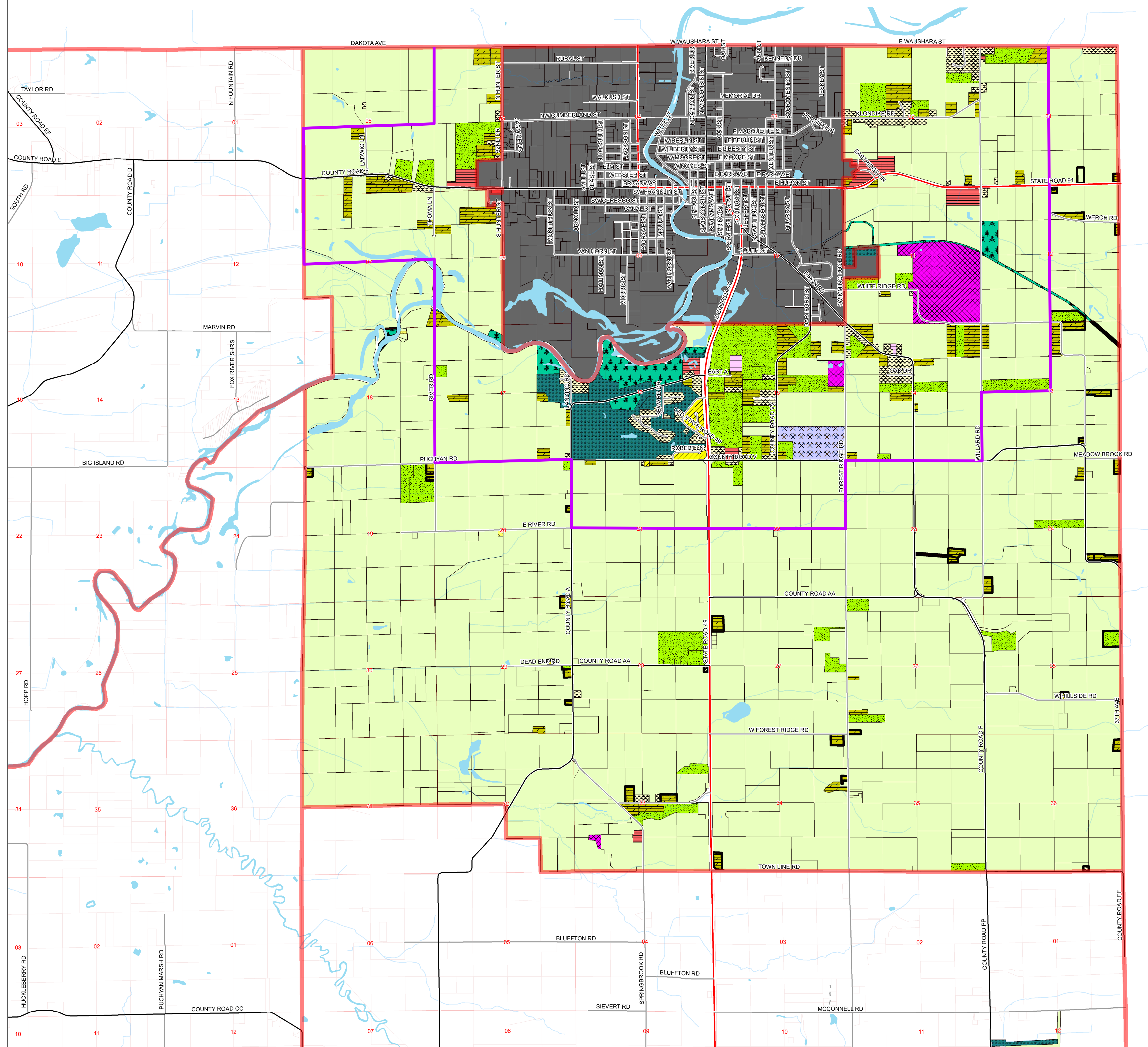
- A-1 Farmland Preservation
 - A-2 General Agriculture
 - C-1 General Commercial
 - C-2 Extensive Commercial
 - I Industrial
 - M-1 Mineral Extraction
 - M-2 Sanitary Landfill
 - NRC Natural Resource Conservancy
 - R-1 Single Family Residence
 - R-2 Single Family Mobile Home Residence
 - R-3 Multiple Family Residence
 - R-4 Rural Residential
 - RC Recreation
 - AO Adult Orientated Establishment
 - ETZA Extra Territorial Zoning Area
- ETZA Boundary (Dissolved January 2nd, 2019)

Roads

- State Road
 - County Road
 - City Street, Village Street, or Township Road
 - Private Road
 - Railroad
- Municipal Boundary
- Parcel
- Section
- Waterbody



0 2,000 Feet



TOWN OF BERLIN
Green Lake County, Wisconsin

Proposed Farmland Preservation Plan

Effective January 2nd, 2019

Farmland Preservation Areas

Areas of Agricultural Use
and Agriculture Related Use

Nonagricultural Development Areas

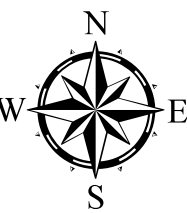
Areas of Nonagricultural
Development

ETZA Boundary (Dissolved January 2, 2019)

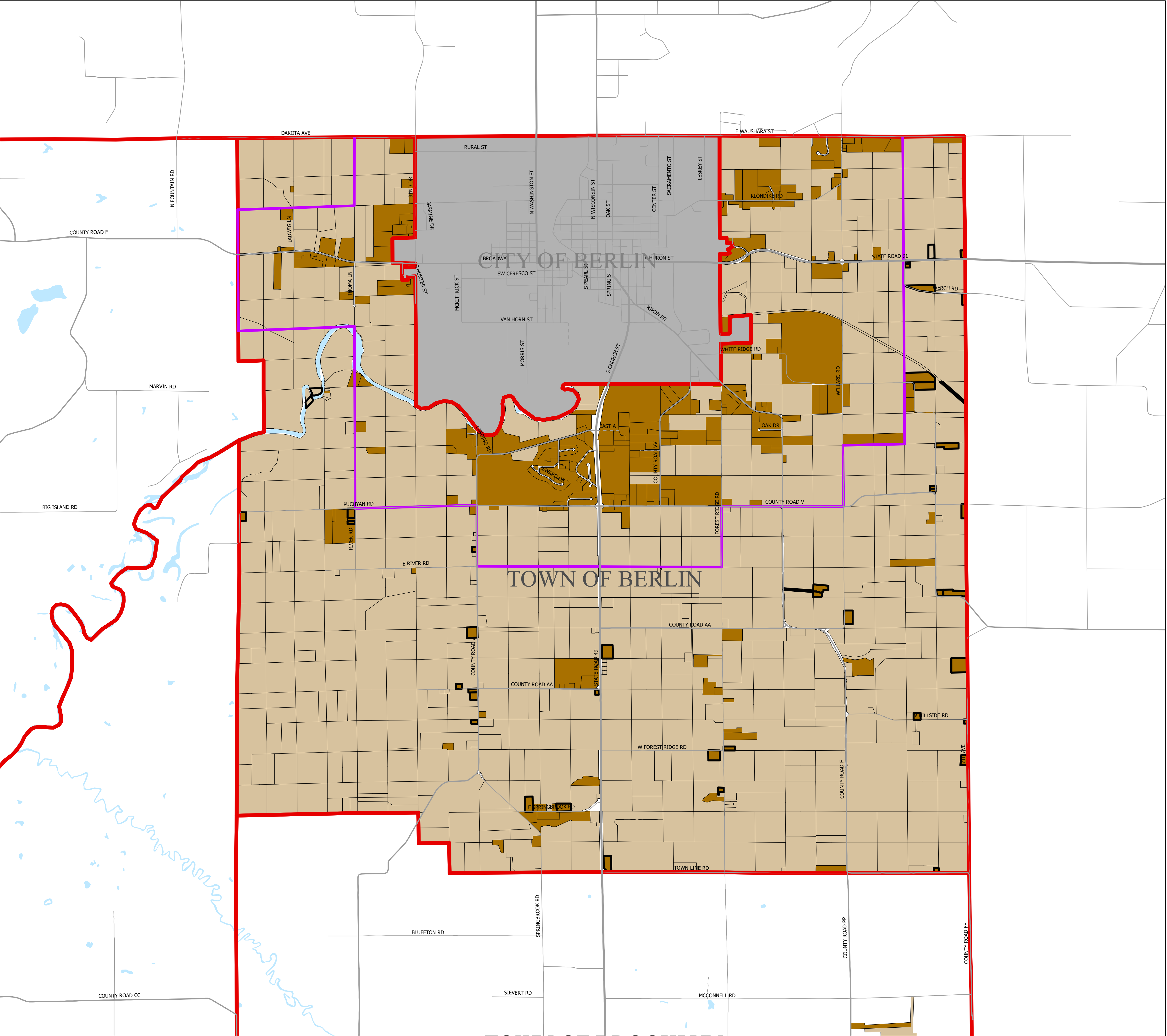
Legend

Roads

- State Road
- County Road
- Local Road
- Private Road
- Town Boundary
- City/Village
- Water



0 2,000 Feet



1 *The following Code does not display images or complicated formatting. Codes should be viewed online.*
2 *This tool is only meant for editing.*

Chapter 350

Zoning

3 **[HISTORY: Adopted by the Board of Supervisors of Green Lake County 6-15-1976 by Ord. No.**
4 **146-76, as amended through Ord. No. 790-03. Subsequent amendments noted where applicable.]**

5 GENERAL REFERENCES

6 Adult-oriented establishments — See Ch. **93**.
7 Comprehensive Plan — See Ch. **280**.

8 Farmland preservation — See Ch. **295**.

9 Floodplain zoning — See Ch. **300**.

10 Land division and subdivision — See Ch. **315**.

11 Shoreland protection — See Ch. **338**.

12

13 Article I

14 Introduction

15 § 350-1 **Authority.**

16 This chapter is adopted under the authority granted by §§ 59.69 and 59.694, Wis. Stats., and amendments
17 thereto.

18 § 350-2 **Title.**

19 This chapter shall be known as, referred to, and cited as the "Zoning Ordinance, Green Lake County,
20 Wisconsin" and hereinafter referred to as "this chapter."

21 § 350-3 **Purpose.**

22 The purpose of this chapter is to promote the comfort, health, safety, morals, prosperity, aesthetics and
23 general welfare of Green Lake County.

24 § 350-4 **Intent.**

25 A. It is the general intent of this chapter to:

26 (1) Regulate the use of structures, lands and waters of Green Lake County;

27 (2) Regulate lot coverage, population density and distribution, and the location and size of structures of
28 Green Lake County;

29 (3) Secure safety from fire, flooding, panic and other dangers;

30 (4) Provide adequate light, air, sanitation, and drainage;

31 (5) Further the appropriate use of land and conservation of natural resources;

32 (6) Obtain the wise use, conservation, development, and protection of the County's water, soil, wetland,

woodland, and wildlife resources and attain a balance between land uses and the ability of the natural resources base to support and sustain such uses;

(7) Prevent overcrowding and avoid undue population concentration and urban sprawl;

(8) Prevent noise pollution;

(9) Stabilize and protect the natural beauty and property values of the County;

(10) Lessen congestion in and promote the safety and efficiency of the streets and highways;

(11) Facilitate the adequate provision of public facilities and utilities;

(12) Preserve natural growth and cover and promote the natural beauty of the County; and

(13) Implement those municipal, County, watershed, or regional comprehensive plans or their components adopted by the County.

B. Additionally, it is intended to provide for the administration and enforcement of this chapter and to provide penalties for its violation.

§ 350-5 Abrogation and greater restrictions.
It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to law. However, wherever this chapter imposes greater restrictions, the provisions of this chapter shall govern.

§ 350-6 Interpretation.
In their interpretation and application, the provisions of this chapter shall be liberally construed in favor of the County and shall not be construed to be a limitation or repeal of any other power granted by the Wisconsin Statutes.

§ 350-7 Severability.
A. If any section, clause, provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.
B. If any application of this chapter to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land or water not specifically included in said judgment.

§ 350-8 Conflicting ordinances.
Except as provided in § 350-9, all prior County ordinances, or parts of ordinances, and amendments thereto conflicting with this chapter are hereby repealed and superseded by this chapter.

§ 350-9 When effective.
This chapter (as amending Ordinance No. 146-76) shall be effective after a public hearing, recommendation by the County Land Use Planning and Zoning Committee, adoption by the County Board of Supervisors, and publication or posting as provided by law. Zoning Ordinance No. 146-76 for Green Lake County, Wisconsin, as amended, shall remain in effect in each individual town as approved by the town board of supervisors.

Article II
(Reserved)

§ 350-10 (Reserved)

Article III
General Provisions

§ 350-11 Findings; abatement of nuisances.

The proper regulation of the use of certain structures, lands and waters only through the use of the zoning districts contained within this chapter is neither feasible nor adequate. Therefore, the following regulations, which shall be applied in addition to the district regulations, are necessary to accomplish the intent of this chapter. No provision of this chapter shall be construed to bar an action to enjoin or abate the use or occupancy of any land, buildings or other structures as a nuisance under the appropriate laws of the State of Wisconsin.

§ 350-12 Jurisdiction.

The provisions of this chapter shall apply to all structures, land, water and air within the unincorporated areas of Green Lake County, Wisconsin.

§ 350-13 Compliance required; number of buildings per lot; existing construction.

A. The use of buildings hereafter erected, converted, enlarged or structurally altered and the use of any land shall be in compliance with the regulations established herein for the district in which such land or building is located.

B. Every residential building hereafter erected, converted, enlarged or structurally altered shall be located on a lot, and in no case shall there be more than one main residential building on one lot.
[Amended 11-14-2017 by Ord. No. 22-2017]

C. Nothing herein contained shall require any change in the plans, construction, size or designated use of any building or part thereof, the construction of which shall have been started before the effective date of this chapter.

§ 350-14 Nonconforming uses, structures and lots or parcels.
[Amended 11-14-2017 by Ord. No. 22-2017]

A. Nonconforming uses.

(1) The existing lawful use of a structure or premises upon the effective date of this chapter or any amendment thereto may be continued although such does not conform to the provisions of this chapter for the district in which it is located, but such nonconforming use shall not be extended. The construction of a private residential accessory structure shall not be considered as the extension of a nonconforming use.

(2) If no structural alterations are made, a nonconforming use of a structure may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use.

(3) If a nonconforming use of a structure or premises is discontinued for a period of 12 consecutive months, any future use of the structure or premises shall conform to the regulations for the district in which it is located.

(4) If a premises contains an existing nonconforming use, a conforming use shall not be permitted on that premises until such time as the nonconforming use is discontinued or brought into compliance with the provisions of this chapter.

Commented [1]: Editor's Note: Former Art. II, Definitions, as amended, was repealed 12-19-2006 by Ord. No. 884-06. See now Art. XIII, Word Usage and Definitions.

- 112 (5) (Reserved)
- 113 (6) Passage of this chapter in no way legalizes any illegal uses existing at the time of its adoption.
- 114 B. Nonconforming structures. Structures that were lawfully constructed prior to the effective date of
115 this chapter that are conforming to this chapter as to use but do not conform as to dimensional rules
116 (setbacks, height, separations, etc.) and which are proposed to be altered are subject to the following
117 requirements:
- 118 (1) Repairs and improvements of a maintenance nature are allowed.
- 119 (2) Alterations, additions and expansions that change the exterior dimension of the structure and that
120 conform to the dimensional rules of this chapter are allowed.
- 121 (3) Alterations, additions and expansions that change the exterior dimensions of the structure and that do
122 not conform to this chapter, but which do not increase the dimensional nonconformity beyond that
123 which existed prior to the effective date of this chapter, are allowed, provided that they do not
124 exceed 50% of the current total assessed value of the structure for the lifetime of the structure. Also
125 see § 350-51 relating to existing nonconforming buildings, signs, structures, or parts thereof located
126 in highway setbacks.
- 127 (4) No alterations, additions or expansions may occur that will increase the dimensional nonconformity.
- 128 (5) Per Chapter 59.69(10e)(b) Wis. Stats., nonconforming structures shall be permitted to be rebuilt so
129 long as the three-dimensional building envelope is not increased.
- 130 C. Nonconforming lots or parcels. Any lot or parcel created prior to the effective date of this chapter, or
131 revisions and/or amendments thereto, which does not meet the current minimum lot or parcel size
132 standards of this chapter shall not be reduced in size unless the reduction results in compliance with
133 the minimum lot or parcel size standard of the zoning district in which it is located.
- 134 D. No building shall be erected, structurally altered or relocated and no lumber, materials, furniture or
135 other equipment shall be stocked, piled or stored in a manner that shall be of such character as to
136 adversely affect the property values and general desirability of the neighborhood.
- 137 E. Split-zoned lots or parcels: In no case shall a land use permit be issued to a property owner or
138 property owner's agent for a lot or parcel that is split-zoned. In these cases, the property owner shall
139 consult the Land Use Planning and Zoning Department to obtain a resolution strategy to remedy the
140 split-zoning condition. The resolution strategy could include a comprehensive plan amendment,
141 rezone, and a certified survey map. Once the split-zoning condition has been eliminated, a land use
142 permit may be issued subject to the provision of this chapter.

143 § 350-15 Accessory building structures.

144 [Amended 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]

145 Unless otherwise stated in this chapter, accessory uses and structures are permitted in any district, but not
146 until their principal structure/use is present or under construction.

147 § 350-16 (Reserved)

148 § 350-17 Dwelling design and construction.

149 A. All dwellings and buildings as defined and permitted by this chapter shall conform to the following.
150 They shall:

- 151 (1) Be attached to a permanent foundation meeting the requirements of the State of Wisconsin Uniform
152 Dwelling Code provisions in such a manner as to comply with standards for vertical loading, uplift
153 and lateral forces and so designed and constructed that the floor elevation is reasonably compatible

Commented [MEK2]: Change due to Act 67.

Commented [3]: Editor's Note: Original § 3.3(4)(c)1, which was included in this subsection, is now included as the definition of "nonconforming lot" in § 350-77.

Commented [4]: Editor's Note: Former § 350-16, Agricultural accessory structures, was repealed 2-15-2011 by Ord. No. 989-2011.

- 154 with other dwellings in the area.
- 155 (2) Have a first-story minimum area of 800 square feet and be not less than 20 feet in their smallest
156 horizontal dimension, exclusive of attached garage, carport or open deck.
- 157 (3) Have any wheels, axles, hitches, tow bars and other equipment necessary for transporting on streets
158 or highways removed when the structure is placed on the foundation.

159 B. The requirements as set forth in Subsection A(2) above do not apply to dwellings located in an R-2
160 District. ~~Further, a person may apply to the Land Use Planning and Zoning Committee to obtain a~~
161 ~~conditional use permit to deviate and vary from the provisions set forth in Subsection A(2) of this~~
162 ~~section. The Land Use Planning and Zoning Committee may grant a conditional use permit to~~
163 ~~deviate from any of the provisions of Subsection A(2) if the applicant can show that the dwelling~~
164 ~~will not adversely affect the aesthetics of the neighborhood or reduce the value of surrounding~~
165 ~~properties.~~

Commented [MEK5]: Change proposed by MEK. Committee to discuss. Does the Committee want to keep in ordinance. Standard not used in 15 years. With R-2 being amended do we even need this?

166 § 350-18 **Area regulations.**

- 167 A. Except as otherwise provided in this chapter, every building/structure hereafter erected, moved or
168 structurally altered shall be located on a lot at least 100 feet in average width and 20,000 square feet
169 in area, regardless of the district in which such building is, or is to be, located, provided that when
170 the regulations of Ch. SPS 383, Wis. Adm. Code, require a larger area, then such state regulations
171 shall prevail. **[Amended 11-14-2017 by Ord. No. 22-2017]**
- 172 B. No lot area shall be so reduced that the yards and open spaces shall be smaller than is required by
173 this chapter, nor shall the density of population be increased in any manner except in conformity
174 with the area regulations hereby established for the district in which a building or premises is
175 located.
- 176 C. Where a lot has an area less than the minimum number of square feet per family required for the
177 district in which it is located and was of record as such at the time of the passage of this chapter,
178 such lot may be occupied by one family.

179 § 350-19 **Height regulations.**

- 180 A. Except as otherwise provided in this chapter, the maximum height of any building hereafter erected,
181 moved or structurally altered shall be 35 feet (see definition "structure height"), not to exceed 2 1/2
182 stories, regardless of the district in which such building is, or is to be, located. **[Amended 11-14-**
183 **2017 by Ord. No. 22-2017]**
- 184 B. Churches, schools, hospitals, sanatoriums and other public/quasi-public buildings may be erected to
185 a height not exceeding 60 feet nor five stories, provided that the ~~front~~ street, side and rear yards
186 required in the district in which such building is to be located are each increased at least one foot for
187 each foot of additional building height above the height limit otherwise established for the district in
188 which such building is to be located.
- 189 C. Height exceptions. Farm buildings not for human habitation; chimneys; cooling towers; elevator
190 bulkheads; fire towers; monuments; penthouses; stacks; scenery lofts; tanks; water towers;
191 ornamental towers; spires; wireless, television or broadcasting towers; masts or aerials; telephone,
192 telegraph and power transmission poles and lines; and microwave radio relay structures and
193 necessary mechanical appurtenances are hereby excepted from the height regulations of this chapter
194 and may be erected in accordance with other regulations or ordinances of Green Lake County.

Commented [MEK6]: "Street" instead of "Front" to match other ordinance terminology.

195 § 350-20 ~~Front~~ **Side and rear yard regulations.**
196 **[Amended 10-18-2016 by Ord. No. 23-2016]**

Commented [MEK7]: See Above comment

- 197 A. There shall be a side yard on each side of a structure hereafter erected, moved or structurally altered.

198 B. Except as otherwise provided in this section, every structure hereafter erected, moved or structurally
199 altered shall provide the minimum side and rear yards as required by the following table for the
200 district in which such building is or is to be located: [Amended 11-14-2017 by Ord. No. 22-2017]

	Each Side Yard	Rear Yard
District	(feet)	(feet)
Residential	12	25
Recreational	12	25
Agricultural	12	25
Conservancy	20	25
Commercial*	12	25
Industrial*	20	25

NOTE:

* Commercial and industrial buildings are required to provide a minimum setback 1.1 times their overall height.

201 C. Except as otherwise provided in this section, every structure hereafter erected, moved or structurally
202 altered, shall be set back from the adjoining highway or highways as required by Article VI,
203 Highway Setback Lines.

204 D. Lots 85 feet in width and under shall have a side yard setback of 10 feet on both sides.

205 E. Except as otherwise provided in this chapter, no structure shall be erected or extended in a required
206 yard, except the ordinary projections of sills, belt courses, cornices and ornamental features
207 projecting not more than 12 inches.

208 F. (Reserved)

209 § 350-21 **Motor vehicles and parking.**

210 A. No commercial motor vehicle exceeding three tons' capacity shall be stored in any private garage or
211 in a residential district.

212 B. In any commercial or industrial district, wherever a lot abuts upon a public or private alley, sufficient
213 space for the loading or unloading of vehicles shall be provided on the lot in connection with any
214 business or industrial use so that the alley shall at all times be free and unobstructed to the passage of
215 traffic.

216 C. Motor vehicles may not be parked in such a manner as to be injurious to the use and enjoyment of
217 other property in the immediate vicinity nor substantially diminish and impair property values within
218 the neighborhood.

219 D. A motor vehicle that is abandoned, disassembled, nonoperative, disabled, junked, wrecked, or no
220 longer licensed shall not be stored anywhere on any premises except in an authorized salvage yard or
221 unless it is completely enclosed in a structure.

- 222 E. Off-street parking.
- 223 (1) In all districts there shall be provided, at the time any building or structure is erected, off-street
224 parking spaces in accordance with the requirements of this section. A site plan, including layout of
225 parking spaces of any area for more than five vehicles, shall be submitted to the Land Use Planning
226 and Zoning Department for approval prior to construction. Requests for parking lots shall be
227 accompanied by detailed plans on landscaping, parking layout, drainage provisions and driveway
228 locations. [Amended 11-14-2017 by Ord. No. 22-2017]
- 229 (2) Size of stall. Parking stalls shall be at least nine feet in width by not less than 20 feet in depth for
230 sixty-degree parking angles and not less than 27 feet in depth for ninety-degree parking angles, and
231 there shall be at least 16 feet of width between opposite facing parking stalls for ingress and egress.
- 232 (3) Special residential requirements. Those parking areas for five or more vehicles, if adjoining a
233 residential use, shall be screened from such use by a solid wall, fence, evergreen planting or
234 equivalent visual density or other effective means, built and maintained at a minimum height of five
235 feet. Where a solidly constructed decorative fence is provided along the interior lot line, the
236 minimum setback for parking area shall be five feet from said lot line. Said fence shall be located a
237 minimum of one foot from said lot line.
- 238 (4) Number of stalls. The number of parking stalls required is shown in the following table:

Commented [8]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Use	Minimum Parking Required
Dwellings, single-family	1 stall per dwelling unit
Dwellings, duplex and multifamily	1.5 stalls for each dwelling unit
Housing for the elderly	0.75 space for each dwelling unit with 1/2 of these spaces to be built before occupancy and the balance of which spaces shall be reserved until such time as the County may order them installed
Hotels and motels	1 stall for each guest room and 1 stall for each 2 employees
Sororities, dormitories and rooming and boarding houses	1 stall for each 2 sleeping rooms plus 1 for each 2 employees
Retirement homes, orphanages, convents and monasteries	1 stall per 2,000 feet of principal floor area
Hospitals, sanitariums, institutions and rest and nursing homes	1 stall for each 3 beds plus 1 stall for each 3 employees
Medical and dental clinics	5 stalls for each doctor or dentist
Theaters, auditoriums, community centers, sport arenas and other places of public assembly	1 stall for each 5 seats or spaces equal to 20% of capacity in persons, whichever is greater
Restaurants	1 stall for each 100 square feet of floor area excluding the kitchen

Use	Minimum Parking Required
Bars and places of entertainment	1 stall for each 75 square feet of floor area
Office building and professional offices having less than 6,000 square feet of floor area	1 parking space per 150 square feet of floor area
Office building and professional offices having 6,000 square feet or more of floor area, banks and savings institutions	At least 1 parking space for each 200 feet of floor area
Drive-in establishments	At least 1 parking space for each 15 square feet of floor area in the building
Manufacturing and processing plants (including meat and food laboratories and warehouses)	1 stall for every 2 employees; number of employees shall be construed to mean the maximum number on the premises at one time
Libraries, museums, art galleries, etc.	1 for each employee, plus 1 for each 4 seats plus 1 for each 500 square feet of floor area not having seats
Washing and cleaning establishments	1 for each 2 employees, plus 1 space for every wash machine or 1 for each 200 square feet of floor area, whichever is greater
Funeral homes, mortuaries and similar type uses	1 for each 50 square feet of floor area in parlors or assembly rooms
Other businesses and commercial uses	1 for each 300 square feet of floor area
Churches and other places of religious assembly	1 for each 5 seats or 1 for 90 linear inches of pew space
Cartage, express and parcel delivery and freight terminals	1 for each 2 employees (on the largest shift for which the building is designed) plus 1 for each motor vehicle maintained on the premises
Elementary and junior high schools	2 for each classroom plus 1 for every 8 seats in auditoriums or assembly halls
High schools, colleges, universities and other institutions of higher learning	1 for every 6 students plus 1 for each teacher, administrator and employee
Business, technical and trade school	1 for each 5 students plus 1 for each 2 employees
Government offices	1 stall for each 300 square feet of floor area and 1 stall for each 2 employees

Use

Minimum Parking Required

Motor vehicle sales (new and used)	1 space for each 500 square feet of floor area used plus one space for each 30 square feet of outdoor display area for each motor vehicle to be displayed (this requirement does not include service garages; see below)
Repair shops and retail and service stores	1 space for each 150 square feet of net floor space
Automobile repair garages and service stations	1 space for each 2 employees plus 2 spaces for each service bay
Bowling alleys	4 spaces for each alley

(5) Uses not listed. In the case of structures or uses not mentioned, the provision for a use that is similar shall apply. Floor space or area shall mean the gross floor area inside the exterior walls, where the floor space is indicated above as a basis for determining the amount of off-street parking required.

(6) Combined uses. Combinations of any of the above uses shall provide the total number of stalls required for each individual use. Two or more uses may provide required off-street parking spaces in a common parking facility less than the sum of the spaces required for each use individually, provided that such uses are not operated during the same hours. The following conditions must be met for any joint use:

(a) The proposed joint parking space is within 500 feet of the use it will serve.

(b) The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

(c) A properly drawn legal instrument approved by the Land Use Planning and Zoning Committee, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the County Clerk. Said instrument may be a three-party agreement, including the County and all private parties involved. Such instrument shall first be approved by Corporation Counsel.

(7) Handicapped parking requirements. In addition to any other requirements relating to parking spaces contained in this chapter, the provisions contained in §§ 101.13, 346.503 and 346.56, Wis. Stats., and any Wisconsin Administrative Code sections adopted pursuant thereto, are hereby adopted by reference and made applicable to all parking facilities whenever constructed.

(8) Changes in building or use. Whenever a building or use is changed, structurally altered or enlarged to create a need for an increase of 25% or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use is enlarged to the extent of 50% or more in the floor area, said building or use shall then comply with the parking requirements set forth in the district in which it is located.

(9) This chapter shall apply to all buildings and structures erected after the effective date of this chapter.

§ 350-22 Substandard lots.

A. Substandard lots served by a public sanitary sewer. A substandard lot served by a public sanitary sewer that is at least 7,500 square feet in area and is 50 feet in width at the building line and 50 feet average width may be used as a building site for a single-family dwelling upon issuance of a land use permit if it meets the following requirements:

Commented [MEK9]: Delete text to eliminate differentiation created by Section regarding served or not served by public sanitary sewer. Both subsection A and B allow the same lot size regardless of sewer type.

Commented [10]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- 269 (1) Such use is permitted in the zoning district.
- 270 (2) The lot is of record in the office of the County Register of Deeds prior to the effective date of this
271 chapter.
- 272 (3) ~~The lot is in separate ownership from abutting lands. If abutting lands and the substandard lot are~~
273 ~~owned by the same owner, the substandard lot shall not be sold or used without full compliance with~~
274 ~~the terms of this chapter.~~
- 275 (4) All dimensional requirements of this chapter are complied with ~~insofar as practical.~~
- 276 ~~B. Substandard lots not served by a public sewer. The provisions of Subsection A and Ch. SPS 383,~~
277 ~~Wis. Adm. Code, shall apply and, in addition, the minimum lot area shall be 7,500 square feet and~~
278 ~~the minimum lot width 50 feet at the building line and 50 feet average width. [Amended 11-14-2017~~
279 ~~by Ord. No. 22-2017]~~
- 280 C. Other substandard lots. A building permit for the improvement of a lot having lesser dimensions than
281 those stated in Subsections A ~~and B~~ of this section shall be issued only after the granting of a
282 variance by the Board of Adjustment.

283 § 350-23 **Outdoor lighting.**
284 **[Amended 11-14-2017 by Ord. No. 22-2017]**

285 Outdoor lighting installations shall be permitted in all yard areas, but no closer than three feet to an
286 abutting property line, and shall be shielded or hooded. In no case shall outdoor lighting installations be
287 aimed or directed at a neighboring property.

288 **Article IV**
289 **Zoning Districts**

290 § 350-24 **Districts established.**
291 **[Amended 6-17-2008 by Ord. No. 935-08; 8-21-2012 by Ord. No. 1033-2012; 10-15-2013 by Ord. No.**
292 **1070-2013; 8-19-2014 by Ord. No. 1093-2014; 11-14-2017 by Ord. No. 22-2017]**

- 293 A. The Farmland Preservation District is regulated by Ch. 91, Wis. Stats. and certified by the
294 Department of Agriculture, Trade and Consumer Protection. All permitted and conditional uses
295 provided to this district are listed in § 350-27.
- 296 B. The permitted and conditional uses listed under all other zoning districts represent uses that are
297 consistent with the purpose and intent of each zoning district. In cases where an unlisted use is
298 proposed, the Land Use Planning and Zoning Department shall determine its consistency with a
299 zoning district. A conditional use permit shall be required for any proposed use which the Land Use
300 Planning and Zoning Department determines consistent with a zoning district, but also determines
301 that the effect of the proposed use on the character of the neighborhood and the location's suitability
302 for development warrants additional review.
- 303 C. For the purposes of this chapter, Green Lake County, Wisconsin, is hereby divided into 14 zoning
304 districts, as follows:

A-1	Farmland Preservation District
A-2	General Agriculture District
NRC	Natural Resource Conservancy District

Commented [MEK11]: Can't enforce due to Act 67

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Commented [MEK12]: Delete vague language.

Commented [MEK13]: As stated above, there is no reason for this standard, both A and B allow for same lot size regardless of sewer type.

Commented [MEK14]: Propose to eliminate B so no need for "and B" to remain in text.

C-1	General Commercial District
C-2	Extensive Commercial District
I	Industrial District
M-1	Mineral Extraction District
M-2	Sanitary Landfill District
RC	Recreation District
R-1	Single-Family Residence District
R-2	Single-Family Mobile Manufactured Home Residence District
R-3	Multiple-Family Residence District
R-4	Rural Residential District
AO	Adult-Oriented Establishment District

Commented [MEK15]: They are not legally referred to as "mobile" homes anymore. Rather as "manufactured" homes.

§ 350-25 District boundaries.

[Amended 8-19-2014 by Ord. No. 1093-2014]

The boundaries of the aforesaid districts are hereby established as shown on the map titled "Zoning District Map, Green Lake County," which map accompanies and is made a part of this chapter. All notations and references shown on the district map are as much a part of this chapter as though specifically described herein.

- A. Unless otherwise indicated, the district boundaries are street or highway center lines or railroad right-of-way lines or such lines extended, lines parallel or perpendicular to such street, highway or railroad lines, the shoreline of lakes or streams, the lines bounding a section or fraction thereof, or lot or alley lines, and where the designation on the district map indicates that the various districts are approximately bounded by any of the above lines, such lines shall be construed to be the district boundaries.
- B. Where a dimension appears adjacent to a district boundary line, such dimension shall be construed to be the length in feet of such district boundary line, measured to the street or highway center line or railroad right-of-way line, when such district boundary line intersects a street, highway or railroad.
- C. Where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations of the district map are approximately bounded by lot lines, said lot lines shall be construed to be the boundaries of the district.
- D. Where the above rules do not apply, the district boundary lines shown on the district map shall be determined by use of the scale shown on such map.

§ 350-26 Official map.

[Amended 8-19-2014 by Ord. No. 1093-2014; 11-14-2017 by Ord. No. 22-2017]

There shall be an official Zoning District Map, Green Lake County, which shall be available to the public through the County Land Use Planning and Zoning Department. The Zoning District Map shall be a digital electronic data map layer of the County's Geographic Information System (GIS). The County Land

330 Use Planning and Zoning Department shall from time to time update the Zoning District Map as
 331 necessary to reflect changes in zoning district boundaries enacted by the County Board as amendments
 332 under this chapter.

333 § 350-27 **A-1 Farmland Preservation District.**
 334 **[Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No.**
 335 **22-2017]**

336 A. Purpose. The purpose of this district is to promote areas for uses of a generally exclusive agricultural
 337 nature in order to protect farmland and to allow participation in the state's farmland preservation
 338 program. Land zoned under this district must comply with the following:

339 (1) Permitted uses:

340 (a) Agricultural uses. See Subsection **D** for agricultural use definitions.

341 (b) Not including the specified accessory uses identified in Subsection **A(2)**, other accessory uses,
 342 including the farm residence. See Subsection **D** for "accessory use" definition.

343 (c) Upon prior notification to the county, transportation, utility, communication, or other uses that are
 344 required under state or federal law to be located in a specific place or that are authorized to be
 345 located in a specific place under a state or federal law that preempts the requirement of a conditional
 346 use permit for those uses.

347 (d) [Subsection **A(1)(c)** acknowledges that state or federal law may sometimes preempt local authority
 348 to restrict the siting of certain facilities. It does not purport to determine which state or federal
 349 actions are preemptive. It merely says that if state or federal action is preemptive, no local permit is
 350 required and there is no need to rezone the site out of the farmland preservation district. Uses
 351 covered by Subsection **A(1)(c)** might include, for example, state and federal highways, federally
 352 mandated pipelines, and energy generation and transmission facilities whose location and design are
 353 specifically mandated by the Wisconsin Public Service Commission pursuant to a certificate of
 354 convenience and necessity.]

355 (e) Undeveloped natural resource and open space areas.

356 (f) Nonfarm residences built prior to January 1, 2014.

357 (2) Conditional uses:

358 (a) Agriculture-related uses. (See Subsection **D** for "agriculture-related use" definition.)

359 (b) A business, activity, or enterprise, whether or not associated with an agricultural use, which meets all
 360 of the following requirements:

361 [1] It is conducted on a farm by an owner or operator of that farm.

362 [2] It requires no buildings, structures, or improvements other than those described in Subsection **D(1)**
 363 and (3) of the definition of "accessory use."

364 [3] The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160
 365 hours per week.

366 [4] It does not impair or limit the current or future agricultural use of the farm or other protected
 367 farmland.

368 (c) Upon prior notification to the County, transportation, communication, pipeline, electric transmission,

369 utility, or drainage uses, facilities for the generation from sunlight, wind, coal or natural gas, if all
370 the following apply:

371 [1] The use and its location in the farmland preservation zoning district are consistent with the purposes
372 of the farmland preservation zoning district.

373 [2] The use and its location in the farmland preservation zoning district are reasonable and appropriate,
374 considering alternative locations, or are specifically approved under state or federal law.

375 [3] The use is reasonably designed to minimize conversion of land at and around the site of the use,
376 from agricultural use or open space use.

377 [4] The use does not substantially impair or limit the current or future agricultural use of surrounding
378 parcels of land that are zoned for or legally restricted to agricultural use.

379 [5] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent
380 feasible.

381 (d) Governmental, institutional, religious, or nonprofit community uses, if all of the following apply:

382 [1] The use and its location in the farmland preservation zoning district are consistent with the purposes
383 of the farmland preservation zoning district.

384 [2] The use and its location in the farmland preservation zoning district are reasonable and appropriate,
385 considering alternative locations, or are specifically approved under state or federal law.

386 [3] The use is reasonably designed to minimize the conversion of land, at and around the site of the use,
387 from agricultural use or open space use.

388 [4] The use does not substantially impair or limit the current or future agricultural use of surrounding
389 parcels of land that are zoned for or legally restricted to agricultural use.

390 [5] Construction damage to land remaining in agricultural use is minimized and repaired to the extent
391 feasible.

392 (e) Nonmetallic mineral extraction, if all of the following apply:

393 [1] The operation complies with Subchapter I of Chapter **295**, Wisconsin Statutes, and rules
394 promulgated under that subchapter, with applicable provisions of local ordinances under § 295.14,
395 Wis. Stats. (including all applicable provisions of this chapter), and with any applicable requirements
396 of the Wisconsin Department of Natural Resources concerning the restoration of nonmetallic mining
397 sites.

398 [2] The operation and its location in the farmland preservation zoning district are consistent with the
399 purposes of the farmland preservation zoning district.

400 [3] The operation and its location in the farmland preservation zoning district are reasonable and
401 appropriate, considering alternative locations outside the farmland preservation zoning district, or are
402 specifically approved under state or federal law.

403 [4] The operation is reasonably designed to minimize the conversion of land around the extraction site
404 from agricultural use or open space use.

405 [5] The operation does not substantially impair or limit the current or future agricultural use of
406 surrounding parcels of land that are zoned for or legally restricted to agricultural use.

- 407 [6] The owner agrees to restore the land to agricultural use, consistent with any required reclamation
408 plan, when extraction is completed.
- 409 [7] Compliance with Chapter **323** (Nonmetallic Mining Reclamation).
- 410 (f) Oil and gas exploration or production that is licensed by the Department of Natural Resources under
411 Subchapter II of Chapter **295**, Wisconsin Statutes.
- 412 (g) Private airport or air strip qualifying as an accessory use under § 91.01(1), Wis. Stats.
- 413 (h) Dog kennels qualifying as an accessory use under § 91.01(1), Wis. Stats.
- 414 (i) Game farms/shooting preserves qualifying as an accessory use under § 91.01(1)(b), Wis. Stats. To
415 meet the definition of agricultural use, the game birds or cervids must be raised on the farm for
416 release for hunting.
- 417 (j) Shooting ranges meeting the requirements in § 91.01(1)(d), Wis. Stats.
- 418 (k) Manure storage systems. (Please note that permits for manure storage systems are subject to § ATCP
419 50.56 and Ch. ATCP 51, Wis. Adm. Code.)
- 420 (l) Slaughtering of livestock from the A-1 District.
- 421 (m) Processing agricultural by-products or wastes received directly from farms, including farms in the A-
422 1 District.

Note: The County may issue a conditional use permit for a proposed land use not identified in this section if the proposed land use meets applicable conditions under this section. Before issuing a conditional use permit, the County shall determine, in writing, that the proposed use meets applicable conditions under this section. The County may issue the permit subject to conditions designed to carry out the purposes of this chapter.

- 423 (3) Area, height and setback requirements:
- 424 (a) Dimensional standards: A lot or parcel shall have no less than 15 acres of contiguous land area.
- 425 (b) All principal structures shall be on a lot consistent with the principal use permitted on such lot by the
426 regulations of the district in which it is located.

Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter **315**, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

- 427 (c) Principal structure setback and height standards.
- 428 [1] Street yard setback:
- 429 [a] State trunk road rights-of-way: 67 feet minimum.
- 430 [b] All other public road rights-of-way: 40 feet minimum.
- 431 [2] Rear yard setback: 25 feet minimum.
- 432 [3] Side yard setback: 12 feet minimum.
- 433 [4] Structure height, dwelling structure: 35 feet.

434 (d) Accessory building structure standards. An accessory building structure shall satisfy all of the
 435 following standards:

436 [1] Setbacks: same as principal structure.

437 [2] Height: none.

438 [3] Structure footprint area: none.

439 [4] Volume: none.

440 [5] Human habitation of a detached accessory building structure may be allowed; however, it shall be
 441 limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to
 442 only one detached accessory building structure per lot or parcel.

443 B. Rezoning land out of the A-1 Farmland Preservation Zoning District. Land may be rezoned out of
 444 the A-1 Farmland Preservation Zoning District if the County, through their review and
 445 recommendation, and after a public hearing, finds that all of the following apply:

446 (1) The land is better suited for a use not allowed in the A-1 Farmland Preservation Zoning District.

447 (2) The rezoning is consistent with the Green Lake County Comprehensive Plan.

448 (3) The rezoning is substantially consistent with the Green Lake County Farmland Preservation Plan,
 449 certified under Ch. 91, Wis. Stats., which is in effect at the time of zoning.

450 (4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding
 451 parcels of land that are zoned for or legally restricted to agricultural use.

452 (5) Note: The above Subsection **B(1)** through **(4)** does not apply to any of the following situations:

453 (a) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and
 454 Consumer Protection under Ch. 91, Wis. Stats.

455 (b) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the
 456 Green Lake County farmland preservation plan map, certified under Ch. 91, Wis. Stats., which is in
 457 effect at the time of the rezoning.

458 C. Certification of ordinance and amendments by DATCP.

459 (1) This Zoning Ordinance must be certified by the State of Wisconsin Department of Agriculture,
 460 Trade and Consumer Protection (DATCP) in order for owners of land that is zoned A-1 Farmland
 461 Preservation in the Green Lake County to be eligible to claim tax credits under the State of
 462 Wisconsin's Farmland Preservation Program.

463 (2) Green Lake County shall notify DATCP of any amendments as required by § 91.36(8), Wis. Stats.

464 (3) Green Lake County shall notify DATCP by March 1 annually of any acres rezoned out of a farmland
 465 preservation zoning district during the previous year and a map that clearly shows the location of
 466 those acres as required by §§ 91.48(2) and 91.48(3), Wis. Stats.

467 D. Farmland preservation definitions. For the purposes of § **350-27** of this chapter, the following
 468 definitions shall be used. Please see § **350-77** for conventional zoning district definitions.

469 **ACCESSORY USE**

470 Within the A-1 Zoning District, any of the following land uses on a farm:

- 471 (1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural
472 use. This may include, for example:
- 473 (a) A facility used to store or process raw agricultural commodities, all of which are produced on the
474 farm.
- 475 (b) A facility used to keep livestock on the farm.
- 476 (c) A facility used to store or process inputs primarily for agricultural uses on the farm.
- 477 (d) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on
478 the farm.
- 479 (e) A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or
480 transforms it to provide energy primarily for use on the farm.
- 481 (f) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials
482 grown or produced on the farm, primarily for use on the farm.
- 483 (g) A waste storage or processing facility used to store or process animal waste produced solely from
484 livestock kept on the farm.
- 485 (2) An activity or business operation that is an integral part of or incidental to an agricultural use.
- 486 (3) A farm residence, including normal residential appurtenances.
- 487 (4) Any other use that DATCP, by rule, identifies as an accessory use.
- 488 **AGRICULTURAL USE**
489 Any of the following activities conducted for the purpose of producing an income or livelihood:
- 490 (1) Crop or forage production.
- 491 (2) Keeping livestock.
- 492 (3) Beekeeping.
- 493 (4) Nursery, sod, or Christmas tree production.
- 494 (5) Floriculture.
- 495 (6) Aquaculture.
- 496 (7) Fur farming.
- 497 (8) Forest management.
- 498 (9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural
499 land conservation payment program.
- 500 (10) Any other use that the Department of Agriculture, Trade and Consumer Protection, by rule, identifies
501 as an agricultural use.
- 502 **AGRICULTURE-RELATED USE**
503 An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or

504 processing agricultural products, or facility for processing agricultural wastes. In addition, any use
505 that the Department of Agriculture, Trade and Consumer Protection identifies by rule as an
506 agriculture-related use. An "agriculture-related use" must be primary (not just incidentally) related to
507 agriculture, and must have a direct connection to agriculture uses in the A-1 Zoning District.

508 **CERTIFIED FARMLAND PRESERVATION PLAN**

509 A farmland preservation plan that is certified as determined under § 91.12, Wis. Stats.

510 **CERTIFIED FARMLAND PRESERVATION ZONING ORDINANCE**

511 A zoning ordinance that is certified as determined under § 91.32, Wis. Stats.

512 **COMMON OWNERSHIP**

- 513 (1) Ownership by the same person or persons, or by persons that are all wholly owned by the same
514 person or persons. "Common ownership" includes joint tenancy and tenancy in common. Solely for
515 purposes of this definition, a parcel owned by one member of a married couple is deemed to be
516 owned by the married couple.
- 517 (2) Land is deemed to be under "common ownership," for purposes of this chapter, if it is all owned by
518 the same individual, married couple, joint tenants, and tenants in common, corporation, LLC,
519 partnership, estate or trust. If land parcels are owned by separate legal entities, but those legal
520 entities are all wholly owned by exactly the same person or persons, those land parcels are deemed
521 to be under "common ownership" for purposes of this chapter.

522 **CONDITIONAL USES**

523 Uses of a special nature as to make impractical their predetermination as a permitted use in a district.
524 Conditional uses as used in the A-1 Farmland Preservation Zoning District must meet the
525 requirements of § 91.46, Wis. Stats.

526 **CONTIGUOUS**

527 Adjacent to or sharing a common boundary. "Contiguous" land includes land that is separated only
528 by a river, stream, section line, public road, private road, railroad, pipeline, transmission line, or
529 transportation or transmission right-of-way. Parcels are not "contiguous" if they meet only at a single
530 point.

531 **FARM**

- 532 (1) All land under common ownership that is primarily devoted to agricultural use. For the purpose of
533 this definition, land is deemed to be primarily devoted to agricultural use if the following apply:
- 534 (a) The land produces at least \$6,000 in annual gross farm revenues to its owner or renter, regardless of
535 whether a majority of the land area is in agricultural use; or
- 536 (b) A majority (greater than 50%) of the land is in agricultural use.
- 537 (2) In determining whether land is in agricultural use for purposes of the definition of "agricultural use,"
538 a zoning authority may consider how the land is classified for property tax purposes. (See Ch. Tax
539 18, Wis. Adm. Code.)

540 **FARM RESIDENCE**

- 541 (1) A single-family or two-family residence that is the only residential structure on the farm or is
542 occupied by any of the following:
- 543 (a) An owner or operator of the farm.

- 544 (b) A parent or child of an owner or operator of the farm.
- 545 (c) An individual who earns more than 50% of his or her gross income from the farm.
- 546 (2) To qualify as a "farm residence," a residence must be located on a "farm." If a farm owner deeds off
547 a residential parcel to another person (even if that person is the farm owner's parent, child or
548 employee), the separately owned parcel is no longer part of the original "farm." A residence built on
549 that parcel does not qualify as a "farm residence" unless the parcel qualifies as a "farm" in its own
550 right.

551 **GROSS FARM REVENUES**

552 Gross receipts from agricultural use of a farm, excluding rent receipts, less the cost or other basis of
553 livestock or other agricultural items purchased for resale which are sold or otherwise disposed of
554 during the taxable year. Gross farm revenue includes receipts accruing to a renter, but does not
555 include rent paid to the landowner.

556 **LIVESTOCK**

557 Includes bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised
558 game birds, camelids, ratites and farm-raised fish.

559 **NONCONFORMING USES OR STRUCTURES**

560 Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of
561 this chapter which does not conform to the regulations of this chapter. Any such structure
562 conforming in respect to use, but not in respect to frontage, width, height, area, yard, parking,
563 loading, or distance requirements shall be considered a nonconforming structure and not a
564 nonconforming use.

565 **NONFARM RESIDENCE**

566 Any residence other than a farm residence.

567 **OPEN SPACE PARCEL**

568 A parcel on which no buildings, other than hunting blinds or small sheds, have been constructed or
569 approved for construction.

570 **PERSON**

571 An individual, corporation, partnership, limited liability company (LLC), trust, estate or other legal
572 entity.

573 **PROTECTED FARMLAND**

574 Land that is any of following:

- 575 (1) Land that is located in the A-1 Farmland Preservation Zoning District certified under Ch. 91, Wis.
576 Stats.
- 577 (2) Covered by a farmland preservation agreement under Ch. 91, Wis. Stats.
- 578 (3) Covered by an agricultural conservation easement under § 93.73, Wis. Stats.
- 579 (4) Otherwise legally protected from nonagricultural development.

580 § 350-28 A-2 General Agriculture District.

581 [Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 10-15-2013 by Ord. No.

582 **1070-2013; 11-14-2017 by Ord. No. 22-2017]**

583 A. Purpose. This agricultural district is intended to preserve and enhance land for agricultural uses. This
584 district's uses and standards are designed to implement comprehensive plan goals by encouraging
585 agricultural uses of various sizes in areas where soil and other conditions are best suited to these
586 agricultural pursuits, and controlling residential development to avoid conflict with agricultural uses.
587 This district is generally compatible with other agricultural districts where varying levels of
588 agricultural uses and open space uses are permitted and supported by the comprehensive plan, such
589 as, but not limited to, A-1 Farmland Preservation and R-4 Rural Residential. The best use of these
590 lands is agricultural.

591 (1) Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent
592 with agricultural uses.

593 (a) Accessory structure/use, agricultural.

594 (b) Accessory structure/use, residential.

595 (c) Accessory structure/use, temporary.

596 (d) Beekeeping.

597 (e) Crops, cash.

598 (f) Crops, field.

599 (g) Dairying.

600 (h) Dwelling, single-family.

601 (i) Egg production.

602 (j) Farm, sod.

603 (k) Farm, tree.

604 (l) Floriculture.

605 (m) Forestry.

606 (n) Grazing.

607 (o) Greenhouse, accessory to permitted use.

608 (p) Home occupation when established in a residential dwelling unit; all of the following shall apply:

609 [1] Shall be located in the place of permanent residency; and

610 [2] Is incidental to the residential occupancy; and

611 [3] Is limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor
612 area of that level; and

613 [4] That no mechanical equipment is used other than such as is permissible for typical residential
614 purposes; and

615 [5] There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the character of
616 the neighborhood; and

617 [6] That no person outside the immediate resident family operates such home occupation; and

618 [7] A sign per § **350-43B(3)** is allowed.

619 (q) Horticulture.

620 (r) Livestock, raising/keeping.

621 (s) Nursery, aquatic.

622 (t) Nursery, plant.

623 (u) Orchard.

624 (v) Paddocks.

625 (w) Professional home office when established in a residential dwelling unit; all of the following shall
626 apply:

627 [1] Located in the practitioner's place of permanent residency; and

628 [2] Is incidental to the residential occupancy, limited to one inside level of the dwelling unit and does
629 not occupy more than 25% of the floor area of that level; and

630 [3] A sign per § **350-43B(3)** is allowed; and

631 [4] One person that is not a member of the resident family may be employed on the premises.

632 (x) Riding stable, personal.

633 (y) Roadside stand of less than 300 square feet in area as a temporary structure not wholly enclosed for
634 the sale of produce grown on the premises. One stand allowed per premises.

635 (z) Signs per § **350-43**.

636 (aa) Trail, biking.

637 (bb) Trail, hiking.

638 (cc) Trail, horse.

639 (dd) Trail, nature.

640 (ee) Trail, recreation.

641 (ff) Utility, local service lines/structures.

642 (gg) Viticulture.

643 (hh) All permitted uses described in § **350-27**, Farmland Preservation District.

644 (2) Conditional uses. Conditions and standards for a conditional use permit are set forth in Chapter **350**,
645 Article **VII**, Conditional Use Permits.

- 646 (a) Air landing field, agricultural landowner use.
- 647 (b) Animal clinic.
- 648 (c) Animal hospital.
- 649 (d) Animal kennel.
- 650 (e) Animal shelter.
- 651 (f) Animal veterinary clinic.
- 652 (g) Cemetery.
- 653 (h) Churches and religious structures.
- 654 (i) Dwelling for caretaker/laborer(s), may be multiple units.
- 655 (j) Farm, fish.
- 656 (k) Farm, fur.
- 657 (l) Farm, game.
- 658 (m) Farm implement sales/repair/service.
- 659 (n) Feed lot over 100 animals.
- 660 (o) Fish pond, commercial.
- 661 (p) Greenhouse, commercial retail.
- 662 (q) Livestock auction/sales facility.
- 663 (r) Lumber yard.
- 664 (s) Municipal buildings including administrative offices, meeting hall and any municipal accessory
665 structure.
- 666 (t) Radio or television broadcasting studio.
- 667 (u) Railroad depot/station.
- 668 (v) Riding stable with boarding/stabling, commercial.
- 669 (w) Sawmill.
- 670 (x) Schools.
- 671 (y) Sewage disposal plant.
- 672 (z) Tower and appurtenances, communication or relay.
- 673 (aa) Utility substation/other structure, public.
- 674 (bb) Utility transmission lines, not regulated by the Public Service Commission.

- 675 (cc) RV and boat storage for rental.
- 676 (dd) Yard and landscaping services.
- 677 (ee) All conditional uses listed in § 350-27, Farmland Preservation District.
- 678 (3) Area, height and setback requirements.
- 679 (a) A lot or parcel shall have no less than eight acres of contiguous land area.
- 680 (b) All principal structures shall be on a lot consistent with the principal use permitted on such lot by the
- 681 regulations of the district in which it is located.

Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

- 682 (c) Principal structure setback and height standards.
- 683 [1] Street yard setback:
- 684 [a] State trunk road rights-of-way: 67 feet minimum.
- 685 [b] All other public road rights-of-way: 40 feet minimum.
- 686 [2] Rear yard setback: 25 feet minimum.
- 687 [3] Side yard setback: 12 feet minimum.
- 688 [4] Structure height, dwelling structure: 35 feet.
- 689 (d) Accessory building structure standards. An accessory building structure shall satisfy all of the
- 690 following standards:
- 691 [1] Setbacks: same as principal structure.
- 692 [2] Height: none.
- 693 [3] Structure footprint area: none.
- 694 [4] Structure volume: none.
- 695 [5] Human habitation of a detached accessory building structure may be allowed; however, it shall be
- 696 limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to
- 697 only one detached accessory building structure per lot or parcel.

698 § 350-29 (Reserved)

699 § 350-30 (Reserved)

700 § 350-31 NRC Natural Resource Conservancy District.

- 701 A. Purpose.
- 702 (1) This district shall be used to preserve, protect and enhance the lakes, streams and wetland areas. If
- 703 these areas are properly regulated, they will serve to maintain and improve water quality, improve
- 704 and protect wildlife habitat, prevent flood damage, prohibit structures on soils that are not suitable
- 705 for such use, and prevent septic tanks from being located in soils that may pollute water supplies and
- 706 prevent proper functioning due to high groundwater.

Commented [16]: Editor's Note: Former § 350-29, A-3 Light Agriculture District, as amended, was repealed 10-15-2013 by Ord. No. 1070-2013.

Commented [17]: Editor's Note: Former § 350-30, Ag-4 Industrial Agriculture District, was repealed 6-17-2008 by Ord. No. 935-08.

- 707 (2) This district shall be used to preserve, protect, enhance and restore all significant woodlands, scenic
708 areas, submarginal farmlands, mineral extraction lands, archaeological sites, historical sites, natural
709 watersheds, significant topography, wildlife habitat, potential recreation sites, and other natural
710 resources that contribute to environmental quality.
- 711 (3) The maps designated below are hereby adopted and made a part of the Natural Resources
712 Conservancy District outside of the shoreland area. They are on file in the Land Use Planning and
713 Zoning Department of Green Lake County. **[Amended 11-14-2017 by Ord. No. 22-2017]**
- 714 (a) United States Geological Survey Quadrangle Maps for Green Lake County (revised 1980).
- 715 (b) Wisconsin Wetland Inventory Maps stamped "Final" on October 29, 1984.
- 716 (c) Floodplain Zoning Maps identified as the Flood Boundary and Floodway Map dated March 1, 1978.
- 717 B. Permitted uses.
- 718 (1) Forestry and the production of forest products.
- 719 (2) Forest preservation.
- 720 (3) Forest and game management.
- 721 (4) Private and public parks.
- 722 (5) Wilderness areas and wildlife preservation refuges.
- 723 (6) Picnic areas.
- 724 (7) Golf courses and similar uses.
- 725 (8) Hunting and fishing, clubs related to the same.
- 726 (9) Swimming beaches.
- 727 (10) Preservation of scenic, historic and scientific areas.
- 728 (11) Hiking, bicycle and natural trails.
- 729 (12) Bridle paths.
- 730 (13) Harvesting of any wild crop, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree
731 seeds.
- 732 (14) Cranberry bogs.
- 733 (15) Grazing of animals.
- 734 (16) Nurseries.
- 735 (17) Sod farms.
- 736 (18) Fur farms.
- 737 (19) Nonresidential buildings used solely in conjunction with the raising of waterfowl, minnows, and
738 other similar lowland animals, fowl or fish.

Commented [18]: Editor's Note: Former Subsection A(4), which designated the district as an overlay district, was repealed 11-14-2017 by Ord. No. 22-2017.

- 739 (20) Arboreta and botanical gardens.
- 740 (21) Navigation.
- 741 C. Conditional uses.
- 742 (1) Fish hatcheries.
- 743 (2) Flood control and drainage dams and structures.
- 744 (3) Dams, power plants, flowages, ponds and impoundments.
- 745 (4) Relocation of watercourse.
- 746 (5) Any activity that would substantially disturb the natural wildlife, water or topography.
- 747 (a) Filling, dredging or drainage of wetlands.
- 748 (b) Removal of topsoil or peat.
- 749 (6) Piers, docks, boathouses and landing sites.
- 750 (7) Utilities such as telephone, telegraph, microwave radio and power transmission lines.
- 751 (8) Erection of buildings or structures and signs.
- 752 (a) Hunting and fishing clubs.
- 753 (b) Park and recreational areas.
- 754 (9) Stream bank protection.
- 755 D. Area, height and setback regulations: Refer to §§ **350-18, 350-19 and 350-20. [Amended 11-14-**
- 756 **2017 by Ord. No. 22-2017]**
- 757 E. Highway setbacks: Refer to § **350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]**
- 758 § 350-32 **C-1 General Commercial District.**
- 759 The C-1 General Commercial District is intended to provide an area for business and commercial needs;
- 760 it can be especially useful for those conditions where commercial businesses are located in a centrally
- 761 situated business district.
- 762 A. Permitted uses.
- 763 (1) Art shop, antique shop and gift shop.
- 764 (2) Boat livery, service and repair shop.
- 765 (3) Drugstore, ice cream shop, pharmacy and soft drink stand.
- 766 (4) Food and drug establishments (retail), delicatessens, fruit and vegetable store, grocery store, and
- 767 meat and fish markets.
- 768 (5) Signs pertaining to the conduct of a business on the premises.
- 769 (6) Such accessory uses as are customary in connection with the foregoing uses and are incidental

Commented [19]: Editor's Note: Original § 4.5(C)(10), which immediately followed this subsection and contained the same wording as Subsection E, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

770 thereto.

771 B. Conditional uses. An application for a conditional use permit shall not be approved unless, at a
772 minimum, it complies with the conditions and standards set forth in Article **VII**, Conditional Use
773 Permits.

774 (1) Hotel or motel.

775 (2) One single-family residential use established in the same building with the commercial use.

776 (3) Automobile service establishment.

777 (4) Restaurant, barbecue stand, cafe, cafeteria, caterer, tavern and package fermented beverage and
778 liquor store.

779 (5) Parking lot.

780 (6) Public garage.

781 (7) Storage building.

782 (8) Municipal buildings, including administrative office, meeting hall and attached inside storage of
783 municipal vehicles and equipment, with no outside storage allowed; no municipal accessory
784 structure allowed on a premises until the principal structure is present. **[Added 10-17-2006 by Ord.**
785 **No. 880-06]**

786 C. Area, height and setback regulations: Refer to §§ **350-18, 350-19 and 350-20. [Amended 11-14-**
787 **2017 by Ord. No. 22-2017]**

788 D. Highway setbacks: Refer to § **350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]**

789 § 350-33 **C-2 Extensive Commercial District.**
790 The C-2 Extensive Commercial District is intended to provide an area for business and commercial needs
791 of a much broader nature than the C-1 General Commercial District. This includes those businesses that
792 may require a fairly large area of land, or for which it is desirable that they be located away from other
793 activities, or that they be located adjacent to a highway or other major thoroughfare.

794 A. Permitted uses.

795 (1) Any use permitted in C-1 General Commercial District.

796 (2) Parking lot.

797 (3) Bakery, retail or wholesale.

798 (4) Barbershop or beauty parlor.

799 (5) Book and stationery store or newsstand.

800 (6) Business and professional offices.

801 (7) Candy store or confectionery store.

802 (8) Clinic.

803 (9) Clothing store, department store, dress shop, dry goods store, hosiery shop, millinery shop, shoe

804 store or shoe repair shop.

805 (10) Florist shop.

806 (11) Furniture store, office equipment store, or upholsterer's shop.

807 (12) Hardware store, household appliance store, paint store, plumbing, heating and electrical supplies or
808 sporting goods store.

809 (13) Jewelry store or watch repair shop.

810 (14) Laundry, cleaning and dyeing establishment.

811 (15) Music store or radio and television store.

812 (16) Optical store or photographer studio and supplies.

813 (17) Signs, billboards and other outdoor advertising structures.

814 (18) Telephone and telegraph office.

815 (19) Undertaking establishment.

816 (20) Variety store or notion shop.

817 (21) Such accessory uses as are customary in connection with the foregoing uses and are incidental
818 thereto.

819 B. Conditional uses. An application for a conditional use permit shall not be approved unless, at a
820 minimum, it complies with the conditions and standards set forth in Article **VII**, Conditional Use
821 Permits.

822 (1) Single-family residential use established in the same building with the commercial use.

823 (2) Drive-in theaters.

824 (3) Automobile sales and service establishment.

825 (4) Bowling alley or pool and billiard room.

826 (5) Theaters and places of amusement.

827 (6) Farm implement establishments.

828 (7) Sawmills; manufacture, sale or processing of wood or plywood products.

829 (8) Public garage.

830 (9) Dance hall, gymnasium or skating rink.

831 (10) Hotel or motel.

832 (11) Radio and television broadcasting studio, towers, masts or aerials and microwave radio relay
833 structures.

834 (12) Railroad and bus depot.

- 835 (13) Mini warehousing.
- 836 (14) Parking lot.
- 837 (15) Municipal buildings, including administrative office, meeting hall and attached inside storage of
838 municipal vehicles and equipment, with no outside storage allowed; no municipal accessory
839 structure allowed on a premises until the principal structure is present. **[Added 10-17-2006 by Ord.**
840 **No. 880-06]**

841 (16) Contractor's shop (inside material storage only)

- 842 C. Area, height and setback regulations: Refer to §§ **350-18, 350-19** and **350-20**. **[Amended 11-14-**
843 **2017 by Ord. No. 22-2017]**

- 844 D. Highway setbacks: Refer to § **350-50A**. **[Amended 11-14-2017 by Ord. No. 22-2017]**

845 § 350-34 **I Industrial District.**

846 This district is intended to provide an area for manufacturing, industrial and commercial activities. It is
847 also intended to provide an area for a variety of uses that require relatively large installations, facilities or
848 land areas or which would create or tend to create conditions of public or private nuisance, hazard, or
849 other undesirable conditions or which may require special safeguards, equipment, processes, barriers, or
850 other forms of protection, including special distance, in order to reduce, eliminate or shield the public
851 from such conditions.

- 852 A. Permitted uses. Any use permitted in the C-2 Extensive Commercial District except residential,
853 educational or institutional uses, with the following provisions:

- 854 (1) There may be one single-family residential use established in the same building with any
855 commercial use.

- 856 (2) There may be a dwelling for the owner, watchman or caretaker employed on the premises and
857 members of his family in connection with any wholesale or industrial trade.

- 858 B. Conditional uses. The following are permitted as conditional uses, provided that consideration is
859 given to such matters as the creation of nuisance conditions for the public or the users of nearby
860 areas and the creation of traffic hazards, and that any use is not in conflict with any laws of the State
861 of Wisconsin or any ordinances of Green Lake County governing nuisances. An application for a
862 conditional use permit shall not be approved unless, at minimum, it complies with the conditions and
863 standards set forth in Article **VII**, Conditional Use Permits.

- 864 (1) Acid manufacture.

- 865 (2) Automobile wrecking yard.

- 866 (3) Junkyard.

- 867 (4) Bag cleaning

- 868 (5) Bones, distillation of.

- 869 (6) Canneries.

- 870 (7) Cheese factories.

- 871 (8) Condenseries.

Commented [MEK20]: Propose to allow a contractor's shop as a CUP in the A-2 so long as no materials are stored outside. This helps out rather than having a contractor rezone to Industrial then obtain a CUP.

- 872 (9) Creameries.
- 873 (10) Cement, lime, gypsum or plaster manufacture.
- 874 (11) Explosives manufacture or storage.
- 875 (12) Fat rendering.
- 876 (13) Fertilizer manufacturing.
- 877 (14) Glue manufacturing.
- 878 (15) Garbage incineration or the reduction of garbage, rubbish, offal or dead animals.
- 879 (16) Inflammable gases or liquids, storage, refinishing, or manufacture of.
- 880 (17) Leather and hides, manufacture or tanning.
- 881 (18) Meat and fish products, sauerkraut and cabbage by-products, processing, packing or manufacture of.
- 882 (19) Paper, pulp or plastics manufacture.
- 883 (20) Slaughterhouses.
- 884 (21) Smelting.
- 885 (22) Stockyards.
- 886 (23) Asphalt mixing.
- 887 (24) Public garage.
- 888 (25) Storage building.
- 889 (26) Parking lot.
- 890 (27) Contractor's yard (outside material storage)
- 891 C. Area, height and setback regulations: Refer to §§ **350-18, 350-19** and **350-20**. [Amended 11-14-
- 892 **2017 by Ord. No. 22-2017]**
- 893 D. Highway setbacks: Refer to § **350-50A**. [Amended 11-14-2017 by Ord. No. 22-2017]
- 894 § 350-35 **M-1 Mineral Extraction District.**
- 895 A. Permitted uses. All uses in this district are conditional uses.
- 896 B. Conditional uses.
- 897 (1) Aggregate or ready-mix plant.
- 898 (2) Clay, ceramic and refractor minerals mining.
- 899 (3) Crushed and broken stone quarrying.
- 900 (4) Mixing of asphalt.

Commented [MEK21]: Just getting this clearly in the ordinance. Outside storage can be OK with Industrial zoning and a CUP.

Commented [22]: Editor's Note: See also Ch. 323, Nonmetallic Mining Reclamation.

- 901 (5) Nonmetallic mining services.
- 902 (6) Processing of topsoil.
- 903 (7) Sand and gravel quarrying.
- 904 (8) Washing, refining or processing of rock, slate, gravel, sand or minerals.
- 905 (9) The extension of any existing uses as listed above.
- 906 C. Yard requirements. All excavations shall be at least 100 feet from the right-of-way of any public or
907 approved private street or property line. All accessories to the mineral extraction use, such as mining
908 buildings, structures, equipment, offices, parking areas and stockpiles, shall be at least 100 feet from
909 any right-of-way or property line. [Amended 11-14-2017 by Ord. No. 22-2017]
- 910 D. The application for the conditional use permit shall include an adequate description of the operation;
911 a list of equipment, machinery and structures to be used; the source, quantity and disposition of
912 water to be used; a topographic map of the site showing existing contours with minimum vertical
913 contour interval of five feet, trees, proposed and existing access roads, and the depth of all existing
914 and proposed excavations; and a restoration plan.
- 915 E. The restoration plan provided by the applicant shall contain proposed contours after filling; depth of
916 the restored topsoil; type of fill, planting or reforestation; and restoration commencement and
917 completion dates. The applicant shall furnish the necessary fees to provide for the inspection and
918 administrative costs and the necessary sureties that will enable the County to perform the planned
919 restoration of the site in event of default by the applicant. The amount of such sureties shall be based
920 upon cost estimates prepared by the engineer, and the form and type of such sureties shall be
921 approved by the County's legal counsel.
- 922 F. Existing quarrying operation.
- 923 (1) Within six months after the effective date of this chapter, the owners of all existing quarrying
924 operations shall submit to the Land Use Planning and Zoning Committee the names of the quarry
925 owners and operators and information regarding its operation.
- 926 (2) Within one year after adoption of this chapter, the owners shall submit to the Land Use Planning and
927 Zoning Department a plan for restoration of the quarrying site. The restoration plan shall not impose
928 requirements that are economically or engineeringly unreasonable with respect to conditions
929 resulting from operation prior to enactment of this chapter.
- 930 G. Area and height regulations: Refer to §§ 350-18 and 350-19. [Added 11-14-2017 by Ord. No. 22-
931 2017]
- 932 § 350-36 M-2 Sanitary Landfill District.
- 933 A. Permitted uses. All uses in this district are conditional uses.
- 934 B. Conditional uses.
- 935 (1) Sanitary landfill operations.
- 936 (2) Incinerators.
- 937 C. Complete compliance with Ch. NR 500, Wis. Adm. Code, is required before application to the Land
938 Use Planning and Zoning Committee.
- 939 D. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Added 11-14-2017

Commented [23]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

940 **by Ord. No. 22-2017]**

941 E. Highway setbacks: Refer to § **350-50A. [Added 11-14-2017 by Ord. No. 22-2017]**

942 § 350-37 **RC Recreation District.**

943 A. Purpose: The primary purpose of this district is to permit commercial and noncommercial recreation
944 development projects, including recreation-related residential land uses.

945 B. Permitted uses. Recreational activities, such as:

946 (1) Skiing and tobogganing.

947 (2) Snowmobile trails.

948 (3) Swimming beaches.

949 (4) Baseball, football, volleyball and related activities.

950 C. Conditional uses.

951 (1) Campgrounds.

952 (2) Mobile home and trailer parks.

953 (3) Cabin camps.

954 (4) Organized camps for recreational, educational and charitable purposes.

955 (5) Amusement parks.

956 (6) Drive-in movie theaters.

957 (7) Dude ranches.

958 (8) Fairgrounds.

959 (9) Go-cart tracks.

960 (10) Race tracks.

961 (11) Package fermented beverage and liquor stores.

962 (12) Riding stables.

963 (13) Recreational activities.

964 (a) Roller skating rinks.

965 (b) Skeet, trap and rifle ranges.

966 (14) Residential use, provided that it is a single-, duplex or multiple-family unit attached to a recreational
967 resort.

968 (15) Aircraft landing and takeoff fields.

969 (16) Resort complex establishments, including public services of recreation, health, retail and personal

970 services offered within the same complex.

971 (17) (Reserved)

972 (18) Boat rentals. Conditions that shall be required for boat rentals shall include, and are not limited to,
973 waste containment, sanitary facility, noise limits, screening, parking, parking controls, time
974 requirements, lighting and identification of sites, fish cleaning, gasoline and oil handling, and
975 disposition of all waste materials. Any conditional use permit shall include approval as per Green
976 Lake County Chapter **338** - Shoreland Zoning, Ch. 30, Wis. Stats., and Ch. NR 326, Wis. Adm.
977 Code. **[Amended 11-14-2017 by Ord. No. 22-2017]**

978 (19) Access site/lot, provided that:

979 (a) The access site/lot and related back lot development, including (but not limited to) all structures,
980 piers and parking lots thereon, shall comply with all applicable state and federal laws and regulations
981 and all applicable provisions of this chapter (including but not limited to Article **VII**, Conditional
982 Use Permits); and

983 (b) The related back lot development shall be contiguous to the access site/lot, and all lands within the
984 back lot development shall be contiguous to each other. As used in this subsection, the term
985 "contiguous" shall mean in actual contact with or touching; a sharing of a common boundary. For
986 example, but not in limitation of the foregoing, a back lot development that is separated from an
987 access site/lot by a road (whether public or private) is not contiguous to the access site/lot and would
988 not satisfy the requirements of this subsection.

989 (20) Hotels, motels and resorts.

990 (21) Restaurants, taverns and bars.

991 (22) Private and public parks.

992 (23) Golf courses and related facilities.

993 D. Area, height and setback regulations: Refer to §§ **350-18, 350-19** and **350-20**. **[Amended 11-14-**
994 **2017 by Ord. No. 22-2017]**

995 E. Highway setbacks: Refer to § **350-50A**. **[Amended 11-14-2017 by Ord. No. 22-2017]**

996 § 350-38 **R-1 Single-Family Residence District.**

997 A. Permitted uses.

998 (1) Single-family dwellings, provided that the Board of Adjustment may permit the conversion of any
999 single-family dwelling existing on the effective date of this chapter to house not more than two
1000 families. Trailers and mobile homes may not be used for dwellings except as specifically permitted
1001 by this chapter.

1002 (2) Churches; public schools; parochial schools; municipal buildings, except sewage disposal plants;
1003 garbage incinerators; public warehouses; public garages; public shops; storage yards; and public
1004 recreational and community center buildings and grounds.

1005 (3) Private clubs and lodges, except those whose chief activity is a service customarily carried on as a
1006 business.

1007 (4) Branch telephone exchange, provided that there is no service garage or storage yard; transformers;
1008 unit substations for the neighborhood distribution of electric power; telephone, telegraph and power
1009 distribution poles and lines; and underground public utility lines and structures. This regulation shall

Commented [24]: Editor's Note: Former Subsection C(17) was repealed 11-14-2017 by Ord. No. 22-2017.

Commented [25]: Editor's Note: Former Subsection C(24), Condominiums, which immediately followed this subsection, was repealed 6-20-2006 by Ord. No. 866-06.

1010 not be construed to permit microwave radio relay structures, overground transmission lines, electric
1011 power substations other than the unit or neighborhood size, or other major public utility structures
1012 except as provided in Article VII.

1013 (5) Home occupations, provided that no article is sold or offered for sale on the premises except such as
1014 is produced by such occupation, that no stock-in-trade is kept or sold, that no mechanical equipment
1015 is used other than such as is permissible for purely domestic purposes, and that no person other than
1016 a member of the immediate family living on the premises is employed.

1017 (6) Professional home offices: When established in a residential district, a professional home office shall
1018 be incidental to the residential occupation; not more than 25% of the floor area of only one story of a
1019 dwelling unit shall be occupied by such office, and not more than one person not a member of the
1020 resident family shall be employed on the premises. **[Amended 12-21-2004 by Ord. No. 822-04]**

1021 (7) Unoccupied outside storage of camping trailer, motor home, boats, fishing shanty or other similar
1022 recreational vehicles or devices as an accessory use. There shall be a combined limit of two items
1023 per family dwelling unit. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1024 B. Conditional uses. **[Amended 11-12-2008 by Ord. No. 940-08; 11-14-2017 by Ord. No. 22-2017]**

1025 (1) Subdivision-specific model home/sales office.

1026 C. Area regulations: Refer to § 350-18. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1027 D. Principal structure setback and height standards. **[Amended 8-19-2014 by Ord. No. 1092-2014]**

1028 (1) Street yard setback:

1029 (a) State trunk road rights-of-way: 67 feet minimum.

1030 (b) All other public road rights-of-way: 40 feet minimum.

1031 (c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum.

1032 (2) Rear yard setback: 25 feet minimum.

1033 (3) Side yard setback: 12 feet minimum, except lots 85 feet or less in width shall have a side yard
1034 setback of 10 feet. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1035 (4) Structure height; dwelling structure: 35 feet overall maximum.

1036 E. Accessory building structures. The total combined footprint area allowed for attached and detached
1037 accessory building structures shall not exceed 10% of the land area, excluding any road right-of-
1038 way. Each accessory building structure shall satisfy all of the following standards: **[Added 2-15-
1039 2011 by Ord. No. 989-2011]**

1040 (1) Setbacks: same as principal structure.

1041 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the
1042 ground floor ceiling joist, unless attached to the dwelling unit. Ground floor sidewalls shall not
1043 exceed 15 feet in height.

1044 (3) Area: 1,500 square foot maximum footprint (ground floor).

1045 (4) Volume: 25,000 cubic feet maximum volume.

1046 (5) Human habitation of a detached accessory building structure may be allowed, however shall be
1047 limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to
1048 only one detached accessory building structure per lot or parcel.

1049 § 350-39 R-2 Single-Family ~~Mobile~~ Manufactured Home Residence District.

1050 A. In the Class Two Residential District, all uses and structures shall be permitted that are permitted in
1051 the regular (Class One) Residential District, and, in addition thereto, ~~mobile~~ manufactured homes
1052 occupied by a single family shall be permitted.

1053 B. Such homes shall be permanently mounted on a stone, concrete or masonry foundation and skirted
1054 and shall be adequately served by sanitary facilities installed in compliance with all local ordinances
1055 and state laws and regulations. ~~The Land Use Planning and Zoning Committee shall determine the~~
1056 ~~length of time to comply fully with this order.~~ Mobile Manufactured homes located in the Class Two
1057 Residential District shall be deemed to be a part of the real estate and assessable as such and not as
1058 mobile homes.

1059 ~~C. Class Two Residential Districts shall be permitted only when approved by the County Board and~~
1060 ~~when the following procedures are followed prior to such approval:~~

1061 (1) ~~A petition requesting an amendment of this chapter and zoning maps describing the area to be~~
1062 ~~rezoned (together with a sketch map of the same) to Class Two Residential District must be filed~~
1063 ~~with the Land Use Planning and Zoning Department bearing the signatures of 80% of the property~~
1064 ~~owners in the area to be so rezoned. Upon receipt of such petition, the Land Use Planning and~~
1065 ~~Zoning Department shall verify the number of signatures before filing the same with the Land Use~~
1066 ~~Planning and Zoning Committee of the County Board for further action in accordance with the~~
1067 ~~following provisions. [Amended 11-14-2017 by Ord. No. 22-2017]~~

1068 (2) ~~Upon receipt of the petition described above from the Land Use Planning and Zoning Department,~~
1069 ~~the Land Use Planning and Zoning Committee shall set the same for hearing after publishing notice~~
1070 ~~of hearing as a Class 2 notice. At the hearing, the Land Use Planning and Zoning Committee shall~~
1071 ~~determine if the area requested to be rezoned is feasible for Class Two residential purposes and~~
1072 ~~whether or not objection has been made by 20% or more of all property owners living within the~~
1073 ~~proposed district or within a radius of 1.5 miles from the boundaries of the proposed district.~~
1074 ~~Objection must be made, in writing, and may be filed with the Land Use Planning and Zoning~~
1075 ~~Department prior to the date set for said hearing or may be made orally and filed, in writing, at the~~
1076 ~~hearing itself. If the Land Use Planning and Zoning Committee finds that such objection has been~~
1077 ~~made, it shall certify the same and order a referendum of all the property owners of the town in~~
1078 ~~which the proposed district lies (and additionally a referendum of all the property owners of all~~
1079 ~~adjacent towns that lie within a distance of 1.5 miles from the boundaries of the proposed district)~~
1080 ~~and shall set the date therefor, not later than 90 days from the date of order, and shall notify the clerk~~
1081 ~~of the town(s) affected, who shall cause notice of the referendum to be published as a Class 2 notice~~
1082 ~~and who shall further mail notice of the referendum to all property owners of his/her town, whether~~
1083 ~~present within the County or absent therefrom. Absentee ballots will be accepted in said referendum~~
1084 ~~and shall be handled and regulated by the provisions of §§ 6.85 through 6.89 (as applicable), Wis.~~
1085 ~~Stats. Said town clerk(s) shall further cause all other preparations to be made for the conduct of said~~
1086 ~~referendum and together with the Land Use Planning and Zoning Committee shall make an estimate~~
1087 ~~of the total cost of said referendum, which shall be borne by the initial petitioners, who shall pay to~~
1088 ~~the clerk of the town(s) involved a deposit of the estimated cost of the referendum, all unused~~
1089 ~~portions of which shall be returned to them after the completion of said referendum. Failure to pay~~
1090 ~~such deposit within 10 days from the date of receiving notice of the estimated cost shall cause~~
1091 ~~automatic dismissal of the petition. All town clerks involved in said referendum shall withhold~~
1092 ~~mailing of notice or publication of notice of such referendum until all costs have been paid as herein~~
1093 ~~required. The question to be stated in such referendum shall be substantially as follows: "Shall a~~
1094 ~~portion of the Town of _____ located in Section _____, containing about _____ acres, be~~
1095 ~~rezoned to Class Two Residential District permitting mobile homes to be parked therein as~~
1096 ~~permanently located single family dwellings? (YES or NO)." [Amended 11-14-2017 by Ord. No.~~

Commented [MEK26]: Again, fixing the "mobile" vs
"manufactured" home issue.

Commented [MEK27]: See above

Commented [MEK28]: Not sure of the usefulness of this
text. Delete?

Commented [MEK29]: Again, fixing the "mobile" vs
"manufactured" home issue.

1097 ~~22-2017]~~

1098 (3) ~~If the answer to the above referendum is in the affirmative, the Land Use Planning and Zoning~~
1099 ~~Committee shall report the same to the County Board at its next regular meeting together with the~~
1100 ~~Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for~~
1101 ~~action by the County Board. If no referendum was necessary in that less than 20% of the eligible~~
1102 ~~property owners filed objection to the petition, the Committee shall report the same to the County~~
1103 ~~Board at its next regular meeting together with the Committee's own recommendation for adoption~~
1104 ~~or nonadoption of the petition in a form suitable for action by the County Board. The Board shall~~
1105 ~~thereupon either accept or reject such petition, by an amendatory ordinance if it accepts and by~~
1106 ~~resolution or motion if it rejects the same. The Board may make any modification it sees fit in either~~
1107 ~~accepting or rejecting said petition.~~

1108 (4) ~~Class Two Residential Districts may come into existence only upon the passage of a suitable~~
1109 ~~amending ordinance after applicable procedures set forth herein have been complied with. A petition~~
1110 ~~that fails to be adopted may not be reintroduced for a period of one year from its initial filing date.~~

1111 D. **Area and height regulations: Refer to §§ 350-18 and 350-19. [Added 11-14-2017 by Ord. No. 22-**
1112 **2017]**

1113 E. Principal structure setback and height standards. **[Added 8-19-2014 by Ord. No. 1092-2014;**
1114 **amended 11-14-2017 by Ord. No. 22-2017]**

1115 (1) Street yard setback:

1116 (a) State trunk road rights-of-way: 67 feet minimum.

1117 (b) All other public road rights-of-way: 40 feet minimum.

1118 (c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum.

1119 (2) Rear yard setback: 25 feet minimum.

1120 (3) Side yard setback: 12 feet minimum, except lots 85 feet or less in width shall have a side yard
1121 setback of 10 feet.

1122 (4) Structure height; dwelling structure: 35 feet overall maximum.

1123 F. Accessory building structures. The total combined footprint area allowed for attached and detached
1124 accessory building structures shall not exceed 10% of the land area, excluding any road right-of-
1125 way. Each accessory building structure shall satisfy all of the following standards: **[Added 2-15-**
1126 **2011 by Ord. No. 989-2011; amended 11-14-2017 by Ord. No. 22-2017]**

1127 (1) Setbacks: same as principal structure.

1128 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the
1129 ground floor ceiling joist. Ground floor sidewalls shall not exceed 15 feet in height.

1130 (3) Area: 1,500 square foot maximum footprint (ground floor).

1131 (4) Volume: 25,000 cubic feet maximum volume.

1132 (5) Human habitation of a detached accessory building structure may be allowed; however it shall be
1133 limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to
1134 only one detached accessory building structure per lot or parcel.

Commented [MEK30]: Per Corp Counsel Memo, must delete.

Commented [MEK31]: Committee might want to look at area minimum. (Min. 1-acre.?)

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1135 § 350-40 **R-3 Multiple-Family Residence District.**
1136 **[Amended 12-21-2004 by Ord. No. 822-04; 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No.**
1137 **940-08; 2-15-2011 by Ord. No. 989-2011; 8-21-2012 by Ord. No. 1032-2012]**

1138 This residential district is intended to provide for a variety of residential uses ranging from low to high
1139 density, including those uses that may be compatible with this district. This district's uses and standards
1140 are designed to implement Comprehensive Plan goals by encouraging the uses of this district in areas
1141 where they are best suited to achieve those goals. These lands are generally compatible with other
1142 residential districts where varying levels of density are permitted and supported by the Comprehensive
1143 Plan. The best use of lands in this district is residential.

1144 A. Permitted uses. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1145 (1) Accessory structure/use.

1146 (2) Boardinghouse.

1147 (3) Bed-and-breakfast establishment.

1148 (4) Community-based residential facility (CBRF).

1149 (5) Community living facility eight or fewer residents.

1150 (6) Day care, eight or fewer children.

1151 (7) Dwelling, single-family.

1152 (8) Dwelling, two-family (duplex).

1153 (9) Dwelling, multiple-family, three to eight units.

1154 (10) Home occupation:

1155 (a) Shall be located in the place of permanent residency;

1156 (b) Is incidental to the residential occupancy;

1157 (c) Limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area
1158 of that level;

1159 (d) That no article is sold or offered for sale on the premises except such as produced by the home
1160 occupation;

1161 (e) That no stock-in-trade is kept or sold;

1162 (f) That no mechanical equipment is used other than such as is permissible for typical residential
1163 purposes;

1164 (g) There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the character of
1165 the neighborhood; and

1166 (h) That no person outside the immediate resident family operates such home occupation.

1167 (11) Professional home office when established in a residential dwelling unit shall be:

1168 (a) Located in the practitioner's place of permanent residency;

- 1169 (b) Is incidental to the residential occupancy, limited to one inside level of the dwelling unit and does
1170 not occupy more than 25% of the floor area of that level; and
- 1171 (c) Not more than one person not a member of the resident family shall be employed on the premises.
- 1172 (12) Signs per § **350-43**.
- 1173 (13) Temporary structure/use.
- 1174 (14) Tourist rooming house.
- 1175 (15) A ~~mobile-manufactured~~ home shall be allowed as a temporary structure for the shelter of persons and
1176 property as a result of disaster-related damages. The ~~mobile-manufactured~~ home shall be located
1177 after obtaining all necessary permits, for no more than one year and shall be located on the premises
1178 with the construction of the new permanent structure.
- 1179 (16) Private clubs, lodges, fraternities, and others similar thereto, except those with an activity that is a
1180 service customarily carried on as a business.
- 1181 (17) Unoccupied outside storage of camping trailer, motor home, boats, fishing shanty or other similar
1182 recreational vehicles or devices as an accessory use. There shall be a combined limit of two items
1183 per family dwelling unit.
- 1184 B. Conditional uses. Conditions and standards for a conditional use permit are set forth in § 350, Article
1185 VII, Conditional Use Permits. [**Amended 11-14-2017 by Ord. No. 22-2017**]
- 1186 (1) Assisted living facility.
- 1187 (2) Community center.
- 1188 (3) Community living facility, nine or more residents.
- 1189 (4) Day care, nine or more children.
- 1190 (5) Dwelling, multiple-family, nine plus units.
- 1191 (6) Fraternal organization with services customarily carried on as a business.
- 1192 (7) Health care offices for medical, dental, vision.
- 1193 (8) Library or cultural exhibit.
- 1194 (9) Municipal buildings for administrative office, meeting hall, attached inside storage only of municipal
1195 vehicles and equipment, with no outside storage allowed.
- 1196 (10) Nursing home.
- 1197 (11) Parking lot.
- 1198 (12) Religious assembly/structure.
- 1199 (13) Schools.
- 1200 (14) Subdivision-specific model home/sales office.
- 1201 (15) Utility service use/structure.

Commented [MEK32]: Again "mobile" vs
"manufactured".

1202 C. Area, height and setback requirements. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1203 (1) A lot or parcel shall have a one-acre-minimum contiguous land area.

Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

1204 D. Principal structure setback and height standards.

1205 (1) Street yard setback:

1206 (a) State trunk road rights-of-way: 67 feet minimum.

1207 (b) All other public road rights-of-way: 40 feet minimum.

1208 (c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum. **[Added**

1209 **8-19-2014 by Ord. No. 1092-2014]**

1210 (2) Rear yard setback: 25 feet minimum.

1211 (3) Side yard setback: 12 feet minimum.

1212 (4) Structure height; dwelling structure: 35 feet overall maximum.

1213 E. Accessory structure standards. Each unit of a multiple-family dwelling residence shall be allowed

1214 one attached and one detached accessory building structure. In no case shall the total combined

1215 footprint area of all accessory building structures for the units exceed 10% of the lot or parcel area,

1216 excluding any road right-of-way. Each detached accessory building structure shall satisfy all of the

1217 following standards:

1218 (1) Setbacks: same as principal structure.

1219 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the

1220 ground floor ceiling joist, unless attached to the dwelling unit(s). Ground floor sidewalls shall not

1221 exceed 15 feet in height.

1222 (3) Area: 600 square foot maximum footprint (ground floor).

1223 (4) Volume: 10,000 cubic feet maximum volume.

1224 F. Accessory nonbuilding structure standards. For the purpose of this subsection, nonbuilding

1225 structures shall be structures that do not meet the definition of "building structure." The setback for

1226 nonbuilding structures from any ownership boundary line of a lot or parcel shall be 1.1 times the

1227 overall height of that structure. The overall height shall be measured from the lowest ground point

1228 adjacent to the structure to the highest point of the structure.

1229 § 350-41 **R-4 Rural Residential District.**

1230 **[Amended 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No. 940-08; 2-15-2011 by Ord. No.**

1231 **989-2011; 8-21-2012 by Ord. No. 1033-2012]**

1232 This residential district is intended to provide for limited rural residential use development; require a large

1233 residential land area to maintain the rural character and to accommodate uses that are not urban in nature

1234 including light agriculture. This district's uses and standards are designed to implement Comprehensive

1235 Plan goals by encouraging a blend of residential and agricultural uses. This district may be used as a

1236 transitional zone to retain land in a less intensive use until the appropriate time for a more intensive

Commented [MEK33]: Adding the word "detached" allows each multi-family dwelling to have at least a detached garage that does not exceed 600sqft. Maybe this is too much? Without "detached" the total attached and detached accessory structure cannot exceed 600sqft. Seems too little.

Commented [MEK34]: See above change. No need for this text with above proposed change.

1237 residential or other use occurs. The lands in this district should be predominately agricultural areas not
 1238 suited for agricultural production or those lands due to location that would have limited impact on
 1239 agricultural production. Residents of this district may experience conditions associated with adjoining
 1240 agricultural lands that are not experienced in areas of predominately residential use.

1241 A. Permitted uses. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1242 (1) Accessory structure/use.

1243 (2) Beekeeping.

1244 (3) Community living, eight or fewer residents.

1245 (4) Crops, field.

1246 (5) Day care, eight or fewer children.

1247 (6) Dwelling, single-family.

1248 (7) Dwelling, two-family (duplex).

1249 (8) Floriculture.

1250 (9) Grazing.

1251 (10) Greenhouse, accessory to the permitted use.

1252 (11) Home occupation:

1253 (a) Shall be located in the place of permanent residency;

1254 (b) Is incidental to the residential occupancy;

1255 (c) Limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area
 1256 of that level;

1257 (d) That no article is sold or offered for sale on the premises except such as produced by the home
 1258 occupation;

1259 (e) That no stock-in-trade is kept or sold;

1260 (f) That no mechanical equipment is used other than such as is permissible for typical residential
 1261 purposes;

1262 (g) There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the character of
 1263 the neighborhood; and

1264 (h) That no person outside the immediate resident family operates such home occupation.

1265 (12) Horticulture.

1266 (13) Livestock, raising/keeping.

1267 (14) Orchard.

1268 (15) Paddock.

- 1269 (16) Professional home office when established in a residential dwelling unit shall be:
- 1270 (a) Located in the practitioner's place of permanent residency;
- 1271 (b) Is incidental to the residential occupancy, limited to one inside level of the dwelling unit and does
1272 not occupy more than 25% of the floor area of that level; and
- 1273 (c) Not more than one person not a member of the resident family shall be employed on the premises.
- 1274 (17) Recreation trails.
- 1275 (18) Riding stable.
- 1276 (19) Roadside stand of less than 300 square feet in area as a temporary structure not wholly enclosed for
1277 the sale of produce grown on the premises. One stand allowed per premises.
- 1278 (20) Signs per § **350-43**.
- 1279 (21) Unoccupied outside storage of camping trailer, motor home boats, fishing shanty or other similar
1280 recreational vehicles or devices as an accessory use. There shall be a combined limit of two items
1281 per family dwelling unit.
- 1282 (22) Utility, local lines.
- 1283 (23) A ~~mobile-manufactured~~ home shall be allowed as a temporary structure for the shelter of persons and
1284 property as a result of disaster-related damages. The ~~mobile-manufactured~~ home shall be located
1285 after obtaining all necessary permits, for no more than one year and shall be located on the premises
1286 with the construction of the new permanent structure.
- 1287 B. Conditional uses. Conditions and standards for a conditional use permit are set forth in § 350, Article
1288 **VII**, Conditional Use Permits. [**Amended 11-14-2017 by Ord. No. 22-2017**]
- 1289 (1) Bed-and-breakfast establishment.
- 1290 (2) Community living, nine or more residents.
- 1291 (3) Day care, nine or more children.
- 1292 (4) Tourist rooming house.
- 1293 (5) Tower and appurtenances, communication or relay.
- 1294 (6) Utility transmission lines.
- 1295 C. Area, height and setback requirements. [**Amended 11-14-2017 by Ord. No. 22-2017**]
- 1296 (1) A lot or parcel shall have a three-acre-minimum and less than eight-acre-maximum of contiguous
1297 land area.
- Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection.
Design standards pursuant to Chapter **315**, Code of Green Lake County, Land Division and Subdivision,
shall apply to a newly created lot or parcel for this subsection.
- 1298 D. Principal structure setback and height standards.
- 1299 (1) Street yard setback:

Commented [MEK35]: Fixing "mobile" to
"manufactured".

- 1300 (a) State trunk road rights-of-way: 67 feet minimum.
- 1301 (b) All other public road rights-of-way: 40 feet minimum.
- 1302 (2) Rear yard setback: 25 feet minimum.
- 1303 (3) Side yard setback: 12 feet minimum.
- 1304 (4) Structure height; dwelling structure: 35 feet overall maximum.
- 1305 E. Accessory structure standards. The total combined footprint area allowed for attached and detached
1306 accessory building structures shall not exceed 10% of the land area, excluding any road right-of-
1307 way. An accessory building structure shall satisfy all of the following standards:
- 1308 (1) Setbacks: same as principal structure.
- 1309 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the
1310 ground floor ceiling joist, unless attached to the dwelling unit. Ground floor sidewalls shall not
1311 exceed 15 feet in height.
- 1312 (3) Area: 1,500 square foot maximum footprint (ground floor).
- 1313 (4) Volume: 25,000 cubic feet maximum volume.
- 1314 (5) Human habitation of a detached accessory building structure may be allowed, however shall be
1315 limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to
1316 only one detached accessory building structure per lot or parcel.
- 1317 F. Accessory nonbuilding structure standards. For the purpose of this subsection, nonbuilding
1318 structures shall be structures that do not meet the definition of "building structure." The setback for
1319 nonbuilding structures from any ownership boundary line of a lot or parcel shall be 1.1 times the
1320 overall height of that structure. The overall height shall be measured from the lowest ground point
1321 adjacent to the structure to the highest point of the structure.
- 1322 § 350-42 AO Adult-Oriented Establishment District.
- 1323 A. Purpose. The primary purpose of this section is to regulate adult-oriented establishment businesses to
1324 promote the health, safety, morals and general welfare of the citizens of Green Lake County; to aid
1325 in the alleviation and prevention of the adverse and deleterious effects of criminal activity and
1326 disruption of the public peace associated with such establishments; to establish reasonable and
1327 uniform regulations to prevent the health hazards associated with unsafe and unsanitary conditions
1328 known to exist in those establishments; and to alleviate the spread of sexually transmitted diseases
1329 and other contagious diseases in those establishments.
- 1330 B. Permitted uses. None.
- 1331 C. Conditional uses. Adult-oriented establishment.
- 1332 D. General standards.
- 1333 (1) An adult-oriented establishment shall not locate within 1,000 feet of any land zoned residential, any
1334 public or private school, church, or religious institution, or any public park and shall not locate
1335 within 500 feet of any other adult-oriented establishment.
- 1336 (2) No more than one adult-oriented establishment may be operated on any one parcel.
- 1337 (3) All standards and regulations identified in Chapter 93, Adult-Oriented Establishments, and Chapter

- 1379 (5) Other off-site signs not specifically referred to in this section shall not exceed 300 square feet in
1380 gross area. These signs are not allowed in R-1, R-2, R-3 and NRC Zoning Districts and shall meet
1381 the following standards: **[Amended 11-14-2017 by Ord. No. 22-2017]**
- 1382 (a) An off-site sign 50 square feet or less shall have a minimum setback of 10 feet from the right-of-way
1383 line.
- 1384 (b) An off-site sign that is greater than 50 square feet and up to and including 300 square feet shall have
1385 a minimum setback from the right-of-way line as required by the zoning district in which the sign is
1386 located.
- 1387 (6) A temporary sign, such as but not limited to rent-a-sign and message-type signs, indicating a special
1388 activity, placed on a temporary basis, erected on a trailer or otherwise readily movable means shall
1389 not exceed 32 square feet and shall have a minimum setback of 10 feet from the right-of-way line.
1390 Maximum length of time for sign placement is 60 days prior to the activity through 15 days after the
1391 activity.
- 1392 C. A sign and all its structural components shall comply with the following setback standards:
- 1393 (1) No sign allowed in this Section shall be so placed as to interfere with the visibility or effectiveness
1394 of any official traffic sign or signal placed by a governmental unit.
- 1395 (2) The maximum setback for any sign in this Section shall be 300 feet from the right-of-way line.
- 1396 (3) No sign shall be placed within the vision clearance triangle as provided in § **350-50B**.
- 1397 (4) All signs shall comply with all other setback standards of this Chapter related to side yard and rear
1398 yard based on the zoning district in which the sign is located.
- 1399 (5) Setbacks shall be measured from the right-of-way line or property line to the closest part of the sign
1400 or a structural component of the sign.
- 1401 D. The height of any freestanding sign not otherwise regulated in this Section shall not exceed 20 feet
1402 above the existing elevation at the site of the sign.
- 1403 E. No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic
1404 signs, signals or devices.
- 1405 F. No sign shall contain, include or be illuminated by flashing lights or be composed of animated or
1406 moving parts, or be a flashing electronic type sign. A lighted sign shall be shielded to prevent glare
1407 or illumination onto other premises or roadways. **[Amended 11-14-2017 by Ord. No. 22-2017]**
- 1408 G. No combination of sign face and sign enhancement area (border and trim) shall exceed the square
1409 footage requirement of this Section. Back-to-back sign faces of the same size on the same support
1410 structure shall be considered as one area for the purpose of this standard. The supporting structure is
1411 not counted in the area calculation.
- 1412 H. No vehicle, farm implement, semi-trailer, building structure or any others similar thereto shall be
1413 used as a sign or as a backdrop for conveying information, unless specifically allowed in this
1414 Section.
- 1415 I. Signs regulated in this Section shall be spaced at least 1,500 feet apart, except signs identified in
1416 § 350-431B(1) through (4). There shall be no more than two tiers of signs at the required spacing
1417 interval. For the purpose of this Section, a "tier" shall mean a zone parallel to the right-of-way line.
1418 Each sign shall create a tier at its location.

- 1419 J. Sign regulations and standards in this Section may not be the only applicable restrictions. Other
1420 entities of jurisdiction may regulate existing and proposed signs.
- 1421 K. Progressive or accumulative message-type signs shall be prohibited.
- 1422 L. An existing nonconforming sign structure shall only be allowed to be refaced with a new message
1423 using cosmetic nonstructural material. No structural or material upgrades are allowed.
- 1424 M. A sign and all its structural components shall comply with the following maintenance standards:
- 1425 (1) An abandoned/obsolete sign that identifies, displays information about or otherwise relates to a
1426 purpose, event or business that has not existed or operated for 180 days, or is so old, dilapidated, or
1427 has become so out of repair as to be dangerous or unsafe, whichever comes first, shall be removed
1428 immediately.
- 1429 (2) All signs, supports and accessories shall be maintained in good repair. Any sign shall be removed
1430 immediately if the sign does not have a fully readable message, is in disrepair or damaged and is left
1431 without repair for a minimum of 60 days.
- 1432 N. In areas of shoreland jurisdiction, a sign shall meet the seventy-five-foot setback standard from the
1433 ordinary high-water mark of navigable waters.
- 1434 § 350-43.1 (Reserved) Fences shall comply with the following:
- 1435 (1) All fences, no greater than eight feet in height, may be allowed along any lot line excluding the street
1436 right-of-way line and the side lot lines within the street-yard setback.
- 1437 (2) Open style fences (greater than 50% open space), no greater than four feet in height, may be allowed
1438 along the street right-of-way line and alongside lot lines within the street-yard setback.
- 1439 § 350-43.2 (Reserved)
- 1440 § 350-44 Mobile tower siting regulations.
1441 [Added 10-18-2016 by Ord. No. 23-2016]
- 1443 The purpose of this section is to regulate by land use permit the siting and construction of any new mobile
1444 service support structure and facilities, Class 1 co-locations (the substantial modification of an existing
1445 support structure and mobile service facilities), and Class 2 co-locations (co-locations that do not require
1446 the substantial modification of an existing support structure and mobile service facilities).
- 1447 A. Definitions: All definitions contained in § 66.0404(1) Wis. Stats. are hereby incorporated by
1448 reference.
- 1449 B. Siting and construction of any new mobile service support structure and facilities and Class 1 co-
1450 locations (substantial modifications to existing support structure and mobile support facilities)
- 1451 (1) The siting and construction of any new mobile service support structure and facilities as well as for
1452 Class 1 co-locations (substantial modifications to existing support structure and mobile support
1453 facilities) are conditional uses in the areas subject to the provisions of this section (See Article VII,
1454 Conditional Use Permits). A land use permit is also required.
- 1455 (2) A land use permit application must be completed by any applicant and submitted to the Land Use
1456 Planning and Zoning Department. The application must contain the following information:
- 1457 (a) The name and business address of, and the contact individual for, the applicant.

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Commented [MEK38]: Added Fence language to match fence standards in Shoreland Zoning Ordinance.

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Commented [39]: Editor's Note: Former § 350-43.2, Wind energy facilities, added 12-16-2008 by Ord. No. 942-08, was repealed 12-15-2009 by Ord. No. 969-2009.

- 1458 (b) The location of the proposed or affected support structure.
- 1459 (c) The location of the proposed mobile service facility.
- 1460 (d) If the application is to substantially modify an existing support structure, a construction plan which
1461 describes the proposed modifications to the support structure and the equipment and network
1462 components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and
1463 related equipment associated with the proposed modifications.
- 1464 (e) If the application is to construct a new mobile service support structure, a construction plan which
1465 describes the proposed mobile service support structure and the equipment and network components,
1466 including antennas, transmitters, receivers, base stations, power supplies, cabling, and related
1467 equipment to be placed on or around the new mobile service support structure.
- 1468 (f) If an application is to construct a new mobile service support structure, an explanation as to why the
1469 applicant chose the proposed location and why the applicant did not choose co-location, including a
1470 sworn statement from an individual who has responsibility over the placement of the mobile service
1471 support structure attesting that co-location within the applicant's search ring would not result in the
1472 same mobile service functionality, coverage, and capacity; is technically infeasible; or is
1473 economically burdensome to the mobile service provider.
- 1474 (3) The Land Use Planning and Zoning Department will provide a permit application to any applicant,
1475 upon request.
- 1476 (4) If an applicant submits an application for a land use permit to engage in an activity described in this
1477 section, which contains all of the information required under this section, the Land Use Planning and
1478 Zoning Department shall consider the application complete. If the Land Use Planning and Zoning
1479 Department does not believe that the application is complete, the Land Use Planning and Zoning
1480 Department shall notify the applicant in writing, within 10 days of receiving the application, that the
1481 application is not complete. The written notification shall specify in detail the required information
1482 that was incomplete. An applicant may resubmit an application as often as necessary until it is
1483 complete.
- 1484 (5) Within 90 days of its receipt of a complete application, the Land Use Planning and Zoning
1485 Department shall complete all of the following or the applicant may consider the application
1486 approved, except that the applicant and the Land Use Planning and Zoning Department may agree in
1487 writing to an extension of the ninety-day period:
- 1488 (a) Review the application to determine whether it complies with all applicable ordinance standards.
- 1489 (b) Make a final decision whether to approve or disapprove the application.
- 1490 (c) Notify the applicant, in writing, of its final decision.
- 1491 (d) If the decision is to disapprove the application, include with the written notification substantial
1492 evidence which supports the decision.
- 1493 (6) The Land Use Planning and Zoning Department may disapprove an application if an applicant
1494 refuses to evaluate the feasibility of co-location within the applicant's search ring and provide the
1495 sworn statement described under Subsection **B(2)(f)**.
- 1496 (7) As required for all commercial structures (§ **350-20B**), a setback 1.1 times the total height of the new
1497 mobile service support structure or any substantial modification (Class 1 co-location) shall be
1498 required.
- 1499 (8) If an applicant provides the Land Use Planning and Zoning Department with an engineering

1500 certification showing that a mobile service support structure, or an existing structure, is designed to
 1501 collapse within a smaller area than the setback or fall zone area required in this section, that Zoning
 1502 Ordinance standards do not apply to such a structure unless the Land Use Planning and Zoning
 1503 Department provides the applicant with substantial evidence that the engineering certification is
 1504 flawed.

1505 (9) The fee for the land use permit is \$3,000.

1506 C. Class 2 co-locations.

1507 (1) A land use permit is required for a Class 2 co-location. A Class 2 co-location is a permitted use in
 1508 the areas subject to this chapter, but still requires the issuance of a land use permit.

1509 (2) A land use permit application must be completed by any applicant and submitted to the Land Use
 1510 Planning and Zoning Department. The application must contain the following information:

1511 (a) The name and business address of, and the contact individual for, the applicant.

1512 (b) The location of the proposed or affected support structure.

1513 (c) The location of the proposed mobile service facility.

1514 (3) The Land Use Planning and Zoning Department will provide a land use permit application to any
 1515 applicant upon request.

1516 (4) A Class 2 co-location is subject to the same requirements for the issuance of a land use permit to
 1517 which any other type of commercial development or land use development is subject.

1518 (5) If an applicant submits a land use permit application to the Land Use Planning and Zoning
 1519 Department for a permit to engage in an activity described in this section, which contains all of the
 1520 information required under this section, the Land Use Planning and Zoning Department shall
 1521 consider the application complete. If any of the required information is not in the application, the
 1522 Land Use Planning and Zoning Department shall notify the applicant in writing, within five days of
 1523 receiving the application, that the application is not complete. The written notification shall specify
 1524 in detail the required information that was incomplete. An applicant may resubmit an application as
 1525 often as necessary until it is complete.

1526 (6) Within 45 days of its receipt of a complete application, the Land Use Planning and Zoning
 1527 Department shall complete all of the following or the applicant may consider the application
 1528 approved, except that the applicant and the Land Use Planning and Zoning Department may agree in
 1529 writing to an extension of the forty-five-day period:

1530 (a) Make a final decision whether to approve or disapprove the application.

1531 (b) Notify the applicant, in writing, of its final decision.

1532 (c) If the application is approved, issue the applicant the relevant permit.

1533 (d) If the decision is to disapprove the application, include with the written notification substantial
 1534 evidence which supports the decision.

1535 (7) The fee for the permit is \$500.

1536 § 350-45 through § 350-47. (Reserved)

1537

Article VI

1538 **Highway Setback Lines**

1539 § 350-48 **Setback lines established.**
1540 Setback lines are hereby established in Green Lake County outside the limits of incorporated cities and
1541 villages along all public highways and at the intersections of highways with highways and highways with
1542 railway, as hereinafter provided. Where a highway is located on a county, city or village boundary, this
1543 section shall not be effective on the side of such highway that is within the city or village or the adjoining
1544 county.

1545 § 350-49 **Center lines of highways.**
1546 The position of the center line of any road or highway shall be determined as follows:

- 1547 A. State trunk highways that have been improved, in accordance with surveys of the State Highway
1548 Commission or plans accepted by the County Board; County trunk highways that have been
1549 improved, in accordance with engineering surveys and plans accepted by the County Board or its
1550 agent, the County Highway Committee; town roads that have been improved, in accordance with
1551 engineering surveys and plans accepted by the County or Town Board. The center line of any of the
1552 above roads or highways is the center of the surfacing or pavement or, if there is none, the center of
1553 the graded roadbed, or the center of the directional separator, if the highway is directionally divided.
- 1554 B. County trunk highways that have not been improved, in accordance with engineering surveys and
1555 plans accepted by the County Board or its agent, the County Highway Committee; town roads that
1556 have not been improved, in accordance with engineering surveys and plans accepted by the County
1557 or Town Board. The center line of any of the above roads or highways is at the midway point
1558 between fences or other markers indicating the boundaries of the highway on opposite sides thereof.

1559 § 350-50 **Setback distances.**
1560 **[Amended 8-19-2014 by Ord. No. 1092-2014]**

1561 Except as otherwise provided in the specific zoning district, the distances from the center line, as defined
1562 by § 350-49 of this article, or from the front line to the setback line shall be as provided by the following
1563 subsections. Whenever a highway is improved to a classification requiring a greater setback distance than
1564 that required by this chapter prior to such improvement, the setback distance shall not be affected by such
1565 improvement. In cases where the provisions of this section may be interpreted to provide for different
1566 setback distances, the greater setback distance shall prevail, but this regulation shall not apply to streets in
1567 platted subdivisions.

- 1568 A. Along highways generally. The setback distance from the center line or right-of-way line, at any
1569 point, for the respective classes of highways shall be as follows: **[Amended 11-14-2017 by Ord.**
1570 **No. 22-2017]**

	Setback From Center Line	Setback From Front-Street Lot Line
Highway Classification	(feet)	(feet)
State trunk highways	110	Not less than 67
County trunk highways	75	Not less than 40
Town roads, except in platted subdivisions	75	Not less than 40
Streets in platted subdivisions		40

- 1571 B. At ordinary highway intersections. At grade intersections of highways, there shall be vision

Commented [MEK40]: "Front" to "Street" issue being cleaned up.

1572 clearance triangles in each sector of such intersections. Each such vision clearance triangle shall be
1573 established by a supplementary setback line, which shall be a straight line connecting points located
1574 on the setback lines along the intersecting highways and 60 feet back from the intersection of such
1575 setback lines, provided that this requirement shall not apply to streets in platted subdivisions.

1576 C. At highway intersections with transitional widening. At intersections of highways with other
1577 highways provided with transitional widening of pavement or surfacing, such transitional widening
1578 shall be considered as additional width, and the setback line on the side that is widened shall be
1579 increased by the amount equal to the width of the additional pavement.

1580 D. At highway intersection with curve connections. At intersections of highways with other highways,
1581 where the intersecting highways are connected with pavement or surfacing constructed on a curve,
1582 the pavement or surfacing of the curve shall be classified as provided by § 350-49 of this section,
1583 and the setback distance along the curve shall be measured from the center line of the curved section
1584 determined accordingly.

1585 E. At railroad grade crossings. At grade intersections of highways with railroads, there shall be vision
1586 clearance triangles in each sector of the intersections. Each such vision clearance triangle shall be
1587 established by a supplementary setback line, which shall be a straight line connecting points located
1588 on the setback lines along the highway and the railroad right-of-way lines and 100 feet back from the
1589 intersections of such highway setback lines and railroad right-of-way lines.

1590 § 350-51 **Structures prohibited within setback lines.**
1591 **[Amended 11-14-2017 by Ord. No. 22-2017]**

1592 No new building, new sign, [new privacy fence](#) or other new structure, including cemeteries, nor any part
1593 thereof, shall be placed between the setback lines established by this chapter and the highway except as
1594 provided by this chapter. No building, sign, structure or part thereof existing within such setback lines on
1595 the effective date of this chapter shall be altered, enlarged or added to in any way that increases or
1596 prolongs the permanency thereof, unless granted a variance by the Board of Adjustment.

Commented [MEK41]: Proposed text to add clarity to fences being structures and privacy fences being prohibited within setbacks. Right now this is not as clear, but we still consider fences structures and privacy fences are not allowed in setbacks.

1597 § 350-52 **Structures permitted within setback lines.**

1598 A. The following kinds of structures may be placed between the setback lines and the highway:

1599 (1) Open fences.

1600 (2) Telephone, telegraph and power transmission poles and lines and microwave radio relay structures,
1601 except satellite earth stations, may be constructed within the setback lines, provided that the owner
1602 will file with the Land Use Planning and Zoning Department of Green Lake County an agreement, in
1603 writing, to the effect that the owner will remove all new construction, additions and replacements
1604 erected after the adoption of this chapter, at his expense, when necessary for the improvement of the
1605 highway and pay a recording fee. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1606 (3) Underground structures not capable of being used as foundations for future prohibited overground
1607 structures.

1608 (4) Access of service highways constructed according to plans as approved by the County Highway
1609 Committee. In giving such approval, the County Highway Committee shall give due consideration to
1610 highway safety.

1611 (5) Signs placed by the public authorities for the guidance or warning of traffic.

1612 (6) Signs permitted in the agriculture districts.

1613 (7) Temporary structures permitted in the commercial and industrial districts.

1614 B. This section shall not be interpreted so as to prohibit the planting and harvesting of field crops,
1615 shrubbery or trees, provided that no field crops, shrubbery, trees, buildings or structures shall be
1616 located, maintained or permitted to grow so that the view across the sectors at the intersections, as
1617 provided by § 350-50B, C, D and E of this article, shall be obstructed.

1618 **Article VII**
1619 **Conditional Use Permits**

1620 **§ 350-53 Land Use Planning and Zoning Committee.**

1621 The Land Use Planning and Zoning Committee is hereby declared to be the agent of the County Board in
1622 all matters pertaining to County zoning, except for such powers as are specifically reserved to the County
1623 Board or the Board of Adjustment by the laws of the State of Wisconsin or by this chapter. See Article
1624 **VIII**, Board of Adjustment.

1625 **§ 350-54 Conditional uses.**

1626 ~~Investigations of, and public hearings on, conditional uses required by the regulations of this article shall~~
1627 ~~be conducted by the Land Use Planning and Zoning Committee for the purpose of determining the effect~~
1628 ~~of the proposed use or the location thereof on the character of the neighborhood and its suitability for~~
1629 ~~development by utilizing the minimum review standards and criteria of this article. The Land Use~~
1630 ~~Planning and Zoning Committee shall review requests for a conditional use permit and, after public~~
1631 ~~hearing and application of the standards identified in this article, shall approve, approve with conditions~~
1632 ~~or deny all such requests.~~

Commented [MEK42]: Redundance language to A below.

1633 A. Investigations of, and public hearings on, conditional uses required by the regulations of this article
1634 shall be conducted by the Land Use Planning and Zoning Committee for the purpose of determining
1635 the effect of the proposed use or the location thereof on the character of the neighborhood and its
1636 suitability for development by utilizing the minimum review standards and criteria of this article.
1637 The Land Use Planning and Zoning Committee shall review requests for a conditional use permit
1638 and, after public hearing and application of the standards identified in this article, shall approve,
1639 approve with conditions or deny all such requests. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1640 B. (Reserved)

Commented [43]: Editor's Note: Former Subsection B, concerning conditional uses in the A-1 and A-2 Districts, was repealed 12-15-2009 by Ord. No. 972-2009.

1641 C. For all public hearings required above, general notice shall be given as the Land Use Planning and
1642 Zoning Committee shall direct, provided that special notice shall be given of any such public hearing
1643 by mail to all persons living within the boundaries of the lot or tract to be affected by any proposal
1644 for which the Land Use Planning and Zoning Committee's approval is required and to all other
1645 persons living outside of such boundaries and within 300 feet thereof.

1646 **§ 350-55 Application for permit.**

1647 Application for a conditional use permit shall be made to the ~~County Zoning Office~~ Land Use Planning
1648 ~~and Zoning Department~~, on forms provided by the ~~County Zoning Office~~ same, and shall be accompanied
1649 by the following:

Commented [MEK44]: Just squaring away appropriate language here.

1650 A. Application with an application fee. (See Article **XII** of this chapter for fee structure.)

1651 B. Detailed site plan, drawn to scale, identifying such items as existing and proposed buildings,
1652 building height, septic system, drainageways, watercourses, streams, lakes, lot lines, contours, areas
1653 to be filled or altered, wetlands, roads, existing and proposed parking area, and any other relevant
1654 physical features.

1655 C. Detailed description of the proposed activity (operational plan).

1656 D. Any additional information, as required by the ~~County Zoning Office~~ Land Use Planning and Zoning
1657 ~~Department~~, which may be pertinent to the proposed conditional use.

Commented [MEK45]: And here.

1658 § 350-56 **Review of permit application; standards and conditions.**

1659 A. Action by the Land Use Planning and Zoning Committee: The Land Use Planning and Zoning

1660 Committee shall review a request for a conditional use permit and deny, approve, or approve with

1661 conditions the request as the Committee may deem appropriate.

1662 B. Standards.

1663 (1) Conditional uses may be located in certain districts under certain conditions. When reviewing a

1664 conditional use permit, the Land Use Planning and Zoning Committee shall take into consideration,

1665 among other things, the recommendation of the affected town and the particular facts and

1666 circumstances of each proposed use in terms of the following standards and shall find ~~adequate~~

1667 substantial evidence that such standards are being satisfied.

1668 (a) If an applicant for a conditional use permit meets or agrees to meet all of the requirements and

1669 conditions specified in this ordinance or those imposed by the Land Use Planning and Zoning

1670 Committee, the Land Use Planning and Zoning Committee shall grant the conditional use permit.

1671 Any condition imposed must be related to the purpose of the ordinance and be based on substantial

1672 evidence.

1673 (b) The requirements and conditions described under §350-56.B(1)(a) above must be reasonable and, to

1674 the extent practicable, measurable and may include conditions such as the permit's duration, transfer,

1675 or renewal.

1676 (c) The applicant must demonstrate that the application and all requirements and conditions established

1677 by the Land Use Planning and Zoning Committee, relating to the conditional use, are or shall be

1678 satisfied, both of which must be supported by substantial evidence. The Land Use Planning and

1679 Zoning Committee's decision to approved or deny the conditional use permit must be supported by

1680 substantial evidence.

1681 (2) No conditional use shall be approved or approved with conditions by the Land Use Planning and

1682 Zoning Committee unless it shall find the conditional use:

1683 (a) Will not have a negative effect upon the health, safety, and general welfare of occupants of

1684 surrounding lands;

1685 (b) Will be designed, constructed, operated, and maintained so as to be harmonious and be appropriate

1686 in appearance with the existing or intended character of the general vicinity and that such a use will

1687 not change the essential character of the same area;

1688 (c) Will not be hazardous or disturbing to existing or future neighboring uses;

1689 (d) Will not be detrimental to property in the immediate vicinity or to the community as a whole;

1690 (e) Will be served adequately by essential public facilities and services, such as highways, streets, police

1691 and fire protection, drainage structures, and schools, and that the persons or agencies responsible for

1692 the establishment of the proposed use shall be able to provide adequately any such service; and

1693 (f) Will have vehicular approaches to the property which shall be so designed as not to create an

1694 interference with traffic on surrounding public or private streets or roads.

1695 C. The Land Use Planning and Zoning Committee may require additional standards and conditions that

1696 may be deemed necessary for the conditional use requested to meet the standards of this article. Such

1697 additional standards and conditions may include, but not be limited to, requirements pertaining to lot

1698 coverage, lot area, setbacks, building height, off-street parking and loading, pedestrian and vehicular

1699 accessways, storage, fencing, screening, landscaping, open space, height limitations, lighting, and

1700 hours of operation.

Commented [MEK46]: New term supplied by Act 67.

Commented [MEK47]: New language required by Act 67.

- 1701 D. Enumerated throughout this chapter are the uses allowed in each district by conditional use permit.
- 1702 E. A conditional use shall lapse and become void one year after approval by the Land Use Planning and
1703 Zoning Committee unless substantial construction has been undertaken or the activity has
1704 commenced in accordance with the permit. The approved conditional use permit, unless otherwise
1705 specified in the conditions of approval, shall remain in effect as long as the authorized use continues.
1706 Prior to the reestablishment of an abandoned use, a new conditional use permit shall be obtained
1707 under the terms of this article.
- 1708 F. No application for a conditional use permit which has been denied wholly or in part by the Land Use
1709 Planning and Zoning Committee shall be resubmitted for a period of one year from the date of said
1710 denial, except on the grounds of new evidence or proof of change of conditions is found to be valid.

1711 G. In the event that the Land Use Planning and Zoning Committee chooses to deny a person's
1712 conditional use permit application, the person may appeal the decision to the Board of Adjustment or
1713 to circuit court under the procedures contained in §59.694(10) Wis. Stats.

Commented [MEK48]: New Language required by Act 67.

1714 § 350-57 **Review and revocation of conditional use permits.**
1715 **[Amended 11-14-2017 by Ord. No. 22-2017]**

- 1716 A. The Land Use Planning and Zoning Committee shall retain continuing jurisdiction over all
1717 conditional uses for the purpose of resolving complaints against all previously approved conditional
1718 uses. Such authority shall be in addition to the enforcement authority of the Land Use Planning and
1719 Zoning Department to order the removal or discontinuance of any unauthorized alterations of an
1720 approved conditional use and the elimination, removal or discontinuance of any violation of a
1721 condition imposed prior to or after approval, or violation of any other provision of this chapter.
- 1722 B. Complaint procedure. Upon written complaint by any citizen or official, the Land Use Planning and
1723 Zoning Committee shall initially determine whether said complaint indicates a reasonable
1724 probability that the subject conditional use is in violation or either the purpose and intent of this
1725 chapter, a condition of approval or other requirement imposed hereunder. Upon reaching a positive
1726 initial determination, a hearing shall be held upon notice. Any person may appear at such hearing
1727 and testify in person or be represented by an agent or attorney. The Land Use Planning and Zoning
1728 Committee may, in order to bring the subject conditional use into compliance with the standards set
1729 forth in this chapter or conditions previously imposed by the Land Use Planning and Zoning
1730 Committee, modify existing conditions upon such use and impose additional reasonable conditions
1731 upon the subject conditional use. Additionally, the offending party may be subjected to a forfeiture
1732 as set forth in Article X. In the event that no reasonable modification of such conditional use can be
1733 made, the Land Use Planning and Zoning Committee may revoke the subject conditional approval
1734 and direct the Land Use Planning and Zoning Department and Corporation Counsel to seek the
1735 elimination of the subject use. Following any such hearing, the decision of the Land Use Planning
1736 and Zoning Committee shall be furnished to the current owner of the conditional use, in writing,
1737 stating the reasons therefor. An appeal from a decision of the Land Use Planning and Zoning
1738 Committee under this section may be taken to the Board of Adjustment.

1739 § 350-58 **Issuance of permit.**
1740 **[Amended 11-14-2017 by Ord. No. 22-2017]**

1741 The County Land Use Planning and Zoning Committee may require the Land Use Planning and Zoning
1742 Department to issue a conditional use permit after review and public hearing, provided that such
1743 conditional uses and structures are in accordance with the purpose and intent of this chapter.

1744 § 350-59 **Compliance required; variances.**
1745 Compliance with all other provisions of this chapter, such as lot width, area, year, height and setbacks,
1746 shall be required of all conditional uses. Variances shall only be granted by the Board of Adjustment in
1747 § 350-63B(3).

1748
1749

Article VIII
Board of Adjustment

1750 § 350-60 **Personnel; appointment; terms of office; residency requirements** [per § 59.694(2), Wis.
1751 **Stats.].**
1752 **[Amended 6-20-2006 by Ord. No. 867-06]**

- 1753 A. The County Board of adjustment shall consist of three members; and shall be appointed by the
1754 Chairperson of the County Board with such appointments being approved by the County Board. The
1755 term of appointment for each member shall be staggered three years, with a term beginning on July
1756 of the appropriate year. The members shall be those serving on the effective date of this chapter, who
1757 shall continue in office until the expiration of their term for which they are appointed. The alternate
1758 member(s) shall be appointed in the same manner and under the same criteria as the full members.
- 1759 B. The Chairperson of the County Board shall appoint, for staggered three-year terms, two alternate
1760 members to the Board of Adjustment, who are subject to approval of the County Board. Annually,
1761 the Chairperson of the County Board shall designate one of the alternate members as the first
1762 alternate and the other as the second alternate. The first alternate shall act, with full power, only
1763 when a member of the Board of Adjustment refuses to vote because of conflict of interest or when a
1764 member is absent. The second alternate shall act only when the first alternate refuses to vote because
1765 of conflict of interest or is absent, or if more than one member of the Board of Adjustment refuses to
1766 vote because of a conflict of interest or is absent.
- 1767 C. Alternate members shall attend all meetings of the Board of Adjustment and shall fill in for an absent
1768 member(s); member(s) having a conflict of interest; in order to form a quorum. Alternates shall serve
1769 in the order that they are numbered. When completing a quorum the alternates shall have all power
1770 and authority of a member. When present, the alternates shall be paid the same per-diem, mileage,
1771 training and reimbursement costs as a member.
- 1772 D. Successors to members and alternates shall be appointed at the expiration of each term, and in all
1773 cases each term shall be three years beginning on July 1 in the year that they are appointed, or until
1774 their successor is appointed.
- 1775 E. Vacancies that occur prior to the expiration of a term, for a member or an alternate, shall be filled in
1776 the same manner as the original appointment.
- 1777 F. Members and alternates of the Board of Adjustment shall reside within the County and outside of the
1778 limits of incorporated cities and villages; provided, however, that no two members shall reside in the
1779 same town. In addition, in making appointments, the Chairperson of the County Board shall strive
1780 for balanced representation, County-wide.
- 1781 G. The Board of Adjustment shall elect its own Chairperson. The election of a Board of Adjustment
1782 Chairperson shall occur annually at the regular April meeting prior to conducting normal business.

1783 § 350-61 **Meetings; records; general rules.**

- 1784 A. The Board shall meet at the call of the ~~Chairman~~Chairperson, or at such other times as the Board
1785 may determine, at a fixed time and place.
- 1786 B. All meetings of the Board shall be open to the public.
- 1787 C. The Board shall keep minutes of its proceedings showing the vote of each member upon each
1788 question or, if absent or failing to vote, indicating such fact and shall keep records of its
1789 examinations and other official actions, all of which shall be a public record.
- 1790 D. Whenever the Board of Adjustment shall have under consideration an appeal, such Board shall give
1791 notice to the members of the town board of the town affected by such appeal, and the members of

Commented [MEK49]: Updating language.

1792 such town board shall be requested to meet with said Board of Adjustment and have the opportunity
1793 of making such recommendations as they deem proper.

Commented [50]: Editor's Note: Original § 8.2(E), which immediately followed this subsection, was deleted 12-21-2004 by Ord. No. 822-04. See now § 350-63D.

1794 E. Meetings of the Board shall be conducted in accordance with the above rules and such other rules as
1795 may be adopted by the County Board pursuant to § 59.694(3), Wis. Stats.

1796 F. In the case of all appeals, the Board of Adjustment shall call upon the County Land Use Planning
1797 and Zoning Department for all information pertinent to the decision appealed from.

1798 G. An application for a specific variance may be filed and held only two times in any given twelve-
1799 month period.

1800 H. Should a change in circumstances occur within said twelve-month period which, in the applicant's
1801 opinion, changes the character of the application, then the applicant shall, in that event, submit a
1802 request for an additional hearing, outlining the changes in circumstances that have occurred. The
1803 Board shall review the request of the applicant and, if in the opinion of the majority of the Board,
1804 there is sufficient change in said circumstances to warrant a hearing, the Land Use Planning and
1805 Zoning Department shall schedule said hearing under the normal rules of procedure of the Board.
1806 **[Amended 11-14-2017 by Ord. No. 22-2017]**

1807 I. No variance approval shall be valid for a period longer than 12 months unless a land use permit for
1808 such order is obtained within such period and such activity is started and proceeds to completion in
1809 accordance with the terms of such permit.

1810 **§ 350-62 Appeal procedure.**

1811 A. Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer,
1812 department, board or bureau of Green Lake County affected by any decision, order or ruling of the
1813 Land Use Planning and Zoning Department. Such appeal shall be taken within 30 days, as provided
1814 by the rules of the Board of Adjustment, by filing with the Land Use Planning and Zoning
1815 Department a notice of appeal, on forms provided by the Department, specifying the grounds
1816 thereof. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1817 B. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Land Use
1818 Planning and Zoning Department shall certify to the Board of Adjustment, after the notice of appeal
1819 shall have been filed with the Land Use Planning and Zoning Department, that by reason of facts
1820 stated in the certificate a stay would cause imminent peril to life or property. In such case, the
1821 proceedings shall not be stayed other than by a restraining order, which may be granted by the Board
1822 of Adjustment or by a court of record on application or notice to the Land Use Planning and Zoning
1823 Department and on due cause shown. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1824 C. Each appellant or applicant shall pay a fee to the Land Use Planning and Zoning Department as
1825 specified in Article **XII**, Fee Schedule.

1826 **§ 350-63 Powers and duties.**

1827 A. Except as specifically provided, no action of the Board of Adjustment shall have the effect of
1828 permitting in any district uses prohibited in such district.

1829 B. The Board of Adjustment shall have the following powers:

1830 (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or
1831 determination made by the administrative officer.

1832 (2) To authorize, upon appeal in specific cases, area variances where the property owner can prove
1833 "unnecessary hardship" by demonstrating that strict compliance with the zoning ordinance would
1834 unreasonably prevent the property owner from using their property for a permitted purpose
1835 (unnecessarily burdensome) or, for use a variance, by demonstrating that strict compliance with the

1836 zoning ordinance would leave the property owner with no reasonable use of their property in the
1837 absence of a use variance. In both circumstances, the property owner bears the burden of proving
1838 that the unnecessary hardship is based on conditions unique to the property, rather than
1839 considerations personal to the property owner, that the unnecessary hardship is not solely economic,
1840 and that the unnecessary hardship was not self-created by the property owner.

1841 ~~(2) To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not~~
1842 ~~be contrary to the public interest, where, owing to special conditions, a literal enforcement will result~~
1843 ~~in practical difficulty or unnecessary hardship, so that the spirit of this chapter shall be observed,~~
1844 ~~public safety and welfare secured, and substantial justice done.~~

Commented [MEK51]: Adding new variance language from Act 67.

1845 (3) In every case where a variance from these regulations has been granted by the Board, the minutes of
1846 the Board shall affirmatively show that an unnecessary hardship or practical difficulty exists and the
1847 records of the Board shall clearly show in what particular and specific respects an unnecessary
1848 hardship or practical difficulty is created. ~~"Unnecessary hardship" means, but is not limited to, the~~
1849 ~~following:~~

1850 ~~(a) No reasonable use can be made of the property without the granting of the variance;~~

1851 ~~(b) The hardship is something that is unique to this property and not the owner of the property;~~

1852 ~~(c) The hardship is not self-created; and~~

1853 ~~(d) The hardship is not solely economic.~~

Commented [MEK52]: Text not needed due to text above.

1854 (4) The Board of Adjustment may reverse or affirm, wholly or in part, or may modify any order,
1855 requirement, decision or determination appealed from and may make such order, requirement,
1856 decision or determination as ought to be made and to that end shall have all the powers of the
1857 administrative officer. The concurring vote of two members of the Board shall be necessary to
1858 reverse any order, requirement, decision or determination appealed from, or to decide in favor of the
1859 applicant on any matter on which it is required to pass, or to effect any variation in the requirements
1860 of this chapter.

Commented [53]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

1861 C. The Board of Adjustment shall interpret the provisions of this chapter in such a way as to carry out
1862 the intent and purpose of the plan as shown on the District Map accompanying and made a part of
1863 this chapter.

1864 D. The Board of Adjustment shall have the power to call on any other County department for assistance
1865 in the performance of its duties, and it shall be the duty of such other departments to render such
1866 assistance as may be reasonably required.

1867 E. In exercising the foregoing powers, the Board of Adjustment may in appropriate cases establish
1868 suitable conditions and safeguards in harmony with the general purpose and intent of this chapter.

1869

1870 Article IX
1871 Administration and Enforcement

1872 § 350-64 Land Use Planning and Zoning Department; citations.
1873 [Amended 12-21-2004 by Ord. No. 822-04]

1874 A. The Land Use Planning and Zoning Department shall administer and enforce this chapter for Green
1875 Lake County. [Amended 11-14-2017 by Ord. No. 22-2017]

1876 B. The Land Use Planning and Zoning Department shall collect fees that are collectable from the

1877 applicants for permits, certificates and public hearing items and shall remit said fees to the County
1878 Treasurer on a timely basis.

1879 C. It is the duty of Land Use Planning and Zoning Department to receive and act upon applications for
1880 land use permits and certificates of occupancy, follow up complaints and have such other duties as
1881 provided by this chapter.

1882 D. It shall be the duty of the Land Use Planning and Zoning Department to investigate alleged
1883 violation(s) of this chapter to determine the facts and, if a violation is identified, to pursue
1884 enforcement to achieve compliance. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1885 E. In addition to the Corporation Counsel having the authority to file a complaint to achieve compliance
1886 with the below said land use ordinances, the Land Use Planning and Zoning Department shall have
1887 the authority to prepare, sign and issue citations in order to achieve compliance with the following
1888 land use ordinances: **[Amended 11-14-2017 by Ord. No. 22-2017]**

1889 (1) Chapter **350**, Zoning (Ordinance Nos. 146-76 and 381-89).

1890 (2) Chapter **315**, Land Division and Subdivision (Ordinance No. 1056-2013).

1891 (3) Chapter **300**, Floodplain Zoning (Ordinance No. 970-2009).

1892 (4) Chapter **338**, Shoreland Zoning (Ordinance No. 20-2016).

1893 (5) Chapter **334**, Sewage Systems, Private (Ordinance No. 225-80).

1894 (6) Chapter **323**, Nonmetallic Mining Reclamation (Ordinance No. 902-07).

1895 § 350-65 **Land use permit.**

1896 A. No building or structure or billboard or any part thereof, except as herein provided, shall hereafter be
1897 erected, enlarged, altered, repaired or moved within the areas subject to the provisions of this chapter
1898 until a land use permit shall have been applied for, in writing, and obtained from the Land Use
1899 Planning and Zoning Department. Such permit shall be posted in a prominent place on the premises
1900 prior to and during the period of construction, alteration, repair or moving. Land use permits shall be
1901 valid for a period of one year from date of issue unless otherwise specified on the permit. A copy of
1902 such permit shall be filed with the Land Use Planning and Zoning Department and with the inspector
1903 and clerk for the town in which the permit is effective. Forms for the application for land use permits
1904 shall be supplied by the Land Use Planning and Zoning Department. All such forms shall be
1905 approved by the County Board. For a fee schedule refer to Article **XII**, Fee Schedule. **[Amended 11-**
1906 **14-2017 by Ord. No. 22-2017]**

1907 B. All applications for land use permits shall be accompanied by a location sketch drawn to scale,
1908 showing the location, actual shape and dimensions of the lot to be built upon, the exact size and
1909 location of the building on the lot, the existing and intended use of the building, the number of
1910 families to be accommodated, its situation with reference to the highway, the distance between the
1911 nearest point on the building and the center line of the highway, and such other information with
1912 regard to the proposed building and neighboring lots or buildings as may be called for on the
1913 application or may be necessary to provide for the enforcement of this chapter. The Land Use
1914 Planning and Zoning Department may require satisfactory evidence of actual lot line location,
1915 including a surveyor's certificate and map where necessary. **[Amended 11-14-2017 by Ord. No. 22-**
1916 **2017]**

1917 C. (Reserved)

1918 D. (Reserved)

Commented [54]: Editor's Note: Former Subsection C, concerning cases in which no land use permit shall be required, was repealed 12-15-2009 by Ord. No. 972-2009.

Commented [55]: Editor's Note: Former Subsection D, providing the definition of "building" as used in the section, was repealed 12-15-2009 by Ord. No. 972-2009.

1919 E. A copy of all land use permits shall be sent to the town clerk, town assessor and land use inspector of
1920 the town in which the permit was granted.

1921 § 350-66 **Certificate of compliance.**
1922 **[Amended 12-21-2004 by Ord. No. 822-04; 11-14-2017 by Ord. No. 22-2017]**

1923 Upon written request from the owner, the Land Use Planning and Zoning Department may issue a
1924 certificate of compliance at a fee as provided in Article **XII**, Fee Schedule, for any building or premises
1925 existing at the time of the adoption of this chapter, certifying, after inspection, the extent and kind of use
1926 made of the building or premises and whether or not such use conforms to the provisions of this chapter.

1927 § 350-67 **Review of proposed conditional uses or amendments by towns.**

1928 A. Town boards, or town zoning/planning committees, as established by town boards, shall be notified,
1929 in writing, at least 10 days prior to a public hearing on a conditional use or zoning amendment
1930 change in that town by the Land Use Planning and Zoning Department or Land Use Planning and
1931 Zoning Committee. **[Amended 11-14-2017 by Ord. No. 22-2017]**

1932 B. Town boards or a designated committee as in Subsection **A** may reply to the County Land Use
1933 Planning and Zoning Committee prior to the hearing either approving, approving with conditions, or
1934 rejecting the proposed conditional use or zoning amendment change for that town.

1935 C. Information provided to the County Land Use Planning and Zoning Committee by the town boards
1936 may be used as documentation in the Committee's decision.

1937 D. If no reply is received by the County Land Use Planning and Zoning Committee prior to the public
1938 hearing, the conditional use or rezoning change shall be deemed as approved by said town board.

1939 E. A copy of the conditional use permit or rezoning change, if approved by the County Land Use
1940 Planning and Zoning Committee, shall be forwarded by the Land Use Planning and Zoning
1941 Department to the ~~board chairman~~ Clerk of the affected town. **[Amended 11-14-2017 by Ord. No.**
1942 **22-2017]**

Commented [MEK56]: Represents our process. We feel getting documentation to the Town Clerk is adequate.

1943 Article X 1944 Enforcement

1945 **[Amended 4-15-2008 by Ord. No. 924-08]**

1946 § 350-68 **Investigation of alleged violations.**

1947 Any violation of the provisions of this chapter shall be deemed unlawful. When necessary, to determine
1948 compliance with this chapter, the Land Use Planning and Zoning Department shall investigate alleged
1949 violations. After confirmation that a violation exists, the Land Use Planning and Zoning Department shall
1950 pursue compliance of the violation.

1951 § 350-69 **Violations, penalties and citations.**

1952 A. Any violation of the provisions of this chapter by or under the direction of the landowner shall be
1953 brought into compliance upon notification by the Land Use Planning and Zoning Department or the
1954 Land Use Planning and Zoning Committee or the County Corporation Counsel.

1955 B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to
1956 pursue compliance with the provisions of this chapter. After consultation with the Land Use
1957 Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the
1958 Corporation Counsel shall determine which legal remedy or legal remedies are in order to pursue
1959 compliance with the provisions of this chapter.

1960 C. Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be
1961 subject to a forfeiture of not less than \$10 nor more than \$5,000 per offense, together with the

1962 taxable costs of action. Each day that the violation exists shall constitute a separate offense.

1963 D. In addition to the Corporation Counsel having the authority to pursue compliance per Subsection **B**
 1964 above, the designated staff of the Land Use Planning and Zoning Department shall have the
 1965 authority to and may prepare, sign and issue citations in order to commence action to achieve
 1966 compliance with the provisions of this chapter.

1967 **§ 350-70 Stop-work orders.**

1968 A. No land use permit obtained. When the Land Use Planning and Zoning Department is notified or
 1969 becomes aware of any activity in violation of the provisions of this chapter by or under the direction
 1970 of the landowner that requires issuance of a land use permit pursuant to this chapter, and such a
 1971 permit has not been obtained, the Land Use Planning and Zoning Department may issue a stop-work
 1972 order requiring any such activity to be immediately stopped and enjoined.

1973 B. Land use permit obtained. When the Land Use Planning and Zoning Department is notified or
 1974 becomes aware of any activity in violation of the provisions of this chapter by or under the direction
 1975 of the landowner for which a land use permit was issued and the actual activity deviates from that
 1976 land use permit, the Land Use Planning and Zoning Department may issue a stop-work order
 1977 requiring the activity to be immediately stopped and enjoined

1978 C. The stop-work order shall be mailed to the subject landowner's property tax bill mailing address or
 1979 the mailing address as stated on the land use permit application and/or to any person signing the land
 1980 use permit application.

1981 D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall
 1982 be posted at the subject site in plain view from a nontrespass location off the subject property. A
 1983 stop-work order card shall remain posted until compliance of the violation occurs.

1984 E. An action filed pursuant to § **350-63** of this chapter to the County Board of Adjustment or to any
 1985 court shall stop work during and until the final outcome of the action has been reached or until so
 1986 ordered by a Court of appropriate jurisdiction.

1987 **§ 350-71 Injunctions.**

1988 Every violation of this chapter is a public nuisance, and the creation thereof may be enjoined and the
 1989 maintenance thereof abated pursuant to § 59.69(11), Wis. Stats.

1990 **Article XI**
 1991 **Amendments**

1992 **§ 350-72 Authority.**

1993 This chapter may be amended by the County Board in accordance with the procedure provided in
 1994 § 59.69(5), Wis. Stats. An amendment shall be granted or denied by the County Board only after a public
 1995 hearing before the County Land Use Planning and Zoning Committee and a report of its findings and
 1996 recommendations has been submitted to the County Board.

1997 **§ 350-73 Initiation of amendment.**

1998 Amendments may be proposed by the County Board, a town board, the County Land Use Planning and
 1999 Zoning Committee or by a resident or owner of property in Green Lake County.

2000 **§ 350-74 Fee.**
 2001 **[Amended 11-14-2017 by Ord. No. 22-2017]**

2002 A fee shall be paid by the person filing the amendment to the Land Use Planning and Zoning Department
 2003 to defray the cost of administration, investigation, advertising and processing of the amendment
 2004 application. Refer to Article **XII**, Fee Schedule.

2005 § 350-75 **Notice to town board.**
2006 The County Land Use Planning and Zoning Committee shall send or deliver written notice to the town
2007 board not less than 10 days prior to the date of any public hearing of any proposed zoning change within
2008 its town.

2009 **Article XII**
2010 **Fee Schedule**

2011 § 350-76 **Fees.**
2012 **[Amended 12-21-2004 by Ord. No. 822-04; 5-16-2006 by Ord. No. 861-06]**

2013 The following fees shall be paid to the Green Lake County Land Use Planning and Zoning Department at
2014 the time of application for each service requested as listed below to defray the cost of administration,
2015 investigation, advertising and processing:

2016 A. Unless otherwise provided in this chapter, the land use permit fee shall be based on cost of
2017 construction (labor included). **[Amended 10-18-2016 by Ord. No. 23-2016]**

2018 (1) Fee.

Value of Project	Fee
\$0 to \$999	\$50
\$1,000 to \$99,999	\$150
\$100,000 to \$199,999	\$300
\$200,000 to \$299,999	\$400
\$300,000 to \$399,999	\$500
\$400,000 to \$499,999	\$600
\$500,000 to \$599,999	\$700
\$600,000 to \$699,999	\$800
\$700,000 to \$799,999	\$900
\$800,000 to \$899,999	\$1,000
\$900,000 or more	\$1,250

2019 (2) Permit renewals are the same as the original fee.

2020 (3) After-the-fact permit is double the above-stated fee.

2021 B. All public hearing items such as variance, rezone, appeal, conditional use permit, ordinance
2022 amendment or ~~special exception permit~~ **plan amendment**; \$375. **[Amended 12-15-2009 by Ord. No.**
2023 **972-2009; 9-20-2011 by Ord. No. 998-2011]**

2024 C. All public hearing items listed above, postponed at the request of the applicant prior to public

Commented [MEK57]: Special Exception permits are not in ordinance. Replaced with "plan amendment" to be consistent with our processes.

2025 hearing: \$250.

2026 D. Certificate of compliance: \$20.

2027 Article XIII
2028 **Word Usage and Definitions**

2029 **[Added 12-19-2006 by Ord. No. 884-06]**

2030 § 350-77 **Word usage and definitions.**

2031 Unless specifically defined below, words and phrases used in this chapter shall have the same meaning as
2032 they have in common law to give this chapter its most reasonable application. This section is intended to
2033 clarify word usage and not to establish standards for this chapter. Words used in the present tense include
2034 the future, the singular number includes the plural, and the plural number includes the singular. The word
2035 "may" is permissive, and the word "shall" is mandatory and not discretionary. For terms not found in this
2036 section, other sources may be utilized to establish an applicable definition. Certain words and phrases
2037 have different meaning when used in different ordinances. Refer to specific ordinances for word usage
2038 and definition.

2039 **ACCESS AREA, LOT**

2040 The access area that is part of a contiguous land area, generally being a narrow strip of land that does
2041 not meet the minimum land area width requirements, that provides access for a permitted activity.

2042 **ACCESS AREA, PUBLIC**

2043 A land area that provides public boat access or carry-in access.

2044 **ACCESSORY STRUCTURE**

2045 A subordinate structure the use of which is incidental to, and customarily found in connection with,
2046 the principal structure or use of the property.

2047 **ACCESSORY USE**

2048 A subordinate use, which is incidental to and customarily in connection with the principal structure
2049 or use, and which is located on the same property with such principal structure or use.

2050 **ACCESS SITE/LOT**

2051 A parcel of land that is contiguous to a body of water (lake, river or stream) that provides a means of
2052 waterfront access for backlot development.

2053 **ADDITION**

2054 An expansion horizontally and/or vertically.

2055 **ADULT BATHHOUSE**

2056 An establishment or business that provides the service of baths of all kinds, including all forms and
2057 methods of hydrotherapy, that is not operated by a medical practitioner or a professional physical
2058 therapist licensed by the State of Wisconsin and which establishment provides to its patrons an
2059 opportunity for engaging in specified sexual activities, as defined herein.

2060 **ADULT BODY PAINTING STUDIO**

2061 An establishment or business wherein patrons are afforded an opportunity to paint images on a body
2062 that is wholly or partially nude. For purposes of this chapter, "adult body painting studio" shall not
2063 be deemed to include a tattoo parlor.

2064	ADULT BOOKSTORE	
2065		Means, but shall not be limited to, an establishment having as a substantial or significant portion of
2066		its stock and trade in books, magazines, and other periodicals that are distinguished or characterized
2067		by their emphasis on matter depicting, describing, or relating to specified anatomical areas or
2068		specified sexual activities. "Adult bookstore" shall also include, but not be limited to, establishments
2069		that have a facility or facilities, including but not limited to booths, cubicles, rooms or stalls, for the
2070		presentation of adult entertainment as defined herein, including adult-oriented films, movies or live
2071		performances for observation by patrons therein, or which, as part of their regular and substantial
2072		course of conduct, offer for sale, rent, trade, lease, inspection or viewing books, films,
2073		videocassettes, magazines or other periodicals that are distinguished or characterized by their
2074		emphasis on matters depicting, describing or relating to adult entertainment as defined herein.
2075	ADULT CABARET	
2076		A cabaret that features male or female impersonators or similar entertainers.
2077	ADULT ENTERTAINMENT	
2078		Any exhibition of any motion picture, live performance, display or dance of any type that has a
2079		significant or substantial portion of such performance based on or that is distinguished or
2080		characterized by an emphasis on sex and/or sexual gratification, or any actual or simulated
2081		performance of specified sexual activities, or exhibition and viewing of specified anatomical areas,
2082		as defined herein, appearing unclothed, or the removal of articles of clothing to reveal specified
2083		anatomical areas.
2084	ADULT MINI-MOTION-PICTURE THEATER	
2085		An enclosed building with a capacity of 50 or fewer persons at which a significant or substantial
2086		portion of the material presented is distinguished or characterized by an emphasis on matter
2087		depicting, describing, or relating to specified anatomical areas or specified sexual activities, as
2088		defined herein, for observation by patrons therein.
2089	ADULT MODELING STUDIO	
2090		An establishment or business that provides the services of modeling for the purpose of reproducing
2091		the human body wholly or partially nude by means of photography, painting, sketching, drawing or
2092		otherwise.
2093	ADULT MOTEL	
2094		A hotel, motel or similar commercial establishment which:
2095	A.	Offers accommodations to the public for any form of consideration; provides patrons with closed-
2096		circuit television transmissions, films, motion pictures, videocassettes, slides, or other photographic
2097		reproductions that are characterized by the depiction or description of specified anatomical areas or
2098		specified sexual activities, as defined herein; and has a sign visible from the public right-of-way that
2099		advertises the availability of this adult type of photographic reproductions;
2100	B.	Offers a sleeping room for rent for a period of time that is less than 10 hours; or
2101	C.	Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less
2102		than 10 hours.
2103	ADULT MOTION-PICTURE THEATER	
2104		An enclosed building with a capacity of more than 50 persons at which a significant or substantial
2105		portion of the material presented is distinguished or characterized by an emphasis on matter
2106		depicting, describing, or relating to specified anatomical areas or specified sexual activities, as
2107		defined herein, for observation by patrons therein.

2108	ADULT MOTION-PICTURE THEATER (OUTDOOR)
2109	A parcel of land from which individuals may view a motion picture presented out-of-doors that
2110	presents material distinguishably characterized by an emphasis on matter depicting, describing, or
2111	relating to specified anatomical areas or specified sexual activities, as defined herein.
2112	ADULT NOVELTY SHOP
2113	An establishment or business having as a substantial or significant portion of its stock and trade in
2114	novelty or other items that are distinguished or characterized by their emphasis on specified
2115	anatomical areas or designated for specified sexual activities, as defined herein.
2116	ADULT-ORIENTED ESTABLISHMENT
2117	Shall include but not be limited to adult bookstores, adult motion-picture theaters (indoor or
2118	outdoor), adult mini motion-picture theaters, adult motels, adult novelty shops, adult cabarets, adult
2119	bathhouses, adult modeling studios, and adult body painting studios and further means any premises
2120	to which public patrons or members are regularly invited, admitted and/or allowed to view adult
2121	entertainment, whether or not such entertainment is held, conducted, operated or maintained for
2122	profit, direct or indirect. "Adult-oriented establishment" further includes, without being limited to,
2123	any adult entertainment studio or any premises that are physically arranged and used as such,
2124	whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio,
2125	encounter studio, sensitivity studio, modeling studio or any other term of like import.
2126	AGRICULTURAL PRACTICE OR USE
2127	As provided in § 281.16(1)(b), Wis. Stats., means beekeeping; commercial feedlots; dairying; egg
2128	production; floriculture; fish or fur farming; grazing; livestock raising; orchards; poultry raising;
2129	raising of grains, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing
2130	land in federal programs in return for payment in kind; owning land, at least 35 acres of which is
2131	enrolled in the conservation reserve program under 16 USC 3831 to 3836; and vegetable raising.
2132	AGRICULTURE
2133	The production, storage, keeping, harvesting, grading, packing, processing, boarding or
2134	maintenance, for sale, lease or personal use, of plants and/or animals useful to humans.
2135	AIRPORT
2136	Any land or structure that is used or intended for use for the landing and takeoff of aircraft.
2137	ANIMAL HUSBANDRY OPERATION
2138	A feed lot or any kind of facility, other than a pasture, where animals have been, are, or will be fed,
2139	confined, maintained or stabled. Two or more husbandry operations under common ownership are
2140	deemed to be a single animal husbandry operation if they are adjacent to each other or if they utilize
2141	a common area or system for disposal of waste.
2142	ANIMAL UNIT
2143	A unit of measure used to determine the total number of single animal types or combination of
2144	animal types, which are fed, confined, maintained or stabled in an animal feeding operation.
2145	[Amended 12-16-2014 by Ord. No. 1104-2014; 11-14-2017 by Ord. No. 22-2017]
2146	ANIMAL UNITS COMBINED
2147	Any combination of animal types calculated by adding the number of single animal types as
2148	multiplied by the equivalency factors of this chapter.
2149	[Amended 12-16-2014 by Ord. No. 1104-2014; 11-14-2017 by Ord. No. 22-2017]

- 2150 **AUTOMOBILE BODY SHOP**
 2151 A premises used for repair, replacement or reconditioning of automobile parts that does not require
 2152 the removal of the engine head or pan, engine transmission, or differential involving body and fender
 2153 work, painting and upholstering service.
- 2154 **AUTOMOBILE CAR WASH**
 2155 A structure, or portion thereof, containing facilities for washing automobiles.
- 2156 **AUTOMOBILE REPAIR/SERVICE FACILITY**
 2157 A premises used for the retail dispensing or sales of vehicular fuels, that provides service and repairs
 2158 to automobiles (excluding body shop activities), as well as other automobile service uses, including a
 2159 car wash (as part of the principal structure), installation of lubricants, tires, batteries, and similar
 2160 vehicle accessories.
- 2161 **AUTOMOBILE WRECKING**
 2162 The dismantling or wrecking of used motor vehicles or trailers or the storage, sale or dumping of
 2163 dismantled, partially dismantled, or wrecked vehicles or their parts. (See also "junkyard.")
- 2164 **BACK LOT DEVELOPMENT**
 2165 Also known as "lot pyramiding," "keyhole development" or "development funneling," is the practice
 2166 whereby an land area is used for waterfront access by a number of land areas located away from or
 2167 not contiguous to the water body.
- 2168 **BASEMENT**
 2169 A space, the perimeter of which has more than 1/2 of its floor-to-ceiling height below the adjoining
 2170 ground and with a floor-to-ceiling height of not less than 6 1/2 feet.
- 2171 **BED-AND-BREAKFAST**
 2172 An establishment used for dwelling purposes in which rooms, with or without meals, are offered to
 2173 transient guests for compensation.
- 2174 **BOOTH, ROOM or CUBICLE**
 2175 Such enclosures as are specifically offered to the public or members of an adult-oriented
 2176 establishment for hire or for a fee as part of a business operated on the premises that offers as part of
 2177 its business the entertainment to be viewed within the enclosure, which shall include, without
 2178 limitation, such enclosures wherein the entertainment is dispensed for a fee, but a fee is not charged
 2179 for mere access to the enclosure. However, "booth," "room" or "cubicle" does not mean such
 2180 enclosures that are private offices used by the owners, managers or persons employed on the
 2181 premises for attending to the task of their employment, which enclosures are not held out to the
 2182 public or members of the establishment for hire or for a fee for the purpose of viewing entertainment
 2183 for a fee and are not open to any persons other than employees, nor shall this definition apply to
 2184 hotels, motels or other similar establishments licensed by the State of Wisconsin.
- 2185 **BROADCASTING ANTENNA**
 2186 Commercial, public or private broadcasting towers.
- 2187 **BUFFER**
 2188 The use of land, topography, difference in elevation, space, fences, or landscape planting to screen or
 2189 partially screen a use or property from another use or property and thus reduce undesirable
 2190 influences, such as site glare, noise, dust, and other external effects.

2191	BUILDABLE AREA	
2192		The portion of a land area remaining after required yards and open space requirements have been
2193		provided.
2194	BUILDING	
2195		A structure having a roof supported by columns or walls used or intended to be used for shelter or
2196		enclosure of persons, animals, equipment, machinery or materials.
2197	CABIN CAMP	
2198		A land area on which one or more camp cabins are located.
2199	CAMPGROUND	
2200		An area of land that is used for the purpose of providing sites for nonpermanent overnight use by
2201		camping units and that has a valid campground permit issued under § 254.47, Wis. Stats., and
2202		Chapter HFS 178.
2203	CAMPING UNIT	
2204		A portable device or enclosure, no more than 400 square feet in area, including a tent, camping
2205		trailer, motor home, bus, van, pick-up truck or other mobile recreational vehicle used as a temporary
2206		shelter for human habitation.
2207	CANOPY	
2208		A structure attached and extending from the face of a structure constructed as a permanent fixture,
2209		which may be supported from the ground.
2210	CARPORT	
2211		A roofed structure providing space for parking of motor vehicles attached to the principal structure
2212		extending over a driveway, open on all sides except for the wall(s) of the principal structure, and
2213		shall be construed to be part of the principal structure.
2214	CEMETERY	
2215		A place set apart, either by municipal authority or private enterprise, for the interment of the dead.
2216		The term includes not only lots for burying the bodies of the dead but also avenues, walks and
2217		grounds for shrubbery and ornamental purposes.
2218	CERTIFICATE OF COMPLIANCE	
2219		An official certification that a premises or a completed development on a premises conforms to the
2220		provisions of the applicable ordinance.
2221	CHURCH	
2222		A structure, together with its necessary structures and uses, where persons regularly assemble for
2223		religious worship and which, together with its accessory structures and uses, is maintained and
2224		controlled by a regularly organized religious body organized to sustain public worship and which is
2225		exempt from federal income tax as regulated by the Internal Revenue Service Code.
2226	CLINIC, MEDICAL OR DENTAL	
2227		A group of medical or dental offices organized as a unified facility to provide medical or dental
2228		treatment as contrasted with an unrelated group of such offices, but not including bed-patient care.
2229	CLUB	

2230 Structures and facilities owned or operated by a corporation, association, person or persons for a
2231 social, educational or recreational purpose but not primarily for profit and not primarily to render a
2232 service that is customarily carried on as a business.

2233 **COMMITTEE**
2234 The Land Use Planning and Zoning Committee.

2235 **CONDITIONAL USE OR SPECIAL EXCEPTION PERMIT**
2236 A use that is specifically listed in an ordinance that may only be permitted if the ~~Board of~~
2237 ~~Adjustment~~, Land Use Planning and Zoning Committee ~~or County Board~~, as authorized by County
2238 ordinance, determines that the conditions specified in the ordinance for that use are satisfied.

Commented [MEK58]: Deleted SEPs and clarifies the language related to CUPs in GLC.

2239 **CONDOMINIUM**
2240 As provided in § 703.02(4), Wis. Stats., means property being subject to a condominium declaration
2241 established under Chapter 703, Wis. Stats.

2242 **DAYS**
2243 Shall refer to full calendar days.

2244 **DENSITY**
2245 The relationship of an area of land (generally stated in square feet) to a dwelling unit.

2246 **DEVELOPMENT**
2247 Any man-made change to improved or unimproved real estate, including but not limited to the
2248 construction of buildings, structures or accessory structures; the construction of additions or
2249 substantial alterations to buildings, structures or accessory structures; the placement of mobile
2250 homes; ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations; and
2251 the deposition or extraction of earthen materials.

2252 **DRIVE-THROUGH**
2253 Any use where products and/or services are provided to the customer under conditions where the
2254 customer does not have to leave the vehicle or where fast service to the vehicle occupants is a
2255 service offered regardless of whether the service is provided within the structure.

2256 **DRIVEWAY**
2257 A private way providing ingress and egress to a public or private right-of way.

2258 **DWELLING**
2259 A structure or portion thereof designed or used exclusively for human habitation, but not including
2260 mobile recreational vehicles, hotels, motels, boarding- and lodging houses.

2261 **DWELLING, MULTIPLE-FAMILY**
2262 A structure on a single land area, containing three or more dwelling units, or a structure designed for
2263 occupancy by three or more families.

2264 **DWELLING, SINGLE-FAMILY**
2265 A structure on a single land area containing one dwelling unit.

2266 **DWELLING, TWO-FAMILY**

2267 A structure on a single land area containing two dwelling units.

2268 **DWELLING UNIT**
2269 As provided in § 106.50(1m)(i), Wis. Stats., means a structure or part of a structure that is used or
2270 intended to be used as a home, residence or sleeping place by one person or by two or more persons,
2271 who are maintaining a common household, to the exclusion of all others.

2272 **EASEMENT**
2273 A grant by a property owner for use of a strip of land by the public or any person for any specific
2274 purpose, or purposes of constructing and maintaining utilities, including but not exclusive of the
2275 following: sanitary sewers, water mains, electric lines, telephone lines, other transmission lines,
2276 storm sewer, storm drainageways, gas lines, other service utilities, driveways, etc.

2277 **EMPLOYEE**
2278 Any and all persons, including independent contractors, who work in or at or render any services
2279 directly related to the operation of an adult-oriented establishment.

2280 **ENTERTAINER**
2281 Any person who provides entertainment within an adult-oriented establishment, as defined herein,
2282 whether or not a fee is charged or accepted for entertainment and whether or not entertainment is
2283 provided as an employee or independent contractor.

2284 **ESSENTIAL SERVICES**
2285 Services and utilities needed for the health, safety and general welfare of the community, such as
2286 surface, overhead or underground electrical, gas, telephone, steam, sewerage, water and other
2287 utilities and the equipment and appurtenances necessary for such systems to furnish an adequate
2288 level of service for the area in which they are located.

2289 **EXPANSION**
2290 An addition to an existing structure that is horizontal, vertical or both.

2291 **EXTRACTION**
2292 Any nonagricultural, artificial excavation of earth for commercial or industrial uses, excavated or
2293 made by the removal from the natural surface of the earth of sod, soil, sand, gravel, stone or other
2294 natural matter, or made by turning, breaking or undermining the surface of the earth.

2295 **EXTRATERRITORIAL ZONING AREA (referred to as "ETZA")**
2296 Consists of that area of a town that has been included in a city's extraterritorial zoning area pursuant
2297 to the adoption of ordinances and resolutions under Wisconsin Statutes.

2298 **FAMILY**
2299 Those persons related by blood, marriage, adoption, or foster care or a group of persons living
2300 together in a single dwelling unit.

2301 **FARM**
2302 An area of land used for agricultural practice or use.

2303 **FARM FAMILY BUSINESS**
2304 Any lawful activity, except a farm operation, conducted primarily for any of the following:

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- 2305 A. The purchase, sale, lease or rental of personal or real property.
- 2306 B. The manufacture, processing or marketing of products, commodities or any other personal property.
- 2307 C. The sale of services.

2308 **FARM OPERATION**
2309 An owner or occupant engaged in one or more farming activities, with gross sales from such
2310 activities as set forth in § 91.01(1), Wis. Stats.

2311 **FEED LOT**
2312 A land area for fattening animals or holding animals temporarily for shipment.

2313 **FENCE**
2314 Any artificially constructed barrier of any material or combination of materials erected to enclose or
2315 screen areas of land. Additionally:

- 2316 A. **FENCE, OPEN** A fence constructed in a manner that provides 50% or more open space.
- 2317 B. **FENCE, PRIVACY** A fence constructed in a manner that provides less than 50% open space.

2318 **FLEA MARKET**
2319 An occasional or periodic market held in an open area or structure where groups of individual sellers
2320 offer goods for sale to the public.

2321 **FLOOR PLAN**
2322 A graphic representation of the anticipated utilization of the floor area within a structure.

2323 **FOOTPRINT**
2324 The land area covered by a structure at ground level, measured on a horizontal plane.

2325 **GARAGE**
2326 A structure or part thereof, used or intended to be used for parking and storage of vehicles and/or
2327 other personal property.

- 2328 A. **ATTACHED** A garage sharing a common wall with the principal structure.
- 2329 B. **DETACHED** A garage separate from the principal structure, being an accessory structure.

2330 **GARAGE, PUBLIC**
2331 A structure or portion thereof, other than a private customer and employee garage or private
2332 residential garage, used for parking and storage of vehicles and available to the public.

2333 **GARAGE SALE**
2334 See "rummage sale."

2335 **GASOLINE SERVICE STATION**
2336 See "automobile repair/service facility."

2337 **GENERAL DEVELOPMENT PLAN**

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Commented [MEK61]: Just adding fence language for ease of enforcement of fence standards from SZO.

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2338 A report in text and in map form, with the map drawn to scale, depicting the general location and
2339 relationship of structures, streets, driveways, recreation areas, parking areas, utilities, etc., as related
2340 to a proposed development.

2341 **GOVERNMENTAL STRUCTURE**

2342 State, County, federal, city, village or town structures utilized to provide a service that a specific
2343 governmental entity may provide.

2344 **GRADE, FINISHED**

2345 The final elevation of the ground surface after development.

2346 **GRADE, NATURAL**

2347 The elevation of the ground surface in its natural state, before man-made alterations.

2348 **HOME OCCUPATION**

2349 Any occupation or profession carried out for gain within a dwelling unit by a member of the family
2350 residing on the premises and where there is no emission of odor, gas, smoke, dust or noise that will
2351 be detrimental to the character of the neighborhood.

2352 **HORTICULTURE**

2353 Horticultural uses and structures designed for the storage of products and machinery pertaining and
2354 necessary thereto.

2355 **HOSPITAL**

2356 Any structure, institution or place for the diagnosis, treatment and medical, mental, or surgical care
2357 of individuals that makes available clinical laboratory service, diagnostic x-ray and treatment
2358 facilities for surgery, or obstetrical or psychiatric care and which is accredited as a hospital by the
2359 Joint Commission on the Accreditation of Hospitals.

2360 **HOTEL**

2361 A structure in which lodging, or boarding and lodging, is provided and offered to the public for
2362 compensation, and in which ingress and egress to and from all rooms is made through an inside
2363 lobby or office supervised by a person in charge at all times.

2364 **INSTITUTION**

2365 A nonprofit, religious, or public use, such as a church, public or private school, or hospital
2366 establishment for public use.

2367 **JUNK**

2368 Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with
2369 dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk includes,
2370 but is not limited to, unregistered or inoperable vehicles, tires, vehicle parts, equipment, paper, rags,
2371 metal, glass, building materials, household appliances, brush, wood and lumber.

2372 **JUNKYARD**

2373 Any land area, building or structure or part thereof used for the storage, collecting, processing,
2374 purchase, sale or abandonment of junk.

2375 **KENNEL**

2376 An establishment in which domestic animals are housed, boarded, groomed, sheltered, protected,

Commented [62]: Editor's Note: The former definition of "hub height," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

2377 bred, trained or sold for a fee or compensation.

Commented [63]: Editor's Note: The former definition of "land area," which immediately followed this definition, was repealed 8-19-2014 by Ord. No. 1092-2014.

2378 **LANDFILL**

2379 A system of trash, waste, refuse, debris, salvaged material or garbage disposal in which the waste is
2380 buried between layers of soil.

2381 **LOADING AREA**

2382 A completely off-street space or berth on the same land area, for the loading or unloading of freight
2383 carriers, having adequate ingress and egress to a public street or alley.

2384 **LOT**

2385 An area of land that is part of a subdivision plat, certified survey map or other document using the
2386 platting process duly recorded in the Register of Deeds office that is identified by an assigned
2387 number or letter.

2388 [Added 8-19-2014 by Ord. No. 1092-2014]

2389 **LOT DEPTH**

2390 The mean distance between the front and rear lot lines.

2391 **LOT LINE**

2392 The same as boundary line; the peripheral boundary of a lot, parcel tract or any other land area that
2393 divides one recorded land area from another.

2394 A. **LOT LINE, FRONT STREET** That boundary separating a land area from an existing or dedicated
2395 public street, private street or other means of access.

2396 B. **LOT LINE, REAR** That boundary of a land area that is opposite the front street lot line. In the case
2397 of corner lots the rear lot line shall be opposite the shorter of the two frontages.

2398 C. **LOT LINE, SIDE** That boundary of a land area that is not a front street, shore or a rear lot line.

2399 D. **LOT LINE, SHORE** That boundary of a land area that abuts a navigable waterway at the ordinary
2400 high water mark.

Commented [MEK64]: Fixes the "front" vs "street" issue.

2401 **LOT OR PARCEL, RIPARIAN**

2402 An area of contiguous land that is adjacent to perennial navigable waters, having a boundary
2403 description duly recorded in the Register of Deeds office that identifies the boundaries of that area of
2404 land.

2405 [Added 8-19-2014 by Ord. No. 1092-2014]

2406 **LOT, SUBSTANDARD**

2407 An area of land, with or without structures having frontage on a public street, or other approved
2408 means of access, and having insufficient size to meet the lot width, lot area, yard, off-street parking
2409 areas or other open space provisions of a district wherein located.

2410 **LOT WIDTH, AVERAGE**

2411 The average of the shortest horizontal distances between the side lot lines at the front street lot line,
2412 rear lot line or ordinary high water mark and at any angle point in the side lot lines.

Commented [MEK65]: See above.

2413 **MANUFACTURED HOME**
2414 A structure transportable in one or more sections, which is built on a permanent chassis and is
2415 designed to be used with or without a permanent foundation when connected to required utilities and
2416 constructed on or after June 15, 1976, in accordance with U.S. Housing and Urban Development
2417 standards and identified with a HUD seal of approval; HUD certified and labeled under the National
2418 Mobile Home Construction and Safety Standards Act of 1974. The term "manufactured home"
2419 includes a mobile home but does not include a mobile recreational vehicle.

2420 **MARINA**
2421 A facility for the storing, servicing, fueling, berthing, and securing of boats and that may include
2422 eating, sleeping, and retail facilities for owners, crews and guests.

2423 **MINING**
2424 See "extraction or nonmetallic mining."

2425 **MOBILE HOME**
2426 See "manufactured home."

2427 **MOBILE HOME PARK**
2428 An area of land that is occupied by three or more mobile homes, manufactured homes or park model
2429 homes that is advertised or represented as a mobile home park. Mobile home parks shall include any
2430 structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.

2431 **MODULAR HOME**
2432 See "manufactured home."

2433 **MOTEL (MOTOR COURT, MOTOR HOTEL, MOTOR LODGE)**
2434 A structure in which lodging or boarding and lodging are provided and offered to the public for
2435 compensation and in which ingress and egress for all rooms is made from the exterior of the
2436 structure(s).

2437 **NONCONFORMING LOT OR PARCEL**
2438 A lot or parcel, the area, dimensions or location of which was lawful prior to the adoption, revision
2439 or amendment of an ordinance but which fails by reason of such adoption, revision or amendment to
2440 conform to the present requirements of the ordinance.

2441 **[Amended 11-14-2017 by Ord. No. 22-2017]**

2442 **NONCONFORMING STRUCTURE**
2443 An existing, usable structure or portions thereof whose location, dimensions or other physical
2444 characteristics do not conform to current ordinance standards, but was legally constructed or placed
2445 in its current location prior to the adoption of the ordinance or ordinance amendment that made it
2446 nonconforming.

2447 **NONCONFORMING USE**
2448 The lawful use of land, structure or a portion thereof that does not conform to the current land use
2449 restrictions, but which was legally established prior to the adoption of the ordinance or ordinance
2450 amendment that made it nonconforming.

2451 **NURSERY SCHOOL**

Commented [66]: Editor's Note: The former definition of "met tower," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

- 2452 A private establishment enrolling nine or more children between two and five years of age and
2453 where tuition, fees, or other forms of compensation for the care of the children are charged and
2454 which is licensed or approved by state and local authorities to operate as a nursery school.
- 2455 **OCCUPANCY**
2456 The residing of an individual or individuals in a dwelling unit, or the installation, storage or use of
2457 equipment, merchandise or machinery in any public, commercial or industrial structure.
- 2458 **OFFICIAL MAP**
2459 The map adopted pursuant to Wisconsin Statutes that shows existing and proposed streets, highways,
2460 parkways, parks, playgrounds and school sites.
- 2461 **OPEN SPACE**
2462 An unoccupied space open to the sky on the same lot as the principal structure or development,
2463 which is in addition to other required yard areas and which is not used for parking or driveway
2464 purposes.
- 2465 **OPEN STORAGE**
2466 Storage of any material outside of a structure.
- 2467 **PARCEL**
2468 An area of unplatted contiguous land having a boundary description duly recorded in the Register of
2469 Deeds office that identifies the boundaries of that area of land.
- 2470 **[Amended 8-19-2014 by Ord. No. 1092-2014]**
- 2471 **PARKING LOT**
2472 An off-street area for the temporary storage of motor vehicles consisting of access drives/driveways,
2473 aisleways and parking spaces.
- 2474 A. **ACCESS DRIVES** That portion of a parking lot that provides a way of approach to provide
2475 physical ingress and egress to a property.
- 2476 B. **AISLEWAYS** That portion of a parking lot/facility that is a traveled way by which vehicles enter
2477 and depart parking spaces.
- 2478 C. **PARKING SPACES** That portion of a parking lot/facility that provides for the temporary parking
2479 of motor vehicles within a public or private parking lot.
- 2480 **PARTIES IN INTEREST**
2481 Includes all abutting property owners, all property owners of opposite frontages and all property
2482 owners within 300 feet.
- 2483 **PERMIT**
2484 An official finding that a proposed development and use of a property, as indicated by an
2485 application, complies with the requirements of applicable ordinances or meets special conditions of a
2486 variance or conditional use permit. The applicable ordinance will specify the development activities
2487 that need to have such a permit.
- 2488 **PERMITTED USE**
2489 Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

2490	PREFABRICATED HOME	
2491		A nonmobile housing unit, the walls, floors and ceilings of which are constructed at a central factory
2492		and transported to a building site where final construction assembly is completed, permanently
2493		affixing the unit to the site.
2494	PREMISES	
2495		A lot together with all structures thereon.
2496	PRINCIPAL STRUCTURE	
2497		The main or primary structure on a land area that is utilized for the property's principal use,
2498		including structures attached or structures constructed in a manner that are utilized as if they were
2499		attached.
2500	PRINCIPAL USE	
2501		The main or primary use of a land area as distinguished from an accessory use.
2502	PROFESSIONAL HOME OFFICES	
2503		The office of a practitioner of a recognized profession that is located in the practitioner's place of
2504		permanent residency.
2505	PROPERTY	
2506		A land area together with all structures thereon.
2507	PROPERTY LINE	
2508		See "lot line."
2509	PUBLIC LAND	
2510		Land owned or operated by a municipality, school district, county, state, or other governmental unit.
2511	RAILROAD YARD	
2512		An open area for the storage and repair of railroad cars and engines, excluding those areas utilized
2513		for the sole purpose of movement and/or transportation of said railroad cars and engines.
2514	RECREATIONAL VEHICLE	
2515		See "camping unit."
2516	ROAD	
2517		See "street."
2518	ROADSIDE FARM STAND	
2519		A structure used solely for the sale of farm products produced on the premises.
2520	RUMMAGE SALE	
2521		Any display of used goods, on a property customarily used as a residence, that does not exceed four
2522		days in duration and occurs no more than once every four months.
2523	RUNOFF	
2524		The rainfall, snowmelt or irrigation water flowing over the ground surface.

Commented [67]: Editor's Note: The former definition of "pure tone," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

2525	RUNWAY	
2526		A level portion of an airport having a surface specially developed and maintained for the landing and
2527		taking off of aircraft.
2528	SATELLITE TELEVISION RECEIVING DISH	
2529		A device for the purpose of capturing television signals transmitted via satellite communications
2530		facilities and serving the same or similar function as the common television antenna.
2531	SCHOOL	
2532		Has the same meaning as in Wisconsin Statutes; and includes public, private, vocational and
2533		technical.
2534	SETBACK	
2535		The horizontal distance between the structure and an established lot line.
2536	SHOPPING CENTER	
2537		A group of commercial establishments planned, constructed and managed as a total entity, with
2538		parking provided on-site, provisions for goods delivery separated from the customer access, being
2539		developed in accordance with an approved plan.
2540	SIGN	
2541		Any object, device, display, or structure, or part thereof, situated outdoors or indoors, that is used to
2542		advertise, identify, display, direct, or attract attention to an object, person, institution, organization,
2543		business, product, service, event, or location by any means, including words, letters, figures, designs,
2544		symbols, fixtures, colors, illumination, or projected images.
2545	A. ENHANCEMENT FEATURES	Any portion of a sign structure intended to improve the physical
2546		appearance of a sign, such as but not limited to roofs, moldings, lattice or other decorative features.
2547	B. FREESTANDING SIGN	Any sign that is not attached to a building.
2548	C. OFF-PREMISES SIGN	A sign that directs attention to a business, commodity, service,
2549		entertainment or attraction sold, offered or existing elsewhere than upon the same lot where the sign
2550		is displayed.
2551	D. SIGN STRUCTURE	The supports, uprights, braces or framework of a sign.
2552	SITE-BUILT HOME	
2553		A permanent structure substantially constructed on the property and built on a permanent foundation
2554		with connections to utilities.
2555	SITE PLAN	
2556		A map or graphics prepared to scale depicting the development of a land area, including, but not
2557		limited to, the location and relationship of the structures, streets, driveways, recreation areas, parking
2558		areas, utilities, landscaping, existing and proposed grading, walkways, and other site development
2559		information as related to a proposed development.
2560	SPECIFIED ANATOMICAL AREAS	
2561	A.	Less than completely and opaquely covered:
2562	(1)	Human genitals, pubic region.

- 2563 (2) Buttocks.
- 2564 (3) Female breasts below a point immediately above the top of the areola.
- 2565 B. Human male genitals in discernible turgid state, even if completely and opaquely covered.
- 2566 **SPECIFIED SEXUAL ACTIVITIES**
- 2567 A. Showing of human genitals in a state of sexual stimulation or arousal.
- 2568 B. Acts of human masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic
2569 abuse, fellatio or cunnilingus.
- 2570 C. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.
- 2571 **SPLIT-ZONED LOT OR PARCEL**
- 2572 A lot or parcel whereby the lot or parcel consists of more than one zoning district.
- 2573 **[Added 11-14-2017 by Ord. No. 22-2017]**
- 2574 **STABLE**
- 2575 A structure in which domestic animals are sheltered and fed.
- 2576 **START OF CONSTRUCTION**
- 2577 The date the building permit was issued, provided the actual start of construction, repair,
2578 reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the
2579 permit date. The "actual start" means either the first placement of permanent construction on a site,
2580 such as the pouring of slab or footings, the installation of piles, the construction of columns, or any
2581 work beyond initial excavation, or the placement of a manufactured home on a foundation.
2582 Permanent construction does not include land preparation, such as clearing, grading and filling, nor
2583 does it include the installation of streets and/or walkways, nor does it include excavation for a
2584 basement, footings, piers or foundations or the erection of temporary forms, nor does it include the
2585 installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling
2586 units or not part of the main structure. For an alteration, the "actual start of construction" means the
2587 first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that
2588 alteration affects the external dimensions of the building.
- 2589 **STORY**
- 2590 That portion of a structure included between the surface of any floor and the surface of any floor
2591 above it or, if there is no floor above it, then the space between the floor and the ceiling next above
2592 it. A basement level having more than 1/2 of its wall surface area height above grade shall be
2593 deemed a story for purposes of height regulation.
- 2594 **STORY, HALF**
- 2595 That portion of a structure under a roof line that intersects the wall plates not more than 4 1/2 feet
2596 above the floor level of such story.
- 2597 **STRUCTURAL ALTERATION**
- 2598 Any work on the existing structure or parts thereof beyond ordinary maintenance and repair such as
2599 but not limited to sheathing, studs, plates stringers, rafters, joists, subfloor, foundation and any others
2600 similar to this, but does not include any expansion or replacement of the structure.
- 2601 **STRUCTURE**

2602 A combination of materials that form a structure, permanently or temporarily placed, for use,
2603 occupancy or ornamentation whether installed on, above or below the surface of land or water.

2604 **STRUCTURE HEIGHT**

2605 The vertical distance of a structure measured from the average elevation of the finished grade
2606 contiguous to the structure to the highest point of the roof or significant appurtenances.

Commented [68]: Editor's Note: The former definition of "total height," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

2607 **STRUCTURE OR USE, TEMPORARY**

2608 A structure or use on a property that requires a land use permit and meets all of the following:

2609 **[Added 10-15-2013 by Ord. No. 1070-2013]**

2610 A. That is present for not more than 90 days from the date of issuance of the land use permit.

2611 B. That complies with applicable dimensional and use standards.

2612 C. That there is no remaining evidence at the termination of the temporary structure or use.

2613 **SUBSTANTIAL EVIDENCE**

2614 Facts and information, other than merely personal preferences or speculation, directly pertaining
2615 to the requirements and conditions an applicant must meet to obtain a conditional use permit and that
2616 reasonable persons would accept in support of a conclusion.

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Commented [MEK69]: Required definition per Act 67.

2617 **TRACT**

2618 A contiguous area of land within a parcel, the owner of the tract being the same owner as the parcel.
2619 The tract(s) within the parcel is created by a street, highway, railroad, waterway or other physical
2620 feature that causes the acreage of the parcel to be physically separated.

2621 **UNNECESSARY HARDSHIP**

2622 A criteria reviewed during a variance proceeding. Unnecessary hardship is defined differently for the
2623 following types of variances:

2624 A. Use variance, requires that the test of "no reasonable use in the absence of a variance" be applied to
2625 determine if there is an unnecessary hardship.

2626 B. Area variance, requires that the test of "whether compliance with the strict letter of the restrictions
2627 governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner
2628 from using the property for a permitted purpose or would render conformity with such restrictions
2629 unnecessarily burdensome" be applied to determine if there is an unnecessary hardship.

2630 **USE**

2631 The purpose or activity for which the land or structure thereon is occupied, utilized or maintained.

2632 **UTILITIES**

2633 Any agency that, under public franchise or ownership, or under certificate of convenience and
2634 necessity, or by grant of authority by a governmental agency, provides the public with electricity,
2635 gas, heat, steam, communication, transportation, water, sewerage collection, or other similar service.

2636 **VARIANCE**

2637 An authorization by the body of jurisdiction to deviate from the strict interpretation of the standards
2638 of an ordinance, when criteria are met to allow such deviation from such standards.

2639 **VISION CLEARANCE TRIANGLE**
2640 A supplemental setback at the intersection of two or more roads for the purpose of preserving a clear
2641 line of sight across the sectors of such intersection(s).

2642 **WAREHOUSE**
2643 A structure used primarily for storage of goods and materials.

2644 **WIRELESS COMMUNICATIONS FACILITIES**
2645 (1) A land area containing a tower, sending and receiving antennas attached to the tower, and a
2646 prefabricated or modular structure or cabinets containing electronic equipment; (2) a Federal
2647 Communications Commission (FCC) licensed facility, designed and used for the purpose of
2648 transmitting, receiving and relaying voice and data signals from various wireless communication
2649 devices and equipment.

2650 A. **ALTERNATIVE TOWER STRUCTURE** Man-made structures such as, but not limited to, clock
2651 towers, bell steeples, light poles, silos and similar mounting structures.

2652 B. **ANTENNA** A device used to transmit and/or receive radio or electromagnetic waves between
2653 terrestrially and/or orbitally based structures.

2654 C. **COLLOCATION** The provision of multiple antennas of more than one commercial wireless
2655 communication service provider or government entity on a single tower or alternative tower
2656 structure.

2657 D. **FAA** Federal Aviation Administration.

2658 E. **FCC** Federal Communications Commission.

2659 F. **HEIGHT** When referring to a tower or other alternative tower structure, the distance measured
2660 from the grade to the highest point on the tower or other structure, including the base pad.

2661 G. **PERSONAL WIRELESS FACILITIES** Transmitters, antenna structures and other types of
2662 installations used to provide personal wireless services.

2663 H. **PREEXISTING WIRELESS COMMUNICATION FACILITY** Any wireless communication
2664 facility for which a land use permit or conditional use permit has been properly issued prior to the
2665 effective date of ordinance standards.

2666 I. **TOWER** Any structure that is designed and constructed for the purpose of supporting one or more
2667 antennas and related equipment used to transmit and/or receive signals. The term includes the
2668 structure and any support thereto.

2669 **YARD**
2670 The open land area lying between the structure and the lot line of the property.

2671 A. **YARD, FRONT STREET** The open land area across the full width of the property between the
2672 front street lot line and the nearest point of the structure.

2673 B. **YARD, REAR** The open land area across the full width of the property between the rear lot line
2674 and the nearest point of the structure.

2675 C. **YARD, SIDE** The open land area between the adjacent side lot line and the nearest point of the
2676 structure and extending from the front yard to the rear yard.

Commented [70]: Editor's Note: The former definitions of "wind energy facility" and "wind turbine," added 12-16-2008 by Ord. No. 942-08, which followed this definition, were repealed 12-15-2009 by Ord. No. 969-2009.

Commented [MEK71]: More "front" to "street" fix.

- 2677
- 2678
- 2679
- ZERO LOT LINE**
- The instance where a structure is allowed to be constructed over a lot line of two adjoining land areas.
- 2680
- 2681
- 2682
- ZONING AMENDMENT**
- A change of the zoning map or zoning text authorized by the County, either in the allowed use within a district or in the boundaries of a district.
- 2683
- 2684
- 2685
- ZONING DISTRICT**
- An area within the limits of the County for which the regulations and requirements governing use are uniform.
- 2686
- 2687
- 2688
- ZONING DISTRICT, OVERLAY**
- A zoning district that encompasses one or more underlying zoning districts and that imposes additional regulations and requirements beyond those of the underlying zoning district.
- 2689
- 2690
- 2691
- ZONING MAP**
- The map or maps incorporated into the applicable ordinance as a part thereof designating the boundaries of the zoning districts.
- 2692

NOTICE OF PUBLIC HEARING

The Land Use Planning and Zoning Committee of **Green Lake County** will hold a public hearing in County Board Room #0902 of the Government Center, 571 County Road A, Green Lake, WI, on **Thursday, November 1, 2018, at 6:00 p.m.** to consider the following items:

Item I: Owners/Applicants: Douglas J & Sandra M Linde **General legal description:** Lost Creek Road, #004-00471-0300 (± 5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW $\frac{1}{4}$ of Section 20, T16N, R13E, Town of Brooklyn **Request:** Rezone ± 5.8 acres from R-3 Multiple Family Residence District to R-4 Rural Residential District.

Item II: Owner/Applicant: Matt Boelter Farms, LLC – Chad Boelter **General legal description:** W1609 County Road X, #010-00443-0000 (± 40 acres), Part of the SW $\frac{1}{4}$ of Section 21, T14N, R13E, Town of Mackford **Request:** Rezone ± 3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

Item III: Owner/Applicant: Barbara Meyer **Agent:** Kim Michaelson, Power of Attorney **General legal description:** W514 Town Line Road, Parcel #002-00683-0100 (± 10 acres), Lot 1 Certified Survey Map 3257, Part of the SE $\frac{1}{4}$ of Section 35, T17N R13E, ± 10 acres, Town of Berlin. **Request:** Rezone from A-2 General Agriculture District to A-1 Farmland Preservation District (± 3 acres) & R-4 Rural Residential District (± 7 acres). To be identified by certified survey map.

All interested persons wishing to be heard at the public hearing are invited to attend. The public can direct written comments to the Land Use Planning & Zoning Department, Green Lake, WI 54941 or zoning@co.green-lake.wi.us. For information related to the outcome of these public hearing items, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

Publish: October 18, 2018 and October 25, 2018

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

November 1, 2018

ITEM I: ZONING CHANGE

OWNERS:

Douglas and Sandra Linde

APPLICANTS:

same

REQUEST: The owners/applicants are requesting a zoning change for ±5.780 acres from R-3, Multiple-Family Residence District to R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: The affected parcel number is 004-00471-0300, located in the NW¼ of Section 20, T16N, R13E, Town of Brooklyn. The site proposed for zoning change is located on Lost Creek Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is R-3 Multiple-Family Residence District. The lands surrounding the subject site are a mixture of R-1, Single-Family Residence District, R-3, Multiple-Family Residence District, R-4, Rural Residential District, A-1, Farmland Preservation District, and A-2, General Agriculture District. There are parcels zoned C-2, Extensive Commercial District, to the south along State Road 23 and to the northeast, along the County Road A corridor near its intersection with State Road 23.

While almost all of the Heritage Estates parcels have zoning that allows for multi-family homes, the majority is used as single-family residences. There is a business located along Princeton Road, just north and east of the parcel in question.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Non-Agricultural Development Area. According to Flood Boundary and Floodway Map Panel 55047C0126C, all lands under consideration for this request are located out of the general floodplain. As the ponds were constructed as part of the Heritage Estates development, they do not have the same protections natural waterbodies are granted under the Green Lake County Shoreland Ordinance. This parcel is, therefore, outside of the jurisdiction of the Shoreland Zoning Ordinance as well.

ADDITIONAL INFORMATION / ANALYSIS: According to the application, the owners/applicants are looking to build a multi-generational home that will be similar to, but different from, a duplex. This is a permitted use in both the R-3 and R-4 zoning districts. The owners would like to rezone simply to take advantage of the larger outbuilding/accessory building footprint size. The maximum size for a building on an R-3 parcel is 600sqft (about the size of a standard two-car garage). The maximum in the R-1 and R-4 districts is 1500sqft. With the size of the parcel at 5.78 acres and considering two families will be residing there, the owners are looking to maximize the use of the property.

SUGGESTED ZONING CHANGE CRITERIA: When considering a request for zoning change, recent court cases have cited the following decision-making criteria:

- a) consistency with long-range planning (comprehensive plan)
- b) nature and character of parcel
- c) use of surrounding land
- d) overall scheme or zoning map
- e) consideration of interest of public health, morals, and safety

- f) promote public welfare, convenience, and general prosperity

STAFF COMMENTS: The following county staff comments are based on the previously-stated criteria:

- ❑ The request is consistent with the County comprehensive plan goals to “Promote residential development in areas designated and suitable to this use.” This request keeps residential growth in an area near existing residential areas.
- ❑ The nature and character of the parcel is conducive to larger accessory buildings based on acreage and surrounding uses.
- ❑ The use of the surrounding lands is residential and agricultural, with some commercial activity to the northeast.
- ❑ The overall zoning scheme appears to be residential and agricultural. The proposed rezone is consistent with that scheme.
- ❑ It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

TOWN OF BROOKLYN: An Action Form requesting the Town of Brooklyn’s input related to this zoning change request was mailed to the Town Clerk on September 7, 2018.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941
(920) 294-4156

GENERAL APPLICATION

Fee \$375 (not refundable)

Date Aug. 30, 2018

Zone Change from R-3 to R-4

Conditional Use Permit for N/A

Other N/A

PROPERTY OWNER / APPLICANT (1)

Name Douglas and Sandra Linde

Mailing Address W6696 CTH C Burnett WI 53922

Phone Number 920 210 9494

Signature Doug Linde Sandra Linde Date Aug. 30, 2018

PROPERTY OWNER / APPLICANT (2)

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Brooklyn Parcel Number(s) 004- 00 4 7 1 -03 00

Acres 5.78 Lot 1 Block _____ Subdivision _____

Section 20 Town 16 North Range 13 East

Location of Property Lost Creek Rd

Legal Description Lot 1 of Certified Survey Map 2057

Current Zoning Classification R-3 Multiple-Family Current Use of Property Vacant land

Detailed Description of Proposed Use We will be building a multi-generational home on the property listed above. Because of the size of the property, and the fact that there will be two families, we would like to build a larger unattached shop (outbuilding).

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

Fees: Zone Change \$375.00
Conditional Use Permit \$375.00
Special Exception \$375.00
Variance/Appeal \$375.00

CERTIFIED SURVEY MAP

CERTIFIED SURVEY MAP FOR LOST CREEK FARM, A PARTNERSHIP,
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 20, T16N,
R13E, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Sam T. Mullen, Registered Land Surveyor of the State of Wisconsin, hereby certify that I have at the order of Lost Creek Farm, a partnership (Paul and John Loberg as officers), surveyed lands located in the Northwest 1/4 of the Northwest 1/4 of Section 20, Town 16 North, Range 13 East, Town of Brooklyn, Green Lake County, Wisconsin; being more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 20; thence $N00^{\circ}-35'-56''W$ along the west line of the Northwest 1/4 1687.85 ft. to the Point of Beginning; thence continuing $N00^{\circ}-35'-56''W$ 260.00 ft. to the southwesterly corner of Certificate of Survey No. 7-1256; thence $N76^{\circ}-56'-40''E$ along the south line of C.O.S. No. 7-1256 and C.S.M. No. 2054 806.26 ft. to the southeast corner of Lot 1 of Certified Survey Map No. 2054 as recorded in Green Lake County Certified Survey Maps in Volume 9 on Pages 2054 and 2054A, also being a point on the westerly right-of-way line of a private road; thence traversing along said right-of-way line $S00^{\circ}-35'-56''E$ 116.62 ft.; thence along the arc of a curve to the right having a radius of 198.03 ft. and a chord bearing $S15^{\circ}-15'-32''W$ 108.22 ft.; thence $S31^{\circ}-07'-00''W$ 250.51 ft. to the end of the traverse along said westerly right-of-way line; thence $S89^{\circ}-23'-34''W$ 626.02 ft. to the Point of Beginning; containing 5.780 acres, and being subject to all easements and restrictions of record.

I further certify that such survey is a correct representation of all exterior boundaries of the land surveyed and the division thereof made, and that I have fully complied with the provisions of Section 236.34 of the Wisconsin State Statutes in surveying and mapping the same, to the best of my knowledge and belief.

GREEN LAKE SURVEYING CO.
Green Lake, Wisconsin.

Sam T. Mullen

Sam T. Mullen, R.L.S. 0981
Dated this 24th day of September, 1993.



RECEIVED FOR RECORDING THIS 27th DAY OF Sept., 1993, AT 9:15 O'CLOCK
IN THE A. M. AND RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS OF GREEN
LAKE COUNTY ON PAGE 2057

Shirley A. Williams

Shirley A. Williams, Register of Deeds.

Gynne R. Kenesh, Deputy



GREEN LAKE SURVEYING CO.

P.O. Box 131
Green Lake, Wisconsin 54941
Phone: (414) 294-6666

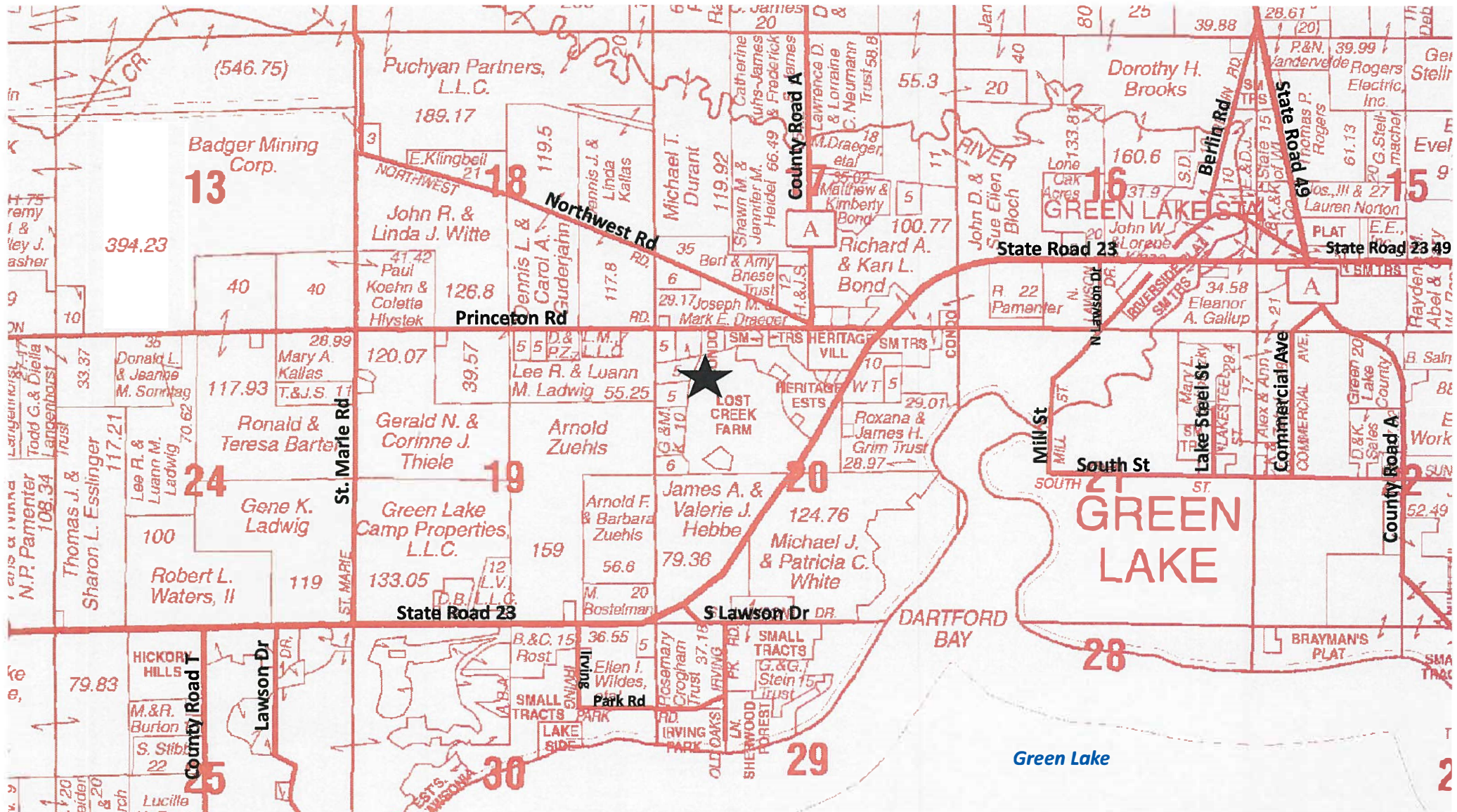
GREEN LAKE

COUNTY CERTIFIED SURVEY MAP NO. 2057

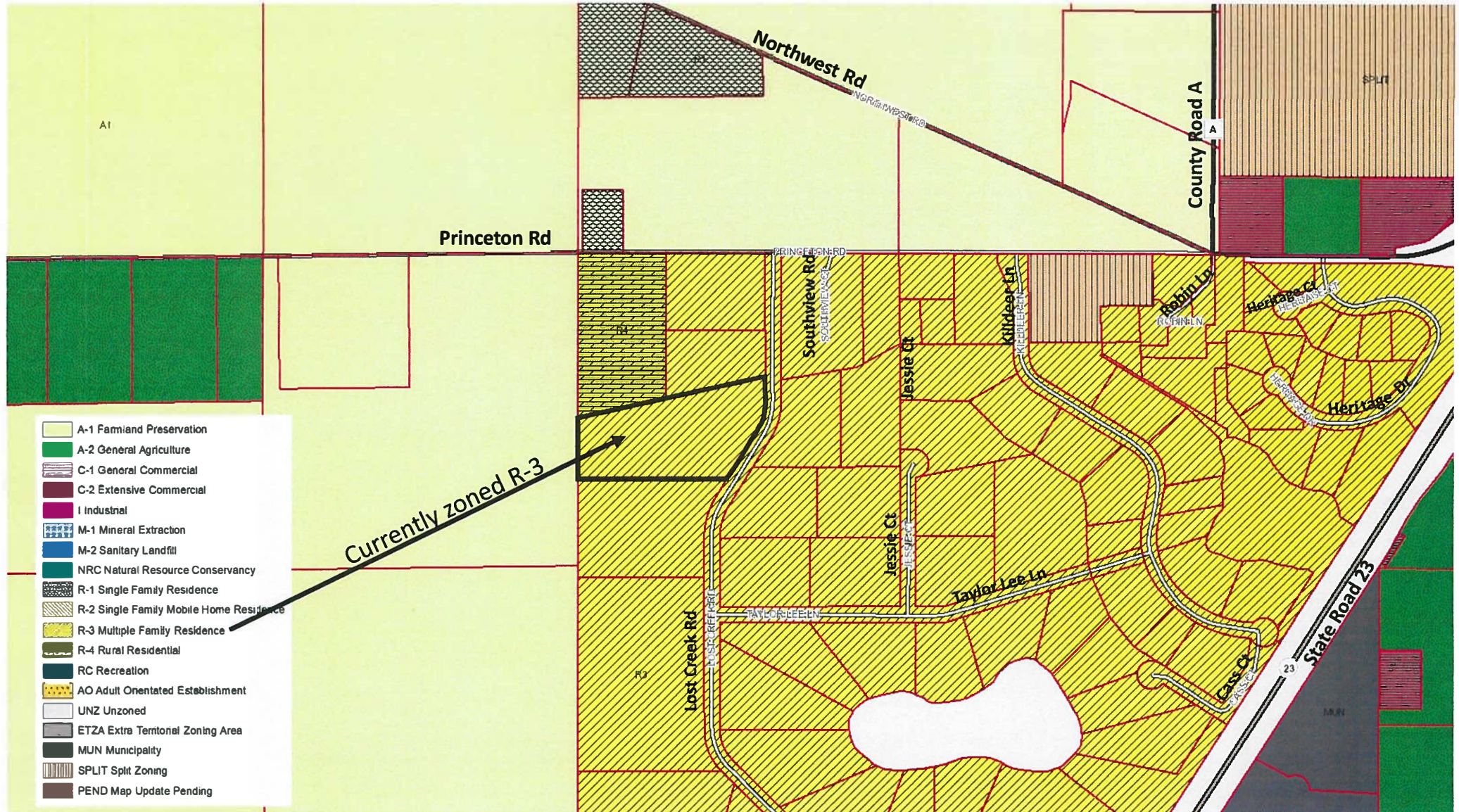
VOLUME 9

PAGE 2057A

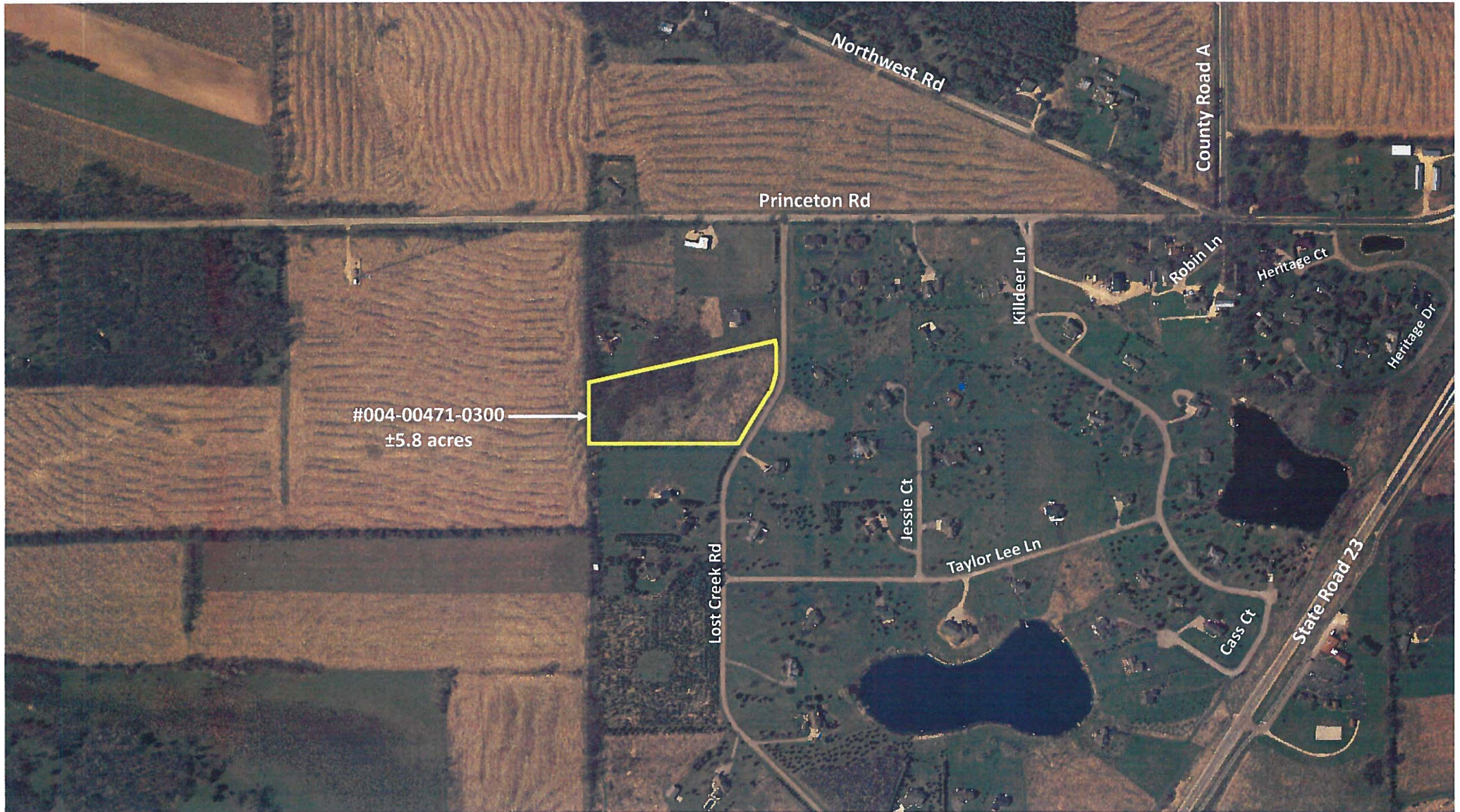
Douglas J. & Sandra M. Linde – Lost Creek Road - Town of Brooklyn
Parcel #004-00471-0300 (±5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW¼ of Section 20, T16N, R13E
Request to rezone ±5.8 acres from R-3 Multiple Family Residence to R-4 Rural Residential District



Douglas J. & Sandra M. Linde – Lost Creek Road - Town of Brooklyn
Parcel #004-00471-0300 (±5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW¼ of Section 20, T16N, R13E
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Douglas J. & Sandra M. Linde – Lost Creek Road - Town of Brooklyn
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Douglas J. & Sandra M. Linde – Lost Creek Road - Town of Brooklyn
Parcel #004-00471-0300 (±5.8 acres), Lot 1 Certified Survey Map 2057, Part of the NW¼ of Section 20, T16N, R13E
Request to rezone ±5.8 acres from R-3 Multiple Family Residence to R-4 Rural Residential District



ITEM II: ZONING CHANGE

OWNER:

Matt Boelter Farms LLC

APPLICANT:

same

REQUEST: The owner/applicant is requesting a zoning change from A-1 Farmland Preservation District to R-4 Rural Residential District, +3 acres.

PARCEL NUMBER / LOCATION: The affected parcel number is 010-00443-0000, located in the SW¼ of Section 21, T14N, R13E, Town of Mackford. The site proposed for zoning change is located at W1609 County Road X.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is A-1, Farmland Preservation District and lands surrounding the subject site are A-1, Farmland Preservation District.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in an Area for Agricultural Uses. According to Flood Boundary and Floodway Map Panel 55047C0225C, all lands under consideration for this request are located out of the general floodplain.

ADDITIONAL INFORMATION / ANALYSIS: According to the application, the applicant would like to subdivide +3 acres in order to sell off the single-family dwelling and ag buildings. The remaining acreage will remain with the applicant's other lands and in the A-1, Farmland Preservation District.

ORDINANCE CRITERIA PER §350-27.B: Land may be rezoned out of the A-1 Farmland Preservation Zoning District if the County, through their review and recommendation, and after a public hearing, finds that all of the following apply: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the A-1 Farmland Preservation Zoning District. **A goal of the county's comprehensive plan and of the county Farmland Preservation Plan is to preserve and protect quality agricultural lands. While the use of this parcel is not changing, this request continues to preserve and protect agricultural lands in Green Lake County as R-4, Rural Residential District allows for light agricultural use.**
- b) The rezoning is consistent with the Green Lake County Comprehensive Plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives, most prominently, the goal to preserve the rural characteristic of the county.**
- c) The rezoning is substantially consistent with the Green Lake County certified Farmland Preservation Plan. **The overall goal of the county certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the County's certified Farmland Preservation Plan.**

- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also requires a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 District is intended not to impair or limit future agricultural use of surrounding parcels.**

TOWN OF MACKFORD: An Action Form requesting the Town of Mackford's input related to this zoning change request was mailed to the Town Clerk on September 7, 2018.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941
(920) 294-4156

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 8-23-18

Zone Change from A-1 to R-4

Conditional Use Permit for N/A

Other N/A

PROPERTY OWNER / APPLICANT (1)

Name Mott Buehler Farms LLC

Mailing Address W2470 Hwy AW Randolph, WI 53956

Phone Number (920) 398-3479

Signature Chad Buehler Date 8-23-18

PROPERTY OWNER / APPLICANT (2)

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Mackford Parcel Number(s) 010-00443-0000

Acres 40 Lot _____ Block _____ Subdivision _____

Section 21 Town 14 North Range 13 East

Location of Property W1609 County Road X

Legal Description NW1/4 of the SW1/4 of Section 21, new lot to be determined by Certified Survey Map

Current Zoning Classification A-1 Farmland Preservation Current Use of Property _____

Detailed Description of Proposed Use Residential and light ag


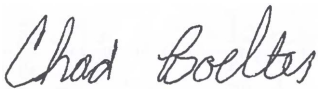
PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

Fees: Zone Change \$375.00
Conditional Use Permit \$375.00
Special Exception \$375.00
Variance/Appeal \$375.00

PZZ-311 (12/03)

Matt Boelter Farms, LLC



 1 inch = 174 feet Geographic Information System (GIS) https://gis.co.green-lake.wi.us/	GIS Viewer Map Green Lake County, WI	Time: 2:00:32 PM Date: 8/23/2018
	Note: 	



Matt Boelter Farms, LLC



1 inch = 87 feet



Geographic Information System (GIS)
<https://gis.co.green-lake.wi.us/>

GIS Viewer Map Green Lake County, WI

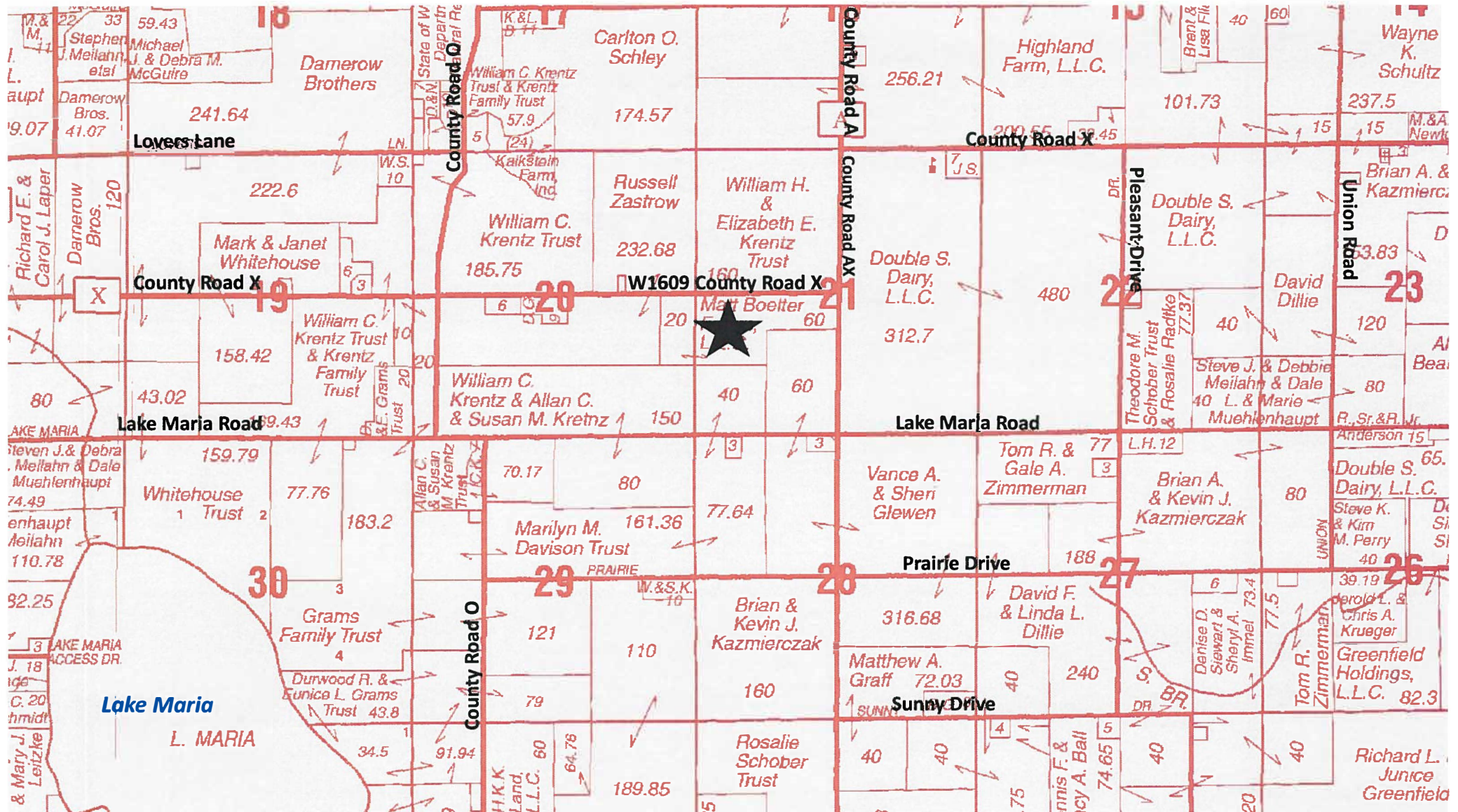
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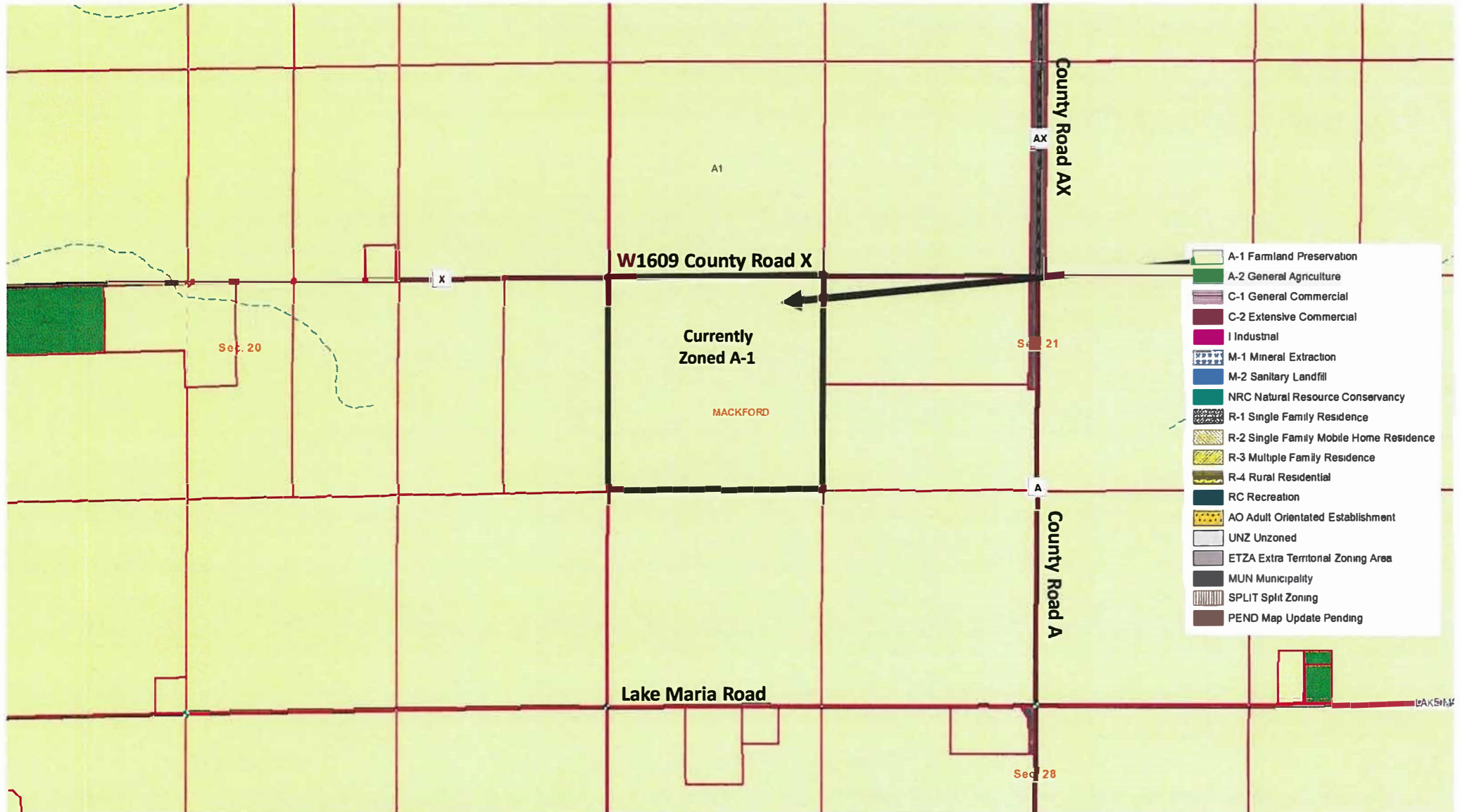
Chad Boelter



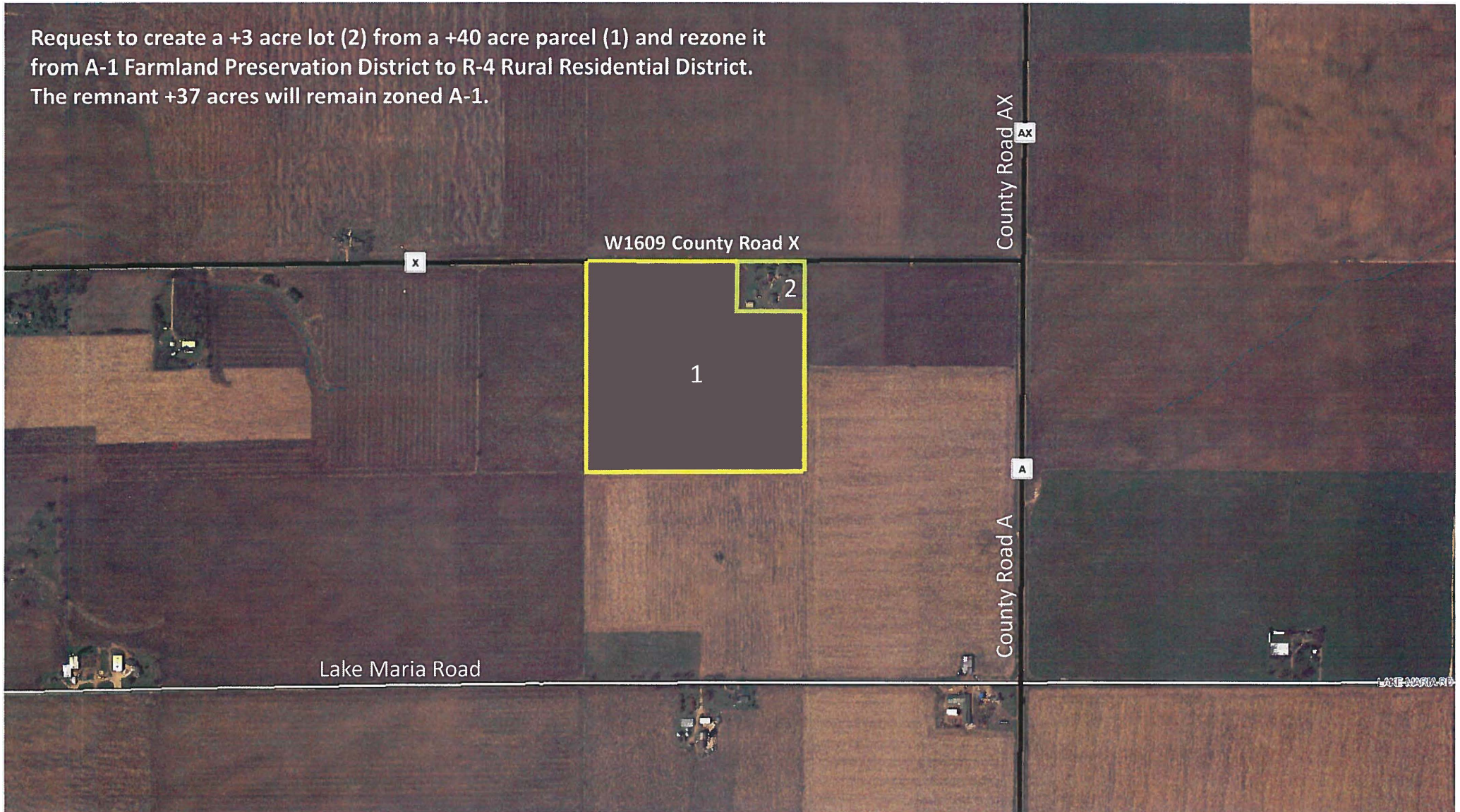
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



Matt Boelter Farms, LLC – Chad Boelter - W1609 County Road X – Town of Mackford
Parcel #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



Matt Boelter Farms, LLC – Chad Boelter - W1609 County Road X – Town of Mackford
Parcel #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



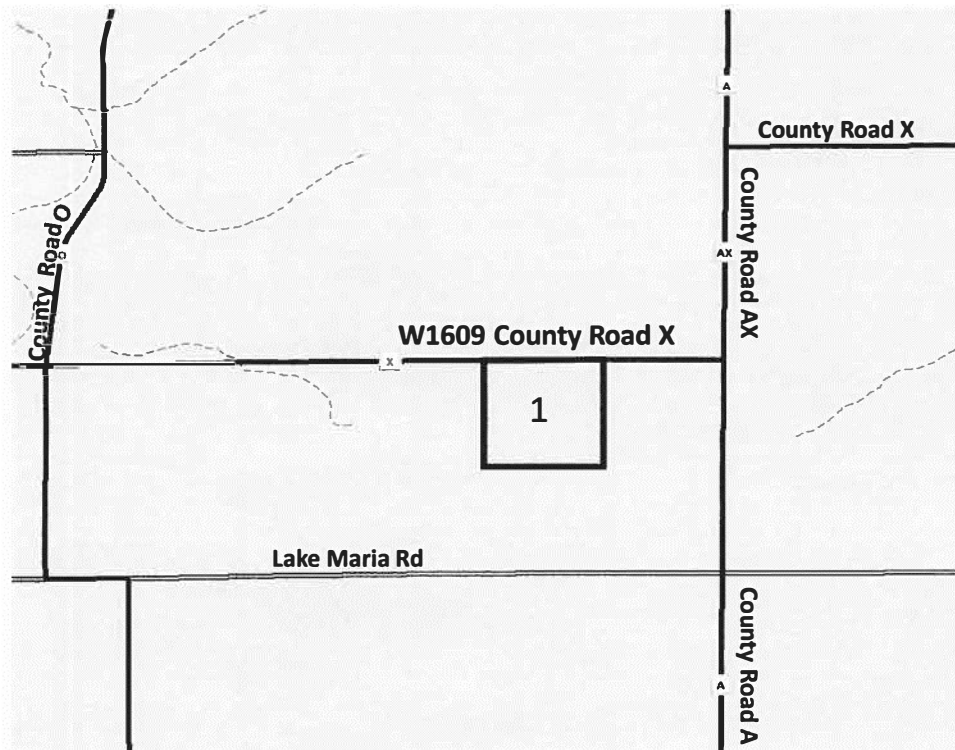
**Matt Boelter Farms, LLC – Chad Boelter - W1609 County Road X – Town of Mackford
Parcel #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District**



Matt Boelter Farms, LLC – Chad Boelter - W1609 County Road X – Town of Mackford
Parcel #010-00443-0000 (±40 acres), Part of the SW¼ of Section 21, T14N, R13E
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District

Existing Configuration:

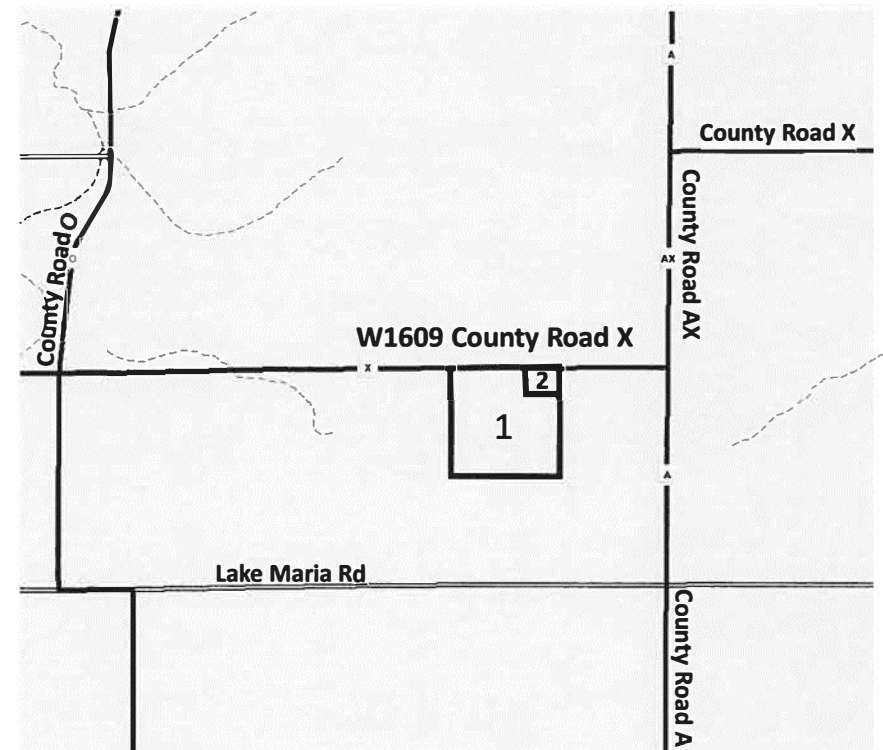
#1 = +40 acre parcel that is currently zoned A-1 Farmland Preservation District



Proposed Configuration:

#1 = +37 acre parcel that remains zoned A-1 Farmland Preservation District

#2 = +3 acre parcel rezoned R-4 Rural Residential District



LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

November 1, 2018

ITEM III: ZONING CHANGE

OWNER:

Barbara Meyer

APPLICANT:

Kim Michaelson, Power of Attorney

REQUEST: The owner/applicant is requesting a zoning change from A-2, General Agriculture District to A-1, Farmland Preservation District and A-2, General Agriculture District to R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: Affected parcel number is #002-00683-0100, located in the SE¼, Section 35, T17N, R13E, Town of Berlin. The site proposed for zoning change is located at W514 Town Line Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is A-2, General Agriculture and the majority of lands surrounding the subject site are A-1, Farmland Preservation District, with the predominant use of the land being agricultural.

The Green Lake County Farmland Preservation Plan identifies the subject of this rezone request as being a Farmland Preservation Area. The soil suitability for agriculture ranges from slight and moderate limitations to soils with very severe limitations depending on the location and elevation of the described lands.

According to Flood Boundary and Floodway Map Panel 55047C0070C, all lands under consideration for this request are located out of the general floodplain.

ADDITIONAL INFORMATION / ANALYSIS: The owner would like to separate +3 acres of vacant land on the west side of the parcel and add it via Certified Survey Map to the parcel directly next to it (002-00682-0000). The lands the 3 acres are attaching to are zoned A-1, therefore a rezone is needed in order to join the acreage together. The remaining ±7 acres, including a single-family dwelling and large barns, will be sold. This proposed lot will need a rezone to R-4, Rural Residential since it falls below the required 8-acre minimum in the A-2 zoning district. With a rezone to R-4, Rural Residential, the lands could be used for light agriculture purposes.

SUGGESTED ZONING CHANGE CRITERIA: When considering a request for zoning change, recent court cases have cited the following decision-making criteria:

- a) consistency with long-range planning (comprehensive plan)
- b) nature and character of parcel
- c) use of surrounding land
- d) overall scheme or zoning map
- e) consideration of interest of public health, morals, and safety
- f) promote public welfare, convenience, and general prosperity

STAFF COMMENTS: The following county staff comments are based on the previously-stated criteria:

- ❑ The request is consistent with the County comprehensive plan as lands are not being rezoned out of the Farmland Preservation zoning district. Rather, 3 acres is returning

to Farmland Preservation District. The remaining 7 acres are being rezoned to R-4 and is consistent with a rural residential use.

- ❑ The nature and character of the parcel is conducive to rural residential use based on area and location. The rural residential is located near other agricultural lands and single-family dwellings.
- ❑ The use of the surrounding lands is agricultural.
- ❑ The overall zoning scheme appears to be agricultural. The proposed rezone is consistent with that scheme.
- ❑ It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

TOWN OF BERLIN: An Action Form requesting the Town of Berlin's input related to this zoning change request was mailed to the Town Clerk on September 14, 2018.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 8/31/18

Zone Change from A-2 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Barbara Meyer

Mailing Address W514 Townline Road

Phone Number 920-570-1412

Signature Jim Michaelson POK, Date August 31, 2018

AGENT IF OTHER THAN OWNER

Name Jim Michaelson

Mailing Address W514 Townline Road

Phone Number 920-570-1412

Signature Jim Michaelson Date August 31, 2018

PROPERTY INFORMATION

Town of Berlin Parcel Number 002-00683-0100 Acres 10

Lot 1 Block _____ Subdivision CSM 3257

Section 35 Town 17 North Range 13 East

Location of Property W514 Townline Rd

Legal Description Lot 1 of CSM 3257, located in the SE 1/4 of Sec 35

Current Zoning Classification A-2 Current Use of Property Residential and agricultural

Detailed Description of Proposed Use Would like to sell the home and building with 7 acres. The west 3 acres will be combined with the adjacent parcel via CSM.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

Fees: Zone Change \$375
Conditional Use Permit \$375.00
Variance \$375.00
Special Exception \$375.00

CONCEPT PLAN

CONCEPT PLAN FOR MICHAELSON REV TRUST, STEVEN L. & KIM S. AND MEYER REVOCABLE TRUST, BARBARA, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND IN PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 17 NORTH, RANGE 13 EAST, TOWN OF BERLIN, GREEN LAKE COUNTY, WISCONSIN

OWNER(S)
MICHAELSON REV TRUST,
STEVEN L. & KIM S. AND
MEYER REVOCABLE TRUST, BARBARA

PROPERTY ADDRESS:
W4515 TOWNLINE ROAD
RIPON, WISCONSIN 54971
AND OTHER LANDS

NE 1/4 SW 1/4



(RUSSELL J. CLAUSING)

SE 1/4 SW 1/4

UNPLATTED LANDS

MICHAELSON REV TRUST,
STEVEN L. & KIM S.
UNPLATTED LANDS

NW CORNER OF
LOT 1, CSM NO. 3105

NORTH LINE OF LOT 1, CSM NO. 3105

N.E. CORNER OF
LOT 1, CSM NO. 3105

NW 1/4 SE 1/4

LOT 1
CSM NO. 3105

SW 1/4 SE 1/4

MICHAELSON REV TRUST,
STEVEN L. & KIM S.

PROPOSED
LOT 2

A-1 ZONING

GROSS AREA
48.1073 ACRES
2,095,553.210 SQ. FT.

NET AREA
47.1171 ACRES
2,052,421.577 SQ. FT.

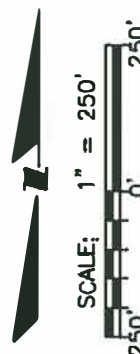
LOT 1
CSM NO.
650

MICHAELSON REV TRUST,
STEVEN L. & KIM S.

UNPLATTED LANDS

Donald W. Lenz
Donald W. Lenz, WPLS No. S-2003
Dated this 4th Day of September 2018

NE 1/4 SE 1/4



GREEN LAKE SURVEYING COMPANY
P.O. BOX 131
Green Lake, Wisconsin 54941
Phone: (920) 294-6666
survey@greenlakesurveyingcompany.com
www.greenlakesurveyingcompany.com

PAGE, JAY & KAYLEEN S

UNPLATTED LANDS

SE 1/4 SE 1/4

PART OF LOT 1 CSM NO. 3257
TO BE ATTACHED TO LOT 1
OF CSM NO. 3105

GROSS AREA
3.0013 ACRES
130,734.847 SQ. FT.
NET AREA
2.6907 ACRES
117,209.478 SQ. FT.

R-4 ZONING
PROPOSED
LOT 1
GROSS AREA
7.0030 ACRES
305,049.798 SQ. FT.

MEYER REVOCABLE TRUST,
BARBARA
PART OF
LOT 1
CSM NO.
3257
NET AREA
6.066 ACRES
264,239.913 SQ. FT.

TOWN

LINE

ROAD

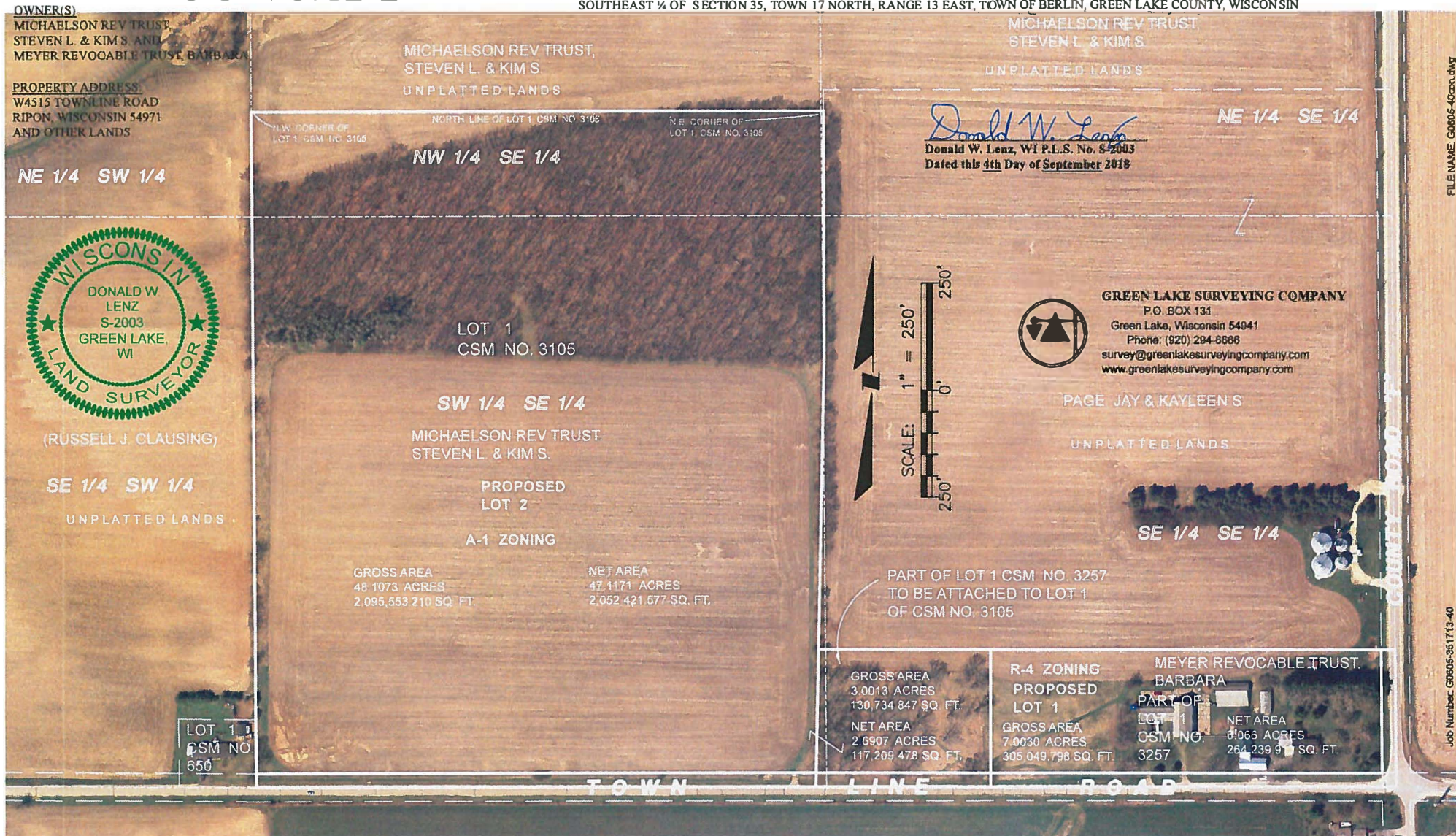
COUNTY ROAD "F"

FILE NAME: G0605-0000.dwg

Job Number: G0605-351713-40

CONCEPT PLAN

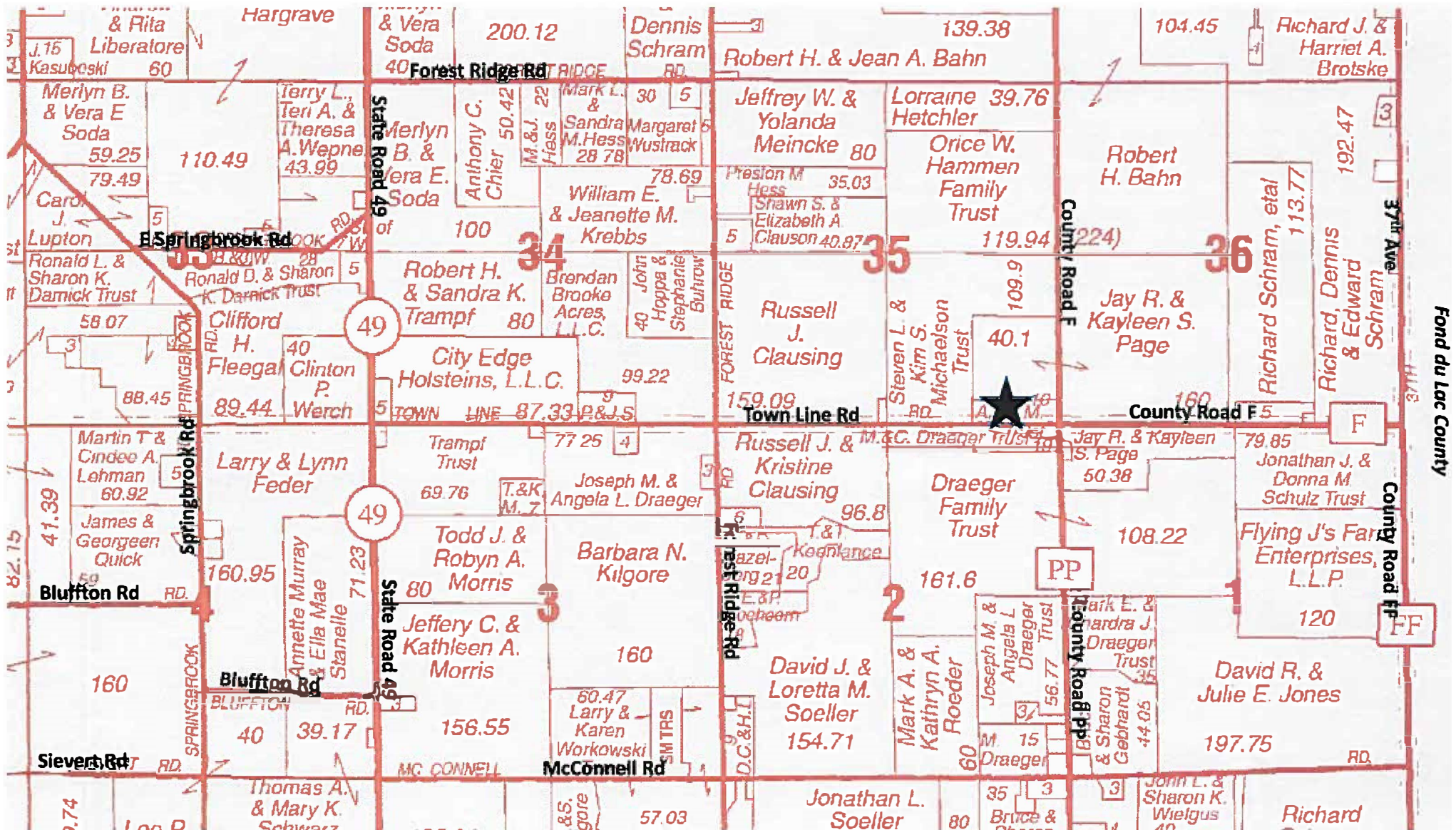
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Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

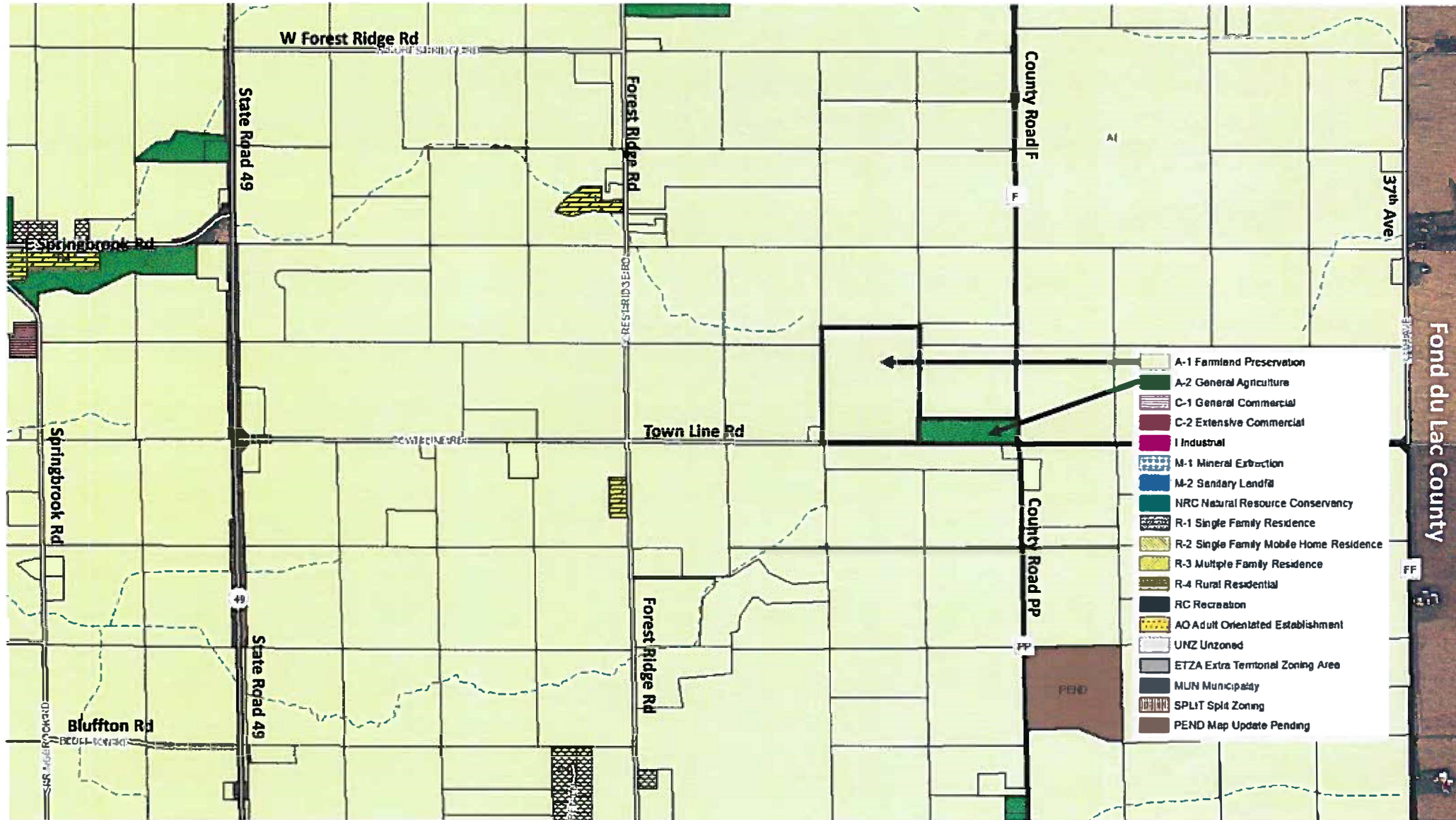
Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)



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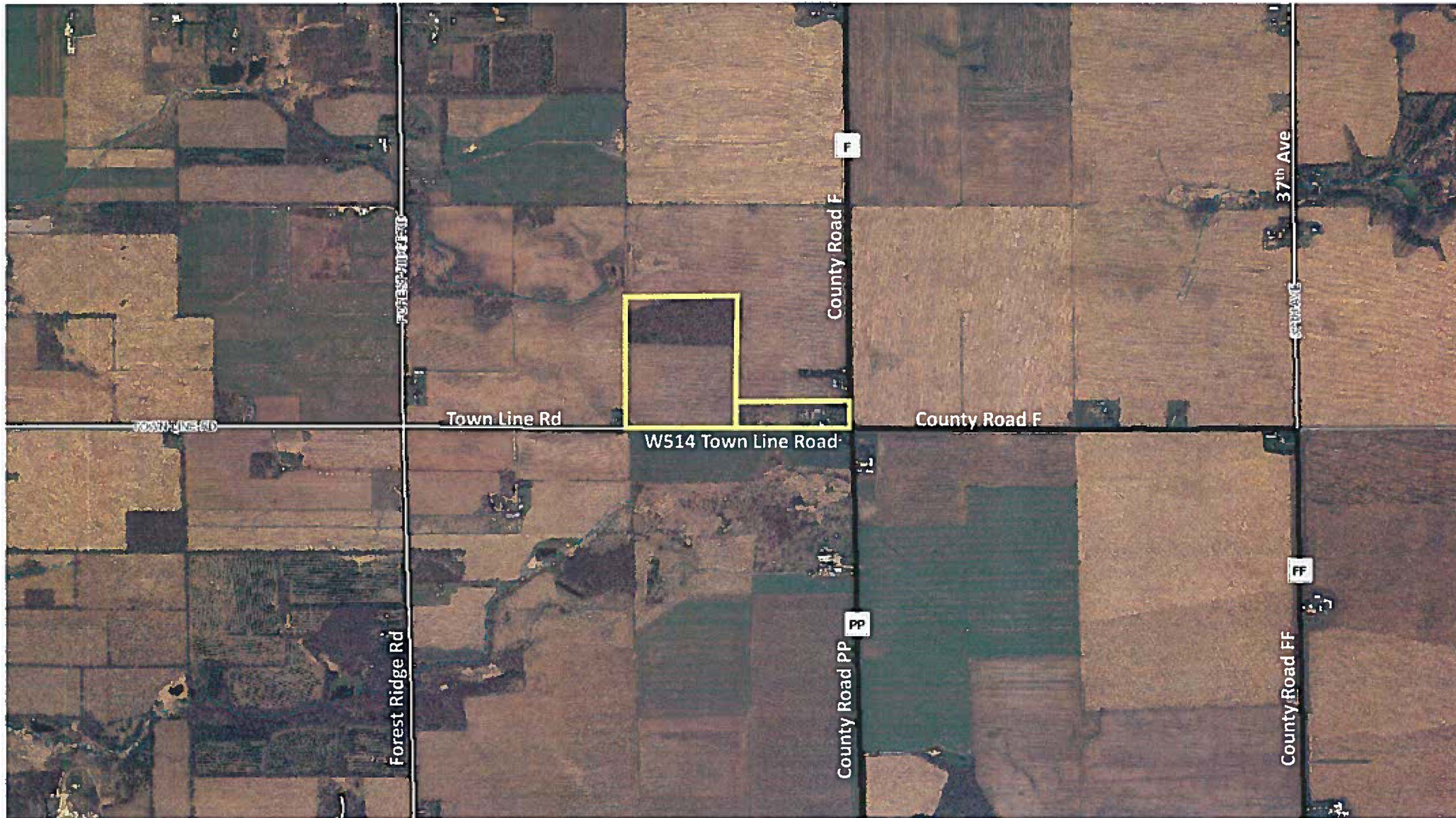


Green Lake County Land Use Planning & Zoning Committee Public Hearing 11/01/18

Barbara Meyer - Kim Michaelson, Power of Attorney

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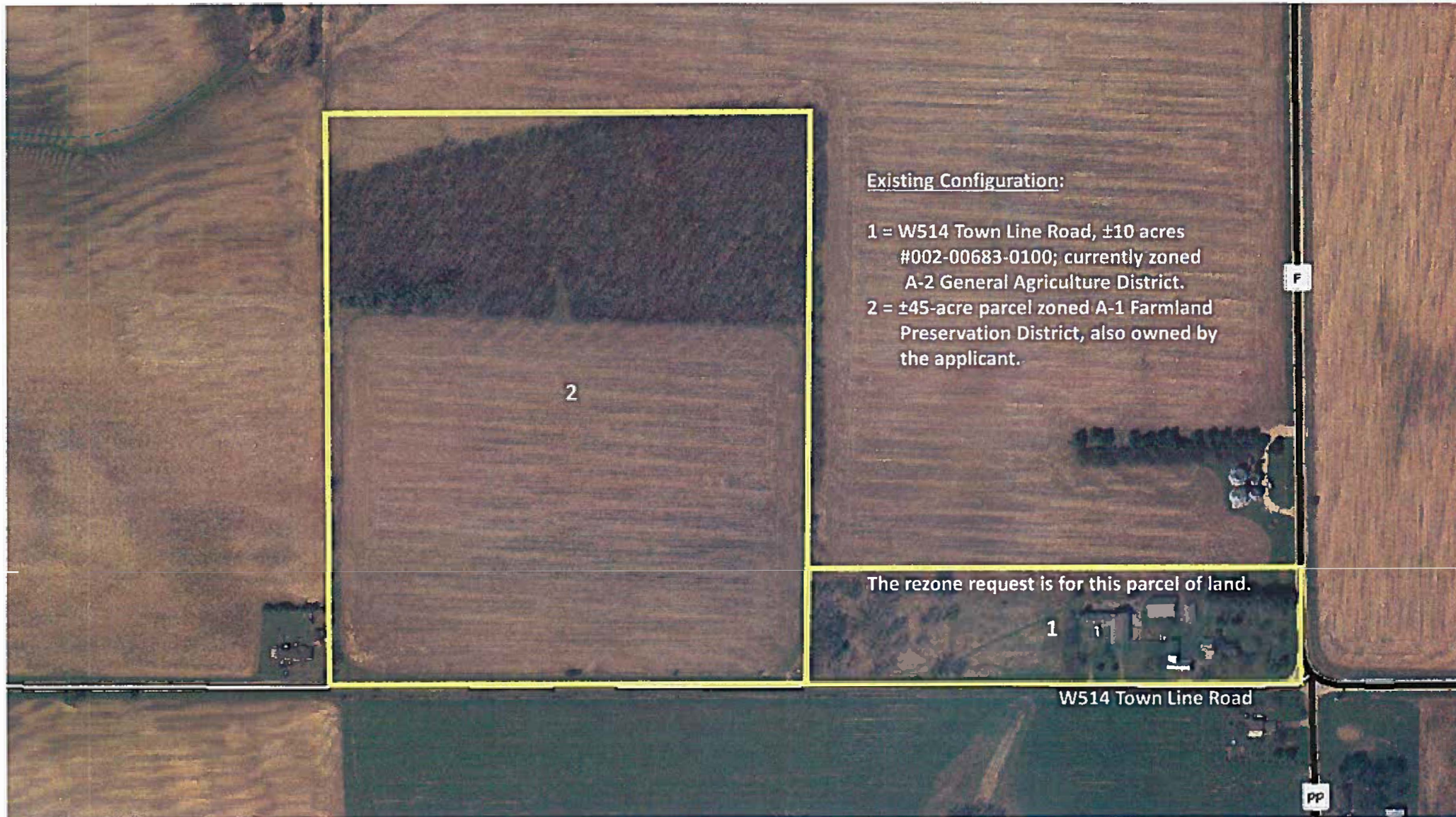


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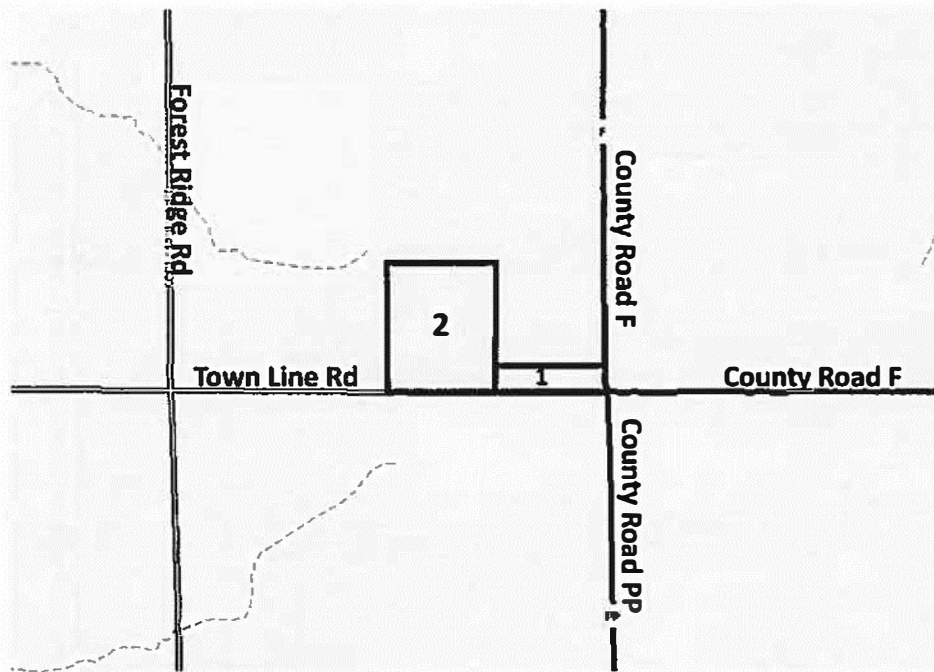
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Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)

Existing Configuration:

- 1 = W514 Town Line Road, ±10 acres, #002-00683-0100 currently zoned A-2 General Agriculture District.**
- 2 = ±45-acre parcel zoned A-1 Farmland Preservation District, also owned by the applicant.**



Proposed Configuration:

- 1 = W514 Town Line Road, ±7 acres; #002-00683-0100; rezoned to R-4 Rural Residence District.**
- 2 = The remnant ±3 acres would be combined with the adjoining parcel creating a ±48-acre A-1 Farmland Preservation District parcel.**

