



**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: 10/04/18 Time: 5:15 p.m.**  
**Green Lake County Government Center, Room #0902**  
**571 County Road A, Green Lake, WI 54941**

**AMENDED AGENDA 10/02/18 cd**

**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: 09/06/18
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. Zoning ordinance text amendments~~
  - ~~b. Farmland Preservation Program updates~~
  - ~~c. Comprehensive Plan update~~
  - a. Review zoning ordinance text amendments
  - b. Review timeline for ETZA absorption project
  - c. Review Town of Berlin Farmland Preservation Plan map amendment
  - d. Review Town of Berlin zoning map amendment
10. 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.

**6:00 p.m. Public Hearing**

**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
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. 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, September 6, 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, Curt Talma, Peter Wallace**

**Absent: Harley Reabe**

**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 08/02/18 minutes**

**PUBLIC COMMENT - None**

**PUBLIC APPEARANCES - None**

**CORRESPONDENCE - None**

**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 July.

**c. Violations**

Kirkman discussed the list of land use violations and septic violations.

**DEPARTMENT/COMMITTEE ACTIVITY**

**a. Update on County eligibility for Wisconsin Fund Grant Program**

**Kirkman** – Updated the committee on the DSPS response to the county’s request to be reinstated in the Wisconsin Fund Grant Program. The county has been approved for reinstatement and Code Enforcement Officer Missy Sorenson will send a letter to DSPS requesting funds for the two county applicants.

**b. Budget**

Kirkman – The county administrator asked that department budgets be reviewed by the governing committees. Kirkman shared a preliminary 2019 departmental budget that he has prepared. Nothing has really changed from the last month’s meeting when the committee members were each given a copy of the proposed budget.

**c. City of Berlin ETZA update**

Kirkman explained the process by which the residents were notified of the county taking over the ETZA area.

**d. Zoning ordinance text amendments**

Kirkman – Explained that there are some zoning ordinance text amendments that need to be made. A draft copy of the amendments will be an agenda item for the October 4<sup>th</sup> committee meeting.

**e. Recap of the Planning and Zoning training (8-29)**

Lyon – Thanked staff for doing a good job with organizing the training session that was held on August 29<sup>th</sup>. Sixty-five people from twelve different municipalities attended the event. The presentation and information was excellent.

**5:55 p.m. Recessed for five minutes.**

**6:00 p.m. The committee reconvened 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:** Lois E. Zuehls **General legal description:** N5521 County Road D, #016-00241-0101 (±1.11 acres), Lot 2 Certified Survey Map 2673, and N5511 County Road D, #016-00242-0000 (±.53 acre), Lot 1 Certified Survey Map 261, both in the NW¼ and SW¼ of Section 30, T16N, R12E, Town of Princeton **Request:** Variance request to Section 315-39.B. of the Green Lake County Land Division and Subdivision Ordinance to create two lots, both less than one acre in area.

**a. Public hearing**

Don Lenz, Green Lake Surveying Company, representing Mrs. Zuehls – Spoke in favor of the request.

Public hearing closed.

**b. Committee discussion and deliberation**

Kirkman – Read through the criteria.

**c. Committee decision**

**On a motion by Boutwell/Wallace, unanimously carried on roll call (4-ayes, 0-nays, 1-absent), to approve the variance request with the following condition:**

- 1. That a Certified Survey Map be prepared and recorded for the two proposed lots.**

**FUTURE COMMITTEE ACTIVITIES**

**a. Future agenda items**

**b. Meeting Date**

October 4, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:00 p.m.

**ADJOURN**

**6:15 p.m. Meeting adjourned.**

**RECORDED BY**

Carole DeCramer

Committee Secretary

**APPROVED ON:**

**GREEN LAKE COUNTY  
LAND USE PLANNING ZONING DEPARTMENT**

FEES RECEIVED		AUGUST				YEAR-TO-DATE				BUDGET	
		2017		2018		2017		2018		2018	
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
<b>LAND USE PERMITS</b>											
Residential	New	6	2,900	2	1,500	29	10,950	13	5,550	-	
	Alterations	8	1,000	10	2,050	48	6,650	72	13,100	-	
Commercial	New	2	200	1	500	3	1,000	3	800	-	
	Alterations	-	-	2	250	2	1,100	7	950	-	
Agricultural	New	4	600	3	700	18	2,750	13	3,050	-	
	Alterations	1	300	1	-	4	750	2	150	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-	
	Permit Renewals	-	-	-	-	-	-	-	-	-	
<b>Total</b>		<b>21</b>	<b>\$ 5,000</b>	<b>19</b>	<b>\$ 5,000</b>	<b>104</b>	<b>\$ 23,200</b>	<b>110</b>	<b>\$ 23,600</b>	<b>\$ 34,800</b>	<b>68%</b>
<b>SANITARY PERMITS (POWTS)</b>											
Residential	New	4	1,120	4	1,195	16	4,855	15	4,275	-	
	Replacement	8	2,185	8	1,925	39	11,485	29	7,305	-	
	Reconnect	1	280	1	280	1	280	3	915	-	
	Modify	-	-	-	-	3	300	3	580	-	
	Repairs	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Commercial	New	-	-	-	-	-	-	2	635	-	
	Replacement	-	-	-	-	1	280	-	-	-	
	Reconnect	-	-	-	-	-	-	1	280	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
	<b>Total</b>	<b>13</b>	<b>\$ 3,585</b>	<b>13</b>	<b>\$ 3,400</b>	<b>60</b>	<b>\$ 17,200</b>	<b>53</b>	<b>\$ 13,990</b>	<b>\$ 24,600</b>	<b>57%</b>
<b>NON-METALLIC MINING PERMITS</b>											
Annual Permit Fees		-	-	-	-	18	14,500	18	15,300	-	
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>18</b>	<b>\$ 14,500</b>	<b>18</b>	<b>\$ 15,300</b>	<b>\$ -</b>	
<b>BOARD OF ADJUSTMENT</b>											
Special Exception		-	-	-	-	-	-	-	-	-	
Variances		-	-	-	-	2	750	3	1,125	-	
Appeals		-	-	-	-	-	-	-	-	-	
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 750</b>	<b>3</b>	<b>\$ 1,125</b>	<b>\$ 750</b>	<b>150%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>											
Zoning Change		1	375	3	1,125	7	3,000	15	5,625	-	
Conditional Use Permits		-	-	-	-	3	1,500	5	1,875	-	
Variance		-	-	-	-	-	-	1	375	-	
<b>Total</b>		<b>1</b>	<b>\$ 375</b>	<b>3</b>	<b>\$ 1,125</b>	<b>10</b>	<b>\$ 4,500</b>	<b>21</b>	<b>\$ 7,875</b>	<b>\$ 7,000</b>	<b>113%</b>
<b>MISC.</b>											
Rental Weatherization		1	25	-	-	14	350	-	-	-	
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500	
Applied Funds - Code Enforcement		-	-	-	-	14	350	-	-	-	
<b>Total</b>		<b>1</b>	<b>\$ 25</b>	<b>-</b>	<b>\$ -</b>	<b>14</b>	<b>\$ 700</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 6,500</b>	<b>0%</b>
<b>SURVEYOR</b>											
Certified Survey Maps		2	345	2	390	33	6,075	24	4,170	6,000	
Preliminary Plats		-	-	-	-	-	-	-	-	-	
Final Plats		-	-	-	-	-	-	-	-	-	
Miscellaneous		-	-	-	-	-	125	-	316	-	
<b>Total</b>		<b>2</b>	<b>\$ 345</b>	<b>2</b>	<b>\$ 390</b>	<b>33</b>	<b>\$ 6,200</b>	<b>24</b>	<b>\$ 4,486</b>	<b>\$ 6,000</b>	<b>75%</b>
<b>GIS (Geographic Information System)</b>											
Map Sales		-	-	-	15	-	117	-	70	200	
Land Records Transfer		-	2,912	-	2,440	-	19,920	-	20,192	27,000	
Land Information Grant		-	-	-	-	-	9,080	-	9,500	9,080	
<b>Total</b>		<b>-</b>	<b>\$ 2,912</b>	<b>-</b>	<b>\$ 2,455</b>	<b>-</b>	<b>\$ 29,117</b>	<b>-</b>	<b>\$ 29,762</b>	<b>\$ 36,280</b>	<b>82%</b>
<b>GRAND TOTAL</b>											
		<b>38</b>	<b>12,242</b>	<b>37</b>	<b>12,370</b>	<b>241</b>	<b>95,817</b>	<b>229</b>	<b>96,138</b>	<b>\$ 115,930</b>	<b>83%</b>
										<b>Total</b>	<b>83%</b>

GREEN LAKE COUNTY

For 08/01/18 - 08/31/18

Revenue Summary Report

FJRES01A

Periods 08 - 08

Land Use & Zoning Month End Revenue

MER100-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
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	5,000.00	23,600.00	11,200.00	67.82
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	1,125.00	7,875.00	-875.00	112.50
18-100-10-44400-003-000 Misc	.00	.00	316.91	-316.91	.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	3,400.00	13,990.00	10,610.00	56.87
18-100-10-46131-001-000 GIS Map Sales	200.00	15.00	70.00	130.00	35.00
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	390.00	4,170.00	1,830.00	69.50
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	9,930.00	77,971.91	47,458.09	62.16

For 08/01/18 - 08/31/18

Expenditure Summary Report

FJEXS01A

Periods 08 - 08

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
<b>10 Land Use Planning and Zoning</b>						
<b>53610 Code Enforcement</b>						
18-100-10-53610-110-000 Salaries	281,520.00	.00	36,072.00	182,184.29	99,335.71	64.71
18-100-10-53610-140-000 Meeting Payments	600.00	.00	471.32	471.32	128.68	78.55
18-100-10-53610-151-000 Social Security	21,539.00	.00	2,717.05	14,978.62	6,560.38	69.54
18-100-10-53610-153-000 Ret. Employer Share	18,865.00	.00	2,230.29	12,927.58	5,937.42	68.53
18-100-10-53610-154-000 Health Insurance	63,361.00	.00	4,780.08	44,240.64	19,120.36	69.82
18-100-10-53610-155-000 Life Insurance	504.00	.00	49.05	357.00	147.00	70.83
18-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	1,450.00	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	317.50	920.53	-4.53	100.49
18-100-10-53610-310-000 Office Supplies	1,930.00	.00	296.87	739.19	1,190.81	38.30
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	325.00	609.50	-109.50	121.90
18-100-10-53610-320-001 Publications-PZ Public Hearing	2,000.00	.00	325.00	2,314.50	-314.50	115.73
18-100-10-53610-321-000 Seminars	1,085.00	.00	.00	133.00	952.00	12.26
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	79.03	429.17	70.83	85.83
18-100-10-53610-352-000 Vehicle Maintenance	734.00	.00	126.53	346.85	387.15	47.25
<b>53610 Code Enforcement</b>	<b>410,754.00</b>	<b>.00</b>	<b>49,239.72</b>	<b>267,102.49</b>	<b>143,651.51</b>	<b>65.03</b>
<b>10 Land Use Planning and Zoning</b>	<b>410,754.00</b>	<b>.00</b>	<b>49,239.72</b>	<b>267,102.49</b>	<b>143,651.51</b>	<b>65.03</b>

## Land Use Permits: 8/1/2018 - 8/31/2018



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Project Cost	Project
002002780000	Berlin	W1110 COUNTY ROAD V	SLATON PROPERTIES LLC	150.00	9,000.00	Sun room addition
002004870200	Berlin	N8050 FOREST RIDGE RD	SCHRAM LIVING TRUST	400.00	280,000.00	Grain bin
004003150200	Brooklyn	W1002 STATE ROAD 23 49	COACHLITE GREEN LAKE LLC	150.00	30,000.00	Install mobile home
004004250000	Brooklyn	W2466 PRINCETON RD	PAUL KOEHN	150.00	25,000.00	Dwelling addition
004005681200	Brooklyn	N5702 SPAULDING HILL RD	JOHN/SHARON SINA LIV TRUST	50.00	950.00	Patio under the deck
004021080000	Brooklyn	SHORE DRIVE	THOMAS G GREGOR	500.00	325,000.00	Single-family dwelling
004021090000	Brooklyn	N5506 SHORE DR	RICHARD J NETZEL	150.00	17,500.00	Deck, patio, retaining walls
006010220100	Green Lake	W1708 SANDSTONE AVE	LAURA DROGIN LEE TRUST	1,000.00	845,000.00	Single-family dwelling
006010420000	Green Lake	W1478 SPRING GROVE RD	STEPHEN KENNEDY	800.00	697,000.00	Deck, patio, addition
006012870000	Green Lake	N2955 N KEARLEY RD	TERENCE BRUMIRSKI	150.00	25,000.00	Boathouse, detached garage
010001570500	Mackford	W1550 COUNTY ROAD S	KINAS EXCAVATING INC	150.00	2,715.00	Roadside sign, building sign
010001830100	Mackford	W987 COUNTY ROAD S	GELHAR REAL ESTATE INVEST	500.00	352,000.00	Transload facility track expansion
010003170100	Mackford	W1166 COUNTY ROAD X	TIMOTHY G DILLIE	150.00	10,000.00	Decking
012003700000	Manchester	W4516 WINDING LN	REBECCA A ROCHA	150.00	3,000.00	Deck
012006430000	Marquette	W4083 YUNKER RD	JOSEPH J SCHROCK	-	30.00	Chicken coop
014005060000	Marquette	N3091 COUNTY ROAD BH	PAUL W MAST	150.00	75,000.00	Ag storage shed
014006820000	Marquette	N3511 STATE ROAD 73	RADTKE FARMS	100.00	100.00	signs w/supports
016005090100	Princeton	N4459 NELSON RD	SMITH RECREATIONAL TRUST	150.00	10,000.00	Cabin addition
016011690000	Princeton	N4365 S LAKESHORE DR	MICHAEL G BESHEL	150.00	75,000.00	Pole building
<b>TOTALS</b>				<b>\$ 5,000.00</b>	<b>\$ 2,782,295.00</b>	



## Sanitary Permits: 08/01/18 - 08/31/18



Parcel Number	Town	Site Address	Owners	Permit Fee	Permit Type
004002860300	Brooklyn	N6219 SUNNYSIDE RD	AUDREY I KELMA	150.00	REPLACEMENT SYSTEM
004003150200	Brooklyn	W1002 STATE ROAD 23 49	JOANNE STEVENS	280.00	RECONNECT
006010220100	Green Lake	W1708 SANDSTONE AVE	LAURA DROGIN LEE TRUST	280.00	NEW SYSTEM
008003010100	Kingston	W4970 STATE ROAD 44	MATTHEW BONTRAGER	280.00	NEW SYSTEM
008005540100	Kingston	N710 COUNTY ROAD HH	SAMUEL SCHWARTZ	355.00	NEW SYSTEM
008006260000	Kingston	W6450 E PINE ST	DARYL E COWLEY	355.00	REPLACEMENT SYSTEM
012005400300	Manchester	N606 COUNTY ROAD M	CURTIS M & BONNIE M BENDER	280.00	REPLACEMENT SYSTEM
014004520000	Marquette	W6395 PUCKAWAY RD	TERESA JENSEN	280.00	REPLACEMENT SYSTEM
016001400000	Princeton	W4022 OLD GREEN LAKE RD	CRYSTAL M MARSCHALL	280.00	REPLACEMENT SYSTEM
016003180000	Princeton	W3610 COUNTY ROAD T	DELBER/IRENE KUTZ REV TRUST	150.00	REPLACEMENT SYSTEM
016005650200	Princeton	N6731 COUNTY ROAD Y	SUSAN L DOCKUS	280.00	NEW SYSTEM
016006660200	Princeton	N6140 PLEASANT DR	JOSEPH ST LOUIS	280.00	REPLACEMENT SYSTEM
016006860500	Princeton	N5657 OAK TREE ACRES	THOMAS R SR/MARY J ROBERTS	150.00	REPLACEMENT SYSTEM
				<b>\$ 3,400.00</b>	

**Land Use Violations 10/04/18**



Parcel #	Town	Site Address	Owner Name	Vio Type	Violation Description	# Vios	Vio Date
004-00356-0000	Brooklyn	N Lawson	Egbert Excavating, Inc	Zoning	Expansion of a use which requires new conditional use permit	3	4/5/2018
004-00570-0000	Brooklyn	N5736 Spaulding Hill Rd	Thresher, Michael P	Junk	TVs, monitors, ACs, appliances, mattresses, sofa, chairs, sofa	1	5/24/2018
006-01817-0000	Green Lake	W2220 Spring Lake Rd	James A & Janet K Harder	Zoning	Accessory use on vacant parcel without principal use established	1	7/17/2018

POWTS Violation Report 10/04/18



Parcel #	Town	Site Address	Owner Name	Violation Description	Vio Date	# Vios	Notes
2004610100	Berlin	N7977 37TH AVE	LEE C OTIS REVOCABLE TRUST	Tank failure not structurally sound.	8/7/2018	2	Needs a letter
4002560300	Brooklyn	N6254 SUNNYSIDE RD	DONALD/JEAN SONNTAG REV TRUST	Tank baffles not present or secure.	7/5/2018	1	Needs a letter
4002850400	Brooklyn	W586 STATE ROAD 23 49	ROBERT & BONNIE SHRADER	Tank failure not structurally sound.	7/21/2017	1	Letter sent. No response
4002860100	Brooklyn	N6215 SUNNYSIDE RD	THOMAS & GERALDINE KONO	Tank failure not structurally sound.	6/29/2018	2	Replacement permit on file
4002860300	Brooklyn	N6219 SUNNYSIDE RD	AUDREY I KELMA	Tank failure not structurally sound.	6/6/2017	1	Replacement permit on file
4003150200	Brooklyn	W1002 STATE ROAD 23 49	COACHLITE GREEN LAKE LLC	Tank overfull and discharging to ground surface.	11/6/2017	4	Working with park manager to replaces systems
4003190100	Brooklyn	W1049 STATE ROAD 23 49	RADENE M ABEL	Tank failure not structurally sound.	10/23/2017	1	Egbert working on a replacement permit
4003200300	Brooklyn	W963 STATE ROAD 23 49	NOLAN FRANCIS WALLENFANG REV INTERVIVOS T	Tank overfull and discharging to ground surface.	10/17/2017	3	Letter sent. No response
4003650000	Brooklyn	N6269 N LAWSON DR	ARTHUR ROWLEY	Holding tank overflowing to ground.	4/24/2018	2	Egbert will fix
4003760000	Brooklyn	N6205 N LAWSON DR	JOHN W & LORENE A KINAS	Tank lid not properly secured.	8/1/2018	2	Kinas is working on a new permit
4004250000	Brooklyn	W2466 PRINCETON RD	PAUL KOEHN	Tank overfull and discharging to ground surface.	6/27/2017	2	Egbert working on a replacement permit
4004430300	Brooklyn	W2354 STATE ROAD 23	JULI REALTY LLC	Tank overfull and discharging to ground surface.	7/6/2018	12	Egbert working on a replacement permit
4004810000	Brooklyn	W1944 S LAWSON DR	JOSEPH GAFFNEY	Tank overfull and discharging to ground surface.	8/6/2018	2	Needs a letter
4006880000	Brooklyn	W1973 S LAWSON DR	CLARENCE W & JOANN I LA MIRE	Tank lid not properly secured.	5/14/2018	6	Letter sent. No response
4011380000	Brooklyn	W817 SILVER CREEK RD	DALBKE FAMILY TRUST AGREEMENT	Holding tank overflowing to ground.	9/5/2018	6	Letter sent. No response
4017600000	Brooklyn	W2017 TAYLOR LEE LN	DONALD P & LORRAINE A SCHUSTER TRUST	Tank lid not properly secured with locking device.	8/2/2018	1	Needs a letter
6000800100	Green Lake	N4550 HORNER RD	EDWIN C & HOLLY J THORP	Tank failure not structurally sound.	11/17/2017	1	Letter sent. No response
6001800000	Green Lake	W945 COUNTY ROAD K	WILLIAM/ARLENE KOLLER REVOCABLE TRUST	Tank failure not structurally sound.	8/8/2018	2	Kinas is working on a new permit
6004710100	Green Lake	W103 STATE ROAD 44	NICHOLAS R NIEMUTH	Tank overfull and discharging to ground surface.	12/19/2017	5	Letter sent. No response
6006880500	Green Lake	N2765 COUNTY ROAD Q	MELISSA OLIVER	Tank failure not structurally sound.	6/26/2018	2	Needs a letter
6011080100	Green Lake	W1128 SCOTT HILL RD	JOHN S FEENEY	Tank failure not structurally sound.	6/19/2017	1	Replacement permit on file
8000990000	Kingston	N2070 INDIAN MOUND RD	DONNA M SCHEIER	Tank failure not structurally sound.	6/23/2018	1	Needs a letter
8001700000	Kingston	N1634 COUNTY ROAD FFF	JOHN C BUFFINGTON	Filter not functioning properly.	12/5/2017	1	Letter sent. No response
8006040000	Kingston	N751 COUNTY ROAD FF	NATIONAL EXCHANGE BANK & TRUST	Tank failure not structurally sound.	7/30/2018	1	Needs a letter
10002500100	Mackford	N1842 N BRAVE RD	LARMAY CONSTRUCTION INC	DSPS 382.10(2)(d); Section 145.135(1); Section 334-4C(1)(b)	11/18/2016	1	
10006700000	Mackford	W1376 COUNTY ROAD AW	KASTEIN PROPERTIES LLC	No vents on dispersal cell to check system for functionality.	7/26/2018	1	Needs a letter
12002910100	Manchester	N1325 COUNTY ROAD S	GREG & JUDY MAC DONALD	Tank baffles not present or secure.	10/3/2017	1	Letter sent. No response
12003500000	Manchester	N1251 SALEMVILLE RD	LEONARD F BAGGETT	Tank overfull and discharging to ground surface.	5/29/2018	1	Replacement permit on file
12006010100	Manchester	W4775 COUNTY ROAD GG	CHRISTOPHER A DORNFELD	Filter not functioning properly.	8/10/2017	1	Needs a letter
14005750000	Marquette	N4091 WICKS LNDG	RICHARD G ZODROW	Tank failure not structurally sound.	7/17/2018	1	Needs a letter
14005820000	Marquette	N4075 WICKS LNDG	WM/PATRICIA FROST REV TRUST ET AL	Tank failure not structurally sound.	7/17/2018	1	Needs a letter
14007060000	Marquette	W3802 COUNTY ROAD BB	AAE FARM LLC	Tank overfull and discharging to ground surface.	8/2/2018	1	Needs a letter
16000730000	Princeton	N5890 COUNTY ROAD D	NORMAN W & LORRAINE M LIEBE	Tank overfull and discharging to ground surface.	7/28/2018	3	Needs a letter
16000840000	Princeton	W4819 KRISTINE CT	DARRELL L SCHUELER	Tank overfull and discharging to ground surface.	7/2/2018	1	Needs a letter
16000990000	Princeton	W4531 OLD GREEN LAKE RD	BRET F & KIMI J SANDLEBACK	Tank failure not structurally sound.	8/7/2018	2	Needs a letter
16001120100	Princeton	W4537 STATE ROAD 23 73	PATRICK L & LISA M SORENSEN	Tank lid not properly secured.	1/19/2018	3	Letters were returned. No forwarding address
16001400000	Princeton	W4022 OLD GREEN LAKE RD	CRYSTAL M MARSCHALL	Tank overfull and discharging to ground surface.	6/5/2018	16	Replacement permit on file
16001550100	Princeton	W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	No vents on dispersal cell to check system for functionality.	5/4/2017	1	Working with Kinas for replacement
16001720000	Princeton	W3457 STATE ROAD 23	DAVID J BOGUCKE	Tank overfull and discharging to ground surface.	11/30/2017	2	Letter sent. No response
16002120000	Princeton	W4289 STATE ROAD 23 73	RUSSELL G & WENDY R WANASEK	Tank failure not structurally sound.	6/26/2018	1	Needs a letter

16002690100	Princeton	W4689 COUNTY ROAD T	ARLAND W KIRST	Tank lid not properly secured.	8/30/2018	2	Needs a letter
16004650000	Princeton	N4467 HICKORY LN	LYNN M RYAN	Lid on tank not properly secured.	7/28/2017	3	Letter sent. No response
16005790000	Princeton	W5482 LOSINSKI RD	JAMES M WEGNER	Tank failure not structurally sound.	9/5/2017	2	Letter sent. No response
16006660200	Princeton	N6140 PLEASANT DR	JOSEPH ST LOUIS	Tank overfull and discharging to ground surface.	5/8/2018	2	Replacement permit on file
16006770000	Princeton	N5981 CANAL ST	MARY BRUNSON	Tank overfull and discharging to ground surface.	1/8/2018	3	Will hire a plumber to fix
16006920100	Princeton	N5775 COUNTY ROAD T	LISA GALLEGOS	Tank lid not properly secured.	8/7/2018	1	Needs a letter
16007550000	Princeton	N5498 MERRILL LN	NATHAN A HENDERSON	Holding tank overflowing to ground.	8/17/2018	6	Needs a letter
16007780400	Princeton	W6018 FERAM RD	CZAR PROPERTIES LLC	Tank overfull and discharging to ground surface.	7/19/2018	1	Needs a letter
16008010300	Princeton	N5591 LOCK RD	MICHAEL J CALAMITA	Tank overfull and discharging to ground surface.	9/29/2017	8	Working to replace bad systems
16009320000	Princeton	N5105 LUECK LN	DOUGLAS R POLLARD	Tank lid not properly secured.	8/30/2018	3	Needs a letter
16010230000	Princeton	N5809 COUNTY ROAD D	SCOTT J SULLIVAN	Tank baffles not present or secure.	7/16/2018	1	Needs a letter
16010870000	Princeton	N4621 OAK RD	ROBERT A & LAURIE K SUMANIS	Tank lid not properly secured.	8/21/2017	1	Letter sent. No response
16010990000	Princeton	N4683 OAK RD	JAMES F & ELIZABETH A OETH	Tank failure not structurally sound.	8/23/2018	1	Needs a letter
16011060000	Princeton	N4713 OAK RD	JACK R/SANDRA J KARLOVICH FAMILY TRUST	Tank baffles not present or secure.	8/19/2018	1	Needs a letter
16011130000	Princeton	N4570 ELM ST	CYNTHIA BETH PURPERO	Tank failure not structurally sound.	7/10/2017	1	Replacement permit on file
16011150000	Princeton	N4546 ELM ST	JAMES E & DAWN R ALBRIGHT	Tank failure not structurally sound.	8/9/2018	1	Needs a letter
16014050000	Princeton	W5552 OXBOW TRL	DANIEL P & BONNIE KALLAS	Tank failure not structurally sound.	8/30/2018	1	Needs a letter
16014370000	Princeton	N5027 FOX RIVER LN	DOROTHY G JACOBSON REVOCABLE TRUST	Tank failure not structurally sound.	7/18/2018	2	Needs a letter
16014610000	Princeton	N5141 FOX RIVER LN	WILLIAM A KIECK	Lid on tank not properly secured.	6/22/2017	14	Replacement permit on file
16014810000	Princeton	W4834 EVERGREEN DR	WCS TRUST	Tank lid not properly secured.	11/2/2017	1	Letter sent. No response
16017560000	Princeton	W5285 OAK TREE CT	CAROL A NAGORNY	Tank failure not structurally sound.	5/10/2018	1	Letter sent. No response
18000850000	St. Marie	W4224 HUCKLEBERRY RD	BRUCE DEIBERT	Tank failure not structurally sound.	8/9/2018	1	Needs a letter
18002710700	St. Marie	N6425 RIVER RD	ROBERT E WEDDE	Tank baffles not present or secure.	7/11/2017	1	Letter sent. No response
154000280000	Marquette (Vil)	241 W FOURTH ST	RICHARD S SEMROW	Tank failure not structurally sound.	8/22/2018	1	Needs a letter
154001970000	Marquette (Vil)	140 W FRONT ST	DOMINIC J CRAMER FAMILY TRUST	Tank baffles not present or secure.	7/12/2018	1	Needs a letter
206012930000	Berlin (City)	322 N KOSSUTH ST	TERRY & SUE LUSCHER	Tank failure not structurally sound.	6/14/2018	2	Working with Thoma to replace system

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,

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

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

36 (8) Prevent noise pollution;

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

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

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

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

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

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

45 **§ 350-5 Abrogation and greater restrictions.**

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

50 **§ 350-6 Interpretation.**

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

54 **§ 350-7 Severability.**

55 A. If any section, clause, provision or portion of this chapter is adjudged unconstitutional or invalid by a  
56 court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

57 B. If any application of this chapter to a particular structure, land, or water is adjudged unconstitutional  
58 or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other  
59 structure, land or water not specifically included in said judgment.

60 **§ 350-8 Conflicting ordinances.**

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

63 **§ 350-9 When effective.**

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

69 Article II  
70 (Reserved)

71 § 350-10 (Reserved)

72 Article III  
73 General Provisions

74 § 350-11 Findings; abatement of nuisances.

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

81 § 350-12 Jurisdiction.

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

84 § 350-13 Compliance required; number of buildings per lot; existing construction.

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

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

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

94 § 350-14 Nonconforming uses, structures and lots or parcels.  
95 [Amended 11-14-2017 by Ord. No. 22-2017]

96 A. Nonconforming uses.

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

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

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

109 (4) If a premises contains an existing nonconforming use, a conforming use shall not be permitted on  
110 that premises until such time as the nonconforming use is discontinued or brought into compliance  
111 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 ~~frontstreet~~ 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.

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

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.

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]

District	Each Side Yard (feet)	Rear Yard (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).

<b>Use</b>	<b>Minimum Parking Required</b>
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

<b>Use</b>	<b>Minimum Parking Required</b>
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

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

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

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

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

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

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

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

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

264 § 350-22 **Substandard lots.**

265 A. Substandard lots ~~served by a public sanitary sewer.~~ A substandard lot served by a public sanitary  
266 sewer that is at least 7,500 square feet in area and is 50 feet in width at the building line and 50 feet  
267 average width may be used as a building site for a single-family dwelling upon issuance of a land  
268 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.~~

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

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275 (4) All dimensional requirements of this chapter are complied with ~~insofar as practical.~~

**Commented [MEK12]:** Delete vague language.

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]~~

**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.

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.

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

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

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 <del>Mobile</del> <u>Manufactured</u> 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.

305 § 350-25 **District boundaries.**  
 306 **[Amended 8-19-2014 by Ord. No. 1093-2014]**

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

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

325 § 350-26 **Official map.**  
 326 **[Amended 8-19-2014 by Ord. No. 1093-2014; 11-14-2017 by Ord. No. 22-2017]**

327 There shall be an official Zoning District Map, Green Lake County, which shall be available to the public  
 328 through the County Land Use Planning and Zoning Department. The Zoning District Map shall be a  
 329 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 Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. If no referendum was necessary in that less than 20% of the eligible property owners filed objection to the petition, the Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. The Board shall thereupon either accept or reject such petition, by an amendatory ordinance if it accepts and by resolution or motion if it rejects the same. The Board may make any modification it sees fit in either accepting or rejecting said petition.~~

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

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

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1112

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

1113

1114

(1) Street yard setback:

1115

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

1116

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

1117

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

1118

(2) Rear yard setback: 25 feet minimum.

1119

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

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

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

1122

(1) Setbacks: same as principal structure.

1123

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

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

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

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

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**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

1338 **163**, Article **III**, Nude Dancing in Licensed Establishments, shall apply.

1339 (4) All other provisions of this chapter shall apply.

1340 E. Standard of measurement. The distances provided in this chapter shall be measured in a straight line  
1341 without regard to intervening structures or objects, from the closest point of the structure or portion  
1342 of the structure occupied or proposed for occupancy by the adult-oriented establishment to the  
1343 nearest point of the parcel of property or land use district boundary line from which the proposed  
1344 land use is to be separated.

1345 F. Area, height and setback regulations: Refer to §§ **350-18** and **350-19** and the Commercial District  
1346 setbacks under § **350-20**. [Added 11-14-2017 by Ord. No. 22-2017]

1347 G. Highway setbacks: Refer to § **350-50A**. [Added 11-14-2017 by Ord. No. 22-2017]

1348 **Article V**  
1349 **Nonbuilding Structures**

1350 § 350-43 **Signs**.  
1351 [Amended 12-15-2009 by Ord. No. 971-2009]

1352 The sign regulations in this section intend to promote well-maintained and attractive signage within the  
1353 County; to provide for adequate business identification, advertising and communication; and to protect  
1354 the safety and efficiency of the County's transportation system by reducing confusion or distractions to  
1355 motorists.

1356 A. All signs hereafter located, erected, moved, reconstructed, extended, enlarged, or structurally altered  
1357 shall be in conformity with the provisions of this chapter and require a land use permit, unless  
1358 specifically stated in this section. Changing the existing message board of a sign with cosmetic  
1359 materials, such as but not limited to paint, paper or corrugated plastic, does not require a land use  
1360 permit.

1361 B. Signs within this section are as follows:

1362 (1) Official traffic control or traffic information or traffic directional notice signs erected by federal,  
1363 state or local units of government may be placed in accordance with the highway jurisdiction. No  
1364 County permit is required.

1365 (2) Signs that are generally temporary and less than three square feet and are similar but not limited to  
1366 agricultural seed plots, real estate, contractor identification, and government agency information are  
1367 not regulated by this Section. No County permit is required.

1368 (3) An on-site sign advertising a customary home occupation or professional home office shall not  
1369 exceed four square feet in gross area and shall have a minimum setback of 10 feet from the right-of-  
1370 way line.

1371 (4) On-site signs advertising business on premises.

1372 (a) One on-site sign attached to a building structure advertising a business conducted or service  
1373 available on the premises shall not exceed the height of the building structure it is attached to. Such  
1374 sign shall not exceed 32 square feet in gross area.

1375 (b) One on-site freestanding sign in addition to the building-mounted sign to advertise a business  
1376 conducted or service available on the premises shall be allowed and shall not exceed 50 square feet  
1377 in gross area and shall have a minimum setback of 10 feet from the right-of-way line. [Amended 11-  
1378 14-2017 by Ord. No. 22-2017]

**Commented [36]:** Editor's Note: The title of this article was changed from "Signs" to "Nonbuilding Structures" 12-16-2008 by Ord. No. 942-08.

**Commented [37]:** Editor's Note: This ordinance also repealed former §§ 350-44, Permit required; 350-45, Location of signs; 350-46, Types of signs, as amended; and 350-47, Prohibited characteristics of signs.

- 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:

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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.

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

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1439 § 350-43.2 (Reserved)

1441 § 350-44 Mobile tower siting regulations.

1442 **[Added 10-18-2016 by Ord. No. 23-2016]**

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.

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.

- 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 (feet)	Setback From <u>Front-Street</u> Lot Line (feet)
<b>Highway Classification</b>		
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

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

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

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.

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

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 approve or deny the conditional use permit must be supported by  
1680 substantial evidence.

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

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.

- 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.

**Commented [MEK49]:** Updating language.

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

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.

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.

Article XII  
**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:

**Commented [MEK59]:** Could delete, no references in ordinance.

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**Commented [60]:** Editor's Note: The former definition of "FAA," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

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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. ~~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.

**Formatted:** Font: Bold

**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 **ZERO LOT LINE**  
2678 The instance where a structure is allowed to be constructed over a lot line of two adjoining land  
2679 areas.

2680 **ZONING AMENDMENT**  
2681 A change of the zoning map or zoning text authorized by the County, either in the allowed use  
2682 within a district or in the boundaries of a district.

2683 **ZONING DISTRICT**  
2684 An area within the limits of the County for which the regulations and requirements governing use are  
2685 uniform.

2686 **ZONING DISTRICT, OVERLAY**  
2687 A zoning district that encompasses one or more underlying zoning districts and that imposes  
2688 additional regulations and requirements beyond those of the underlying zoning district.

2689 **ZONING MAP**  
2690 The map or maps incorporated into the applicable ordinance as a part thereof designating the  
2691 boundaries of the zoning districts.

2692



## Land Use Planning & Zoning Department

County Government Center  
571 County Road A  
Green Lake, WI 54941

Phone 920-294-4156 Website: <http://www.co.green-lake.wi.us/>

Land Development Code Enforcement County Surveyor GIS Land Information

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### ETZA Timeline:

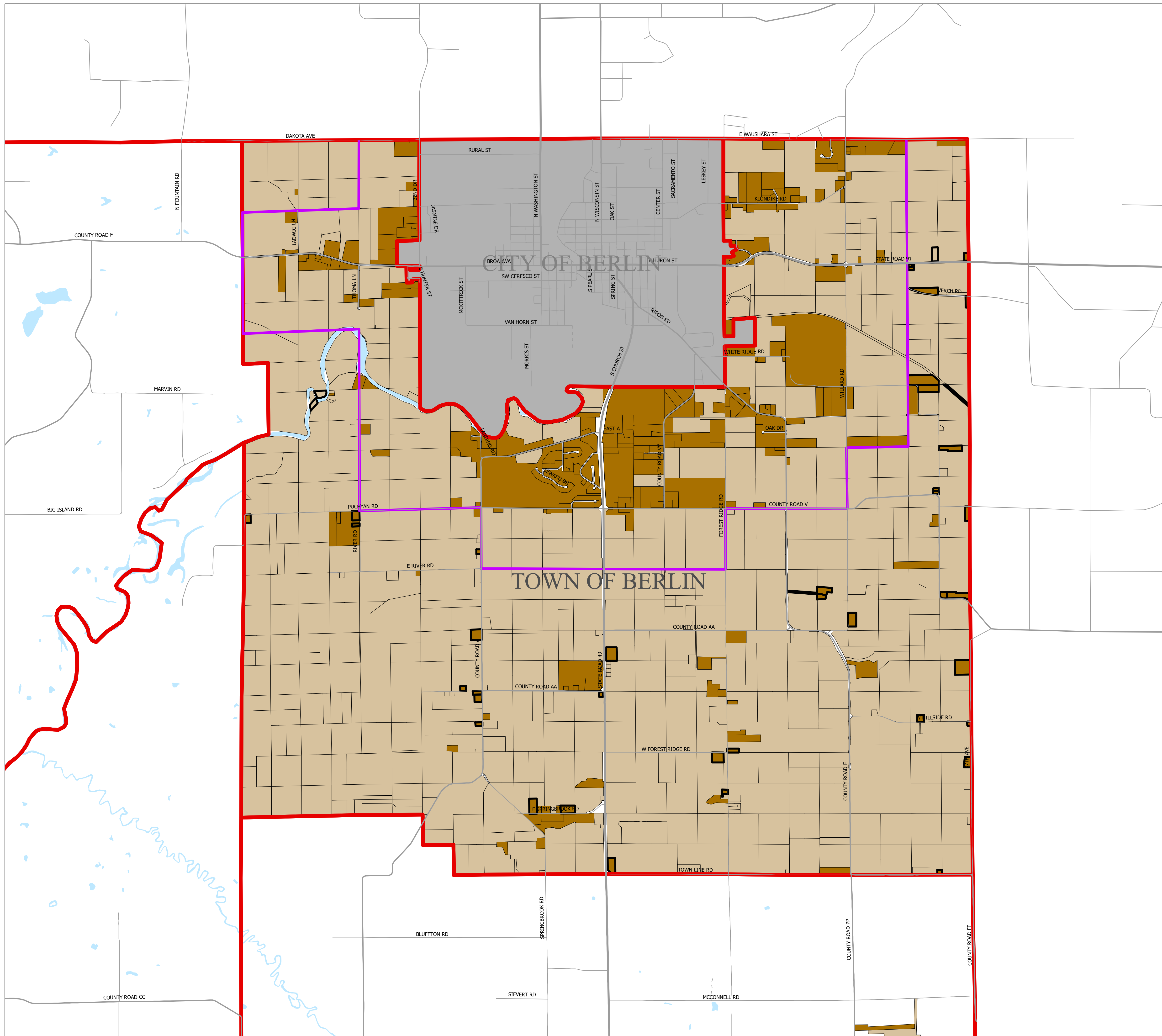
- |   |   |
|---|---|
| Sept 24 thru 28                             | Department to complete zoning map and FPP map.  |
| October 1 <sup>st</sup>                     | Department to submit FPP amendment application to DATCP for certification.  |
| October 4 <sup>th</sup>                     | Committee to review Zoning Map and Text Amends  |
| October 15 <sup>th</sup>                    | Town of Berlin's Public Hearing regarding New Zoning Map.   |
| Oct. 15 – 19                                | Incorporate any revisions into maps per TBE Info Meeting  |
| October 26 <sup>th</sup>                    | Deadline to make Comp Plan Amend Notification to Paper.   |
| Oct. 26 <sup>th</sup> – Nov 1 <sup>st</sup> | Provide written notice to Nonmetallic Mining Operators and the Comp Plan Amendment notification list.   |
| November 1 <sup>st</sup>                    | Public Hearing by Committee to forward Zoning Text Amendment to County Board.   |
| November 13 <sup>th</sup>                   | County Board adopts Zoning Text Amendment   |
| December 6 <sup>th</sup>                    | Public Hearing by Committee to forward Comprehensive Plan Amendment to TBE Farmland Preservation Plan Map and TBE Zoning Map Amendment to County Board.   |
| December 18 <sup>th</sup>                   | County Board to Adopt Comprehensive Plan Amendment to TBE Farmland Preservation Plan Map and Zoning Map Amendment.  |
| Dec. 19 <sup>th</sup> thru 28 <sup>th</sup> | A copy of the comprehensive plan amendment to:<br>1. All Town's, Cities, Villages in Green Lake County<br>2. All adjacent County Clerks<br>3. Dept. of Administration, Regional Planning Commission, Public Libraries |
| December 31 <sup>st</sup>                   | Department's deadline for adoption  |



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

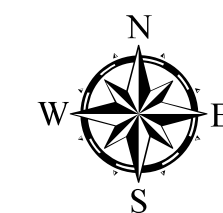
Local Road

Private Road

Town Boundary

City/Village

Water



0 2,000 Feet



# Proposed Zoning Districts Land Use Planning & Zoning

Effective January 2nd, 2019

## TOWN OF BERLIN

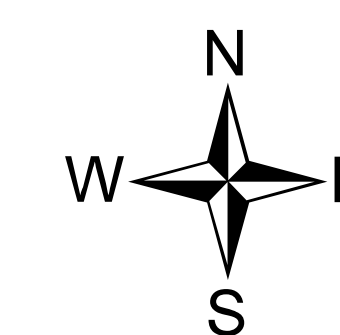
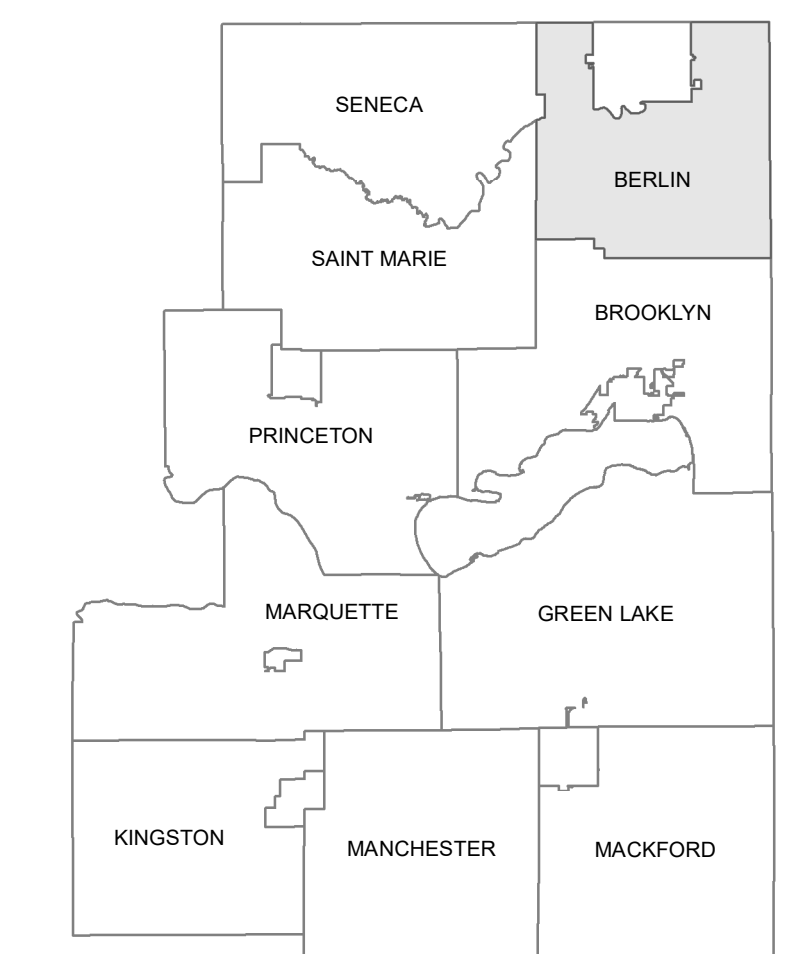
### Legend

- 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)

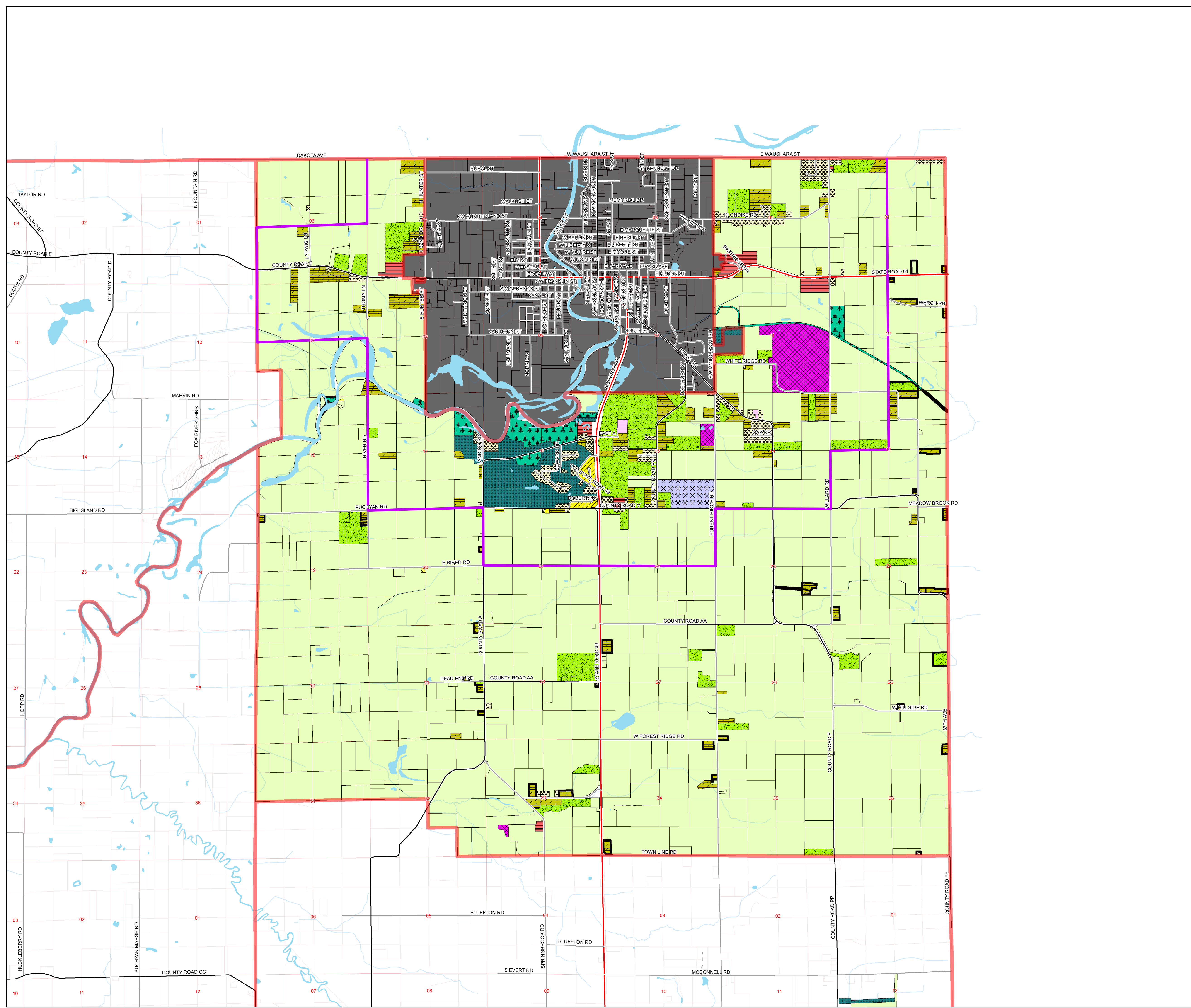
### Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody



0 2,000 Feet



# 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, October 4, 2018, at 6:00 p.m.** to consider the following item:

**Item I: Owner/Applicant:** Dornfeld Farms, Inc.; Michael Dornfeld **General legal description:** W4659 County Road GG, #012-00597-0000 ( $\pm$ 26.67 acres), Part of the NE $\frac{1}{4}$  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.

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](mailto:zoning@co.green-lake.wi.us). For information related to the outcome of this public hearing item, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

*Publish: September 20, 2018 and September 27, 2018*

**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**  
**PUBLIC HEARING**

October 4, 2018

**ITEM I: ZONING CHANGE**

**OWNER:**  
Dornfeld Farms, Inc.

**APPLICANT:**  
Michael Dornfeld

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

**PARCEL NUMBER / LOCATION:** Affected parcel number is #012-00597-0000, located in the NE¼, Section 31, T14N, R12E, Town of Manchester. The site proposed for zoning change is located at W4659 County Road GG.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel in question and the majority of lands surrounding the subject site are A-1, Farmland Preservation District, with the predominant use of the land being agricultural. There is a parcel that is zoned C-2, Extensive Commercial District to the north, and to the east, a parcel is zoned Industrial (Salemville Cheese Co-op).

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 55047C0190C, 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 land, including a single-family dwelling, large barn and silos, and sell it to his son. The owner would retain the remaining ±23 acres. With a rezone to R-4, Rural Residential, the lands could be used for light agriculture purposes.

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the 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 any applicable 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 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 MANCHESTER:** An Action Form requesting the Town's input related to this zoning change request was mailed to the Town Clerk on August 10, 2018.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
571 County Road A, PO Box 3188  
Green Lake, WI 54941  
Ph (920) 294-4156

**GENERAL APPLICATION**

Fee \$375 (not refundable) Date 7-30-18

Zone Change from A-1 to R-4

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT (1)**

Name DORNFELD FARMS INC.

Mailing Address W4438 Co Rd GG CAMBRIA WI 53923

Phone Number 920 369 8489

Signature Michael Dornfeld Date 7-30-18

**PROPERTY OWNER / APPLICANT (2)**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of MANCHESTER Parcel Number(s) 012 - 00597 - 0000

Acres ±26.67 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 31 Town 14 North Range 12 East

Location of Property W4659 Co Rd GG CAMBRIA WI 53923

Legal Description The W 53 1/3 Rods of the NW 1/4 of the NE 1/4 of Section 31.

Current Zoning Classification A-1 Current Use of Property Agricultural + residential

Detailed Description of Proposed Use Son wants to purchase property and build living quarters. Approximate area to be rezoned +3 acres. not to include right-of-way.

**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



# CONCEPT PLAN

CONCEPT PLAN FOR DORNFELD FARMS, INC., LOCATED IN PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 31, TOWN 14 NORTH, RANGE 12 EAST, TOWN OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN.

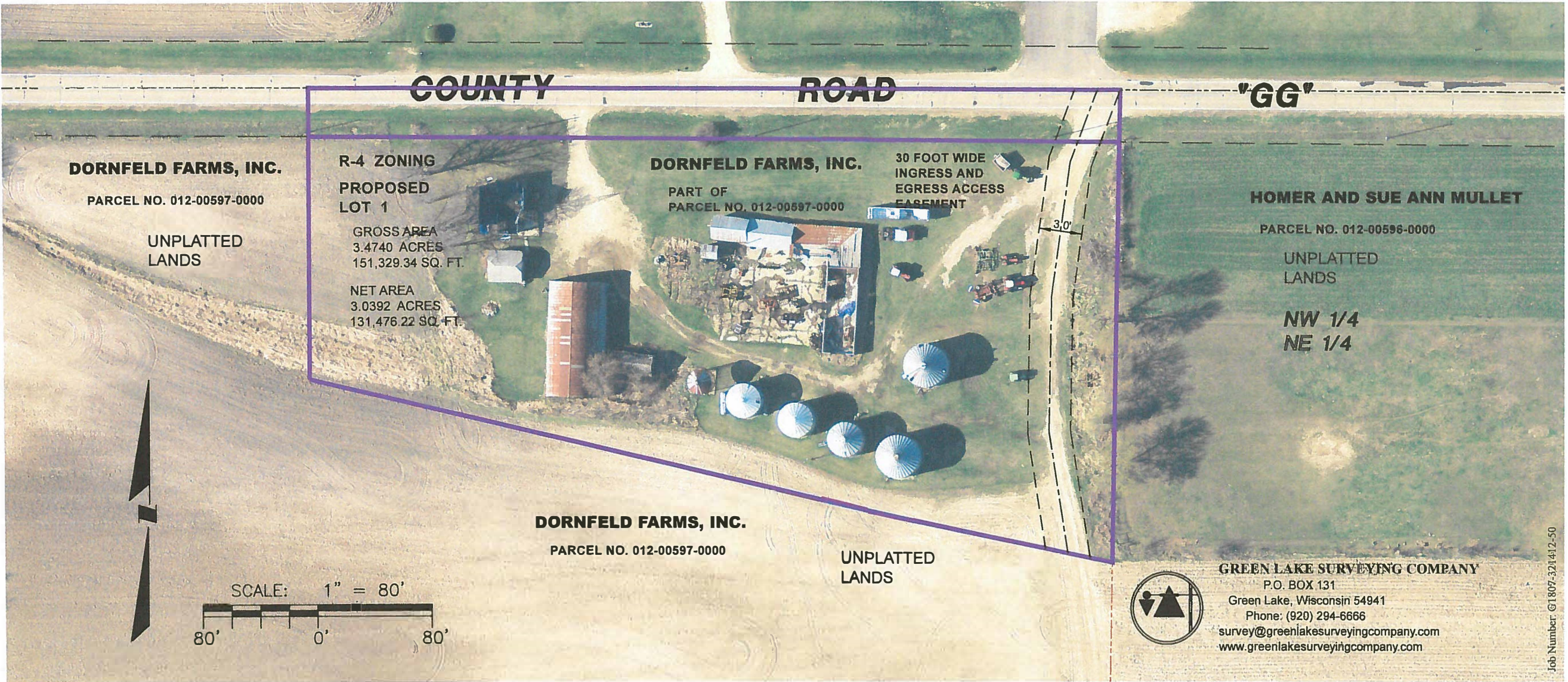
*Donald W. Lenz*

**DONALD W. LENZ -**  
WI Professional Land Surveyor License No. S-2003  
Dated this 30th Day of July 2018

PROPERTY ADDRESS:  
W4659 COUNTY ROAD "GG"  
CAMBRIA, WISCONSIN 53923

OWNER(S)  
DORNFELD FARMS, INC.  
MICHAEL H. DORNFELD  
N4438 COUNTY ROAD "GG"  
CAMBRIA, WISCONSIN 53923

NAME: G1807-50con.dwg



Job Number: G1807-321412-50



# CONCEPT PLAN

CONCEPT PLAN FOR DORNFELD FARMS, INC., LOCATED IN PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 14 NORTH, RANGE 12 EAST, TOWN OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN.

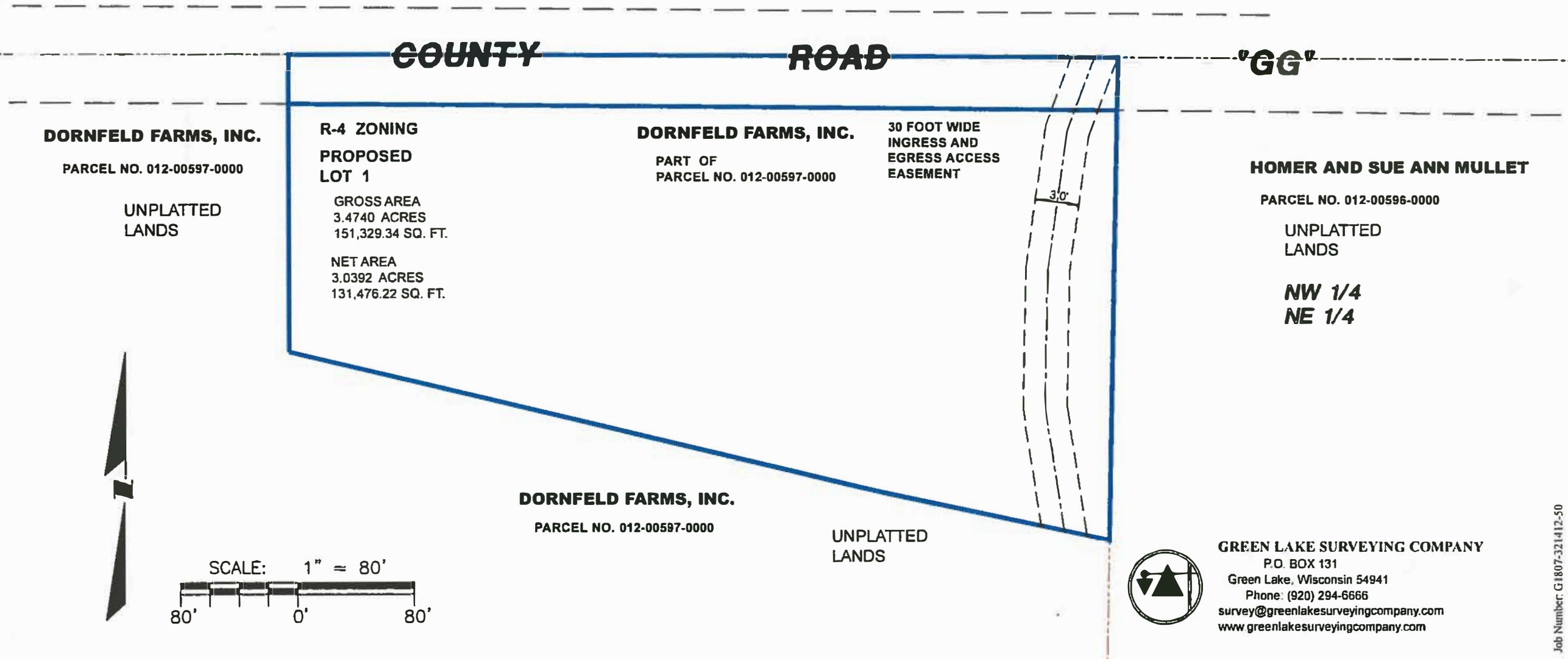
*Donald W. Lenz*

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CAMBRIA, WISCONSIN 53923

**OWNER(S)**  
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MICHAEL H. DORNFELD  
N4438 COUNTY ROAD "GG"  
CAMBRIA, WISCONSIN 53923

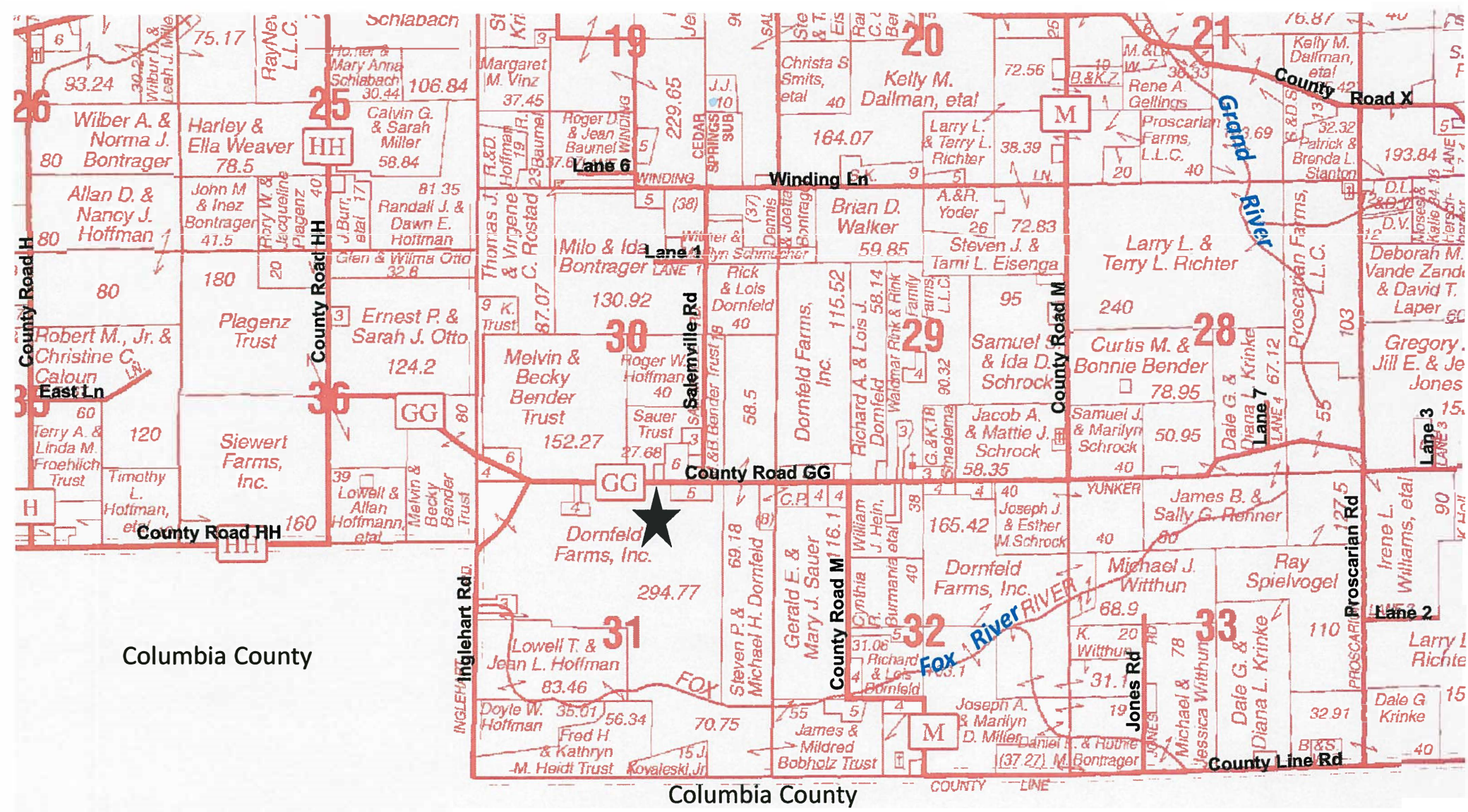
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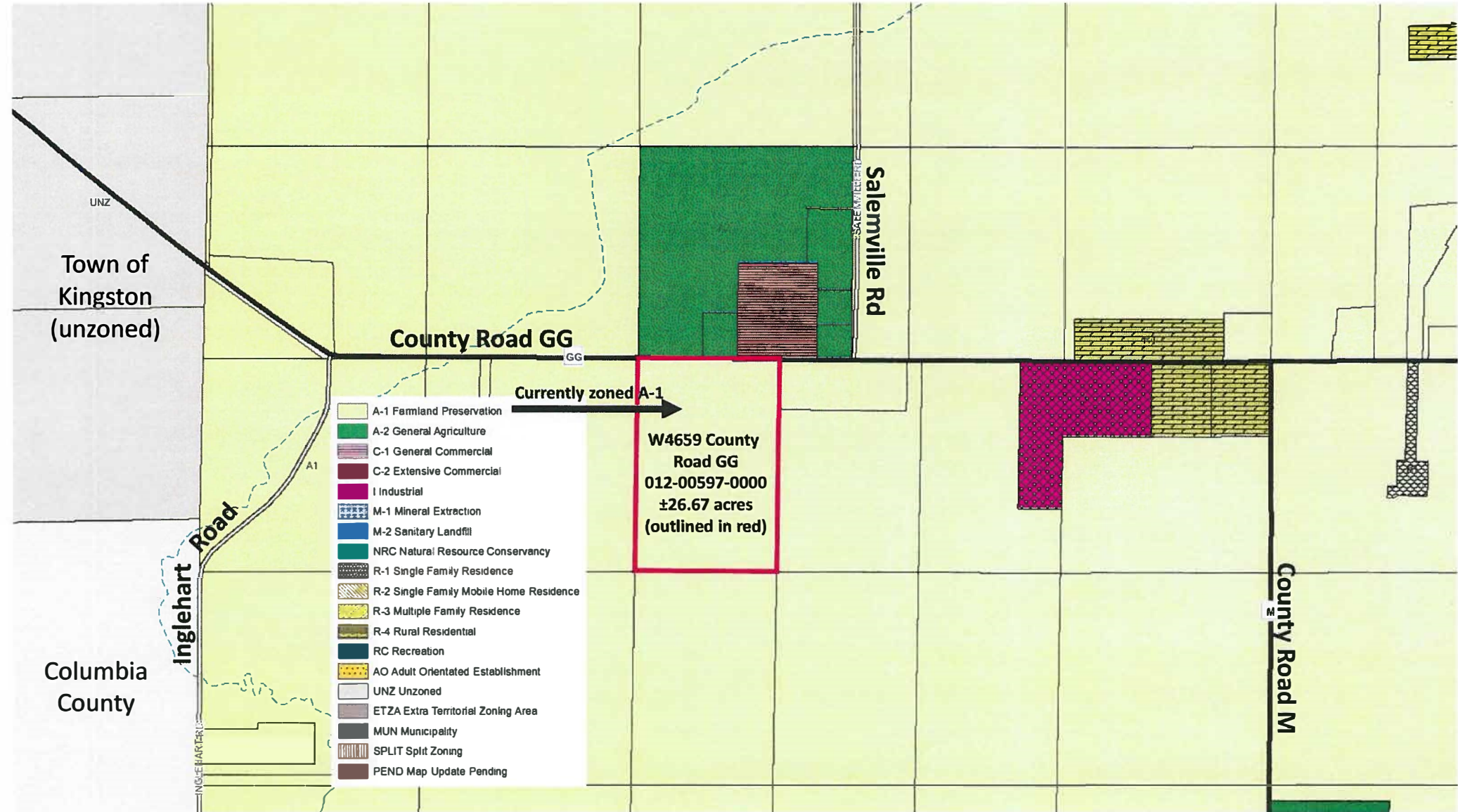
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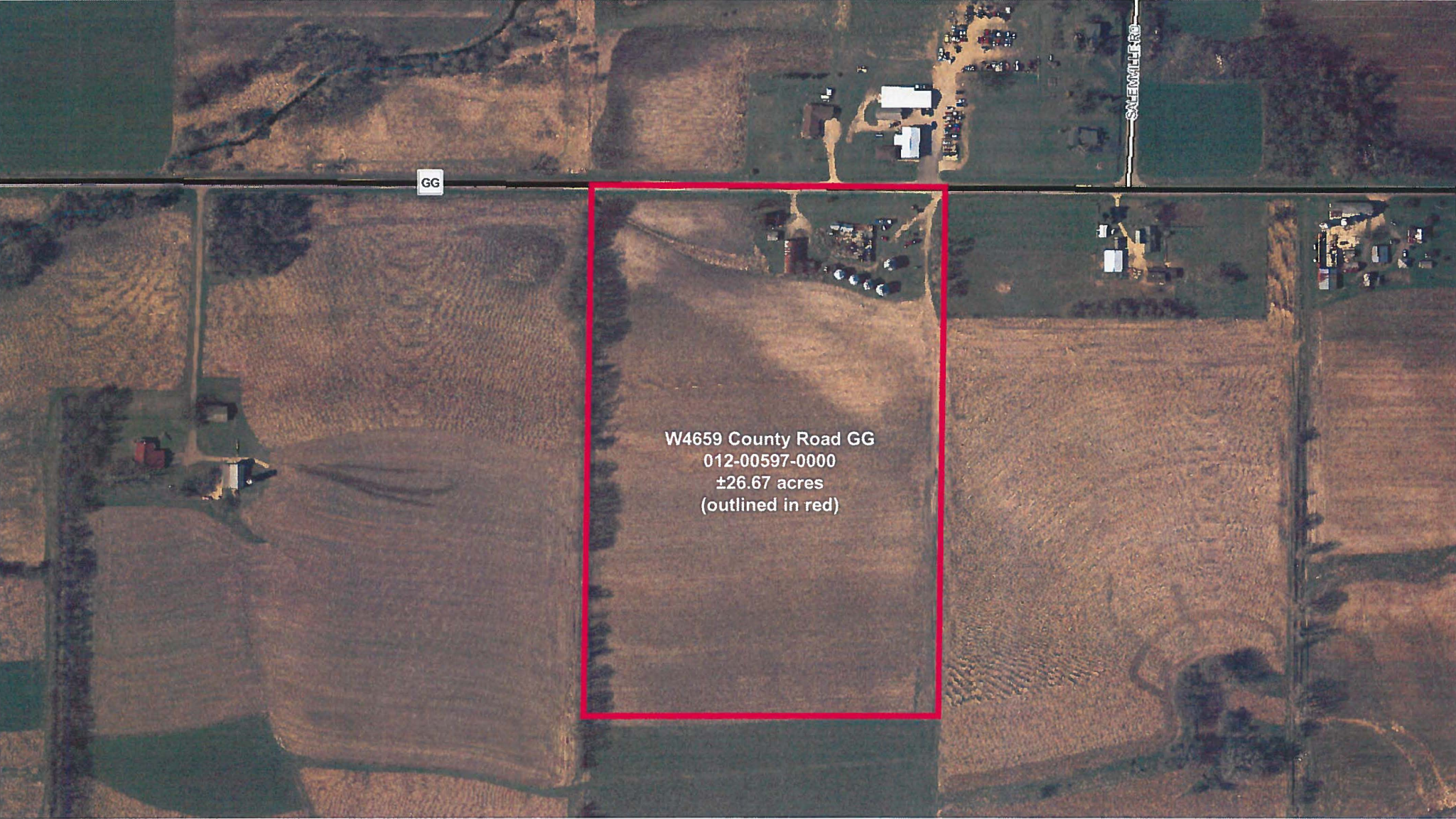
**Dornfeld Farms, Inc. – Michael Dornfeld W4659 County Road GG – Town of Manchester  
Parcel #012-00597-0000 (±26.67 acres) Part of the NE¼ of Section 31, T14N, R12E  
Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**



**Dornfeld Farms, Inc. – Michael Dornfeld W4659 County Road GG – Town of Manchester  
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**Green Lake County Land Use Planning & Zoning Committee Public Hearing 10/04/18**

**Dornfeld Farms, Inc. – Michael Dornfeld W4659 County Road GG – Town of Manchester  
Parcel #012-00597-0000 (±26.67 acres) Part of the NE¼ of Section 31, T14N, R12E  
Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**

Existing configuration:

#1 – ±26.67 acres zoned A-1 Farmland Preservation District



Proposed configuration:

#1 – ±23.67 acres remain zoned A-1 Farmland Preservation District  
#2 - +3 acres rezoned from A-1 Farmland Preservation District to R-4 Rural Residential District

