

TOWN OF GRANT  
PORTAGE COUNTY  
WISCONSIN

*AMENDED ZONING ORDINANCE*

Ordinance Number 2016-02

December 14, 2016

**TOWN OF GRANT ZONING ORDINANCE**

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# **Town of Grant – Portage County Zoning Ordinance – Ordinance Number 2016-02**

## **I. INTRODUCTION**

An ordinance to promote the health, safety, and general welfare; to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot which may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence and other purposes; and for the said purposes to divide the Town of Grant, Portage County, Wisconsin, into districts of such number, shape and area as are deemed best suited to carry out the said purposes; to provide a method for its administration and enforcement and to provide penalties for its violation.

Authority: Regulations are adopted under the authority granted under Chapter 60 of the Wisconsin Statutes and under Village powers adopted at an annual Town Meeting which grants certain legal powers under Chapter 61 and Chapter 62, Wisconsin Statutes

The Town Board of Grant, Portage County, Wisconsin, does ordain as follows:

## **II. INTERPRETATION AND PURPOSES**

The provisions of this ordinance shall be held to minimum requirement adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Town of Grant, Portage County, Wisconsin.

The Town is subject to Portage County's Shoreland and Floodplain Zoning, Subdivision, Private Sewage and Sexually Oriented Businesses Ordinances.

It is not intended by this ordinance to repeal, modify, annul, impair, or interfere with any existing easement, covenants or agreements between parties or with any rules, regulations or permits previously adopted or issued pursuant to law; provided however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of a building or requires larger open spaces than are required by other rules, regulation or permits or by easements, covenants or agreements, the provisions of this ordinance shall govern.

## **III. DISTRICTS**

For the purposes of this ordinance, the Town of Grant, Portage County, Wisconsin is hereby divided into eight districts as follows:

1. Low Density Residential
2. High Density Residential
3. Exclusive Agricultural District
4. Farmland Preservation Overlay (if applicable)
5. Transition Agricultural District
6. General Agriculture
7. Commercial
8. Industrial District
9. Conservancy

District Boundaries appear on a Zoning Map, Town of Grant, Portage County, Wisconsin, which accompanies and is a part of this ordinance. Such Zoning Map and Farmland Preservation Map may be amended from time to time by the Town Board pursuant to law. All notations, references and other information shown upon the said Zoning and Farmland Preservation Maps of the town of Grant shall be as much a part of this Ordinance as if the matter and things set forth by the said maps were fully described herein.

All Conditional Uses, Zoning and Land Use changes should be referred to the Town of Grant Board for consideration, subsequent referral to the Town of Grant Plan Commission for recommendations which shall then submit its recommendation to the Board.

## **R-1 Low Density Residential**

**Intent.** This District is intended to provide urban-fringe and rural area landowner/residents with greater flexibility in land use than the High Density Residential district. One and Two family residential development is consistent with this District, as well as other nonintensive uses typically associated with the rural residential life-style. Low development densities should be maintained to prevent degradation of groundwater from on-site waste disposal systems.

### **Permitted uses**

1. One and two family residence
2. One private detached garage for each residential parcel, in addition to or in lieu of an attached garage
3. The total maximum square footage of accessory buildings shall not exceed 3500 sq ft
4. Churches
5. Public and parochial schools
6. Parks and playgrounds
7. Plant nurseries
8. Municipal buildings for administrative purposes only
9. Signs with restrictions. See Sign Section

### **Conditional uses:**

1. Bed and Breakfast Establishments
2. Utilities, substations, communication towers & related structures, but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (*Ref.* See NR 812.07(53) and (80). Wis. Admin. Code.)
3. Accessory buildings greater than 3500 sq. ft.
4. Golf courses and public swimming pools
5. Moveable produce stands
6. Cemeteries
7. Mobile home Parks
8. Home Occupation & Professional offices in residence.
9. All ponds, excavations, and/or other extractions with restrictions. Must provide detailed site plans prior to the start of excavation. Refer to Section X-Quarrying
10. Other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## **R-2 High Density Residential**

**Intent.** This District is intended to provide for high density, unsewered, one or two family residential development. This District is intended to promote a residential atmosphere and to protect residential property values by prohibiting uses, which are incompatible with homes.

### **Permitted Uses**

1. One and two family residence such structure to be not less than 20 ft. wide
2. One private detached garage, such structure to be for each residential parcel, in addition to or lieu of an attached garage.
3. The total maximum square footage of accessory buildings shall not exceed 2000 sq ft
4. Churches
5. Public and Parochial schools
6. Parks and playground, tennis courts.
7. Signs with restrictions. See sign section

### **Conditional uses in R-2**

1. Municipal buildings
2. Golf courses and public swimming pools
3. Plant nurseries
4. Bed and Breakfast Establishments
5. Utilities, substations, communication towers & related structures but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.)
6. Accessory buildings greater than 2000 square feet.
7. Home Occupation & Professional Offices in residence.
8. Other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district.

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## A-1 EXCLUSIVE AGRICULTURAL DISTRICT

**Intent.** It is the intent of this District to preserve productive farmlands, particularly where such lands exist in large blocks, including nonproductive lands, where necessary to maintain this strategy. Maintain agriculture as a major component of the Town's economy. Minimize conflicts between farm and non-farm activities. Avoid urban sprawl and the associated public cost. Allow farmers to participate in the Wisconsin Farmland Preservation Program. Allow farm related housing and limited non-farm housing, in appropriate locations, at very low densities.

### Permitted Uses

1. A single family residence
2. A single-family residence on pre-existing parcels less than 35 Acres.
3. Accessory buildings and uses
4. Agriculturally related residences
  - (a) Agriculturally related residences allowed as permitted uses are those which are to be occupied by a person who, or a family at least one member of which, earns a majority of his or her livelihood from the farm operation. A lot split shall be required for a second farm residence located anywhere on any operating farm subject to setback, height, and other dimensional requirements of General Agricultural District. One lot split per forty-acre parcel will be permitted for a second farm related home.
  - (b) Pre-existing. Those residences preexisting on the effective date of this section may be continued in residential use and shall not be considered nonconforming uses per the applicable Wisconsin State Statutes. Such pre-existing residences may be altered, repaired or rebuilt, but are subject to the setback, height and other dimensional requirements. Such residences may be occupied by any person for farm or nonfarm residential purposes, provided that the dwelling remains in single family residential use.
5. Cranberry production.
6. Forestry practices and production (no manufacturing product)
7. A new or expanded livestock facility that will have less than 500 animal units as defined by ATCP51
8. Orchards
9. Noncommercial stables, equestrian trails and paddocks (small field where horses are exercised).
10. Plant Nurseries
11. Sod Farming
12. Vegetable raising
13. Roadside stands not exceeding one per farm
14. Game farms, fish farms, and associated uses.
15. Ponds, excavations, and/or other extraction of 1 Acre or less with restrictions. Must provide detailed site plans prior to the start of excavation. Refer to Section X-Quarrying
16. Lands not being actively farmed which have prime agricultural potential and which comply with the intent and use provisions of this section.
17. Signs with Restrictions. See Sign Section

### Conditional Uses

1. Nonfarm residences created as the result of farm consolidation
2. Housing for farm laborers not permitted in the principal use section.
3. Home occupations when such occupations may be conducted anywhere on the premises for retail uses and manufacturing, assembly and artisan. If conducted out of the residence, not more than 25% of only one floor of the dwelling shall be used, there shall be no external alterations that would effect a substantial change in the residential character of the building, and that no more than two persons not members of the resident family may be employed in such occupations.
4. Livestock sales facilities
5. Veterinary services for farm animals
6. Commercial fish and fur farming
7. Dairies (Processing)
8. A new or expanded livestock facility that will have 500 or more animal units as defined by ATCP51 and shall comply with ATCP 51

9. Fertilizer mixing plants
10. Greenhouses
11. Landing fields for agricultural purposes and for personal uses.
12. Utilities, substations, communication towers & related structures including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or bases on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.)
13. Ponds, excavations, and/or other extractions greater than 1 Acre with restrictions. Must provide detail site plans prior to the start of excavation. Refer to Section X-Quarrying
14. Other similar and compatible uses, which are determined by the Plan and Zoning Commission to be in accord with the purpose of this district.
15. If a pivot irrigation system is removed, a public hearing could be held and the land it was on could possibly be rezoned

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## A-1a FARMLAND PRESERVATION OVERLAY ZONING DISTRICT

**Intent** This District is intended to preserve productive farmlands, particularly where such lands exist in large blocks, including nonproductive lands, where necessary to maintain this strategy. Maintain agriculture as a major component of the Town's economy. Minimize conflicts between farm and non-farm activities. Avoid urban sprawl and the associated public cost. Allow farmers to participate in the Wisconsin Farmland Preservation Program. Allow farm related housing and limited non-farm housing, in appropriate locations, at very low densities. Any rezoning of land out of farmland preservation zoning district must be accomplished according to Wisconsin State Statute 91.48. Only areas designated as Farmland Preservation Areas in the Portage County Farmland Preservation Plan are eligible to be in this overlay zoning district.

### Permitted Uses

1. A single family residence that qualifies as 'a farm residence' under Wisconsin State Statute 91.01(1).
2. A single-family residence on pre-existing parcels less than 35 Acres that qualifies as 'a farm residence' under Wisconsin State Statute 91.01(1).
3. Accessory buildings and uses according to Wisconsin State Statute 91.01(1).
4. Farm residences
  - a. Farm residences allowed as permitted uses are those which are to be occupied by a person who, or a family at least one member of which, earns a majority of his or her livelihood from the farm operation. A lot split shall be required for a second farm residence located anywhere on any operating farm subject to setback, height, and other dimensional requirements of General Agricultural District. One lot split per forty-acre parcel will be permitted for a second farm related home.
  - b. Pre-existing. Those residences preexisting on January 1, 2014 may be continued in residential use and shall not be considered nonconforming uses per the applicable Wisconsin State Statutes. Such pre-existing residences may be altered, repaired or rebuilt, but are subject to the setback, height and other dimensional requirements. Such residences may be occupied by any person for farm or nonfarm residential purposes, provided that the dwelling remains in single family residential use.
5. Center pivot commercial irrigated cropland.
6. Cranberry production for the purpose of earning an income or livelihood.
7. Forestry practices and production (no manufacturing product) for the purpose of earning an income or livelihood.
8. A new or expanded livestock facility that will have less than 500 animal units as defined by ATCP 51
9. Orchards for the purpose of earning an income or livelihood.
10. Noncommercial stables must meet Wisconsin State Statute 91.01(1), equestrian trails and paddocks
11. Plant Nurseries for the purpose of earning an income or livelihood.
12. Sod Farming for the purpose of earning an income or livelihood.
13. Vegetable raising for the purpose of earning an income or livelihood.
14. Roadside stands must meet Wisconsin State Statute 91.01(1) and not exceeding one per farm.
15. Game farms, fish farms, fur farms, and associated uses for the purpose of earning an income or livelihood.
16. Ponds, excavations, and/or other extraction of one (1) Acre or less with restrictions. Must provide detailed site plans prior to the start of excavation. Refer to Section X-Quarrying. Any excavations and/or extractions must be tied to an agricultural use.
17. Lands not being actively farmed which have prime agricultural potential and which comply with the intent and use provisions of this section.
18. Signs with Restrictions. See Sign Section

### Conditional Uses

1. Nonfarm residences created as the result of farm consolidation and meeting Wisconsin State Statute 91.46(2).
2. Housing for farm laborers.
3. Home occupations when such occupations may be conducted anywhere on the premises for retail uses and manufacturing, assembly and artisan. If conducted out of the residence, not more than 25% of only one floor of the dwelling shall be used, there shall be no external alterations that would effect a substantial change in the residential character of the building, and that no more than two persons not members of the resident family may be employed in such occupations. Wisconsin State Statute 91.01(1) applies to home occupations.
4. Livestock sales facilities
5. Veterinary services for farm animals
6. Dairies Processing Plant



7. A new or expanded livestock facility that will have 500 or more animal units as defined by ATCP 51 and shall comply with ATCP 51
8. Fertilizer mixing plants
9. Greenhouses
10. Landing fields for agricultural purposes and for personal uses. Any private air strip must meet Wisconsin State Statute 91.01(1).
11. Utilities, substations, communication towers & related structures including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or bases on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.). Utility and communication uses must meet the requirements in Wisconsin State Statute 91.46(4).
12. Ponds, excavations, and/or other extractions greater than one (1) Acre with restrictions. Must provide detail site plans prior to the start of excavation. Refer to Section X-Quarrying. Non-metallic mining operation must meet Wisconsin State Statute 91.46(6).
13. Other similar and compatible uses, which are determined by the Plan Commission to be in accordance with the intent of this District.

**Rezoning out of the Farmland Preservation Overlay District**

1. The Town of Grant may not rezone land out of the farmland reservation zoning district unless the Town of Grant finds all of the following, after public hearing:
  - a. The land is better suited for a use not allowed in the farmland preservation zoning district.
  - b. The rezoning is consistent with any applicable comprehensive plan.
  - c. The rezoning is substantially consistent with the county certified farmland preservation plan.
  - d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

**Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## **A-2 TRANSITIONAL AGRICULTURAL DISTRICT**

**Intent.** This District is intended to provide for a broad range of rural oriented land uses including agriculture, forestry and open spaces. It is further intended that this District be used to preserve the rural character of certain outlying areas of the Town of Grant, where only large lot residential development is desirable.

### **Permitted uses:**

1. Single family residence
2. Accessory buildings and uses
3. General farming
4. Forestry practices and product production (non-manufacturing products)
5. Temporary roadside stands
6. Fish and game management
7. Municipal buildings
8. Ponds, excavations, or extractions, less than 20,000 square feet with restrictions. Detailed site plans must be submitted prior to start of excavation. Refer to Section X-Quarrying
9. Signs with restrictions.

### **Conditional uses:**

1. Bed and breakfast establishments
2. Fish farm
3. Home occupations and professional offices
4. Kennels and fur farm
5. Shooting ranges
6. Junk/wrecking yards
7. Transient trailer parks and campgrounds
8. Ponds, excavations, or extractions greater than 20,000 square feet with restrictions. Detail site plans must be submitted prior to start of excavation. Refer to Section X-Quarrying
9. Utilities, substations, communication towers & related structures. including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.)
10. Other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district.

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## **A-3 GENERAL AGRICULTURE**

**Intent.** This District is intended to provide for a broad range of rural-oriented land uses including agriculture, forestry and open space. It is further intended that this District be used to preserve the rural character of certain outlying areas of Town of Grant, where only large lot residential development is desirable at greater density than Transitional Ag District, particularly where identified in locally adopted Land Use Plans.

### **Permitted Uses**

Any permitted uses allowed in the Agricultural Transition District

### **Conditional Uses**

Any conditional uses allowed in the Agricultural Transition District

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## COMMERCIAL DISTRICT

**Intent.** It is the intent of this District to provide appropriate areas for commercial uses. Land use and aesthetic compatibility of such businesses with existing or planned residential development, on adjacent lands, shall be emphasized.

### Permitted Uses

1. All permitted uses listed in this District shall have a maximum total floor area of 5,000 square feet.
2. Art Shop, antique shop.
3. Bakery
4. Bank, savings and loan or other financial institutions.
5. Barber Shop, beauty parlor
6. Beer and liquor stores
7. Book and stationery store, newsstand, card/novelty shop.
8. Business and professional offices.
9. Churches
10. Clothing store, department store, shoe store, shoe repair shop.
11. Clubs and lodges
12. Drug stores, Soda fountains, soft drink stands
13. Feed and Seed Stores
14. Flower, garden and lawn shop
15. Food products, retail fruit and vegetables store, grocery store, meat and fish market, supermarket
16. Food, gifts, notions or variety stores
17. Funeral Homes
18. Furniture store, appliances, office equipment, upholstery
19. Hardware, household appliances, plumbing, heating and electrical supplies, sporting goods.
20. Hotel, motel, bed and breakfast
21. Jewelry store
22. Laundry and cleaning establishment
23. Music, radio and television store, record shop
24. Paint store, interior decorator
25. Photographer, photography supply shop
26. Printing and duplicating
27. Public and municipal building, including repair, storage, maintenance of equipment specifically for use by the Town of Grant
28. Public and municipal buildings other than the Town of Grant, excluding repair, storage, maintenance of equipment
29. Public utility office, telephone exchanges
30. Radio and television broadcasting studio
31. Restaurants, café, drive-up services
32. Schools and churches
33. Taverns
34. Signs with Restrictions. See Sign Section (page 20)
35. Other retail uses similar in character to the above
36. Residences of owners or operators when attached to one of the above permitted uses.
37. Accessory uses and buildings.

### Conditional Uses

1. All permitted uses listed in this District that have a maximum total floor area greater than 5,000 square feet.
2. Animal hospitals, pet shops, veterinary
3. Automobile, truck, agricultural implement and equipment, motorcycle, snowmobile and other vehicle showrooms, sales and repairs
4. Boat liveries, including boat storage, sale of boats, motors, fuel, marine supplies and the servicing of the boats and motors, but not the manufacture of boats or motors
5. Bus & Truck Terminals
6. Cemeteries
7. Contractor businesses and related storage yards
8. Dance halls, skating rinks, bowling alleys
9. Gas stations, garages and vehicular towing services

10. General farming
11. Go-kart and other race tracks
12. Lumber yards
13. Manufacturing or storage in connection with any of the permitted uses, when clearly incidental to the conduct of retail business on the premises.
14. Mobile home park
15. Modular, manufactured, mobile homes and recreational vehicle storage and sales.
16. All ponds, excavations, and/or other extractions with restrictions. Must provide detailed site plans prior to the start of excavation. Refer to Section X-Quarrying
17. Private vocational schools, conducted for profit
18. Public and municipal building other than The Town of Grant that include repair, storage, maintenance of equipment
19. Shopping centers, malls
20. Sports complexes
21. Theater including drive-in theaters
22. Transient trailer parks and campgrounds
23. Utilities, substations, communication towers & related structures including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.)
24. Warehousing
25. Other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district.

#### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## **INDUSTRIAL DISTRICT**

**Intent.** It is the intent of this District to provide for industrial, heavy manufacturing activities and adult oriented entertainment business and certain high capacity well uses, which are not allowed elsewhere in this Ordinance. All uses should be treated as Conditional Uses due to the intensive nature of industrial activities in general, the need for regulations concerning Adult oriented entertainment businesses and the broad scope of this District.

### **Permitted Uses**

1. All uses in the Industrial District shall be as listed as Conditional Uses.

### **Conditional Uses**

1. All main or principal uses and building in this District shall be Conditional Use. There shall be detailed plans submitted for review by the Zoning Administrator and Plan and Zoning Commission and approved by Town Board.
2. High capacity wells, the use of which is intended to result in the intermediate bottling or otherwise containment of groundwater for ultimate human consumption away from the lot or parcel on which the high capacity well is located.

### **Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## **CONSERVANCY DISTRICT**

**Intent.** This District is intended to identify, protect, and preserve lands that are environmentally unique, fragile or important. Areas where this District could be applied include, but are not limited to, wetlands, floodways, shorelines, drainage ways, parks and other public or privately owned lands providing opportunities for recreation and management of wildlife habitat.

### **Permitted Uses**

1. Grazing
2. The harvesting of wild crops, such as hay, ferns, moss, berries, and the tree fruits and seeds.
3. The practice of wildlife/nature centers, wildlife, fish and forest management.
4. Seasonal single-family dwellings for seasonal or temporary habitation. Must meet appropriate Wisconsin Administration code.
5. Nonresidential buildings and structures used solely in conjunction with the raising of wildlife and fish, and the practice of forestry. Including buildings and structures used by public or semi-public or semi-public agencies or groups for research in or the rehabilitation of natural resources.
6. The maintenance, repair and extension of existing drainage systems (such as ditching and tiling, tree cutting & brush removal) including depositing of excavated materials.
7. Timber harvesting, including pulpwood, selective cutting, cutting of firewood, tree plantations, Christmas tree farms and removal of dead, dying and diseased trees.
8. Signs with restrictions. See Sign section (page 20)
9. Ponds, excavations, and/or other extraction of 1 Acre or less with restrictions. Must provide detailed site plans prior to the start of excavation. Refer to Section X-Quarrying

**Conditional Uses:**

1. Ponds, excavations, and/or other extractions greater than 1 Acre with restrictions. Must provide detail site plans prior to the start of excavation. Refer to Section X-Quarrying
2. Hydro-electric power stations, dams and other structures for the use or control of flowing water
3. Utility and communication lines, towers and related structures but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. (Ref. See NR 812.07(53) and (80). Wis. Admin. Code.)
4. Public parks & facilities when owned by the State, County or municipality within the County, operated for the convenience and recreation of the public.
5. Other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district.

**Height, Yard, Area and other Requirements**

1. See Appendix A, attached and incorporated

## IV. GENERAL PROVISIONS

### A. BUILDING AND USES

1. No provisions of this Ordinance shall be construed to bar an action to enjoin or abate the use or occupancy of any land or structure as a nuisance under the appropriate laws of the State Wisconsin.
2. No provision of this Ordinance shall be construed to prohibit the customary and necessary construction, reconstruction or maintenance of public utility neighborhood service lines and mechanical appurtenances thereto, where reasonably necessary for the preservation of the public health, safety, convenience and welfare.
3. The use of buildings hereafter erected, converted, enlarged or structurally altered, and the use of any land shall be in compliance with the regulations established herein for the District in which such land or building is located.
4. Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot, and in no case shall there be more than one residence building on one lot, except during the construction or moving in of a replacement residence. Under no circumstances shall both residences be occupied at one time. The old residence shall be removed within 30 days of occupancy of replacement home or such other period of time at the reasonable discretion of Zoning Administrator or Town Board.
5. Nothing herein contained shall require any change in the plans, construction, size or designated use of any building nor part thereof for which a zoning permit has been issued before the effective date of this Ordinance and the construction of which shall have been started within six months from the date of such permit.
6. Nonconforming Uses
  - a. The existing lawful use of a building or premises at the time of the enactment of this ordinance or any amendment thereto may be continued although such use does not conform to the provisions of this ordinance for the district in which it is located, but such nonconforming use shall not be expanded.
  - b. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use.
  - c. If a nonconforming use of a building or premises is discontinued for a period of twelve months, any future use of the building or premises shall conform to the regulation for the district in which it is located.
  - d. When a building containing a nonconforming use is damaged by fire, explosion, act of God, or the public enemy to the extent of more than fifty (50) percent of its current equalized assessed value, it shall not be restored except in conformity with the regulations of the district in which it is located. The total structural repairs or alterations in any nonconforming use shall not, during its life, exceed fifty (50) percent of the current equalized assessed value of the building at the time of its becoming a nonconforming use unless permanently changed to a conforming use.
  - e. The total structural repairs or alterations in any nonconforming use shall not during its life exceed fifty (50) percent of the current equalized assessed value at the time of its becoming a nonconforming use unless permanently changed to a conforming use, unless otherwise approved in writing by the Board of Adjustment after a public hearing.



- f. The Board of Adjustment, after investigation and public hearing, may authorize the change of a nonconforming use to another of the same classification provided that the Board shall find that the proposed change of use will be no more harmful to the character of the neighborhood than the existing nonconforming use.
- g. When a housing project consisting of a group of two or more buildings is to be constructed on a site not subdivided into customary lots and streets, or where an existing lot and street layout makes it impractical to apply the requirements of this ordinance to the individual building units, the Town Board of the Town of Grant may approve a development plan provided the plan complies with the regulations of this ordinance as applied to the whole plat.

## **B. AREA REGULATIONS**

- 1. Any lot or parcel shown on a recorded subdivision, plat, assessor's plat or conveyance and recorded in the Office of the Register of Deed of Portage County prior to the adoption of this Ordinance for Town of Grant may be used as a building site, or for any purpose permitted by this Ordinance, even though such lot or parcel does not conform to the minimum frontage or area requirements of the District in which it is located.
- 2. Any lot or parcel shown on a recorded subdivision, plat, or assessor's plat or conveyance and recorded in the Office of Register of Deeds of Portage County prior to the adoption of this Ordinance, may be increased in size by the addition of all or part of the adjoining lots or parcels, and such resulting lots or parcels may be used for any purpose permitted in the District in which they are located even though by such addition such lots or parcels do not reach the minimum area or frontage required in such District; provided, however, that subsequent to such addition, the side yard, open space and percentage of occupancy provisions for lots of the resulting size shall apply; and provided further that after buildings have been erected on such lots or parcels their area or width shall not thereafter be reduced, except in conformity with the provisions of this Ordinance.

## **C. HEIGHT REGULATIONS**

- 1. Except as otherwise provided in this Ordinance, the height of any building hereafter erected, converted, enlarged or structurally altered shall be in compliance with the regulations established herein for the District in which such building is located. (See Appendix A for height restrictions)
- 2. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet.
- 3. Any planned building exceeding a height of thirty-five (35) feet shall be referred to the Town Board to determine if adequate fire protection is available prior to the issuance of a building permit. Churches, schools and other public buildings may be erected to a height not exceeding 50 feet, provided the front, side and rear yards set backs required in the District in which such building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the District in which such building is to be located.

#### **D. FRONT, SIDE AND REAR YARD REGULATIONS**

1. No building with its accessory buildings shall occupy in excess of fifty percent of the interior lot or sixty percent of a corner lot. In no case shall a zoning permit be issued to construct a living area covering less than 720 square feet for year round occupancy or 400 square feet of living area in conservancy.
2. Every part of a required yard shall be open and unoccupied by any structure from the ground upward, except as follows:
  - a. Detached accessory buildings may be located in the rear yard, or in the side yard of main building, provided an additional side yard, equal to that otherwise required for the main building, is provided.
  - b. Sills, belt courses, cornices, canopies, eaves and ornamental architectural features may project into a required yard not more than 30 inches
  - c. Fences, walls and hedges provided such fence, wall or hedge is not an obstruction to pedestrians and/or motorists
3. Buildings used to house animals or poultry shall not be closer than 100 feet to any side lot adjacent to a residential lot.

#### **E. VISION CORNERS AT INTERSECTIONS**

1. There shall be a vision clearance triangle in each quadrant of all intersections of highway or streets with other highway or streets or railroad rights-of-way. Such vision clearance triangle shall be bounded by the highway, street or railroad right-of-way lines, which are, located a distance back of 20 feet from the intersection of the right-of-way lines.
2. Within a vision clearance triangle, no structure or object of natural growth shall be constructed, maintained or permitted to grow between a height of two and one-half feet and ten feet above the elevation of the street or highway grade at the centerline. This regulation shall not apply to the trunks of trees, posts not over six inches square or in diameter, retaining walls used to support ground at or below its natural level, or wire fences, none of which shall be planted, placed, designed or constructed so as to constitute a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one highway or street to another.

#### **F. MOTOR VEHICLES AND PARKING**

1. In R2 (High Density), no commercial motor vehicle exceeding six (6) tons gross vehicle weight rating (GVWR) shall be stored in any private garage, lot or in the road right away. A special permit to exceed this rating is required.
2. No building for which off-street parking space is required may be added to, structurally altered or converted in use so as to encroach upon or reduce the parking spaces below the required minimum
3. No parking space required under this ordinance may be used for any other purposes; provided however that the open space required by this Ordinance for setback and side yards may be used for such parking spaces or approaches thereto except where otherwise provided in this Ordinance, provided that on corner lots there shall be no parking in a vision clearance triangle.
4. All parking spaces shall be graded and drained so as to prevent the accumulation of surface waters.
5. Parking lots containing six or more parking spaces which are located in the Residence Districts or adjoining residential lots shall be screened along the side or sides of such lots which abut the lot lines or residential lots by a solid wall, fence, evergreen planting of equivalent opacity or other equally effective means, built or maintained at a minimum height of four feet. If parking lots so located are

lighted, the lights shall be so shielded as to prevent undesirable glare or illumination of adjoining residential property.

6. Parking space requirements:

- a. Multiple family dwellings shall provide one off-street parking space for each family for which accommodations are provide in the building plus one additional space
- b. Establishments offering curb service to customers who remain in their vehicles shall provide off street parking spaces.
- c. Retail or local business places, banks, offices and professional's offices and personal service shops shall provide at least one off-street parking space for 300 square feet of ground floor area, plus at least one additional parking space for each 500 square feet of upper floor area.
- d. Building combining business and residential uses shall provide at least one off-street parking space for each 300 square feet of area devoted to business use, plus at least one parking space for each family for which accommodations are provided on the premises.
- e. Theaters, churches, auditoriums, lodges or fraternity halls and similar places of public assemblage shall provide at least one parking space for each seven seats.
- f. Restaurants, taverns and similar places for eating and refreshments, except curb service establishments, shall provide at least one parking space for each 50 square feet of floor space devoted to the use of patrons.
- g. Garages and service stations shall provide adequate off-street parking space to prevent the parking of vehicles waiting to be serviced or repaired on the public street or highway.
- h. Parks and playgrounds, recreation camps shall furnish adequate off street parking spaces.
- i. Any use not specifically named herein shall be assigned by the Zoning Administrator to the most appropriate of the above classifications, when not acceptable to the applicant; appeal may be made to the Board of Adjustment, which shall decide the matter at a public hearing.

**G. UTILITIES**

1. Any utility poles, cables, lines, pipes or other equipment lying within highway right-way, whether over ground or underground, shall be located at the expense of the utility owning the same. In the event that any such poles, cables, lines, pipes or other equipment lying within highway right-way requires relocation because of the improving, repairing or widening of such highway, the cost of such relocation shall be borne by the utility owning the same.

**H. UNSAFE BUILDING AND LAND CONDITIONS**

Whenever the zoning administrator shall find that any building or structure or any part thereof is dangerous to life, health or adjoining property by reason of bad conditions, defective construction, overloaded floors, decay, lack of guards against fire, general dilapidation, unsanitary conditions or other cause, he shall order the owner or tenant to be removed for repair as in the judgment of the zoning administrator may be necessary to properly preserve life and health of the occupants and upon receiving such order, the owner or tenants of such building or structure shall thereupon immediately cause the same to be made safe, sanitary or removed as ordered. Any person who fails or refuses to comply with such order shall be deemed guilty of violation of this ordinance.

Any owner or occupant who receives a zoning administrator's order shall within 30 days have complied with said order or shall have filed with the Board of Adjustment as herein provided an appeal from the zoning administrator's order. If the Board of Adjustment, after the hearing, supports all or part of the zoning administrator's order, the owner or the occupant named in the order shall comply within 15 days unless waived by the Board of Adjustment. Failure to comply with the zoning administrator's order, supported by the Board of Adjustment, shall then require the Town Board of the Town of Grant to commence action under the Wisconsin State Statues.

## V. PERMITS

1. No building, structure or any part thereof shall hereafter be built, enlarged, structurally altered, moved or demolished within or into the Town of Grant, unless a permit from the zoning administrator is issued. A Zoning Permit shall not be issued until there is compliance with all State, County and Town Ordinances. This will include, but not limited to, the following: Portage County Sanitary Ordinance, Shoreland Zoning Ordinance and Portage County Drainage District requirements.
2. All applications for a Zoning Permit shall be accompanied by a location sketch drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location of the building on the lot, the existing or intended use of the building, the number of families to be accommodated, the distance between the nearest point on the building and the centerline of the highway, and other such information with regarding to the proposed building and neighborhood lots or building as may be called for on the application or may be necessary to provide for the enforcement of this Ordinance.
3. The term “building” as used in this section shall include any building, structure, enlargement, alteration, moving or demolishing of any building or structure.
4. No zoning Permit shall be required for any of the following cases:
  - a. For any building on which work to the amount of \$1,000 or more has been done prior to the approval of this Ordinance by the Town Board.
  - b. For any accessory building with a market value of \$1000 or 100 square feet or less, provided such building confirms to all the setbacks, yard and open space requirements of this Ordinance.
  - c. For any interior remodeling, improvement or alterations, regardless of cost, provided however, there shall not be a change in use, which would be prohibited in the District.
  - d. For any exterior alterations, improvements or remodeling provided there is not an increase in floor area constructed to the existing building or any changes in structural support
5. Sanitary permits shall be obtained prior to construction and sanitary facilities shall be installed in all private residences and public buildings before occupancy meeting the Wisconsin Administrative Code and the requirements Wisconsin Statutes, the Wisconsin Administrative Code and the Portage County Sanitary Ordinance.
6. Construction must commence within 6 months from the date of issuance of the Zoning Permit or the permit shall be void. The project must be substantially completed within 24 months from the commencement of construction.
7. With every permit issued, the zoning administrator shall issue to the applicant, a weatherproof card, properly filled out, and it shall be the duty of the applicant to place the card in a conspicuous place on the premises where the building is to be erected, the card to be unobstructed from public view and not more than six feet above the grade. The zoning administrator will supply a house number/address and post with every permit issue for new construction.
8. If the zoning administrator shall find at any time that the above-mentioned ordinance, laws, rules, orders, plans and specifications are not being complied with, the administrator may revoke the zoning permit and a written notice of such action shall be posted at the site of the work. When any such permit is revoked, it shall be unlawful to do any further work on said building until the permit has been reissued, excepting such work as the zoning administrator may deem necessary as a condition precedent to the reissuance of a permit.
9. It shall be the duty of the members of the Town Board to report at once to the zoning administrator any building or buildings in which work is being carried on without a permit as required by this ordinance. Buildings shall be inspected at such time and in such manner as may be necessary to secure compliance with the laws, ordinances, rules and orders applicable thereto. Upon inspection of a completed building, the zoning administrator shall issue a Certificate of Compliance or prescribe any changes necessary for such compliance. After the issuance of such certificate, no structural part of the building shall be changed. No building or part thereof shall be occupied as a residence until such Certificate of Compliance has been issued.

10. A Zoning Permit shall be required for any conforming use which is damaged by fire, explosion, act of God or public enemy to the extent that more than 50% of its current market value or structural support is damaged as determined by the local zoning administrator.
11. Before a permit to move any building into, within or through the limits of the township is granted by the zoning administrator, the moving party must provide good and sufficient sureties or adequate insurance. The Town shall be held harmless against all liability, judgment, cost, and expense in consequence of said permit. The moving of the building shall be continuous during all hours of the day and the night if the zoning administrator so orders, until completed, with the least possible obstruction to traffic; and no building shall be allowed to remain overnight upon any street, crossing or intersection or upon any public highway.
12. Contact zoning administrator for fees regarding all permits.

## VI. CONDITIONAL USE PERMITS

### CONDITIONAL USE PROCEDURES

#### Introduction:

Generally, two categories of land uses are allowed in each zoning district:

- Permitted uses
- Conditional uses

A *permitted use* is allowed as a matter of right in all locations in a district provided it complies with the zoning ordinance. Authorization by the zoning administrator is non-discretionary if it complies with all aspects of the zoning ordinance. A permitted use is simply authorized by issuance of a building permit.

A *conditional use* has been determined that such uses are not suited to all locations in a zoning district but may be authorized if such use is adaptable to the limitations of a particular site and adjacent land uses. In short, such use must be custom tailored to a specific location through the procedures of a conditional use process, if such use is to be permitted at all. Conditional uses require review and approval from a variety of town officials and an open process exists to gather public input on the proposed land use. The decision to grant or deny a conditional use permit is discretionary and is based upon the applicant's responses on an application, participation in the process and certain review standards.

#### Procedures:

Note: At all times, the Town of Grant Zoning Ordinance controls all matters related to zoning, notwithstanding the list below. This list is intended only as a guide and does not replace the Zoning Ordinance.

1. Applicant contacts Zoning Administrator (ZA) regarding the proposed conditional use.
2. Applicant attends a Pre-Application conference w/Plan Commission and/or the Zoning Administrator.
  - a. Pre-Application conferences with the Plan Commission will be held at regularly scheduled meetings of the Plan Commission.
  - b. Pre-Application conferences with the Zoning Administrator can be arranged directly with the Zoning Administrator.
3. Applicant submits a Conditional Use Permit Application including a site plan and other supporting documentation with appropriate fees to the Town Clerk (fee is non-refundable at this point).
4. Plan Commission and/or their representatives along with the Zoning Administrator will review the application for completeness.
5. Plan Commission will conduct a field review and research any outstanding issues with follow up as necessary. Applicant may be required to provide additional information or attend other meetings as necessary.
6. Plan Commission forwards all information to the Town Clerk for further Town Board action when application, site plan and supporting documentation is substantially complete. The Plan Commission may make a recommendation at this time.
7. Town Clerk initiates a Public Notice of Hearing & informs all adjacent landowners and other landowners within a minimum of 300 feet of said parcel, at least 15 days prior to the Hearing date, such hearing to be conducted by the Town Board.
8. Town Board conducts a Public Hearing:
  - a. The Applicant and/or the applicant's representatives **must** attend the Public Hearing. Such person(s) shall be given opportunity to speak on the proposal.

- i. Failure to attend will result in automatic denial of the conditional use permit unless extenuating circumstances exist, although the public hearing will still be conducted.
  - b. The Public Hearing **may** also be attended by the following, who shall be given opportunity to speak on the proposal:
    - i. Property Owner
    - ii. Plan Commission representative(s)
    - iii. Adjacent landowners
    - iv. General public.
9. Once the Town Board is satisfied that they have heard all relevant facts, it shall rule that the Conditional Use be approved, denied or approved with conditions (after the public hearing date). Note: The Town Board may refer the application back to the Plan Commission for further study and/or their recommendation before making its final decision.
10. In all cases, the Town Board decision will occur within sixty-five (65) calendar days after the public hearing date unless more time is necessary or until all pertinent information is obtained.
11. The Town Clerk will provide a notice of decision or conditional use permit to the applicant upon completion of this process.
12. Any Conditional Use permit that may be granted is not valid until signed by the Applicant, Town Clerk and Town Chairperson.
13. Appeals Procedure – Applicant may appeal the Town Board’s decision to Circuit Court.

Special Notes to Applicant:

A Zoning Permit may be required, if applicable. (See Zoning Ordinance)

Continuance of Use – Subsequent owners of property are entitled to continue a conditional use subject to the limitations imposed in the original conditional use permit.

Revocation of Use - Conditional Use Permits may be revoked if owner/applicant does not comply with the conditions of use. The owner/applicant will be notified in writing of non-compliance before the conditional use is revoked. Applicant/owner will have forty-five (45) calendar days to comply before automatic revocation, unless extenuating circumstances exist. Repeat offenses of non-compliance may shorten the duration allowed before automatic revocation.

## CONDITIONAL USE APPROVAL CRITERIA

Your conditional use application will be evaluated on the basis of the criteria listed below.

The Town may approve or approve with conditions an application for a conditional use permit only if the following criteria are satisfied:

- A. The conditional use will not substantially harm the public health, safety and general welfare and will not be contrary to federal/state/local law or administrative code.
- B. The conditional use is appropriate in design, character and appearance with the existing or intended land use and is consistent with the Town of Grant Comprehensive Plan.
- C. The conditional use will not be detrimental to uses or property in the vicinity of the subject parcel.
- D. The conditional use complies with all other applicable provisions of the Town of Grant Zoning Ordinance.
- E. The conditional use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated through conditions of use.
- F. The location, size and height of buildings, structures, walls, storage yards, fences, screening, outdoor lighting and signage for the conditional use will not unreasonably interfere with allowable development or use of neighboring properties.
- G. The conditional use will be served by adequate infrastructure including utilities, emergency services, roads and water.
- H. The conditional use will not introduce noise, smoke, dust, fumes, vibrations, odors or other conditions that would unreasonably impact existing uses in the vicinity of the subject parcel.
- I. The vehicular, air and rail traffic associated with conditional use will not be hazardous to existing or anticipated traffic in the vicinity of the subject parcel.
- J. The conditional use will have adequate wastewater disposal and storm water control.
- K. The conditional use complies with any local, state or federal laws and regulations for the storage, handling and disposal of hazardous or non-hazardous materials and waste.
- L. The conditional use has merit and value for the community as a whole.



## VII ZONING ADMINISTRATOR

There is hereby created the office of zoning administrator. Such administrator shall be appointed by the Town Board for the term of one year, at a salary to be fixed by said Board, and shall hold office one year unless sooner removed by said Board, and until his/her successor shall have been duly appointed and qualified.

The zoning administrator shall have the necessary ability to supervise the general construction of buildings and the permanent equipment thereof. He/she shall be a resident of the Town of Grant and maintain his/her office therein and shall not be interested either directly or indirectly in the construction of buildings or permanent building equipment in the Town of Grant or in the preparation of plans and specification thereof.

The zoning administrator shall, before entering upon the duties of his/her office, execute a bond in the sum of five thousand dollars with such security as shall be approved by the Town Board. The Town shall pay the premium of said bond.

The zoning administrator shall, except as otherwise provided in this ordinance, have the general management and control of all matters pertaining to his/her office and shall enforce all applicable State laws, County and Town ordinances, and lawful orders of the Town Board relating to the construction, alteration, repair, removal, and safety of buildings and other structures of permanent building equipment.

The zoning administrator shall keep a record of all applications for building permits in a book used for such purpose and regularly number each permit in the order of its issuance. He/she shall keep a record showing the number, description, and size of all buildings erected during his/her term of office, indicating the kind of material used.

The zoning administrator shall prepare suitable forms for the applications and permits required and keep in his office a proper daily record of all inspections made, and all removal and condemnation of buildings, and a record of all fees earned; and he/she shall make an annual report covering the period closing December 31 of each year, to be filed on or before the January Board Meeting, showing the total amount of fees earned and general summary of the work of his office during said period.

The zoning administrator shall have the power and authority at all reasonable times to enter or make provisions to enter upon any public or private premises and make inspection thereof and to require the production of the permit for any building, structure, or permanent equipment thereof. If refused access to property, a special inspection warrant may be secured from the courts to perform the necessary inspection. Any person interfering with the lawful work of the zoning administrator shall be subject to the forfeiture described in this Ordinance.

The power to inspect at all reasonable times shall also extend to the Board of Adjustment and the Town Board when so required to fulfill the intent of the ordinance. Possible violations are to be referred to the Town Board for their action.

## VIII. BOARD OF ADJUSTMENT

A Board of Adjustment is hereby established as per Wisconsin Statutes. The Town of Grant Town Board shall make appointments as well as compensation.

### 1. Rules of Conduct

- a. The Town Board shall adopt regulations for the conduct of the business of the Board of Adjustment consistent with this Ordinance and Wisconsin Statutes.
- b. All meetings of the Board of Adjustment shall be held only after giving public notice in the same manner as required by the Town Board.

### 2. Powers of the Board of Adjustment

- a. To hear and decide appeals where it is alleged that there is an error(s) in any order, requirement, decision or determination made by a zoning administrator in the enforcement of this ordinance.
- b. To authorize, upon appeal in specific cases, such variance from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done.
- c. Permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of this ordinance for such public utility purposes, which are reasonably necessary for public convenience and welfare.
- d. All other powers set forth by applicable state statute

## IX. SIGNS

Signs. Except where this ordinance is more restrictive, all signs adjacent to highways hereafter erected, moved, altered, or reconstructed shall comply with all applicable regulations of the Wisconsin Statutes, including specifically those dealing with location of signs and with signs that simulate traffic control devices. Unless otherwise provided by this ordinance or by the Wisconsin Statute, signs shall be located in the following manner:

- A. Signs and billboards generally shall be erected outside a line parallel to and 20 feet from the highway right-of-way. Property posted signs do not apply to this requirement.
- B. Provided that the following types of signs may be erected in other relationships to the highway right-of-way lines as specified;
  - 1. One directory sign per parcel, advertising a business conducted or a service available at a specific location. Such sign(s) shall not be more than eight square feet in area, there shall not be more than two such signs relating to any one such location or use in the approaching direction along any one highway, no such sign(s) shall be placed more than five miles away from the location or use to which it relates, and such sign(s) may be placed outside of the right-of-way line of the highway. There shall not be more than one sign per parcel unless allowed as a conditional use by the Town of Grant Board.
  - 2. Signs used exclusively to advertise farm products for sale on the premises. Such signs shall not be more than eight square feet in area, there shall not be more than one such sign in either direction along any one highway or any one premises; no such sign shall be placed more than half a mile away from the point of sale of the products advertised and such signs may be placed outside of the right-of-way line of the highway.
  - 3. Signs giving the name of a farm or the farm owner, or farm directory signs. Freestanding signs shall not exceed 32 square feet. Lettering attached to farm buildings identifying a farm, farm name or farm directory shall have no square footage limitations.
  - 4. City or village directory signs. Such signs shall not be more than 12 square feet in area, there shall not be more than one such sign, located not more than half a mile from a highway intersection or other point where guidance is necessary, and such signs may be placed outside of the right-of-way line of the highway.
  - 5. Signs of standard size and design placed by the public authorities for the guidance or warning of traffic. Such signs may be placed within 20 feet of the right-of-way of the highway.
  - 6. Signs of temporary nature such as yard or garage sale, political signs or special event signs no larger than 4 square feet are allowed to be placed 33 feet or greater from the center of the road. Property posting signs may be permanent.
- C. When a building is located within 20 feet of the right-of-way line, and signs are permitted in connection with such building, such signs may be placed on or behind the setback line established by such building for the lot on which it is located, or may be attached to such building but may not in any case project over the right-of-way line of the highway;
- D. No sign may project more than six feet beyond a building when attached thereto;
- E. No sign shall be erected or hung so as to project into the vision clearance triangle. The vision triangle is 20 feet x 20 feet triangle established from the intersection of roadway right of way. A sign may be attached to a building, which is standing within such triangle on the effective date of this Ordinance, when such sign is so attached or hung as not to constitute an additional projection into such vision clearance triangle.

**RESIDENTIAL DISTRICTS-Signs as follows:**

- A. Not more than two directory signs, which must be placed in relation to the right-of-way line as shown in the general provisions.
- B. One sign per parcel to advertise a customary home occupation or professional office, provided that such sign may be placed at the right-of-way line, shall not exceed six square feet in gross area, and may be illuminated; but flashing or intermittent lighting is prohibited.
- C. To advertise the sale, rent, lease or trade of the property on which the sign is placed; provided that such sign shall not exceed six square feet in gross area, except in subdivisions or unplatted land where the density of construction does not exceed an average of one building for each 200 lineal feet of frontage, such latter sign shall not exceed 100 square feet in gross area. Also, not more than two (for sale), (rent), (lease), or (trade) signs may be erected within one mile of such new subdivisions; each such sign shall not exceed 100 square feet in gross area, which sign must be placed in relation to the right-of way line as shown in the above information.
- D. To advertise that the site, on which the sign is placed, is the location of a future church, school, library or club, which must be placed at least 20 feet outside the right-of-way line of the highway and shall not exceed 20 square feet in area.
- E. Tablet, inscription, emblem or bulletin board for churches, schools, clubs, hospital, religious or charitable institutions, not over 20 square feet in area, which must be placed at least 5 feet outside the right-of-way line of the highway.

**AGRICULTURAL DISTRICTS Signs as follows:**

- A. One sign per parcel used exclusively to advertise sale of agricultural products produced on the premises; signs giving the name of the farm owner; rural directory signs when all such signs are established in accordance with the provisions of above.
- B. Directory signs, to cities and villages, when such signs are established in accordance with the provisions of above.
- C. Not more than two directory signs, which must be placed in relation to the right-of-way line as shown above.
- D. To advertise that the site, on which the sign is placed, is the location of a future church, school, library or club, which must be placed at least 20 feet outside the right-of-way of the highway and shall not exceed 20 square feet in area.
- E. To advertise the sale, rent, lease or trade of the property on which the sign is placed; provided that such sign shall not exceed six square feet in gross area, except in subdivisions or unplatted land where the density of construction does not exceed an average of one building for each 200 feet of frontage, such latter sign shall not exceed 100 square feet in gross area. Also, not more than two (for sale), (rent), (lease), or (trade) signs may be erected within one mile of such new subdivisions: each such sign shall not exceed 100 square feet in gross area, which sign must be placed in relation to the right-of way line as shown above.
- F. Tablet, inscription, emblem or bulletin board for churches, schools, clubs, hospitals, religious or charitable institutions, not over 20 square feet in area, which must be placed at least five feet outside the right-of-way line of the highway.

**COMMERCIAL DISTRICTS Signs on-premises as follows:**

- A. No sign, business sign, nameplate sign or advertising shall be erected except the following:
1. A nameplate sign, or professional nameplate sign, identifying the owner or occupant of a building or dwelling unit, provided the surface area does exceed six square feet.
  2. A sign pertaining to the lease or sale of a building or property provided such sign shall not exceed six square feet in surface area and shall not be illuminated.
  3. The total surface area of all business signs on a lot shall not exceed the sum of two square feet per lineal foot of lot frontage. In the case of corners lots, the greatest width of a corner lot shall be the front for purposes of this Ordinance. The total area of all business signs on a lot shall not exceed 200 square feet in gross surface area.
  4. Business signs that are attached to buildings shall be limited to signs, which shall not exceed more than ten inches from the face of the building.
  5. One identification sign as specified in Residential District Signs
  6. Directional and regulating signs in any parking area necessary for the orderly movement of traffic provided that such sign shall not be used as advertising space.
  7. Temporary unilluminated signs identifying an engineer, architect, contractor, or product engaged in or used in the construction of a building, provided such signs shall not exceed 12 square feet each in surface area, and are no more than 15 feet in height, and provided such signs are removed prior to the occupancy of the building.
  8. Business signs may be illuminated, but flashing or intermittent lighting is prohibited, except information signs that state the time, date, temperature and message.
  9. The top of the sign in this District shall not exceed 25 feet in height at natural grade.
  10. Temporary signs, which include illuminated and/or flashing signs that can be rented and readily moved, may be allowed for a maximum time of 30 days and for onetime basis only. Such signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, signals or devices

## **X. PONDS, EXCAVATIONS AND EXTRACTIONS HEREIN AFTER REFERRED TO AS: QUARRYING.**

**Quarrying:** The removal of rock, slate, gravel, sand, topsoil or other natural material from the land by excavating, stripping, leveling or any other such process which results in creation of a pond, pit or strip mine. Drainage ditching shall not be considered quarrying.

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“QUARRIES” is created to read.

- A. **PURPOSE.** It is the purpose of this subsection to establish conditional regulations and performance standards for the activity defined as quarrying in such a manner as to assure maximum protection to surrounding properties and the physical environment through siting of activities and structures, buffering, setbacks, visual screening, height limitations, access routing, noise, vibration, air quality and water quality controls. This subsection applies to new quarrying activity or the expansion or enlargement of an existing pond or quarry.

Further, the purpose of the QUARRYING subsection is to require that any individual, partnership or corporation engaged in any quarrying activity develop and submit a site plan to the Zoning Administrator for approval.

It is further the purpose of this subsection not to prohibit quarrying, but to control quarrying by the permit process. All quarrying activity shall comply with and conform to federal and state law and county ordinance.

1. **DEVELOPMENT SITE STANDARDS.**

See Appendix B

2. **SPECIAL REGULATIONS.**

- a. **Fencing.** If, in the opinion of the zoning administrator, a quarry results in a condition dangerous or hazardous to the general public moving about in the vicinity of such quarry, the zoning administrator may order the owner or tenant of the property on which the quarry lies to construct a fence. If required, the Zoning Administrator shall approve the type of fencing.
- b. **Degree of Slope.** Slopes created by quarrying must have a minimum three (3) to one (1) ratio from top of excavation to waterline, horizontal to vertical to minimize cave-in and slump, wind and water erosion and lateral shifting of the undisturbed ground surface near the quarried area.
- c. **Screening.** Adequate planting and/or fencing may be required along public roads and residential dwellings adjacent, to screen the quarry from public view as reasonably as possible and as approved by the Zoning Administrator.
- d. **Setbacks.** Any excavation or soil deposit from excavation shall conform to setback dimensions in the appropriate zoning district in which it lies.

3. **PERFORMANCE STANDARDS**

- a. **Dust.** Any operation shall comply with all applicable federal, state and local air pollution control laws and regulations.
- b. **Protect Water Table.** No quarrying activity shall be conducted in such manner as to lower or contaminate the water table of surrounding inhabited properties.
- c. **Roads.** The operator of the excavation shall maintain all haulage roads used in connection with this operation, whether under their control and ownership, a private road, or that of a municipality, as much as possible in a dust free condition. (Maintain is defined as: condition or the road after the work is complete shall be the same as the condition before the work was started.

#### 4. PERFORMANCE GUIDELINE

- a. Topsoil Replacement. Graded or backfilled area or banks in the cases of excavations made to water-producing depth shall be covered equal to a depth of topsoil or percentage of organic matter that originally existed on property prior to the commencement of operation, with the exception that the nine (9) foot area extending outward from water's edge for the entire circumference of water area, the cover shall be sand or any other material as set forth in the approved site plan. No greater depth of topsoil or percentage of organic matter in the soil shall be required than originally existing on property prior to the commencement of operation.
- b. Vegetation Replacement. Upon replacement of the topsoil; trees, shrubs, legumes, grasses or groundcover shall be planted upon such area in order to avoid erosion.

#### B. PERMIT APPLICATION. Quarry/Pond Application shall include:

1. Adequate description of the operation;
2. List of equipment, machinery and structures to be used;
3. Topographic map of the sites, with a minimal vertical contour interval of five (5) feet; trees, access roads, depth of excavations, commencement and completion dates of excavation and restoration;
4. Restoration plan containing proposed contours, depth and type of restored topsoil; seeding and other planting or reforestation; final slopes of pond; and expected cost of completion of restoration plan.
5. Explanation of final destination of removed material. If the material is to be removed from the property site an explanation as to quantity of material to be removed; type of truck to be used to transport; routes of travel and purpose for removal.
6. Information about soil conditions and level of water tables.
7. Length of time needed to complete the project for which the permit is issued.

#### C. STANDARD OF REVIEW IN APPROVING CONDITIONAL USE PERMIT. The Plan Commission, in its recommendation and the Town Board in granting or denying conditional use permits, shall consider the following factors:

1. The effects of the proposed quarrying on streets both existing and proposed on the adopted official map.
2. The effects on neighboring development;
3. The effects on proposed land use;
4. The effects on the adopted Future Land Use Plan;
5. The effect on water supply, soil erosion, natural beauty, character and land value of the locality;
6. The effect on wetlands, drainage and potential for groundwater pollution;
7. The practicality of the proposed restoration plan for the site;
8. The effect on town roads of hauling removed material from the subject parcel land;
9. Any other factors which the Plan Commission or the Town Board in each application determines are relevant.

D. **ISSUANCE.** In the issuance of a Conditional Use Permit, the Town Board may impose conditions that address the following areas of concern:

1. Size of quarry;
2. Fencing;
3. Screening;
4. Hours of operation;
5. Dust;
6. Water table;
7. Top soil replacement;
8. Vegetation replacement;
9. Routes of travel;
10. Quantity of material being removed;
11. Bond if necessary;
12. Expiration period of permit;
13. Any other conditions which the Planning Commission or the Town Board determines are relevant and necessary for the issuance of the Conditional Use Permit.
14. Hold the Town harmless from any environmental contamination.

E. **PERMIT FEES** Contact the Zoning Administrator for all fees.

The Town of Grant specifically acknowledges rights of cranberry growers, and that this ordinance is not intended to interfere with rights otherwise afforded under state law, including Wis. Stats. Sec. 94.26, but neither is it intended to diminish the town's ability to regulate matters of health, safety and welfare where the town is not legally preempted from such regulations. In addition, Cranberry Growers shall abide by their Best Management Practice's developed for these activities in conjunction with Wisconsin State Cranberry Growers Association.



## **XI. Changes and Amendments**

The Town Board may from time to time, on its own motion or petition, amend, supplement or change the district boundaries or the regulations herein or subsequently establish upon giving notice as required in the Wisconsin Statutes, of the proposed amendment, supplement or change and of hearing thereon, and opportunity to any person interested to be heard.

In regards to protest, public hearings and adoption of this Ordinance refer to the General Zoning in the Wisconsin Statutes.

## **XII. Violation and Penalties**

The provisions of this ordinance shall be enforced under the direction of the Town Board, through the zoning administrator and county law enforcement officers. Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall pay a forfeiture of not less than \$50.00 nor more than \$500.00, together with the costs of prosecution or in default thereof by imprisonment in the county jail of Portage County for a term of not more than 30 days. Above said fees or forfeiture listed above if applicable may be assessed to the Real Estate property tax.

Any building or structure hereafter erected, moved or structurally altered or any use hereafter establishing violation of the provisions of this ordinance shall be deemed an unlawful building structure or use. The zoning administrator shall promptly report all such violations to the Town Board which may then bring an action to enjoin the erection, moving or structural alteration of such building, or the establishment of such use or to cause such building, structure or use to be vacated or removed.

Each day that a violation exists shall constitute a separate offense. Every violation of this ordinance is a public nuisance and may be enjoined and the maintenance thereof may be abated by action at suit of the Town Board or any citizen of the Town of Grant. In addition to any other penalty, the owner shall be ordered to cease or correct a violation in a reasonable period of time as established by the Town Board.

Other equitable remedies, such as injunction to stop violation may be exercise by using authorization of Wis State Statues 62.23(7)(f) or 62.23 (8)

## **XIII. Validity**

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

## **XIV. DEFINITIONS**

Accessory Building - A subordinate building or portion of the main building, the use of which is incidental to the permitted use of the main building.

Bed and Breakfast - Any place of lodging that provides four or fewer rooms for rent, is the owner's personal residence and is occupied by the owner at the time of rental and in which the only meal served to guests is breakfast. Guests shall not exceed seven consecutive days of occupancy.

Boat Liveries - Establishments offering the rental of boats and repairs and fishing equipment.

Building Site - The space or area of ground upon which a building is to be erected.

Campground - Any premises designated, maintained, intended or used for more than 20 days in a year for supplying accommodations for overnight habitation.

Club - An association of persons for some common purpose but not including groups organized primarily to render a service, which is customarily carried on as a business.

Commercial Stable -The use of land with related buildings or structures for the commercial breeding, rearing or boarding of more than four horses.

Commercial Vehicle -Any vehicle used for commercial purposes that is five ton rated capacity or larger.

Conditional Use - The use of property, including the use and location of buildings, the size of lots and the dimension of required yards, otherwise not allowable under the terms of this Ordinance, which is permissible by reason of special provision of this Ordinance, or for which a special permit may be issued by the Town Board, under conditions specified in this Ordinance.

Directory Sign - A sign displaying the name of a person, community, home, farm, area or locality of interest, business or a kind of business or service conducted at a specific location, but not any general brands, products or services whether related or unrelated to such specific location. Such a sign may also display necessary brief directions, including the distance to the location to which it refers.

District - A section or sections of Town of Grant for which the regulations governing the use of the land and buildings are uniform.

Drainage Ditch – Excavations that pertain to roadway drainage improvements or Portage County Drainage District ditches.

Farm - An area of land devoted to the production of field or truck crops, livestock or livestock products, which constitute the major use of such property. This includes fur farms in which the animals are housed and fed under artificial conditions.

Floor Area - The area within the outer lines of the exterior walls of a building, at the top of the foundation or basement wall; provided that the floor area of a dwelling shall not include space usable for living quarters, such as attics, utility or unfinished basements rooms, garages, breeze ways and unenclosed porches or terraces.

Fur Farm - Any property comprising land or buildings or both, used for the purpose of raising or harboring fur bearing animals including those defined in appropriate Wisconsin Statutes, and also including chinchillas and other fur bearing animals, if any, whether the animals are kept for breeding or slaughtering or pelting purposes.

Garage, Private - An accessory building or accessory portion of the main building, used or designed or intended to be used for the storage of private motor vehicles

Gross Vehicle Weight Rating (GVWR) – Total weight of vehicle including its cargo.

Highways - See Roads

Highway, Intersecting - A highway which forms one or more legs with another highway

Kennel - Any premises wherein any person engages in breeding (more than one (1) litter per year), buying, letting for hire, sporting, or selling dogs, (buying or selling more than three (3) adult dogs per year.)

Lot - A parcel of land occupied or designed to be occupied by one building and its accessory buildings or uses, including the open spaces required by this Ordinance, and abutting on a public street or other officially approved means of access. A lot may be a parcel designated in a plat or described in a conveyance recorded in the Office of the Register of Deeds, or any part of a larger parcel when such party complies with the requirements of the Ordinance as to width and area for the District in which it is located. No land included in any street, highway, or railroad right-of-way shall be included in computing lot area.

Lot, Corner - A lot located in the intersection of two streets, any two corners of which have an angle of 120 degrees or less, or is bounded by a curved street, any two chords of which, on the inside of a curve, from an angle of 120 degrees or less.

Lot, Interior - A lot which is not a corner lot.

Lot Lines -The lines bounding a lot as defined herein

Lot of Record - Any validly recorded lot which at the time of its recondition complied with all applicable laws, Ordinances and regulations.

Lot Width - For purposes of this Ordinance, the width of a lot shall be the shortest distance between the side lines at the setback line.

Manufactured Home - One or two family home certified and labeled as a manufactured home under 42 U.S.C. Section 5401 to 5426 which when placed on the site is set on an enclosed foundation in accordance with Sec. 70,043(1), Stat., and subchapters III, IV and V of Chapter ILHR 21, Wisconsin Administrative Code, or a comparable foundation as approved by the Town Board, is installed according to manufacturer's instructions, if properly connected to utilities and is a minimum of 16 feet wide. For purposes of zoning code enforcement, manufactured homes shall be allowed as permitted and conditional uses where "single family residences" and "two family residences" are shown as permitted and conditional uses. All such structures manufactured prior to July 15, 1976 shall be defined as mobile homes.

Mobile Home - That which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances, except manufactured housing.

Mobile Home Park - A parcel of land under single ownership designed, maintained, intended or used for the purpose of providing a location and accommodations for two or more mobile homes, including all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the mobile home park or its facilities.

Motel - A building or group of buildings containing rooms which are offered for compensation for the temporary accommodations of transients, and where there is not permanent occupancy of any unit except by the owner, his agent or his employees.

Nonconforming Structure – An existing lawful structure or building which is not in conformity with the dimensional or structural requirement of this ordinance

Nonconforming Use - A building or premises occupied by a use that does conform with the regulations of the District in which it is situated.

Off Street – The area outside of road right away

One Family Residence - A detached building designed for, and occupied exclusively by, one family.

Ordinary High Water Mark (OHWM) -The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Park, Public - An area owned by the State, County or municipality within the Town, operated for the convenience and recreation of the public, and containing such facilities as the owning municipality shall see fit.

Parking Lot - A lot where automobiles are parked or stored temporarily, but not including the wrecking of automobiles or other vehicles or storage for the purpose of repair or wrecking.

Pit – An open hole or excavation made by digging.

Ponds- Refer to Section X-Quarrying

Premises - A house, building and its lands.

Professional Office - the office of a doctor, practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, musician, or other recognized professional

Protected Shoreland Area - All shorelands of navigable waters designated by State of Wisconsin in Town of Grant which are less than 1,000 feet from the ordinary high water elevation of lakes, ponds or flowages or less than 300 feet from the ordinary high water elevation or to the landward side of a floodplain or navigable reaches of rivers or streams, whichever is greater.

Riding Stables - A building or premises used for the rent or lease of horses or animals for riding.

Road - A public thoroughfare, which affords a primary means of access to abutting property.

Road Right of Way - The dividing line between a street and the abutting lot.

Roadside Stand - A structure having a ground area of not more than 300 square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products on the premises (or adjoining premises). There shall not be more than one such roadside stand on any single premises.

Service Station - Any building, structure, premises or other place used for the dispensing, sale or offering for sale of any motor fuel or oil, having pumps and storage tanks; also where battery, tire and similar services are rendered, but not including buildings or premises where such business is incidental to the conduct of a public garage used for the repair or storage of motor vehicles.

Setback Lines - Lines established adjacent to property lines and public roads for the purpose of defining limits within which no building or structure or any part there-of shall be erected or permanently maintained.

Sign - Anything erected, hung, suspended, painted or attached to any structure, carrying words, letters or figures. Phrases, sentences, names, designs, trade names or trade makers of any other device placed so as to be visible from a street or highway and calling attention to a business, trade, profession, commodity, product, person, firm or corporation.

Single Family Residence – A detached building designed for, and occupied exclusively by, one family.

Strip Mine – An open hole or excavation made by digging to remove material of value.

Structure - Any man-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, which includes, but is not limited to, such objects as roofed and walled building, gas or liquid storage tanks, bridge dams and culverts.

Structural Alterations - Any changes in the supporting members of a structure such as bearing walls, column, beams or girders, footing and piles.

Temporary Structure - A movable structure not designed for human occupancy which may be used for the protection of goods or chattels.

Transient Trailers - Any portable or mobile vehicle on wheels, skids, rollers or blocks, either self-propelled or propelled by any other means, which is used for living or sleeping purposes.

Two Family Residence - A building or portion thereof used or intended to be used by one or two families living independently of each other.

Unnecessary Hardship - An unusual or extreme decrease in the adaptability of the property to the uses permitted in the District which is caused by facts, such as terrain or soil conditions, uniquely applicable to the particular pieces of property as distinguished from those applicable to most or all property in the District.

Variance - A departure from the terms of this Ordinance as applied to a specific building, structure or parcel of land, which the Board of Adjustment may permit, contrary to the regulations of this Ordinance for the District in which such building, structure or parcel of land is located, when the Board finds that literal application of such regulations will effect a limitation compensating gain to the public health, safety or welfare.

Vision Triangular Clearance - An unoccupied triangular space at the triangular space at the intersection of highways or streets with other highways, streets or roads, or at the intersection of highways or streets with railroads. Such vision clearance triangle shall be bounded by the intersecting highway, street, road or railroad right-of-way lines and a setback line connecting points located on such right-of-way lines by measurements from their intersection as specified in this Ordinance.

Watercourse - A natural channel or basin of or for water, such as a stream, creek, river, lake, pond, flowage or any natural or artificial canal or ditch for the conveyance of water.

Wetland - Those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions as determined by U. S. Army Corps of Engineers or Wisconsin Dept. of Natural Resources.

Wisconsin Statutes – All statutes referred to in this ordinance refer to 2001-02 Statutes.

Yard - An open space on a lot, on which a building is situated.

Yard, Front - A yard extending across the full width of the lot and measured between the front line of the lot and the front line of the building.

Yard, Rear - A yard extending from the rear line of the main building to the rear lot line for the entire width of the lot.

Yard, Side - A yard on each side of the main building extending from the side wall of the building to the side lot line, and from the front yard to the rear yard. When an accessory building is constructed as part of the main building or constructed on one side of the main building, the side yard requirements shall be the same for the accessory building as required for the main building.

## Appendix A

### TOWN OF GRANT – ZONING SETBACKS, AREA AND HEIGHT REQUIREMENTS (1) (7)

Zoning District	Maximum Height Residential	Maximum Height Accessory	Minimum Floor Area	Minimum Lot Area	Minimum Lot Width	Minimum Side Yard	Minimum Rear Yard
<b>(R-1) Low Density Residential</b>	<b>35 ft.</b>	<b>25 ft.<sup>(9)</sup></b>	<b>720 sq. ft.</b>	<b>2 Acres</b>	<b>160 ft<sup>(3)</sup></b>	<b>15 ft.</b>	<b>25 ft.<sup>(4)</sup></b>
<b>(R-2) High Density Residential</b>	<b>35 ft.</b>	<b>18 ft.<sup>(2)</sup></b>	<b>720 sq ft.<sup>(5)</sup></b>	<b>20,000 sq ft.<sup>(8)</sup></b>	<b>100 ft.<sup>(3)</sup></b>	<b>15 ft.</b>	<b>25 ft.<sup>(4)</sup></b>
<b>(A-1) Exclusive Agriculture</b>	<b>35 ft.</b>	<b>35 ft.<sup>(6)</sup></b>	<b>720 sq. ft.</b>	<b>35 Acres</b>	<b>NA</b>	<b>25 ft.</b>	<b>25 ft.</b>
<b>(A-2) Transition Agriculture</b>	<b>35 ft.</b>	<b>35 ft.<sup>(6)</sup></b>	<b>720 sq. ft.</b>	<b>10 Acres</b>	<b>300 ft.</b>	<b>25 ft.</b>	<b>25 ft.</b>
<b>(A-3) General Agriculture</b>	<b>35 ft.</b>	<b>35 ft.<sup>(6)</sup></b>	<b>720 sq ft.</b>	<b>5 Acres</b>	<b>160 ft.</b>	<b>25 ft.</b>	<b>25 ft.</b>
<b>(C-1) Commercial</b>	<b>35 ft.</b>	<b>45 ft.</b>	<b>720 sq. ft.</b>	<b>20,000 sq ft.</b>	<b>100 ft.</b>	<b>15 ft.</b>	<b>25 ft.<sup>(4)</sup></b>
<b>(I) Industrial</b>	<b>No Residential</b>	<b>Conditional</b>	<b>Conditional</b>	<b>Conditional</b>	<b>Conditional</b>	<b>Conditional</b>	<b>Conditional</b>
<b>(Con) Conservancy</b>	<b>35 ft.</b>	<b>25 ft.<sup>(2)</sup></b>	<b>400 sq ft.</b>	<b>2.5 Acres</b>	<b>200 ft.<sup>(3)</sup></b>	<b>15 ft.</b>	<b>25 ft.<sup>(4)</sup></b>

(1) All lots subject to Portage County Sanitary approval

(2) Total maximum sq. ft. of accessory building(s) shall not exceed 2000 sq. ft.

(3) Minimum lot width at building line.

(4) Accessory building minimum rear setback is 10 feet. No exception for sideyard setback of accessory buildings.

(5) Residence not less than 20 feet wide

(6) Up to 100 ft. for silos

(7) Portage County Shoreland Zoning Ordinance requires 100 feet construction setback from navigable waterways.

(8) Minimum lot area of 30,000 square feet for a duplex

(9) Total maximum sq. ft. of accessory building(s) shall not exceed 3500 sq. ft.

Township Road Setbacks-68 feet from centerline or 35 feet from right away, whichever is greater.

County Road Setbacks-75 feet from centerline or 42 feet from right away, whichever is greater

State Road Setbacks-110 feet from centerline or 50 feet from right away, whichever is greater

Appendix B

**TOWN OF GRANT DEVELOPMENT SITE STANDARD FOR QUARRYING**

<b>ZONING DISTRICTS</b>	<b>USE</b>	<b>LIMITS</b>	<b>FEES</b>
Low Density Residential	Conditional Use	Conditional	Conditional Use & Permitted Quarry Fee
High Density Residential	Not Allowed	Not Allowed	-----
Conservancy	Permitted	< 1 Acre	Permitted Quarry Fee
Conservancy	Conditional	> 1 Acre	Conditional Use & Permitted Quarry Fee
Exclusive Agricultural	Permitted	< 1 Acre	Permitted Quarry Fee
Exclusive Agricultural	Conditional	> 1 Acre	Conditional Use & Permitted Quarry Fee
Transition Agricultural	Permitted	< 20,000 sq. ft.	Permitted Quarry Fee
Transition Agricultural	Conditional	> 20,000 sq. ft.	Conditional Use & Permitted Quarry Fee
General Agricultural	Permitted	< 20,000 sq. ft.	Permitted Quarry Fee
General Agricultural	Conditional	> 20,000 sq. ft.	Conditional Use & Permitted Quarry Fee
Commercial	Conditional	Conditional	Conditional Use & Permitted Quarry Fee
Industrial	Conditional	Conditional	Conditional Use & Permitted Quarry Fee

All ponds & excavating greater than one Acre also subject to Portage County Non-Metallic Mining Reclamation Ordinance