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**Town of
Green Grove
Zoning
Ordinance**

Adopted April 9th, 2001 and is in effect from this day forward.

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Introduction

Section 1.0

1.1 **Authority:** The Town of Green Grove, Twn 28N.R1W, Clark County, Wisconsin, under authority of Section 60.61, of the Wisconsin Statutes hereby ordains and enacted the following Ordinance.

1.2 **Title:** This Ordinance shall be known as and shall be cited as: Town of Green Grove Zoning Ordinance.

1.3 **Purpose and Intent:** This Ordinance is established to promote the health, safety, and general welfare: To regulate and restrict height, number of stories and size of building and other structures, the percentage of lot which may be occupied, the size of yards, courts and other open spaces and land for trade, industry, residence and other purposes: and for the said purposes to divide the Town of Green Grove, Clark 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.

1.4 **Abrogation and Greater Restrictions:** It is not intended by this Ordinance to repeal, abrogate annul, impair or interfere with any existing easements, covenants, deed restrictions, written agreements, other existing government ordinances, rules, regulations or permits previously issued under existing ordinances and regulations. Where restrictions of this Ordinance are greater it shall govern.

1.5 **Interpretation:** The Provisions of this Ordinance shall be held to be minimum requirements: shall be liberally construed in favor of the Town: and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

1.6 **Severability:** If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.7 **Repeal:** All other ordinances or parts of ordinances of the Town of Green Grove inconsistent or conflicting with this Ordinance to the extent of inconsistency only are hereby repealed.

1.8 **Effective Date:** This Ordinance shall be effective after a public hearing, adoption by the Town Board and publication is provided by law.

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DEFINITIONS

Section 2.0

For purposes of this ordinance, certain terms are defined as follows: Words used in the present tense include the future: words in the singular number include the plural number, and words in the plural number include the singular number, the “building “ includes the word “structure” and the word ‘shall’ is mandatory and not directory. The word “person” includes an individual, all partnerships, associations and bodies political and corporate. The word “parcel” includes the word “plot” or “lot” or “tract.” The word “used” or “occupied” is applied to any land or building shall be construed to include the words “intended”, arranged”or designed to be used or occupied”.

Accessory Building. A subordinate or supplement building, the use of which is incidental to that of the main building on the same lot or the use of the premises on which it is located and is a secondary, customary and traditional structure or building.

Accessory Farm Buildings. Farm buildings except the main dwelling unit.

Accessory Use. A use customarily incidental and accessory to the principle use of a lot or parcel or building or structure on the same lot or parcel as the principal use.

Agriculture. The use of the land for beekeeping, dairying, egg production, floriculture, fish farming, forest and game management, grazing livestock:livestock raising, orchards, plant greenhouses and nurseries, poultry raising, raising of grain, grass, mint and seed crops, raising of fruits, nuts, berries, sod farming and vegetable raising.

Alley. A way which affords only a secondary means of access to abutting property.

Animal Unit. A unit of measure used to determine the total number of single animal types or combinations of animal types, as specified as s.NR 243.11, table 2 which are fed, confined, maintained or stabled in an animal feeding operation. For the purposes of this Ordinance, one animal unit is equivalent to one head of beef or slaughter cattle weighing more than 1000 pounds. The term animal unit means a unit of measurement for any animal feeding operation calculated by adding the numbers: the number of slaughter and feeder cattle multiplied by 1.0 plus the number of mature dairy cattle multiplied by 14 plus the number of swine weighing over (approximately 55 lbs) multiplied by .04, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0. For animals not listed, the number of animal units shall be defined as the average weight of the animal divided by one thousand (1,000) pounds, excluding household pets, (See Exhibit A in this Ordinance).

Apartment. A Portion of a multiple dwelling used as a separate housing unit and having cooking facilities and a private bath.

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Applicant. Any person or agent that person who applies for a permit under this Ordinance.

Aquaculture. Farming of aquatic plant or animal species.

Basement. The underground portion of a building or structure.

Boarding House. A building other than a hotel where meals lodging and meals are furnished for compensation for three or more persons not members of a family.

Board of Adjustment. A (3) three member committee initially appointed by the Town Board after the initial terms of one, two and 3 years successors shall be appointed or elected.(s.60.65 Wis. Statutes)

Building. Any structure used, designed or intended for the protection , shelter, enclosure or support of person, animals or property.

Building, Alteration of. Any change or rearrangement of the supporting members (such as bearing walls, beams, columns or girders) of a building, an addition to a building, or movement of a building from one location to another.

Building, Height of. The vertical distance from the average elevation of the finished grade at the building line to the vertical distance from the top of the building roof.

Building, Principal. The building of primary importance on a parcel of land in contrast to those which are accessory or of secondary importance. In the case of a house and attached garage, the entire structure, including the house and garage shall be considered the principal building.

Camping Trailer. A vehicle with a collapsible or folding structure designed for human habitations and towed upon a highway by a motor vehicle.

Cemetery. Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes including columbariums, crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such a cemetery. All new cemeteries shall be approved by the Town Board prior to burial of human remains or cremations.

Church A building for public or religious services, especially Christian.

Clinic - An establishment for medical examination and treatment of patients, but without provisions for keeping such patients over-night on the premises. For purposes of the Ordinance a doctors, dentists or veterinarian's office in a residence, when it complies with the requirement of this Ordinance relating to such office shall not be considered a clinic, but any doctors, dentists or veterinarians office which is not part of their home or the office of two or more doctors, dentists or veterinarians whether in a residence or not shall be considered a clinic.

Club (Service) - 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.

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Conditional Uses - A use either public or private, which because of its unique characteristics cannot be properly classified as an “approved” use in a particular district or districts. In each case after due consideration by the Zoning Committee of the impact of such use upon neighboring land and of the public need of the particular use at the particular location, such conditional use” may or may not be granted after all procedures are followed as described in the Ordinance.

District - A portion of the territory of the unincorporated Town of Green Grove, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Dwelling Unit Any room or group of rooms located within a dwelling and forming a single habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking and eating.

Dwelling “Dwelling” means any building that contains one or two dwelling units. “Dwelling unit” means a structure or that part of a structure which is used or intended to be used as home, residence or sleeping place by one person or by two or more persons maintaining a common household to the exclusion of all others.

Dwelling, Multiple A building or portion thereof used or designated as a residence for three or more families as separate housekeeping units, including apartments, hotels and townhouses.

Essential Services. Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage and communication systems and accessories thereto, such as poles, towers, wire, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations and hydrants, but not including building which are necessary for the furnishing of adequate service by utilities or municipal departments for the general health, safety or welfare.

Expressway - A divided arterial highway with controls on public and private access and generally with interchanges at major intersections.

Family - One or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house.

Farm. An area which is used for the growing of the usual farm products such a vegetable, fruit trees and grain and the storage of such products on the area, as well as for the raising thereon of the usual farm poultry and farm animals. The term farming includes the operating of such an area for one or more of the above uses, including dairy farms with the necessary accessory uses for treating or storing the produce; provided however that the operation of any such accessory uses shall be secondary to that of the normal farming activities.

Fence. An enclosure or barrier between parcels.

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Floodplain That land which has been or may be hereafter covered by floodwater during the regional flood. The floodplain includes the floodway and the flood fringe, and may include other designated floodplain areas for regulatory purposes.

Floor Area/Living Space. Total gross area on all floors as measured to the outside surfaces of exterior walls, excluding crawl spaces, garages, carports, breezeways, attics without floors and open porches, balconies and terraces.

Forest Industries. The cutting and temporary storage of forest products, the operation of portable sawmills, and production of maple syrup and sugar.

Foundation (Permanent). Stacked and cemented block, formed concrete or trenched poured concrete wall and or footing extending 48" below ground level.

Freeway. An expressway with full control of access and with grade separations at all intersections.

Fur Farm A tract of land or buildings devoted in whole or part to the raising of fur-bearing animals.

Garage Private. An accessory building or space for the storage of vehicles.

Garage Public - A building or portion of thereof used for the housing or care of motor vehicles for the general public or where such vehicles are equipped or repaired, serviced, hired, sold or stored. This may include premises commonly known as "gasoline stations" or "service stations."

Garage, Storage. Any building or premises used for storage and where no motor vehicles are serviced, repaired, hired or sold.

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Habitable Structure. Any structure or portion of a structure used or intended to be used for the permanent or intermittent human occupancy.

Hearing notice: A publication or posing meeting the requirements of Ch.985 Statutes.

Home Occupation - Any occupation for gain or support conducted entirely within a building by resident occupants, which is customarily incidental to the principal use of the premises; does not exceed twenty (20%) of the area floor and no article is sold or offered for sale except such as is produced by home occupation . A household occupation includes such uses as babysitting/daycare, millinery, dressmaking, canning, laundering and crafts but does not include the display of any goods nor such occupations as barbering , beauty shops, dance schools, real estate brokerage or photographic studios.

The following provisions are conditions of use for home occupations.

- (1) Only those occupations that by their nature can be carried out safely in homes without generating any nuisance or hazards are allowed.

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- (2) Such operations shall not have more than one principal and one assistant involved in the operation other than family members living on the premises.
- (3) Home occupations may not occupy more than twenty (20%) percent of the total floor area of the house.
- (4) Activities which involve the manufacture, storage , utilization, processing or storage of inflammable and explosive materials shall not be carried out.
- (5) No operation producing any form of glare or heat shall be carried out as home occupations.
- (6) Home occupations shall not produce noise or sound that may be heard in the adjacent property.
- (7) No odors or vibrations may emanate from home occupations.
- (8) No activity shall emit radioactive or electrical disturbances outside the premises that are dangerous or may adversely affect the use of neighboring premises.
- (9) Garage and auction sales shall be restricted to the conditions if any, established by the Town Board.

Hospital Unless otherwise specified the term “hospital” shall be deemed to include a sanitarium, sanatorium, preventorium, rest home, nursing home, convalescent home, community based residential facility, animal hospital or any other place for the diagnosis, treatment or other care of ailments. This shall be limited to places for diagnosis, treatment or other care with provisions for keeping such patients overnight on the premises.

Hotel-Motel An establishment for transient guests having sleeping rooms without individual cooking facilities for more than five (5) persons for compensation and may or may not provide meals.

Human Habitation The act of occupying a structure as a dwelling or sleeping place, whether intermittently or as a principal residence.

HUD Department of Housing and Urban Development

Interchange A grade-separated intersection with one (1) or more direct connections for vehicular travel between the intersecting streets/roadways or highways.

Junk Garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, an inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles.

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Junk yard/Salvage Yard An open space where waste, used, or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled. A “junk Yard” also includes an auto wrecking yard, but does not include uses established entirely within enclosed buildings or material stored and used in conjunction with the primary use of that zoning district.

Kennel Any structure or premises on which three or more dogs, cats or other household pets over 4 months of age that are either permanently or temporarily boarded, bred or sold.

Landing Strip An airport that is listed as “Personal by Owner Only” on an application to the Wisconsin Department of Transportation, Bureau of Aeronautics for airport charts as “Private Restricted.”

Land use Permit A permit required for any permitted, accessory, temporary, unclassified or unspecified use.

Living Space /Floor Area See Floor Area/Living Space Definition

Loading/Unloading Area A completely off-street/road space on the same parcel for loading or unloading of freight carriers, having adequate ingress and egress to a public street/road or alley.

Lodging House A building other than a hotel, where lodging only is provided for compensation for not more than 12 persons not members of the family.

Lot A parcel of land.

Manufactured Home A home built entirely in the factory under a federal building code administered by the Department of Housing and Urban Development (HUD) is classified as a “Manufactured Home.” These homes are constructed to meet the Federal Manufactured Home Construction and Safety Standards Act (HUD Code) which have been in effect since June 15th , 1976. The Federal standards regulate manufactured housing design, construction, strength, durability, transportability, fire resistance, energy efficiency and quality. The HUD Code also sets performance standards for the heating; plumbing, air conditioning, thermal and electrical systems. It is the only national building code. Structurally manufactured homes may be factory constructed as either a single section or as multiple sections. The section(s) is(are) then transported to the site and installed. Terms such as “Modular Home”, “Panelized Home”, “Pre-Cut Home” are considered manufactured homes and are defined in this Ordinance. The State Statutes (Section 101.91) define “Manufactured Home” as either one of the following:

- a. A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.
- b. A structure which meets all the requirements of par. (a) except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 USC 5401 to 5425(s. Wis. Statutes 101.91 (2) (a)(b).

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Manufactured Home Park An approved and developed parcel of land that provides a minimum of eight (8) developed and qualified sites for placement of manufactured homes that has met all the regulatory requirements of Wisconsin Administrative Code 65 (currently has jurisdiction of manufactured home parks). Any permanent or temporary dwelling unit or residence, including manufactured homes of less than 1200 square feet are qualified sites for placement in a manufactured home park.

Mobile Home “Mobile Home” means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction which has an overall length in excess of 45 feet. “Mobile Home” includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems and all other equipment carrying a manufacturer's warranty. (s. 101.91v(1) Wis. Statutes)

Modular Home Factory built homes constructed to state, local or regional codes where the home will be located are called Modular Homes. Just like the Manufactured Homes, Modular Homes are multi -sectioned units that are transported to the site and installed.

Motor Home A motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling.

Nonconforming Use A building or premises lawfully used or occupied at the time of the passage of this Ordinance or amendment which use of occupancy or premises does not conform to the regulations of this Ordinance or any amendments when Ordinance passed.

Non-Metallic Mining The removal of rock, slate, gravel, sand, top soil or other natural material from the earth by excavating, stripping, leveling or any other process.

Occupancy Pertains to and is the purpose for which a building is used or intended to be used . A change of occupancy is not intended to include a change of tenants or proprietors.

Occupancy Permit A permit to allow use of a structure after all inspections and requirements are in compliance with the Ordinance.

Owner “Owner” means any person having a legal or equitable interest in the dwelling. “Owner” does not include any person whose legal or equitable interest in the dwelling is a security interest derived solely from the extension of credit to permit construction or remodeling of the dwelling or purchase of the dwelling by a 3rd party.

Panelized Home. Panelized Homes are defined as homes where panels (flat units that represent a whole wall with windows, doors wiring and outside siding) are constructed in the factory and then transported to the site and assembled. Panelized homes must meet the state or local building codes of where they are sited.

Parcel: A piece of land.

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Parcel, Corner A parcel abutting on two or more street/roadways at their intersection, provided that the interior angle of such intersection is less than 135 degrees.

Parking Lot A structure or premises containing five (5) or more parking spaces open to the public.

Parking Space Any off-street/road space available for the parking of a motor vehicle(s).

Paved Road A street/road which surface has been improved per County Specifications with rolled asphalt, tar, oil or concrete.

Permanent Lasting; intending to last; not for a short time only.

Permit Document to allow a specific use. Necessary permits require with enactment of this Ordinance includes but may not be limited to a Land Use Permit - Sanitation Permit - Building Permit-Variance-Conditional Use Permit-Driveway Access and Culvert Permit-Occupancy Permit-Temporary Use Permit. These permits depend upon the nature of the undertaking.

Permittee Any person to whom a permit is issued under this Ordinance.

Person An individual or group of individuals, corporation, partnership, association, municipality or state agency.

Planned Unit Development (PUD) A parcel of land that contains or will contain substantially different character that of surrounding areas. It may also be referred to as a planned area development.

Planning & Zoning Committee. A five (5) person committee appointed by the Town Board for the purpose of drafting a land use and zoning ordinance.

Pre-Cut Home Pre-Cut Homes are another type of factory-built housing. Materials for this type of home are factory-cut (pre-cut) to design specifications, transported to the site and then assembled. Pre-cut homes included kit, log and dome homes. These homes are built to meet either local or state building requirement codes.

Principal Building or Use The building or use of primary importance on a parcel of land in contrast to those buildings or uses which are accessory to the main building or use.

Private Sewage System /Private On-Site Waste Treatment System (POWTS) For the purpose of this Ordinance a private sewage system shall have the same definition as contained in s145.01 (12) or what is referenced under the Clark county Ordinance governing such systems.

Professional Home Offices and other Occupational Offices Offices used but not limited to by the following listed below that do not exceed one - half ($\frac{1}{2}$) of the area of only one (1) floor of the residence and only one (1) non-residential person is employed at the office. These offices are not to be used for the actual physical service work or employment for retail or wholesale customers unless specifically approved by the Town Board.

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- a. Residences of the following persons primarily involved in the following repair work or employment where they have established a home office:
1. Carpenters
 2. Plumbers
 3. Electricians
 4. Painters
 5. Well drillers
 6. Masons
 7. Drywallers
 8. Air Condition and refrigeration contractors
 9. Excavating contractors
 10. Furnace and heating contractors
 11. Related home, appliance and structure repair services
 12. Trucking operation with less than three (3) commercial trucks
- b. Residences of the following persons primarily involved in the following occupational service or employment where they have established a home office:
1. Barbers
 2. Beauticians
 3. Real estate agents
 4. Insurance agents
 5. Stock brokers
 6. Computer services
 7. Appraisal services
 8. Photographers
 9. Assessor services
 10. Tree, landscape and agriculture services
 11. Tax and accounting services
 12. Travel agents
 13. Home health services
 14. Janitor serves
 15. Mail order services
 16. Music training services
 17. Speciality items and printing services
 18. Taxidermist
 19. Small engine repair services
 20. Auctioneer services
 21. Attorney services
 22. Health care services
 23. Veterinary services
 24. Other similar retail services provider s as determine by the Zoning Committee

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Recreational Travel Home A portable vehicular structure designed as a temporary dwelling for travel, recreation and vacation use that does not fall within the definition of manufactured home or modular unit or mobile home.

Residence Primary/Seasonal dwelling place.

Restaurant A space within a building for preparing, cooking and serving food for compensation.

Right-of-Way A parcel of land on which a public highway, power line, railroad, etc is built.

Roadside Stand A structure, not to exceed 300 square feet, not permanently fixed to the ground or fully enclosed, to be used for selling a product.

School A place or establishment where instruction is given.

Seasonal Use Habitation of a dwelling unit as defined in this Ordinance for not more than 120 days counted inclusively during an one calendar year.

Setback A minimum horizontal distance from the front, back or side of the parcel: the right-of-way line of the roadway or the centerline of the roadway, as designated in this Ordinance, to the front wall, back wall, or sidewall of the building , exclusive of permitted projections.

Sign A structure or device , except those placed by the public authorities for public purposes, on which advertising is displayed or attention is directed to advertising on the same or any other structure by any means visible to the eye.

Street/Road A public or private property or travelway which is subject to public easement or right-of way for use as a thoroughfare which may either provide the principal means of pedestrian and /or vehicular access to abutting property or may provide for the movement of pedestrian and/or vehicle traffic or both and which is twenty-one feet or more in width.

Street/Road Arterial A public street/road or highway intended to be used primarily for fast or heavy through traffic. Arterial streets/roads and highways shall include freeways and expressways, a well as major thoroughfares, highways and parkways.

Structure Anything that has shape, form and or utility.

Structural Alterations Any change in the supporting members of a structure such as bearing walls, columns, beam or girders, foundations and poles.

Subdivision Subdivision is the division or redivision of land into fewer lots, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership into fewer lots, parcels or sites.

Survey A boundary measurement of a parcel of real property.

Temporary Lasting for a short time only; used for the time being, not permanent.

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Temporary Structure A removable structure not designed for human occupancy nor for the protection of goods or chattel (Personal Property) and not forming an enclosure.

Town Unincorporated Town of Clark County.

Town Board The Board of Supervisors of the Town of Green Grove.

Travel Trailer (See Recreation Travel Trailer)

Tourist Camp or Court A parcel of land, open to the public, where temporary accommodations are provided either free or for a fee.

Unclassified or Unspecified Not specifically or definitely named or stated in this Ordinance.

Unnecessary Hardship A circumstance where special conditions, which are not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this Ordinance.

Variance A departure from the terms of The Zoning Ordinance where it is shown that unique physical circumstances applying to a land parcel causes a hardship to the owner and that the variance will be in fundamental harmony with surrounding uses.

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

Wetlands "Wetlands" means 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.

Yard The space on a parcel not occupied by a permanent structure.

Zoning The separation or division of a municipality into districts, the regulation of buildings and structure in such districts in accordance with their construction and the nature and extent of their use and the dedication of such districts to particular uses designed to serve the General Welfare.

Zoning Administrator An individual officially designated to administer the Town Zoning Ordinance.

Zoning Committee The Town Green Grove Zoning committee consisting of 5 (five) individuals for the purpose of administering the ordinance, also known as the Planning and Zoning Committee. The Zoning Administrator shall not be included in that Committee.

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Zoning Ordinance Zoning Ordinance divides Town, City village or County into separate residential, commercial and industrial districts thereby preserving the desirable characteristics of each type of setting.

GENERAL PROVISIONS AND EXCEPTIONS

Sections 3.0

3.1 Jurisdiction The jurisdiction of this Ordinance shall include all lands within the Town of Green Grove, Clark County, Wisconsin, outside the limits of incorporated cities and villages.

3.2 Compliance

- A. No structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, demolished, converted or structurally altered without full compliance with the provisions of this Ordinance and all other applicable local, county, states and federal regulations.
- B. The Ordinance does not prevent any entity from taking action against a nuisance under the appropriate laws of the State of Wisconsin.
- C. The open storage of junk, salvage, debris or unlicensed inoperable vehicles is prohibited where the storage, as determined in writing by the Town Board, is likely to cause a potential public health or safety concern, a potential public nuisance or likely to cause environmental pollution. The burial of human remains shall be prohibited outside of an approved cemetery.
- D. Nonconforming Use/Structure. The existing lawful use of a structure or premises which is not in conformance with the provisions of this Ordinance shall be called nonconforming and may continued subject to the following conditions:
 - 1. A non-conforming structure used for a conforming use shall not be enlarged or structurally altered except that a non conforming structure, which is only non-conforming by reason of height or setback requirements, used for a conforming use, not in need of repair, may be enlarged or structurally altered if the resulting structure does not increase the non conformity; does not create additional non-conformity; would not violate any other law, rule or regulation, and does not otherwise pose a threat to the public health, safety or welfare. A land use Permit must be obtained from the Zoning Administrator before commencing the enlargement or alteration.
 - 2. When a non-conforming structure used for a conforming use is damaged, needs repairs and/or is destroyed, it may be repaired, restored or replaced to its original building, footprint, or the repaired, restored or replaced to its original building footprint or the repaired, restored or replacement structure shall be in compliance with the provisions of the Zoning Ordinance. A Land Use Permit must be obtained from the Zoning Administrator before commencing the repair, restoration or replacement.

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3. If the nonconforming use of any building is discontinued for a period of twelve (12) months, any further use of the building or premises shall conform to the regulation for the district in which it is located.
 4. Changes and Substitutions - Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status of a legal conforming use and become subject to all conditions required by the Board of Adjustment.
 5. Non-Conforming Lots - A non-conforming lot is a lot that existed before the effective date of the Ordinance and does not meet the minimum standards of the Zoning Ordinance for the size or width.
 - a. A non-conforming lot may be developed provided that:
 1. The lot is in separate ownership from abutting lands: or the lot is in a subdivision created and recorded prior to at the date of Zoning Ordinance adoption, is not in common ownership with other lots in the subdivision, and **has at least one acre of net project area.**
 2. The proposed use conforms to the other requirements of the Ordinance and any sanitary code requirements.
 - b. A structure on a non-conforming lot if damaged or destroyed may be repaired or replaced provided that:
 1. The structure is repaired or rebuilt on the original footprint.
 6. Ordinary Maintenance:
 - a. The provisions of this section do not limit ordinary maintenance.
- E. To promote the public health, safety and general welfare of the Town of Green Grove and to limit potential public nuisances, the establishment of any enterprise, business, use or structure other than a single residential structure must have prior written approval by the Town of Green Grove Zoning Committee.
- F. Visual Clearance Triangle:
- A. At every street/road junction there will be a visual clearance triangle distance of 75 feet as illustrated in Exhibit B attached to this ordinance. Within this triangle nothing over 2 ½ feet above grade of the road /street shall be permitted. Open fences and agriculture crops are exempted from this requirement.
 - B. At every street/road/railroad crossing there will be a visual clearance triangle distance of 300 feet as illustrated in Exhibit B attached to this ordinance. Nothing over 2 ½ feet above the grade of the road/street shall be permitted. Open fences and agriculture crops are exempted from this requirement.
- G. Conflict of Provision
- A. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

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3.3 Site Restrictions.

Unsuitable land. - No land shall be used or structure, sign or building erected where the land is held to be unsuitable by the Town Zoning Committee for such use or structure, sign or building by reason of potential flooding, wetlands, inadequate drainage, adverse rock formation, unfavorable topography, polluted soil or groundwater or any other feature likely to be harmful to the health, safety, property, aesthetic and general welfare of the Town and its residents or likely to cause a potential public nuisance. The Town Zoning Committee in applying the provisions of the section, shall, after a public hearing, in writing, recite the particular facts upon which it bases its determination and order that the property is not suitable for certain uses, building, signs or structures and specifically for the uses, buildings, signs or structures by the applicant as proposed. The applicant as owner of the property or the agent of the applicant shall, after receipt of the written determination and order, have the right within (30) thirty days after the receipt of the order to present written evidence to the Zoning Committee contesting such claim of unsuitability if the applicant so desires. Thereafter the Zoning Committee may within thirty (30) days of receipt of the notice of this evidence, maintain, modify, amend or withdraw its determination and order of unsuitability. The Town Board, after a public hearing may in writing, on its own motion, maintain modify, amend or order a withdrawal of the order of unsuitability of the Zoning Committee but such action may occur only within sixty(60) days after receipt of the evidence provided by the applicant to the Zoning Committee. No land use permit shall be issued by the Zoning Administrator if a written order of unsuitability by the Zoning Committee or Town Board exists negating the proposed uses, buildings, signs or structures as unsuitable on the property of the applicant. An applicant may reapply for a new determination and order from the Zoning Committee only after six (6) months has lapsed since the date of the submittal of the prior application to the Zoning Administrator.

- B. No well will be drilled within 1000 feet of the following properties in the Town of Green Grove. Section 16-NE-NE (40 acres) Section 22 W ½ of NW-NE and NW-NW (100 acres) Section 23 NW-SW (2.75 acres) and Section 23 N700' of East 623' of SW-SW (10.01 acres) as delineated in Exhibit C.
- C. All parcels shall abut upon a public street/road and each parcel shall have minimum frontage and area as set forth in this Ordinance.
- D. All permanent/seasonal residences and commercial building sites shall be located on a minimum of a (5) five acre parcel and only one permanent/seasonal residence shall be located, erected, or moved on to a minimum of a (5) five acre parcel.
- E. No land Use Permit shall be issued by the Town Zoning Administrator for a parcel that abuts a public street /road without a minimum of 250 feet of road frontage except for the end of a dead end road.
- F. A sanitary permit shall be obtained from Clark County Planning and Zoning Department Prior to any Town of Green Grove land use permits being issued.

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- G. A Wisconsin Uniform Building permit shall be required prior to the construction, addition or moving of any family residential dwelling within the Town of Green Grove.
- H. All buildings and structures on lots butting navigable waters shall be in keeping with setbacks set forth in the Clark County Shoreland/Wetland Zoning Ordinance.
- I. A (5) five acres residential parcel may have a maximum of two access driveways with a minimum width of a 24 foot culvert with a diameter to provide adequate water flow, to be determined by the Town Board in writing, for each driveway entrance.
- J. Any driveway access for a Town road access shall require a permit approved by the Town Board in writing, unless the Town Board deems the driveway access point unsafe. Those areas of the Town of Green Grove that are located with access to Federal, State, and County roads will comply to the Statutes that regulate those areas.

3.4 Use Restrictions

- A. Approved Uses. Only those approved uses specified for a district, their essential services, accessory uses and the uses specified in paragraphs (B) through (E) shall be permitted in a district.
- B. Conditional Uses may be permitted when approved by the Zoning Committee in accordance with provisions of Section 3.12.0.
- C. Unclassified or Unspecified Uses may be permitted by the Zoning Administrator after the Zoning Committee has made a review and recommendation, provided that such uses are similar in character to the principal uses permitted in the district.
- D. Utilities: To protect the public for health, safety and general welfare, all dwelling units and residences shall have an adequate sewer, septic, electric and water systems as determined by the Town Zoning Administrator. These systems are to be installed and maintained during any permanent, temporary or seasonal habitation of a dwelling unit or residence. The Town Zoning committee may waive this provision due to temporary failure of a system or for any other valid reason. No permanent, temporary or season privy shall be allowed on any parcel without the Town Zoning Administrator's approval in writing.
- E. Dumping of solid Waste is prohibited.

3.5 Temporary Uses.

- A. Camping Trailers and Recreational Mobile or Travel Vehicles may be used for temporary use for not more than 14 days in a (6) six month period and then be removed from the premises unless they are parked /stored on a parcel of land where a permanent/seasonal residence dwelling is occupied. Said vehicles cannot be parked in the setback areas. No mobile homes shall be installed in the Town on any temporary or permanent basis.

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- B. Uses such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure may be permitted by the Zoning Administrator. A temporary permit for a camping trailer, motorhome or travel trailer to be inhabited during the construction or razing of a permanent home may be issued by the Zoning Administrator with an expiration of one year from the date of issuance of the Building Permit. If, within (1) one year of the date of issuance of a Temporary Use Permit, the proposed construction or preparation of land for use has not commenced, such permit shall expire, except that the Zoning Administrator may grant one renewal of such permit for a period not to exceed one (1) year upon the showing of valid cause. No habitation shall be permitted within an incomplete dwelling in excess of two years, unless an additional extension for a period of one year is granted by the board of adjustment. Prior to such a Temporary Permit being issued all septic, electric and water systems must comply with the requirement of those services.

3.6 Joint Use No part of any parcel, yard, parking area or other space require for a structure or use shall be used for any other structure or use.

3.7 Area Regulations.

- A. After adoption of this Ordinance, no parcel area shall be so reduced that the minimal size dimensional and yard requirements mandated by this Ordinance cannot be met. Parcels existing and of record prior to adoption of this Ordinance, but of substandard size, may be devoted to uses permitted in the district in which located.
- B. If two or more substandard parcels with continuous frontage have the same ownership as of the effective date of this ordinance, the parcels involved shall be considered to be an individual parcel for the purposes of this ordinance.
- C. Parcels created after adoption of the Ordinance shall meet minimum area requirements of the ordinance.
- D. Land used to meet minimum area requirements in the creation of any lot may not be sold, given, transferred or conveyed in any way, manner or method for the purposes of meeting minimum area requirements for the creation of additional lots.

3.8 Height Regulations

- A. Except as otherwise provided in this Ordinance, the height of any building hereafter erected, converted, moved, enlarged, demolished or structurally altered shall be in compliance with the regulations established herein for the district in which such building is located.
- B. Excessive Height Permitted. Heights of the following structure may exceed Ordinance limits for penthouses, stack, lookout tower, water towers, spires, radio and television aerials, masts, antennae, conveyor and /or other equipment requirements for non-metallic mineral extraction, and any other necessary mechanical devices.

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Churches, schools, hospitals, sanitariums and other other public and quasi-public buildings may be erected to a height not exceeding 75 feet, provided the front, side and rear yards required in the district in which such building is to be located are each increased at least one (1) 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

In airport safety zones the maximum height of any object located within five hundred (500) feet of either side of the centerline of a landing strip, and extended to a distance of two (2) miles from the end of the runway shall be no higher than 1/100 of the distance of the object to the landing strip except for field crops and fences under four (4) feet high. All utilities shall be placed underground when located at the end of the landing strip.

- C. Height Restriction Exemptions. Farm buildings and related farm structures not for human habitation are hereby exempted from height regulations of this ordinance.

3.9 Front, Side and Rear Yard Regulation

- A. No part of a yard or other open space provided around any building for the purpose of complying with the provisions of this Ordinance shall be included as part of a yard or other open space required for another building.
- B. No automobile parking lot, stockpile, waste or salvage pile, equipment storage yard or other accumulation of material or equipment in the open shall be stored or placed in minimum setback requirement of the front, side and rear yard.
- C. There will be no buildings allowed in a setback area.

3.10 Manufactured Home Parks

- A. Purpose. Manufactured home parks are established
1. To provide regulations and standards for the development of a safe, healthy and well designed community for permanent living in manufactured homes.
 2. To provide appropriately located areas within specific zoning district sites for manufactured home living developed at reasonable density consistent with sound standards of public health and safety.
 3. To ensure adequate light, air, access and open space for each manufactured home living unit.
 4. To regulate the manufactured home park such that it will complement the land use policy of the zoning district.
- B. Application and Initiation.
1. A manufactured home park license may be applied for as a Conditional use as provided under Section 3.12.0 of this Ordinance only for those districts, which specifically state that manufactured home parks are allowed as a Conditional Use. A manufactured home park for purposes of this ordinance shall include residential dwelling units with total square footage less than 1200 square feet.

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C. Special Regulations, All Manufactured Home Parks.

1. Manufactured Home Parks shall conform to the requirement of the State of Wisconsin Regulatory Agencies controlling manufactured homes and single and two family dwelling units or residences.
2. In addition to State Statutes, the Town Zoning Committee may require specific conditions regarding the development of a manufactured home park as appears reasonable and necessary to the general welfare of the potential occupants of a manufactured home park.

3.11.0 Planned Unit Development

3.11.1 Planned unit development (PUD) zoning provisions permit large lots or a large parcel of land to be developed in a more flexible manner than allowed by the Zoning ordinance. A planned unit development may allow a mix of land uses such as residential, commercial and conservancy and to develop the parcel at greater densities such as subdivisions or other land uses with more design flexibility than otherwise allowed by the Zoning ordinance. PUD provisions often require developers to compensate for the impact of their projects by setting aside significant and usable open space. Providing infrastructure needed to service the development or offering other community facilities and services.

- A. This PUD shall have no definite and measurable boundary until a specified planned unit development shall be approved by the Town Board upon the recommendation of the Zoning Committee. Plans for the proposed development shall be submitted to the Zoning Committee and shall show location, size and proposed use of all structures and land included in the area involved. The plans may provide a combination of single and multiple -family residential development as well as other compatible uses.
- B. The following criteria shall be applied to every proposed PUD as a basis for determining its consistency with the letter and spirit of this Ordinance.
 1. Its compatibility with the site, with particular emphasis on the preservation of natural features and the use of open space.
 2. Its overall compatibility with existing land uses in the vicinity and the probable future uses in the vicinity.
 3. The internal compatibility of the various land uses proposed to be included within the PUD.
 4. Its compatibility with existing and probably future transportation facilities in the vicinity and its tendency to increase the demand upon those facilities.
 5. The provision of adequate internal circulation facilities including streets, sidewalks and parking facilities within the PUD.
 6. Its compatibility with existing and future provisions of public utility services such as sewer and water facilities and its tendency to increase the demand upon those facilities.

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7. Its compatibility with existing and future public services, such as schools, police protection, fire protection, street/road maintenance, etc, and its tendency to increase the demand upon those services.
8. The provision of adequate open space, the provision of public access to streams and bodies of water, the preservation of environmental and aesthetic values and the provision of adequate and appropriate arrangements for the continuing preservation of the aforesaid features, including legal restrictions and other legal devices and provisions of adequate and appropriate institutional arrangements for continued maintenance.
9. The long term economic stability of the proposed development and its economic impact on other properties in the vicinity.
10. The presentation of an adequate and practical implementation schedule for completion of the development, whether by stages or all in one period, in order to ensure that the adverse results of failure to complete the development may be effectively avoided.
11. All land uses in the Planned Unit Development shall be conditional uses.

3.12.0 Conditional Uses

3.12.1 Purpose of Conditional Uses. The formulations and enactment of a comprehensive zoning ordinance is based on the division of the entire town into districts: each of which are permitted specified uses that are mutually compatible.

In addition to permitted compatible uses, however, it is recognized that there are other uses in a given district, but which because of the potential including neighboring uses or public facilities, need to be carefully regulated with respect to location or operation for the protection of the community. Such uses are classified in this Ordinance as "Conditional Uses" and fall into two categories.

- A. Uses either municipally operated or operated by utilities or uses traditionally affected by public interest.
- B. Uses entirely private in character which because of their peculiar location need, the nature of the service they offer to the public, and their possible undesirable influence on the neighborhood, may have to be established in a district, or districts in which they cannot reasonably be allowed as an unrestricted permitted use under the zoning regulations.

3.12.2 Initiation of Conditional Uses.

- A. Any conditional use permit application may be initiated by petition of any firm, person, agent of that person or corporation. If the property has more than one owner, all the owners or their authorized agent shall join in filing the application.
- B. Conditional use permits may be granted by action of the Zoning Committee provided that the procedure prescribed in the following paragraphs of this section is followed.

3.12.3 Application for Conditional Uses

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An application for a Conditional use Permit shall be filed on a prescribed form with the Town Zoning Administrator. The applicant shall include a written statement and adequate evidence showing that the proposed conditional use will conform to the standards set forth in this ordinance plus the following information and material:

- A. Name, address, telephone number, fax number and/or e-mail if available of the applicant and the name, address, telephone number, fax number and email if available of the agent of the applicant.
- B. Sworn statement that the applicant is the owner or the authorized agent of the owner of the property for which change is proposed and that all statements included in the application are true and complete to the best knowledge of the applicant or the agent.
- C. Address and legal description of the property and the proper Town Zoning District where it is now located.
- D. An accurate scale drawing of the site and the surrounding area for a distance of at least three hundred (300) feet from each boundary of the site showing the location of property lines and rights of way (any highway, road, street and railroad and public utilities).
- E. Name, Address, telephone number, fax number and email if available of any adjacent property owners.
- F. Any additional public or private land use restrictions or covenant on the property known to the applicant or the agent of the applicant.
- G. The application shall be accompanied by a fee as determined by the Town Board. This fee is to defray the cost of giving notice, investigation and other administrative processing.
- H. Any approval shall be by the Zoning Committee but only after the following : 1: the applicant has submitted a copy of all proposed building plans to the Zoning Committee 2) the applicant has submitted a written plan for the site including a) the proposed type of enterprise b) the proposed vehicle access locations c) the likely dates and hours of operation d) the likely number and type of vehicles accessing the site on a daily basis e) the likely number of person employed at the site. f) the potential negative and positive impacts on adjacent landowners g) the potential negative and positive impacts on the environment in the Town and County h) the potential of the site for expansion of the enterprise. i.) the likely square footage of all the buildings and improvements j.) need for any Federal, State, County and Town approvals and the specific approvals needed k) the likely commencement and completion dates for construction of all buildings and improvements l.) the suitability of the proposed site for proper drainage, proper erosion control, proper non-point source pollution control and proper groundwater and surface water protection m) the potential public health and safety concerns and public nuisance concerns to be associated with the site and the proposed enterprise n) the likely market value of the the property, including buildings and improvements o) additional information as may be required by the Town Zoning Administrator.

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3.12.4 Hearing of Application of Conditional Use.

The Zoning Administrator shall refer a copy of the application for a Conditional Use to the Zoning committee at least ten(10) days prior to the public hearing.

The Town Zoning committee shall schedule a public hearing within 30 days of receipt, in proper form, of an application, statement and fee for Conditional Use. Notice by a class 1 Notice, published under Chapter 985 Wis. Stats. shall be provided prior to the public hearing date. The applicant shall pay the cost of the publication upon filing the application and upon payment of the application fee. The public hearing shall be transcribed by tape recorder or the recording device prescribed by the Zoning Committee. Failure to provide proper notice by the publication of the public hearing or failure to provide written notice to the adjacent landowner shall NOT invalidate the required public hearing nor invalidate the findings and actions of the Zoning committee.

The Zoning Committee shall make a written report with its findings and recommended order for approval, disapproval or approval on conditions or denial of the application within 45 days after the first scheduled public hearing date. No application shall be recommended for approval by the Zoning Committee and no Conditional use permit issued to the application or the agent of the applicant by the Zoning Committee unless the Zoning Committee specifically finds, in writing, the following conditions are present:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
2. That the uses, values and enjoyment of the other property in the neighborhood for the purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public street/roadways.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
7. That the proposed use does not violate floodplain regulation governing the site.
8. That when applying the above standards to any new construction of a building, structure or sign or an addition to any existing building structure or sign or addition at its location does not defeat the purposes and objectives to the zoning district.

The Zoning Committee shall issue a Conditional use Permit, or shall deny such issue or shall issue the Conditional use Permit upon written acceptance by the applicant or by the agent of the application of the conditions established by the Zoning Committee upon the issuance of the permit.

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Prior to the granting of any Conditional Use Permit, the Zoning Committee may stipulate in writing, such conditions and restrictions upon the establishment, location of the construction, maintenance and operation of the Conditional Use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements of this Ordinance. In all cases in which Conditional Uses are granted, the Zoning Committee shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. Such conditions may include specifications for :

1. Landscaping
2. Type of construction
3. Construction commencement and completion dates
4. Sureties
5. Lighting
6. Fencing
7. Operation control/remediation controls/ removal of controls
8. Hours of operation
9. Traffic circulation
10. Deed restrictions
11. Access restrictions
12. Setbacks and yards
13. Compliance with local, county, state and federal agency licenses, permits or approvals.

Upon issuance of the Conditional Use Permit, the failure of the applicant to fully comply within a reasonable length of the time as determined by the Zoning Committee with any and all of the written conditions of the Conditional use Permit shall be specific grounds for the Town Board to find by written order noncompliance with the permit as issued and to revoke by order of the Conditional Use of the applicant.

Notice of the action taken by the Town Zoning Committee, including any report, recommendations and conditions shall be sent to the applicant or to the agent of the applicant at their last known address by U.S. Mail within 30 days after the final order decision date of the Zoning Committee.

3.13.0 Variance

3.13.1 Purpose of Variance

The Board of Adjustment shall determine and may vary the regulations of this Ordinance in harmony with its general purpose and intent only in specific instances where the Board makes a finding of fact based upon the standards hereinafter prescribed, that there are practical difficulties in carrying out the strict letter of the regulations of this Ordinance, and that the granting of a variance will not merely serve as a convenience to the applicant but is necessary to alleviate some demonstrable difficulty or unnecessary hardship.

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3.13.2 Initiation of Variance

- A. Any variance may be initiated by petition of any firm, person, or corporation. If the property has more than one owner, all the owners or their authorized agents shall join in filing the application.
- B. Variances may be granted by action of the Board of Adjustment provided that the procedure prescribed in the following paragraphs of this section are followed.

3.13.3 Application for Variance

An application for a Variance shall be filed on a prescribed form with the Zoning Administrator. The applicant shall include a statement in writing and adequate evidence showing that the proposed variance will conform to the standards set forth in this ordinance, plus the following information and material.

- A. Name, address, telephone number, fax number and e-mail address, if available, of the applicant and the name, address telephone number, fax and email address of the agent of the applicant.
- B. Sworn statement that the applicant is the owner or the authorized agent of the owner of the property for which the change is proposed.
- C. Address and description of the property.
- D. An accurate scale drawing of the site and the surrounding area for a distance of at least three (300) feet from each boundary of the site showing location of property lines and right-of-way (Any highway, road, street, and railroad and public utilities).
- E. Name, address, telephone number, fax number and email address, if available, of adjacent property owners.
- F. The application shall be accompanied by a fee as determined by the Town Board. This fee is to defray the cost of giving notice, investigation and other administrative processing.

3.13.4 Hearing of Application of Variance

Upon receipt in proper form of the application, statement, and fee, the Board of Adjustment shall hold at least one (1) public hearing on the proposed variance. A notice under Chapter 985 of the Wisconsin State Statutes shall be given. A record of the public hearing shall be filed with the Town Clerk and in the Town Zoning Office.

3.13.5 Time Limitations

- A. Public Hearing Notice. The Board of Adjustment shall schedule a public hearing within 45 days of receipt, in proper form, of a petition for a Variance.

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- B. Board of Adjustment Decision. The Board of Adjustment shall make a decision to approve, approve with changes, or deny a petition for a Variance within 45 days of the scheduled public hearing. Any action to deny shall be stated in writing with reasons for that denial.
- C. The notice of the action taken by the Board of Adjustment shall be sent to the petitioner by U.S. Mail within 30 days of said decision.

3.13.6 Standards and Guidelines

For a variance to be granted, the applicant must prove their situation meets all three standards: unnecessary hardship; unique property limitations; and public interest protected and those standards must be met in view of all of the evidence presented. A variance is not warranted if the physical character of the property allows building, alteration and/or development that is in compliance with the zoning ordinance. The following standards shall be addressed by the Board of Adjustment in determining whether a variance is to be granted:

- A. Unnecessary hardship. The application of the zoning ordinance to the site, property or buildings will cause an unnecessary hardship.
 - 1. An unnecessary hardship occurs when the strict application of the zoning ordinance denies the applicant all reasonable use of the property as a whole.
 - 2. A variance shall not be granted where the reason for obtaining a variance is to alleviate personal inconvenience, construction errors or self-created hardships.
 - 3. A variance shall not be granted where the reason for obtaining a variance is to obtain a more profitable use of the property or other economic reasons.
 - 4. The hardship cannot be one that would have existed in the absence of the zoning ordinance.
- B. Unique Property Limitations. Unique physical characteristics of the property prevents the applicant from developing in compliance with the zoning ordinance.
 - 1. Physical features may limit the use of the property include but are not limited to , wetlands, soil type bedrock type and depth, groundwater depth and steel slopes
 - 2. Unique property limitations are unique or special conditions or exceptional circumstances on the land in question due to lot size or shape, topography, or other physical features or circumstances, which the applicants or the owners of the property since the enactment of the Ordinance have had no control over and which do not generally apply to other properties in the same zone or vicinity. The property must qualify for the variance, not the situation of the applicant.
 - 3. Existing violations on other properties of variances previously granted including variances improper granted are not grounds for a variance. Applications for a variance must be individually evaluated based on all of these standards and guidelines as applied to the property in question.
 - 4. Variances shall not be granted for property features that affect many properties in the same way nor shall a variance have the effect of a rezoning or an amendment to the Ordinance.
- C. Public Interest protected. Granting of a variance must not harm the public interest.

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1. A variance must not violate the purpose, intent or objectives of the zoning ordinance.
2. The granting of a variance shall not be based on the number of persons for or against it or the lack of opposition or support, but shall be based solely upon the equities of the situation involved and the interest of the public at large.
3. If granted, the variance can only provide the minimum relief needed to alleviate the unnecessary hardship or obtain reasonable use of the property.

D. In addition, the Board of Adjustment must considered the following guidelines:

1. Variances may be granted in the form of an area or dimensional variance. However, use variances shall be specifically prohibited under the zoning ordinance. No variance shall have what effect of permitting any use in a district that is prohibited in that district.
2. The use of the property and/or buildings in question must presently either conform to the zoning ordinance or be a legal non-conformity, to even be considered for a variance. An application that would bring the property into compliance may be considered.
3. Variances may not be granted for the purpose of altering the sanitary requirements of the Clark County Sanitary Code.
4. In those areas located within the floodplain, a variance cannot permit filling and development contrary to the purpose and intent of the Clark County Floodplain Ordinance; cannot permit a lower degree of flood protection in the floodplain district than the flood protection elevation; cannot permit any change in established flood elevations or profiles; cannot allow any residential, commercial, institutional or park basement or crawlway to be located below the 100-year recurrence interval flood elevation; further, that the variance for a the proposed action cannot require an amendment to the floodplain zoning ordinance; and furthermore, that the variance would not have the effect of granting or increasing a use of property which is prohibited in the floodplain district or any action contrary to the provisions of Chapter NR116 of the Wisconsin Administrative Code.

Section 3.14.0 Administration for Ordinance

3.14.1 Zoning Committee

- A. Designation. By authority so stipulated in Chapter 60.61(4) of the Wisconsin Statutes, the Town Board shall appoint a committee of five (5) who will be known forthwith as the Town of Green Grove Zoning Committee. Members of the Committee will hold office until replaced by the Town Board. All members of the committee shall be legal residents and eligible voters in the Town of Green Grove, Clark County Wisconsin. The members shall serve without compensation unless the Town Board shall order or vote to compensate such members at the time of their appointment.

3.14.2 Zoning Administrator

- A. Designation. There is herewith created the Office of Zoning Administrator for the administration and enforcement of the provisions of this Ordinance. The office may be a

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part-time position as the Board in its discretion shall determine. The Zoning Administrator shall fulfill the duties of the Office of the Administrator and shall be appointed by the Town Board for a term of two years. The Town Board will appoint a Zoning Administrator Deputy and will provide him/her with appropriate training to fulfill the duties of the Zoning Administrator when he/she is unable to perform his/her duties.

- B. Duties . In administering and enforcing the Ordinance, the Town Zoning Administrator shall perform the following duties under the direction of the Town Zoning Committee.
1. Advise applicants as to the provisions of this ordinance, and assist them in preparing permit applications provided by him /her. It is highly recommended that prior to any entity securing property or entering into any enterprise is the Town of GreenGrove to contact the Zoning Administrator to become familiar with the regulations of this Ordinance and to become aware of all necessary permits that are required.
 2. Issue permits after inspection and approval by himself/herself of the properties of compliance with this ordinance, and approval of the majority of the Zoning Committee.
 3. Keep records of all permits issued, inspections made, work approved and other official actions.
 4. Issue Land Use Permits - Building Permits - Occupancy Permits.
 5. Issue Driveway Access and Culvert Permits or any other Permits deemed necessary when authorized by the Town Board in writing.
 6. To take such account as may be necessary for the enforcement of the regulations provided therein; to attend all meetings the Town Board Zoning Committee or Town Board shall direct.
 7. Make a quarterly and annual report of his/her activities to the Town Board of Supervisors and to the Zoning Committee.
 8. Maintain the Official Zoning Map of the Town of Green Grove and update it upon zoning changes.
- C. Powers. The Zoning Administrator shall have the authority including but not limited to the following:
1. Access to any structure or premises for the purpose of performing their duty between 8:00 a.m.and 8pm by the permission of the power or upon issuance of special inspection warrant in accordance with s66.0113 or its successor provision.
 2. Upon reasonable cause or question as to proper compliance, to revoke any permit issued by the Zoning Administrator and to issue cease and desist order requiring the cessation of any buying, moving , alteration or use which is in violation of the provisions of this Ordinance.

3.14.3 Land Use Permits

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- A. Required: No building, sign, or structure, including trailers/mobile/manufactured homes shall hereafter be constructed, enlarged, altered (enlarging or decreasing floor area), demolished or moved within any area subject to the is Ordinance until a Land Use Permit has been issued. No permitted uses, temporary uses, accessory uses or unspecified or unclassified uses shall occur in the Town of Green Grove without a Land Use Permit.
- B. Application: Application for permits shall be made in writing to the Zoning Administrator upon a form furnished by the Administrator. Included with the written application shall be a certified survey for all division of land less than 40 acres or other lands the Zoning Administrator deems necessary. The Town Board on its own motion may require a public hearing by the Zoning Administrator prior to issuance of the land Use Permit. The Zoning Administrator may place conditions on issuance of the permit to protect public health and safety and to ensure compliance with the Ordinance.
- C. Termination: Where a permitted use, temporary use, accessory use or unclassified use does not continue in conformity with the original approval of the land use permit; it shall be terminated by action of the Town Zoning Committee in writing.
- D. Permit Fee: Application for permits or certificates prepared under the regulation of this Ordinance shall be accompanied by a fee set by the Town Board. All permit fees will be assessed a late penalty fee for any building structure or sign requiring a permit under this Ordinance when construction commences prior to a land use permit being issued. Current fee schedules are kept on file with the Town Clerk and Zoning Administrator.
- E. Lapse of Permit: A land use permit issued according to the regulations of this Ordinance shall lapse and be void unless construction of the framework of the building, sign or structure has been completed within one (1) year from the date of issuance of the permit and the building, sign or structure itself has been completed with two (2) years of issuance of such permits.

3.14.4 Building Permits

- A. Any required sanitary permit shall be obtained from the Clark County Planning and Zoning Department prior to any Green Grove building permits being issued.
- B. A Wisconsin Uniform Building Permit shall be required for the construction, addition or moving of any building within the Town of Green Grove; any building under 32 (see amendment March 13, 2007 changed from 32 sq ft to 120 sq ft.) square feet such as a dog house, bird house, etc will not require a building permit.
- C. Application for a Building permit shall be made to the Zoning Administrator in writing and on a form designed to give pertinent information relative to any such proposed construction, reconstruction, remodeling or moving project.
- D. After the application has been filled with Zoning Administrator and an inspection of all written plans has been made to the satisfaction of the Zoning Administrator and that the proposed work to be done is in every way in compliance with this Ordinance and the Laws of the State of Wisconsin a Building Permit shall be issued by the Zoning Administrator.

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- E. Any such Building Permit so issued shall show the owner (s) of such property upon which such proposed construction is to take place, describe the property as recorded in the Town assessment roll, and show the amount of cost or estimated cost of the proposed construction, reconstruction, remodeling or moving project.
- F. The Zoning Administrator shall issue a notice to the Town Clerk whenever a building permit is issued. Such notice shall be made by the Zoning Administrator on a form furnished by the State and shall contain all required information that is pertinent to the construction for which the Building Permit has been issued.
- G. An Occupancy Permit will be issued upon the Zoning Administrator's determination that compliance with the Ordinance has been met.

3.14.5 Enforcement Violation and Penalty

- A. Enforcement: The Zoning Administrator shall report all violations of the Ordinance and action thereof to the Town Zoning Committee. The Zoning Administrator may sign a complaint and violation to any attorney retained by the Town to prosecute said violation.
- B. Citations: Pursuant to s66.0113 Wis. Stats. Or its successor provision , the Town Board has authorized at its option the use of citations for enforcement of this Town Zoning Ordinance. The Town Zoning Administrator or Town Chair shall have the authority, with approval of the Town Board to issue citations under this Ordinance. The Town of Green Grove shall calculate the total amount of the citation by adding together as follows:
 1. The forfeiture amount as established below.
 2. The penalty assessment under 165.87 or its successor provision (s.165.87 has been renumbered in part and replaced in part to: s.757.05 (2)(a) s. 16.964(4) s. 757.05(1)
 3. The jail assessment under 302.46 or its successor provision.

The specific forfeiture amounts for violating the below noted particular sections of this Ordinance shall be as follows:

Section 3.2 {A} {C} {F}	\$150.00 forfeiture	(Compliance)
Section 3.3 (A) through J)	\$100.00 forfeiture	(Site Restrictions)
Section 3.4 (D)(E)	\$100.00 forfeiture	(Use Restrictions)
Section 5	\$100.00 forfeiture	(Temporary Use)
Section 3.6	\$100.00 forfeiture	(Joint Use)
Section 3.9 (A)(B)(C)	\$100.00 forfeiture	(Yard Regulations)
Section 3.14.3 (A)(E)	\$150.00 forfeiture	(Land Use Permits)
Section 3.14.4 (A)(B)(G)	\$100.00 forfeiture	(Building Permits)
Section 5.3	\$100.00 forfeiture	(Setbacks)
Section 5.4	\$100.00 forfeiture	(Frontage)
Section 5.5	\$100.00 forfeiture	(Height Restrictions)
Section 5.6(A)(B)	\$100.00 forfeiture	(Lot Size)
Section 5.7 (A)(B)	\$100.00 forfeiture	(Residential Sq. Footage)

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Section 5.8 (A)	\$100.00 forfeiture	(Utilities & Septic)
Section 5.9 (A)	\$100.00 forfeiture	(Driveway & Culvert)
Section 5.11	\$100.00 forfeiture	(Animal Units)
Section 6.4 (A-D)	\$100.00 forfeiture	(Commercial Setback)
Section 6.5 (A)	\$100.00 forfeiture	(Commercial Frontage)
Section 6.6 (A)	\$100.00 forfeiture	(Commercial Height)
Section 6.7 (A)	\$100.00 forfeiture	(Commercial Lot Size)
Section 6.8 (A)	\$100.00 forfeiture	(Commercial Sq. Ftg)
Section 6.9 (A)	\$100.00 forfeiture	(Commercial Loading/Unloading)
Section 6.10 (A)	\$100.00 forfeiture	(Commercial Location)
Section 6.11 (A)	\$100.00 forfeiture	(Commercial Driveway)
Section 8.1	\$150.00 forfeiture	(Signs – General)

C. Double Fee Provision A double fee shall be charged by the Zoning Administrator for any act requiring insurance of a permit should the act commence prior to issuance of the permit.

D. Second Offense Penalty. A double fee shall be charged by the Zoning Administrator for any second offense violation.

E. Violations: Penalties:

Failure to comply with any of the requirements of this Ordinance shall constitute a violation , and any person upon conviction thereof shall be fined not less than two hundred (\$200.00) nor more than five (5%) of the cost of the finished project for each offense, or imprisonment in the County Jail for a period of not more than six (6) months, or both. Proceedings may be commenced by warrant, arrest, or summons. Each day the violation continues shall be considered a separate offense. Any expenses incurred in these actions will be borne by the violators(s).

Any structure or sign erected, moved, altered, enlarged, demolished or maintained and any use of a site contrary to the provisions of this Ordinance shall be and hereby declared to be unlawful and a public nuisance. An attorney retained by the Town shall immediately institute necessary legal proceedings of the abatement, removal, and enjoyment thereof in the manner provided by law, shall take such other steps as may be necessary to accomplish these ends and shall apply to the court of competent jurisdiction to grant such relief as will remove or abate the structure, sign or use and restrain or enjoin the person, firm, corporation, or organization from erection,, moving altering, or enlarging the structure or sign or using the site contrary to the provisions of this Ordinance.

3.14.6 Board of Adjustment

1. The Town Board shall appoint. If a zoning ordinance has been adopted under s. 60.61, the Town Board shall establish and appoint a Board of Adjustment.
2. Membership. The Board of Adjustment consists of three (3) members. Not more than one Town Board supervisor may be a member of the Board of Adjustment. The initial terms of the members of the Board of Adjustment are one (1), two (2), and three (3) years respectively, starting from the first day of the month following the appointment. Successors shall be elected or appointed at the expiration of each term and their term of

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office shall be 3 years until their successors are elected or appointed. Members of the Board of Adjustment shall reside within the Town. The board shall choose a chair. Vacancies shall be filled by the Town Board for the unexpired term of any member whose office becomes vacant. The Town Board may compensate the members of the adjustment board.

3. Powers and Duties. The Town Board may authorize the board of Adjustment to , in appropriate cases and subject to appropriate conditions and safeguards, permit variances to the terms of the zoning ordinance under s.60.61 consistent with the ordinance's general purpose and intent and with applicable provisions of the ordinance. This subsection does not preclude the granting of conditional uses by the Town Zoning Committee designate under s. 60.61 (4) or the Town Board , in accordance with regulations and restrictions adopted under s. 60.61.
4. Procedure. The Town Board shall adopt regulation for the conduct of the business of the Board of Adjustment consistent with ordinances adopted under s.60.61. The Board of Adjustment may adopt rules necessary to implement the regulations of the Town Board. Meetings of the board shall be held at the call of the chairperson and other times as the board may determine. The chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of the witnesses. The board shall keep minutes of its proceedings showing the vote of each member upon each question , or if absent, indicating the fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record. In any action involving a historic property, as defined in s.44.31 (3), the board shall consider any suggested alternative or recommended decision submitted by the landmarks commission or the Zoning Committee.
5. Exercise of the County Board of Adjustment Powers. Boards of Adjustment under Town Zoning Ordinances shall have the powers and duties provided for boards of adjustment under s. 59.694 and shall carry out their duties in the manner provided for Boards of Adjustment by s.59.694.
6. Powers of Board. The Board of Adjustment shall have all the following powers:
s.59.694(7).

To hear and decide appeals where it is alleged there is error in an order, requirement, decision or determination made by an administrative official in the enforcement of s.59.69 or of any ordinance enacted pursuant thereto. s59.694(7)(a).

To authorize upon appeal in specific cases variances from the terms of the Ordinance that will not be contrary to the public interest, where, owing to special conditions a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship and so that the spirit of the Ordinance shall be observed and substantial justice done.
s59.694.(7)(c).

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ZONING DISTRICTS

Section 4.0

4.1 Definitions of Boundaries of Districts

- A. In unsubdivided property, unless otherwise indicated on the “Zoning Map of the Town of Green Grove” or in the legal description, the district boundary lines are the centerlines of the streets/roads, highways, railroads, section lines or quarter section, eighth section or sixteenth section lines of such lines extended.
- B. Whenever dimensions are shown on the “Zoning map of the Town of Green Grove”, they shall govern.
- C. In subdivided lands where district boundaries are shown as adjacent and parallel or approximately parallel to street/road lines, such district boundary lines shall be assumed to be the parcel lines of the parcels abutting such streets/roads.
- D. When district boundary lines are shown on the “Zoning Map of the Town of Green Grove” as being adjacent to streets/roads, highways or railroads, it is intended that such district boundary lines shall be assumed to abut the right of way of such street/road, highway or railroad.
- E. District boundaries shall normally be parcel lines, section lines, $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$, or $\frac{1}{16}$ section lines centerlines of street/roadways, highways, railroads, boundaries of lakes, rivers and streams, as shown in Description of Properties, 2001 Assessment Roll, town Green Grove.

Questions regarding the exact location of district boundaries shall be decided by the Town Zoning Committee. Decisions may be reviewed on appeal to the Board of Adjustment as provided in Section 314.6 of the Ordinance.

- 4.2 Established Districts. In order to regulate and restrict the location of trades and industry and the location of buildings designed for specific uses and to regulate and limit the bulk of buildings thereafter erected or altered, to regulate and limit the density of population, to protect the environment, to prevent public nuisance, to eliminate potential land use conflicts and for the purpose of promoting the health, safety and general welfare, the Town of Green Grove, outside the limit of incorporated villages and cities is hereby divided into the following districts:

A/R Agriculture/Residential	(Section 5.0)
CI Commercial	(Section 6.0)
W Conservancy District	(Section 7.0)

- 4.3 Zoning Map This map is designated as the official “Zoning Map of the Town of Green Grove, Clark County, State of Wisconsin”. This map and land descriptions

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are made a part of this Ordinance. All notations, references and other information shown upon the said "Zoning Map " and land descriptions shall be as much a part of this Ordinance as if the matter and things set forth by said map and land descriptions were fully described herein.

The official "Zoning Map of the Town of Green Grove, Clark, Cont, State of Wsiconson:, together with a copy of the Ordinance, shall be kept at the Town Zoning Administrator's Office and the Green Grove Town Hall and will be available for public inspection during office hours or by appointment with the Town Clerk or Zoning Administrator.

A/R AGRICULTURE/RESIDENTIAL DISTRICT

Section 5.0

5.1 Purpose

- A. To discourage disassociated residential development on lands that are used for agricultural pursuits and open space uses.
- B. To give primary consideration to agricultural pursuits and related agri-industry.
- C. To permit non-agricultural uses that acquire land areas so as not to detract or adversely affect agricultural pursuits of the rural area.
- D. To discourage residential development other than those who desire to associate and identify with a rural agricultural community accepting its relevant and known environmental conditions.

5.2 Approved Uses

- A. Agricultural use including dairying, livestock and poultry raising, nurseries, maple syrup processing, greenhouses and other similar enterprises or uses, except other agriculture uses operated with the use of garbage, sewage or other solid waste for a feed supply.
- B. Aquaculture
- C. Raising and harvesting forest products
- D. Single family dwelling/Permanent/Seasonal Residence
- E. Professional Home Office or Home Occupations
- F. Town of Green Grove Municipal Buildings
- G. Roadside stands.
- H. Signs as permitted in section Eight (8)
- I. Extractions of non-metallic minerals and resources of less than 500 cubic yards for duration of extraction indigenous to the Town of Green Grove. Such natural mineral resources may be processed on the premises where extracted, including the washing and grading of sand and gravel, rock crushing, the erection of building and installation of machinery and equipment necessary thereto , provided within two (2) years of cessation of

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the operation or at the exhaustion of the resource, restoration shall occur subject to the approval of the Town of Green Grove Zoning Committee.

- J. Churches - Public and parochial Schools - Public and Religious Cemeteries

5.2.1 Conditional Uses

- A. Utilities, including telephone, wireless communications, cable and power line and necessary appurtenant structures.
- B. Sawmills
- C. Fur farms when located not less than one thousand (1,000) feet from an residential building other than that of the owner of the premises, his agent or employee. The setback from the center of the road is 200 feet.
- D. Planned Unit Development.

5.3 Setbacks

- A. Minimum front setback is 75 feet from the center of the road
- B. Minimum side setback is 50 feet from the property line.
- C. Minimum rear setback is 50 feet from propertyline.
- D. Setback for driveways is a minimum of 10 feet between the property line and near the edge of the driveway.
- E. All new residential structure or expansion of existing residential structure shall be= at least 500 feet from an existing working farmstead structure including manure pit or storage facility, and in the same context, any new farmstead structure or any new expansion of a fartsteat structure including a manure pit or storage facility must be 500 feet from an existing residential home; the primary farmstead residence of the owner or leaseholder of the farm is excluded from this requirement.

5.4 Frontage

Minimum road frontage is 250 feet except for the end of the dead-end road.

5.5 Height Restrictions

- A. Maximum height for a new structure to be 35 feet; farm buildings and related farm structure not for human habitation, are hereby exempted from the height regulations of this Ordinance.

5.6 Lot Size

- A. All single dwelling/permanent/seasonal residences must have a minimum of five acres.
- B. All single dwelling/permanent/seasonal residences shall be titled to the parcel owner.

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5.7 Residential Square Footage

- A. The minimum 1200 square feet of living space persingel family dwelling/permanent/seasonal residence must be 1200 square feet or more located on a single qualified permanent foundation.
- B. No building permit for any structure for which a building permit is required, shall be issued unless the exterior architectural appeal and function plan of the proposed structure will be similar to and compatible with the immediate neighborhood or the character of the applicable zoning district. In particular , residential/seasonal homes and the main business structure shall have minimum width of 20 feet per side, not including appurtenances such as porches and garages, to be deemed compatible with a residential district.

5.8 Approved septic, water and electrical system

- A. All single dwelling/permanent/seasonal residences shall be required to have a separate and approved septic, separate and approved water and separate and approved electrical system.

5.9 Driveway Access and Culvert Permit

- A. Driveway access and culverts permits must be approved by the Town Board Chairman prior to installation.

5.10 Manufactured Home Outside of Manufactured Home Parks

- A. A building permit shall be issued for a manufactured home when it meets the same criteria set forth in this Ordinance. In addition, all manufactured homes shall have the following criteria:
 - 1. No mobile home will be allowed.
 - 2. The unit is placed on a permanent foundation with adequate anchorage to prevent damage by winds up to 60 mph. Such foundation shall totally enclose the lower portion of the unit and be of fireproof material.

5.11 Animal Units

- A. Not to exceed 1.4 animal units per acre of land, available for proper animal waste disposal, owned/rented in the Town of Green Grove and land owned /rented adjacent to the Town Of Green Grove. See attached chart attached to this Ordinance as Exhibit A as specified in s. NR243.11, table 2 on animal units.

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5.12 Animal Waste

- A. Animal waste storage facilities must meet the standards of the County Animal Waste Management ordinance.

Commercial - C-1

Section 6.0

6.1 Purpose

- A. The C1 District is intended to provide an area of the business and commercial needs of the community.

6.2. Approved Uses

- A. Sale or resale of products and services. Any commercial use may be permitted except those that are dangerous or generate a high degree of noise, smoke, traffic or air or water pollution that would create a public nuisance.
- B. Automotive Body Shop
- C. Graphic Design and Painting
- D. Tavern
- E. Repair Shop
- F. Retail Shop

6.3 Conditional Uses

- A. Sand and/or Gravel Pits
- B. Manufactured Home Parks
- C. Planned Unit Development

6.4 Setbacks

- A. Minimum front setback is 150 feet from the center of the road
- B. Minimum side setback is 150 feet from property line
- C. Minimum rear setback is 150 feet from property line
- D. Setbacks for driveways is a minimum of 10 feet between the property line and the near edge of the driveway.

6.5 Frontage

- A. Minimum road frontage is 250 feet

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6.6 Height Restrictions

- A. Maximum height for a new structure to be 35 feet

6.7 Lot Size

- A. All commercial establishments shall be located on a minimum of five (5) acres.

6.8 Square Footage

- A. Buildings will require a minimum of 1000 square feet except accessory buildings with issuance of a required and approved land Use Permit issued by the Zoning Administrator. In particular, the principle business structure shall have a minimum of 20 feet per side, not including appurtenances such as porches and garages, to be deemed compatible with a commercial district.

6.9 Loading/Unloading Area

- A. Sufficient space for the loading or unloading of vehicles shall be provided on the premises in connection with any commercial or industrial use so that the street/roads shall at **all times** be free and unobstructed to the passage of all traffic.

6.10 Location of Commercial Establishments

- A. All Commercial establishments in the Town of Green Grove will be located on County Paved roads or paved frontage roads (paved roads to meet specification of Clark County) adjacent to State Highway 29.

6.11 Minimum Width for Driveway Entrance

- A. Minimum width of a 24 foot culvert with a diameter to provide adequate water flow, to be determined by the Town Boards in writing, is required for commercial drive driveway entrances.

CONSERVANCY DISTRICT -W

Section 7.0

7.1 Purpose

- A. The W District is intended to preserve the natural state of scenic areas in the community and to prevent spread of residential development, and to prevent marginal lands so as to prevent potential hazards to public and private property.

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7.2 Approved Uses

- A. Green spaces
- B. Wetlands
- C. Parks
- D. Ballfield
- E. Forestry
- F. Grazing livestock
- G. Wildlife preserve, refuges and habitat development

7.3 Conditional Uses

- A. Sewage disposal pumping Areas
- B. Hiking, bicycling, ATV, pedestrian and snowmobile trails
- C. Public outdoor playgrounds
- D. Utilities including telephone, wireless communications, cable and power line necessary appurtenant structures.

SIGNS

Section 8.1

8.1 General

No signs or billboards shall be permitted in any District except as specifically permitted herein.

At no time shall signs be permitted within a Visual Clearance Triangle.

No sign shall be illuminated by an source of light that is not shielded to prevent glare or illumination of residential property other than that of the sign owner; nor shall the glare of anylight source be so directed as to impair the safety of moving vehicles, No signs, except of public nature normal to public right-of-way without approval in writing from the Town Zoning Committee.

The following signs are permitted when located no less than 15 feet from the public right-of-way line:

- A. Customary professional and home occupation signs and “for Rent” or “For Sale” signs, not exceeding (four) 4 square feet in area.
- B. Signs not to exceed 32 square feet with a maximum height of 15 feet.
- C. Signs necessary to the public safety and welfare or for the identification, operation or protection of a public utility installation
- D. One announcement sign or bulletin board of an appropriate nature, identifying a hospital, school, church or other similar facility or institution, not exceeding 20 square feet in area.

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- E. Temporary signs of not more than 20 square feet in area for the purpose of advertising an auction, bazaar, festival, political or other special event. Signs shall be removed at the conclusion of the event.
- F. Signs, which have become unsafe or unsightly, shall be repaired or removed by the sign owner or the owner of the property upon which the sign stands upon notice of the Zoning Administrator. The owner of any sign classified as illegal, deteriorated or dilapidated, or abandoned which has not been brought into compliance or removed within the time specified by the Zoning Administrator may be ordered by the Town Zoning Committee to be removed. The expenses of such removal will be placed on the tax rolls as a special assessment upon the property from which the sign was removed. The owner of any sign classified as illegal, deteriorated or dilapidated, or abandoned may appeal such determination to the Board of Adjustment as provided in Section 3.14.6.

8.2 Special Provision

Signs lawfully existing at the time of the adoption or amendments of this Ordinance may be continued although the use, size or location does not conform to the provisions of this Ordinance. If any legally established nonconforming sign is damaged, exceeding 50% of its replacement value, it shall not be rebuilt and must be removed. Nonconforming signs will be removed by the end of the fifth year of said date of the enactment of this ordinance.

Amendments - Changes to Ordinance

Section 9.0

9.1 Amendments - Changes to Ordinance

After the Town Board has adopted this zoning ordinance, the Town Board may amend, alter, supplement or change the boundaries or regulations established in the ordinance if public hearing is held on the revisions. The Town Board shall give notice of any proposed revisions by a Class 2 notice under Chapter 985 Wis. Stats. The Town Board shall allow any interested person to testify at the public hearing. If any proposed revision under this ordinance would make any challenge in an airport affected area s.62.23 (6)(am) 1.b Wis.stats, the Town Board shall mail a copy of such notice to the owner or operator of the airport bordered by the airport-affected area.

A petition to amend, alter, supplement or change the zoning ordinance shall be made on a form provided by the Zoning Administrator. A petition for amendment must be filed with the Town Clerk. It may be made by a property

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owner in the area to be affected by the amendment, by the Town Board in any town in which the ordinance is in effect or by the Zoning Committee. The Town Clerk shall immediately refer it to the Town Board for its consideration, report and recommendations. A report of all petitions filed shall be made by the Town Clerk to the Town Board at its next succeeding meeting.

A proposed amendment, supplement or change to this zoning ordinance must be adopted by not less than three-fourths vote of the the Town Board prior to or at the public hearing noted above and the protest is signed and acknowledged by the owners of at least 50% of the area proposed to be altered or the protest is signed and acknowledge by the abutting owners of at least 50% of the total perimeter of the area proposed to be altered that is included within 300 feet of the parcel or parcels to be rezoned.

A proposed amendment, supplement or change to this zoning ordinance must be adopted by not less than a two-thirds vote of the Town Board if the proposed amendment, supplement or change would make any change in an airport affected area, as defined under s.62.23 (6)(am) 1.b. Wis Stats and if a protest against the proposed revision is presented to the Town Board prior to or at the public hearing noted above by the owner or operator of the airport bordered by the airport affected area.

In the paragraph, “comprehensively revise” means to incorporate numerous and substantial changes in the zoning ordinance.

The Town Board may, by a single ordinance, comprehensively revise this zoning ordinance. The ordinance shall be adopted under the procedure in this section san pursuant to s.60.61 (4)(60) Wis. Stats or its successor provision.

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Amendments to Town of Green Grove Ordinance

2002

Section 5.0 A/R Agriculture/Residential District

Page 28 Section 5.2.1 **Conditional Uses**

(add)

E. Landing Strips (effective June 11, 2002)

1. Grassy strips as a landing strip for non-commercial activity. Upon sale of the property the existing conditional permit is voided.

Page 28 Section 5.3 **Setbacks** (effective June 11, 2002)

(add)

F. All structures or expansion of structures shall be at least 300 feet from the ends of a landing strip, and said structures shall be at least 150 feet from the sides of a landing strip. Conversely, a landing strip shall have its ends at least 300 feet from any structure and its sides at least 150 feet from any structure.

November 8, 2005

Page Section 3.15 **Pond Containment Structures**

(add)

All pond containment structures greater than 150 cubic feet require a building permit. In the case of an earthen structure the horizontal setback distance is the distance from the high water mark to the property line.

Page Section 3.3 **Site Restrictions**

(add)

K. Paving through the setback area to the backside of the road ditch on town roads is allowed. An access driveway that meets a county, state or federal highway can be paved through the setback area. Where the driveway meets the highway will be regulated by that government entity. Mineral soil applications such as clay, sand, rock, granite are exempt from building permit requirements.

Amendments to Town of Green Grove Zoning Ordinance

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Page Section 3.14.4 **Building Permits**

(change)

A Wisconsin Uniform Building Permit shall be required for the construction, addition or moving any building with the Town of Green Grove, any building under 120 sq. ft such as a dog house, bird house, etc will not require a building permit.

March 13, 2007

Page Section 5.2 A **Approved Uses**

(change)

- A. Agriculture use including dairying, livestock and poultry raising, nurseries, maple syrup processing, greenhouses (small portable greenhouses are exempt from permits; larger permanent greenhouses need a building permit. One time permit only if they are taken down yearly and reset yearly, this should be recorded by the Zoning Administrator) and other similar enterprises or uses, except other agriculture use operated with the use of garbage, sewage or other solid waste for a feed supply.

Page Section 1.14.4 **Building Permits**

(change)

- B. A Wisconsin Uniform Building Permit shall be required for the construction, addition or moving of any building within the Town of Green Grove, any building under 120 square feet such as a dog house, bird house, etc shall not require a building permit.

Page Section 5.7 (A) **Residential Square Footage**

(change)

- A. The minimum 1200 square feet of living space per single family dwelling/permanent/seasonal resident must be 120 square feet or more loathed on a single qualified permanent foundation.

Town of Green Grove Zoning Ordinance April 9, 2001
Clark County - State of Wisconsin

Page Section 3.14.4 (D) **Building Permits**
(change)

D. After the application has been filed with Zoning Administrator and inspection of all written plans has been made to the satisfaction of the Zoning Administrator that proposed work to be done in every way in compliance with this ordinance and the laws of the State of Wisconsin (UDC Code, inspection are the responsibility of the homeowners not the Township), the Zoning Administrator shall issue building permits.

Effective May 13, 2008

Section 5.2 Approved Uses

(add)

K. Mixed agriculture and small business establishments may be considered for location on non-paved roads, upon meeting existing zoning regulations.

Section 5.9 Driveway Access and Culvert Permit

(add)

B. All Single dwelling /permanent/seasonal residences shall be required to have a separate driveway which leads onto and off of a public road.

Section 6.4 Setbacks

(change)

- A. Minimum front setback is 150 feet from the center of the road.
- B. Minimum side setback is 150 feet from the property line.
- C. Minimum rear setback is 150 feet from the propertyline.

Section 6.11 Minimum Width for Driveway Entrance

(change)

A. All commercial establishments in the Town of Green Grove will have a minimum driveway width of 30 feet, to accommodate business traffic and emergency vehicle access. Culvert size will be approved by the Town Chairman or the Clark County Highway Commissioner, in writing, to provide for adequate water flow.

Natural Resources

NR 243

NR 243.11

NR 243.11
NR 243.11

Applicability. Any person who owns or operates a large animal feeding operation shall be required to file an application for a permit with the department. The total number of animal units for a subcategory shall be calculated by multiplying the number of animals for each animal type by the appropriate equivalency factor from table 2, and summing the products. The number of combined animal units shall be the sum of the number of animal units for each subcategory. Based on the application and the provisions of this subchapter, the department shall determine whether a permit needs to be issued.

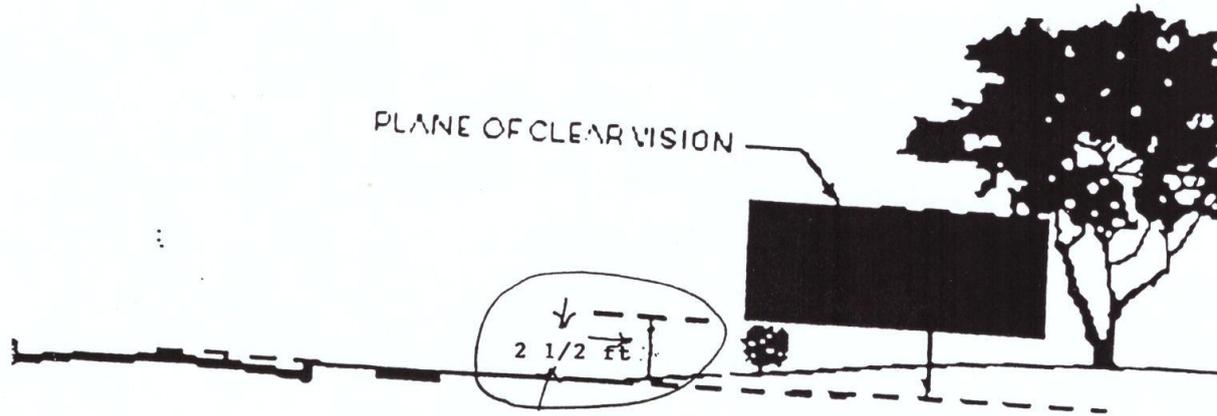
TABLE 2
Number of Animal Types Equivalent to 1000 Animal Units
and Animal Equivalency Factors

Number Equivalent To 1,000 Animal Units	Subcategory of Animal Types	Animal Equivalency Factor	Number Equivalent To 1,000 Animal Units	Subcategory of Animal Types	Animal Equivalency Factor
700	DAIRY CATTLE:			SHEEP:	
910	Milking and Dry Cows	1.4	10000	Per Animal	0.1
1670	Heifers (800 to 1200 lbs)	1.1			
5000	Heifers (400 to 800 lbs)	0.6	500	HORSES	
	Calves (under 400 lbs)	0.2		Per Animal	2.0
1000	BEEF CATTLE:		5000	DUCKS:	
	Steers or Cows (1000 lbs to Mkt)	1.0	100000	Per Bird (Wet Lot)	0.2
1250	Steers or Cows (600 to 1000 lbs)	0.8		Per Bird (Dry Lot)	0.01
2000	Calves (under 600 lbs)	0.5	100000	CHICKENS:	
700	Bulls	1.4	200000	Layers	0.01
				Broilers	0.005
2500	SWINE:		65000	TURKEYS:	
10000	Pigs (55 lbs to Mkt)	0.4		Per Bird	0.018
2500	Pigs (up to 55 lbs)	0.1			
2000	Sows	0.4		COMBINED ANIMAL UNITS:	
	Boars	0.5		Calculated Total	
			1000		

History: Cr. Register, February, 1984, No. 338, eff. 3-1-84.

Exhibit A

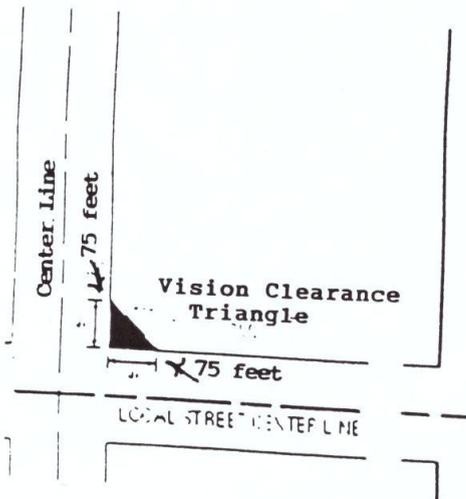
VISION CLEARANCE TRIANGLE (CROSS SECTIONAL VIEW)



VISION CLEARANCE TRIANGLE

Road/Street Junction

NO LOCAL STREETS INTERSECTING



Road/Street/Railroad Junction

STREET INTERSECTING A RAILROAD

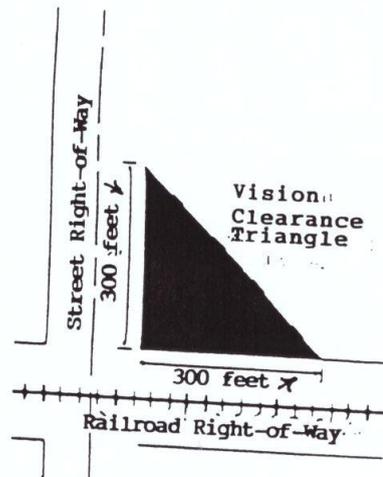


Exhibit B

