

ORDINANCE NO. 9-2020

Amending Chapter 350 - Zoning

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 18th day of August 2020, does ordain as follows:

1
2 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**
3 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

4 Section 1. Green Lake County Ordinance, No. 146-76, as amended through Ord, No.
5 790-03, and as subsequently amended.

6
7 § 350-17 Dwelling design and construction.

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

10 (1) Be attached to a permanent foundation meeting the requirements of the State of
11 Wisconsin Uniform Dwelling Code provisions in such a manner as to comply with
12 standards for vertical loading, uplift and lateral forces and so designed and constructed
13 that the floor elevation is reasonably compatible with other dwellings in the area.

14 (2) Have a first-story minimum area of 800 square feet and be not less than 20 feet in
15 their smallest horizontal dimension, exclusive of attached garage, carport or open deck.

16 (3) Have any wheels, axles, hitches, tow bars and other equipment necessary for
17 transporting on streets or highways removed when the structure is placed on the
18 foundation.

19 (4) Be constructed in accordance with accepted construction practices and building
20 codes. In no case shall a shipping or storage container(s), or parts thereof, be used as a
21 dwelling.

Roll Call on Ordinance No. 9-2020

Submitted by Land Use Planning &
Zoning Committee:

Ayes 18, Nays 0, Absent 1, Abstain 0

/s/ Curt Talma

Curt Talma, Chair

Passed and Enacted/~~Rejected~~ this 18th
day of August, 2020.

William Boutwell, Vice-chair

/s/ Harley Reabe

County Board Chairman

/s/ Harley Reabe

Harley Reabe

/s/ Elizabeth Otto

ATTEST: County Clerk
Approve as to Form:

/s/ Charles Buss

Charles Buss

/s/ Dawn N. Klockow

Corporation Counsel

/s/ Don Lenz

Don Lenz

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29 (2) Have a first-story minimum area of 800 square feet and be not less than 20 feet in
30 their smallest horizontal dimension, exclusive of attached garage, carport or open deck.

31 (3) Have any wheels, axles, hitches, tow bars and other equipment necessary for
32 transporting on streets or highways removed when the structure is placed on the
33 foundation.

34 (4) Be constructed in accordance with accepted construction practices and building
35 codes. In no case shall a shipping or storage container(s), or parts thereof, be used as a
36 dwelling.

22 § 350-19 Height regulations.

23 C. Height exceptions. Farm buildings not for human habitation; chimneys; cooling
24 towers; roof-mounted solar panel arrays ; elevator bulkheads; fire towers; monuments;
25 penthouses; stacks; scenery lofts; tanks; water towers; ornamental towers; spires;
26 wireless, television or broadcasting towers; masts or aerials; telephone, telegraph and
27 power transmission poles and lines; and microwave radio relay structures and necessary
28 mechanical appurtenances are hereby excepted from the height regulations of this chapter
29 and may be erected in accordance with other regulations or ordinances of Green Lake
30 County.
31

32 § 350-38 R-1 Single-Family Residence District.

33 A. Permitted uses.

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

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

42 (1) Setbacks: same as principal structure.

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

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

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

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

52 (6) In no case is a shipping or storage container(s) to be utilized as a residential
53 accessory building structure.
54

55

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

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

61 (1) Setbacks: same as principal structure.

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

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

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

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

71 (6) In no case is a shipping or storage container(s) to be utilized as a residential
72 accessory building structure.

73

74 § 350-40 R-3 Multiple-Family Residence District.

75 E. Accessory structure standards. Each unit of a multiple-family dwelling residence
76 shall be allowed one attached and one detached accessory building structure. In no
77 case shall the total combined footprint area of all accessory building structures for
78 the units exceed 10% of the lot or parcel area, excluding any road right-of-way.
79 Each detached accessory building structure shall satisfy all of the following
80 standards: [Amended 3-19-2019 by Ord. No. 2-2019]

81 (1) Setbacks: same as principal structure.

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

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

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

87 (5) In no case is a shipping or storage container(s) to be utilized as a residential
88 accessory building structure.

89 § 350-41 R-4 Rural Residential District.

90 E. Accessory structure standards. The total combined footprint area allowed for
91 attached and detached accessory building structures shall not exceed 10% of the
92 land area, excluding any road right-of-way. An accessory building structure shall
93 satisfy all of the following standards:

94 (1) Setbacks: same as principal structure.

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

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

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

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

104 (6) In no case is a shipping or storage container(s) to be utilized as a residential
105 accessory building structure.

106 § 350-43.2 (Reserved) Solar Panel Arrays shall comply with the following:

107 (1) Ground-mounted solar panel arrays that can exceed 8 feet in adjusted height
108 (lowest adjacent grade to maximum vertical extent) or have a solar panel surface
109 area greater than 32 square feet must be authorized by a land use permit and are
110 required to meet all the required setback set forth in this chapter.

111 (2) Ground-mounted solar panel arrays shall not exceed 25 feet in height (lowest
112 adjacent grade to maximum vertical extent).

113 (3) Roof-mounted solar panel arrays are not subject to Section 350-19 and 350-20
114 of this chapter and are exempt from the land use permit requirement under Section
115 350-65.

116 § 350-50 Setback distances.

117 [Amended 8-19-2014 by Ord. No. 1092-2014]

118 Except as otherwise provided in the specific zoning district, the distances from the
119 center line, as defined by § 350-49 of this article, or from the front line to the
120 setback line shall be as provided by the following subsections. Whenever a
121 highway is improved to a classification requiring a greater setback distance than
122 that required by this chapter prior to such improvement, the setback distance shall
123 not be affected by such improvement. In cases where the provisions of this section

124 may be interpreted to provide for different setback distances, the greater setback
125 distance shall prevail, but this regulation shall not apply to streets in platted
126 subdivisions.

127 A. Along highways generally. The setback distance from the center line or right-of-way
128 line, at any point, for the respective classes of highways shall be as follows:
129 [Amended 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019]

	Setback From Center Line (feet)	Setback From Street Lot Line (feet)
Highway Classification		
State trunk highways	110	Not less than 67
County trunk highways	75	Not less than 40
Town roads, except in platted subdivisions	75	Not less than 40
Streets in platted subdivisions		3040

130
131 § 350-52 Structures permitted within setback lines.

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

134 (1) Open fences, height not to exceed 4 feet (adjacent grade to maximum vertical
135 extent).

136 (8) Uncovered landings and steps, not exceeding 24 inches in height from adjacent
137 grade, the sole purpose of which is to provide ingress to and egress from a non-
138 conforming single-family dwelling to the highway setback. In these cases, these
139 structures shall be constructed to meet the minimum standards set forth in SPS
140 321.04, Wis. Admin. Code.

141 (9) Retaining and decorative landscape walls may be allowed in the street yard, side
142 yard and rear yard with a minimum zero foot setback.

143 § 350-57 Review and revocation of conditional use permits.

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

145 A. The Land Use Planning and Zoning Committee shall retain continuing jurisdiction
146 over all conditional uses for the purpose of resolving complaints against all
147 previously approved conditional uses. Such authority shall be in addition to the
148 enforcement authority of the Land Use Planning and Zoning Department to order

149 the removal or discontinuance of any unauthorized alterations of an approved
150 conditional use and the elimination, removal or discontinuance of any violation of a
151 condition imposed prior to or after approval, or violation of any other provision of
152 this chapter.

153 B. Complaint procedure. Upon written complaint by any citizen or official, the Land
154 Use Planning and Zoning Committee shall initially determine whether said
155 complaint indicates a reasonable probability that the subject conditional use is in
156 violation ~~or either~~ of either the purpose and intent of this chapter, a condition of
157 approval or other requirement imposed hereunder. Upon reaching a positive initial
158 determination, a hearing shall be held upon notice. Any person may appear at such
159 hearing and testify in person or be represented by an agent or attorney. The Land
160 Use Planning and Zoning Committee may, in order to bring the subject conditional
161 use into compliance with the standards set forth in this chapter or conditions
162 previously imposed by the Land Use Planning and Zoning Committee, modify
163 existing conditions upon such use and impose additional reasonable conditions
164 upon the subject conditional use. Additionally, the offending party may be subjected
165 to a forfeiture as set forth in Article X. In the event that no reasonable modification
166 of such conditional use can be made, the Land Use Planning and Zoning
167 Committee may revoke the subject conditional approval and direct the Land Use
168 Planning and Zoning Department and Corporation Counsel to seek the elimination
169 of the subject use. Following any such hearing, the decision of the Land Use
170 Planning and Zoning Committee shall be furnished to the current owner of the
171 conditional use, in writing, stating the reasons therefor. An appeal from a decision
172 of the Land Use Planning and Zoning Committee under this section may be taken
173 to the Board of Adjustment.

174 §350-77 Word usage and definitions

175 PRINCIPAL STRUCTURE

176 The main or primary structure on a land area that is utilized for the property's principal
177 use, ~~including structures attached or structures constructed in a manner that are~~
178 ~~utilized as if they were attached.~~

179 Section 2. This ordinance shall become effective upon passage and publication.

180 Section 3. The repeal and recreation of any section herein shall not have any effect on
181 existing litigation and shall not operate as an abatement of any action or proceeding then
182 pending or by virtue of the repealed sections.

183 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby
184 repealed.