

Town of Lessor Zoning Ordinance
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**TOWN OF LESSOR,
SHAWANO COUNTY, WISCONSIN
CHAPTER 11
ZONING ORDINANCE**

Section 11.100 Statutory Authority and Purpose

11.101 Authority

In accordance with the authority granted by Sections 60.61, 60.62, 61.35, 62.23, and 295.14 of the Wisconsin Statutes and for the purpose listed in Section 62.23 (7)(c) of the Wisconsin Statutes, the Town Board of Lessor, Shawano County, Wisconsin, does hereby ordain these zoning regulations

11.102 Title

This Ordinance shall be known as and may be cited as the "Zoning Ordinance, Town of Lessor, Shawano County, Wisconsin."

11.103 Purpose

The purpose of this Ordinance is to adopt minimum requirements to promote the health, safety, morals, prosperity, aesthetics, and general welfare of the Town; to aid in implementing the Town of Lessor Comprehensive Plan, to regulate and restrict the height, number of stories and size of yards, the density of population, location and use of buildings, structures and land for agriculture, trade, industry, residence or other purposes; and for said purposes to divide the Town into districts of such number, shape and area as are deemed best suited to carry out the said purposes.

11.104 Jurisdiction

The provisions of this Ordinance shall apply to all structures, land, water, and air within the Town of Lessor, Shawano County, Wisconsin.

11.105 Compliance

No land shall hereafter be used in the Town of Lessor; and no building or structure or part thereof shall hereafter be used, located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered in the Town of Lessor without being in full compliance with the provisions of this Ordinance.

11.106 Abrogation and Greater Restrictions

It is not the intent of this Ordinance to repeal, impair, or interfere with any existing private covenants or public ordinances, except that the Ordinance shall apply whenever it imposes more severe restrictions on land use.

11.107 Interpretation

The provisions of this Ordinance shall be interpreted and applied as minimum regulations, shall be construed in favor of the Town, and shall not be deemed a limitation or repeal of any power granted by the Wisconsin Statutes.

11.108 Legal Status Provisions

A. Severability

The provisions of this Ordinance are severable. If any Court of competent jurisdiction shall adjudge any provisions of this Ordinance to be invalid, such judgment shall not effect any other provisions of this Ordinance not specifically included in said judgment. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or other structure; such judgment shall not effect the application of said provision to any other property, building, or structure, not specifically included in said judgment.

B. Conflicting Provision

All other Town of Lessor ordinances or parts of Town of Lessor ordinances in conflict with the provisions of this Ordinance are hereby repealed.

C. Effective Date

This Ordinance shall be in force from and after its passage, approval, publication, and recording according to law.

11.109 – 11.199 RESERVED

Section 11.200 Administration and Enforcement

11.201 Purpose

A. Procedures and Authority

Administrative procedures and authority for administering, interpreting and enforcing this Ordinance are herein established in order to achieve the following purposes:

1. To provide for the review of site and development plans before obtaining a zoning permit and a zoning certificate of compliance.
2. To provide for the inclusion of necessary facilities, services and additional uses through conditional use permits.
3. To provide for the inclusion of uses which are not specified in this Ordinance, but which have characteristics and a land use impact similar to permitted uses.
4. To assure that no work shall be started on the relocation, construction, reconstruction, or structural alteration of a building, structure or use, until the building, structure or use is found to comply with all provisions of this Ordinance.
5. To assure, before construction of new buildings or the commencement of a use or occupancy, or before occupancy is continued after alterations or changes in use have been made, that all regulations of the Town have been met by requiring a zoning certificate of compliance.
6. To provide for the enforcement by issuance of orders by the Zoning Administrator.

11.202 Town Board

A. Authority and Functions

The Town Board, without limitation upon such authority as it may possess by law, has responsibility for implementing and administering this Ordinance. The Town Board, in general, performs the following functions:

1. Approves or disapproves any application for an amendment to this Ordinance, including applications for amendment to the official zoning map, and forwards the approved application to the Shawano County Board of Supervisors for their approval.
2. Approves or disapproves proposed amendments to the Town's adopted Comprehensive Plan.
3. Takes such other action not delegated to other bodies that may be desirable and necessary to implement the provisions of this Ordinance.

11.203 Plan Commission

A. Authority and Functions

The plan commission, without limitation upon such authority as it may possess by law, has responsibility for implementing and administering this Ordinance as set forth in this section. The plan commission, in general, performs the following functions:

1. To initiate, hear, review and offer its recommendations to the Town Board on applications for amendments to this Ordinance, including applications for amendment to the official zoning map.
2. To hear, review and approve or deny applications for conditional use permits.
3. To aid and assist the Town Board in implementing the Town's adopted Comprehensive Plan and in planning, developing and completing specific projects.
4. To review and report on any matters referred to it by the Town Board.

11.204 Zoning Administrator

A. Duties

The Zoning Administrator is responsible for performing the following duties:

1. Provide necessary forms and applications for permits.
2. Review and approve or deny all applications for zoning permits for permitted uses, sign permits, and any other permits required by this Ordinance.
3. Conduct pre-application conferences with petitioners for zoning amendments.
4. Issue and maintain records of all certificates of compliance.
5. Receive, certify for completeness and forward to the Plan Commission all applications requiring Plan Commission review as prescribed by this Ordinance.
6. Conduct inspections of buildings, structures and uses of land to determine compliance with the terms of this Ordinance.
7. Make investigations with respect to matters referred to in this Ordinance.
8. Have possession of permanent and current records of this Ordinance, including the Town's official zoning map and amendments to the official zoning map, conditional use permits, Board of Appeals decisions, and ordinance amendments.
9. Review, process and report findings and recommendations and forward appeal and variance requests to the Board of Appeals on those applications upon which the Board of Appeals is required to act.
10. Enforce all orders of the Board of Appeals.
11. Revoke by order, any permit approved under misstatement of fact or contrary to the provisions of this Ordinance.

B. Notice of Violation

If the Zoning Administrator finds that any of the provisions of this Ordinance are being violated, he shall notify, in writing by registered or certified mail, the person(s) responsible indicating the nature of the violation and ordering the action necessary to correct the violation. Whenever a person shall have been notified in writing that he is in violation of the provisions of this Ordinance, such person shall commence correction of all violations within ten days of notice and shall correct all violations within 45 days of notice. If such corrections are not commenced within ten days of written notice or not corrected with 45 days of written notice, each day that a violation continues shall be considered a separate offense.

11.205 Board of Appeals

A. Establishment of the Board of Appeals

In order that the objectives of this Ordinance may be more fully and equitably achieved and a means for interpretation provided, there is established a Board of Appeals for the Town of Lessor.

B. Membership and Terms of Office

1. **Board of Appeals Members.** The Board of Appeals shall consist of five (5) members. The Town Chairman shall appoint the members with the approval of the Town Board. No Town Board member may serve on the Board of Appeals. The members of the Board of Appeals shall all reside within the town. The Chairman shall appoint the chairperson.
2. **Terms.** The terms of the first five Board of Appeals members appointed shall be as follows: one for one (1) year, two for two (2) years and two for three (3) years respectively. Thereafter, successors shall be appointed in such manner at the expiration of each term and their terms of office shall be three (3) years.
3. **Alternates.** The Town Chairman may appoint two (2) alternates for staggered terms of three (3) years. For the purpose of those first appointed, one alternate shall serve for two (2) years and one (1) shall serve for three (3) years. The Chairman shall annually designate a first alternate and a second alternate. All subsequent appointees shall be for three (3) year terms.
4. **Vacancies.** Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
5. **Compensation.** The actual and necessary expenses incurred by the Board of Appeals in the performance of its duties shall be paid and allowed by the Town Board as in cases of other claims against the Town. The Town Board may also compensate the members of the Board of Appeals and their assistants as may be authorized by the Town Board.

C. Rules, Meetings, Decisions and Records.

1. **Rules.** The Board of Appeals shall adopt rules for the conduct of the business of the Board in accordance with the provisions of this Ordinance. The Board of Appeals may adopt further rules as necessary to carry into effect the regulations of the Town Board. No rule may be changed without the concurring vote of a majority of the Board.
2. **Meetings.** Meetings of the Board of Appeals shall be held at the call of the Chairperson and at such other times as the Board of Appeals may determine. Such Chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Appeals shall be open to the public.
3. **Quorum.** The quorum for any meeting shall consist of three (3) members.
4. **Records and Decisions.** The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such 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 of Appeals and shall be a public record. All actions or decisions shall be taken by resolution in which the concurring vote of a majority of the members of

the Board of Appeals shall be necessary. Each resolution shall contain a written statement of the grounds forming the basis of such resolutions. Notice of filing of all actions and decisions shall be mailed to the parties in interest as determined by the Board of Appeals.

11.206 Enforcement and Penalties

A. Unlawful Building, Structure or Use

Any building or structure hereafter erected, moved, placed, or structurally altered or any use hereafter established in violation of the provisions of this Ordinance by any person, firm, association, corporation (including building contractors) shall be deemed an unlawful building, structure or use.

B. Authority to Bring Action

The Town Board may direct the Town's legal counsel to bring action to enjoin, remove, or vacate any use, erection, moving, placement, or structural alteration of any building, structure or use in violation of this Ordinance.

C. Fine for Violation of Ordinance

Any person violating this Ordinance or any part thereof shall be forced to comply with the Ordinance and shall pay all expenses involved in correcting the same. A fine of not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) for each offense together with the cost of prosecution shall be levied and in the event of nonpayment of the fine, and/or the costs of prosecution, the violator shall be imprisoned in the County Jail of Shawano County until such fine has been paid not to exceed thirty days. Each day that a violation shall continue to exist shall constitute a separate offense.

11.207 – 11.299 RESERVED

Section 11.300 Procedures

11.301 Zoning Permit

A. When Required

1. A zoning permit, certifying that any such use, building, structure, or site complies with the provision of this Ordinance, shall be required in the following instances unless specifically exempted there from by this Ordinance:
 - a. The construction, reconstruction, location, relocation, erection, extension, enlargement, conversion, or structural alteration of any building, structure, or part thereof, except for the following:
 - (1) Signs requiring a sign permit
 - (2) Any reconstruction, conversion, or structural alteration that does not result in any change to the existing outer walls and/or roof of an existing building unless the purpose is to convert a building not used for human habitation to one used for human habitation.
 - (3) Any reconstruction, conversion, or structural alteration that does not result in any change to the existing outer walls and/or roof of an existing building.
 - (4) Structures which are less than twelve (12) inches in height above grade elevation (provided such structure meets all setback and impervious surface requirements of this Ordinance).
 - b. Establishment of any principal or accessory use, except the following:
 - (1) Uses permitted as conditional uses
 - (2) Accessory uses listed in 11.501(A).

B. Application

1. An application for a zoning permit shall be submitted to the Zoning Administrator on forms furnished by the Town and shall include the following information:
 - a. Name and address of the property owner.
 - b. Signature of the property owner or agent.
 - c. Location ID number, deed, legal description or other identifier of the subject property.
 - d. Statement concerning the proposed structure or use of the site.
 - e. An accurate site plan, drawn at a scale which produces a clearly legible drawing, showing the following:
 - (1) Boundaries, dimensions, and areas of the subject site.
 - (2) The spatial relationship of the subject site to abutting public roads and right-of-ways, private roads, easements, and navigable waters.
 - (3) The location and dimensions of any existing or proposed structures or additions and their relationship to abutting public roads and right-of-ways, private roads, property lines, proposed and existing wells (whether in use or abandoned) and sanitary waste disposal systems, ordinary high watermark of navigable waters, and any known sinkholes or depressions on the land. The plan shall include any proposed decks or other structures necessary to exit doors or fire escapes, and, any other

- appurtenances, structures or buildings to be located on the property during construction for which a permit is required.
- (4) Location of proposed or existing road access points, parking and loading areas, and driveways.
 - f. Building plans including all floor plans and at least two elevation views. The plan shall include any proposed decks or other structures necessary to exit doors or fire escapes, and, any other appurtenances, structures or buildings to be located on the property during construction for which a permit is required.
 - g. Water supply and sewage disposal. Satisfactory evidence that a safe and adequate supply of water and approved sewage disposal facilities will be provided, in accordance with the requirements of the Shawano County Code of Ordinances or its successor code, shall be submitted.
 - h. The Zoning Administrator may require a survey of the property for which the application for a zoning permit is being submitted. The survey shall be prepared by a registered land surveyor.
 - i. Additional information as may be required on the application or by the Zoning Administrator in order to determine the full compliance with the requirements of this Ordinance.
2. All permit applications shall be accompanied by a fee established by the Town Board. All fees are non-refundable.
 3. No application shall be accepted by the Zoning Administrator until deemed complete as judged by the Zoning Administrator and until the application is signed and all fees established have been paid in full.
 4. Upon the Zoning Administrator's determination that the proposed use, building, or structure complies with the provisions of this Ordinance, a zoning permit shall be issued. The permit shall authorize the applicant to proceed subject to all provisions of the Ordinance and any conditions attached to the permit. An application for a use, building, or structure not in conformity with the provisions of this Ordinance shall be denied a zoning permit and the reasons for denial shall be stated. In the event the permit is denied, the application fee will not be refunded. No permit shall be issued for uses, buildings, or structures involving human occupancy without documentation that provision has been made for safe and adequate water supply and disposal of sewage.
 5. The Town of Lessor reserves the right to withhold issuing a permit until compliance has been determined with other applicable chapters of the *Town of Lessor Code of Ordinances*.
 6. Zoning permits to establish a use shall expire 12 months from the date of issuance if no action has commenced to establish the use. Any change of land use after the expiration of a zoning permit shall be considered a violation of this Ordinance.
 7. Except as par. 8. below applies, zoning permits for the construction of a structure shall expire 12 months from the date of issuance. Any exterior construction after the expiration of a zoning permit shall be considered a violation of this Ordinance.
 8. If construction has commenced prior to the expiration of a zoning permit, but is not completed prior to such expiration, a 12 month renewal zoning permit shall be issued by the Zoning Administrator upon submittal of a renewal application, required application items and fee. Additional renewals shall be granted by the Zoning Administrator upon a finding that progress had been made during the previous year toward completion of the structure. If a 12 month period passes

without evidence of progress towards completion, the Zoning Administrator shall advise the Town Board of same and the Town Board may hold a public hearing on the matter and may impose a completion schedule. The cost of the public hearing shall be born by the applicant. For purposes of this Ordinance, a structure shall be deemed completed when the roof, exterior walls, doors, windows, and sub floors are in place and finished, appurtenances authorized by the permit (such as decks) are completed, and the sanitary waste disposal system and well have been installed.

9. If a use or structure does not comply with the issued zoning permit or this Ordinance, the permit shall be terminated by the Zoning Administrator. If a use permitted by a zoning permit ceases for a period of more than 18 months, the zoning permit shall terminate, and all future activity shall require a new zoning permit.

11.302 Certificate of Compliance

A. Issuance of Certificate of Compliance

1. No vacant land shall be occupied or used and no building or structure hereafter erected, altered or moved shall be occupied or used until a certificate of compliance shall have been used by the Zoning Administrator. Such certificate shall be applied for coincidental with the application for a zoning permit and shall be issued within ten days after the erection, alteration, repair, or moving of such building. Such building shall have been completed in conformity with the provisions of this Ordinance and in conformity with the statements on the application for the zoning permit.
2. Upon written request from the owner, the Zoning Administrator shall issue a certificate of compliance for any building or premises existing at the time of the adoption of this Ordinance, certifying, after inspection, the extent of any kind of use made of the building or premises and whether or not such use conforms to the provisions of this Ordinance.

11.303 Conditional Use Permit

A. Approval Required

Any use listed as a conditional use in this Ordinance shall be permitted only upon successful completion of the following:

1. Application to the Zoning Administrator.
2. Approval by the Plan Commission.
3. Issuance of a Conditional Use Permit.

B. Application

Application for conditional use permits shall be submitted in writing to the Zoning Administrator on forms provided by the Town. The forms shall be accompanied by a plan showing the location, size, and shape of the lot(s) involved and of any proposed structures, and the existing and proposed use of each structure and lot. The cost of the application for a conditional use permit is established in 11.310 of this Ordinance.

C. Public Hearing

1. Before action is taken upon an application for a conditional use permit, the Town Plan Commission shall hold a public hearing. A Class 2 notice shall be given as provided in Ch. 985 Wis. Stat. The Plan Commission shall report its decision in writing and the grounds for its decision.
2. As a matter of practice, an earnest effort will be made to send by regular mail a copy of the notice for public hearing to the applicant or petitioner or their agent, and to the property owners (as recorded in the Shawano County Register of Deeds Office) of all lands located within 1,320 feet of any part of the parcel or parcels included in the conditional use permit application. The failure to mail a notice to the above parties or the failure of such notice to reach any of the above parties does not invalidate any public hearing or any decision of the Plan Commission.

D. Review

In all cases of proposed establishment of a conditional use specified in this Ordinance, the Plan Commission shall review the site, existing and proposed structures, intended use of structure, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage and water systems, and other aspects of the proposed use.

E. Existing Conditional Uses

Any use existing on March 2, 2012 that is classified by this Ordinance as a conditional use in the district in which it is located shall be deemed to have been granted approval as a conditional use under this Ordinance, subject to maintaining the character and extent of such use or structure existing on that date. Any change in such use shall require approval according to the terms of this Ordinance.

F. Conditions and Guarantees

1. Prior to granting a permit for a conditional use, the Plan Commission may stipulate such conditions and restriction upon the establishment, maintenance and operation of the conditional use as it may find necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards specified in 11.303.G. below. Establishment, maintenance and operation shall be construed to include, but shall not be limited to such factors as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, operation control, hours of operation, traffic circulation, deed restrictions, access restrictions, yard and parking requirements, insofar as the Plan Commission shall find that conditions applying to these factors are necessary to fulfill the purpose and intent of this Ordinance.
2. In all cases in which a permit for conditional use is granted, the Plan Commission shall require such evidence and guarantees as it may deem necessary to fulfill the purpose and intent of this Ordinance and as proof that the conditions stipulated in connection therewith are being and will be complied with.

3. The Plan Commission may include in the conditions a requirement that the conditional use be reviewed within a specified period of time.

G. Standards

No permit for a conditional use shall be granted unless the Plan Commission shall find that the following standards are met:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. That the uses, values and enjoyment of other property in the neighborhood used for purposes already permitted shall be in no foreseeable manner, substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
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 and traffic hazards in the public roads.

H. Compliance with Other Provisions

Conditional uses shall comply with all other provisions of this Ordinance such as lot width and area, yards, height, parking and loading.

I. Authorization of Permit

The Plan Commission may authorize the Zoning Administrator to issue a conditional use permit for conditional use specified in this Ordinance after review and a public hearing, provided such uses are in accordance with the purpose and intent of this Ordinance. The conditional use runs with the property and a future owner of the property may continue the use that is the subject of the conditional use permit.

J. Resubmittal of Application

No application for a conditional use which has been denied wholly or in part by the Plan Commission shall be resubmitted for a period of one year from the date of said denial, except on the grounds that substantial new evidence or proof of change to compliance with the applicable conditional is included in the resubmitted application.

K. Violation and Revocation

A violation of any permit restriction as set forth herein and determined by the Plan Commission shall be deemed a revocation of said permit and said use shall be removed immediately. Nothing in this section shall be deemed to give the owner, applicant or occupant of said lands a vested interest in the use established in said permit. In addition, the Plan Commission shall revoke a Conditional Use Permit if at any time there has

been a failure to comply with the conditions imposed or if there has been a substantial change in the development, unless such change has been approved by the Plan Commission.

L. Expiration

A Conditional Use Permit shall be deemed to authorize only one particular use and shall expire if the authorized use ceases for more than twelve (12) consecutive months for any reason. Any permit issued shall expire if action has not been taken to establish the conditional use within six (6) months from the date the Plan Commission approved the permit.

11.304 Sign Permits

A. Process

1. This section only applies to those signs requiring a sign permit as specified in 11.512 that are erected, moved, structurally altered or reconstructed.
2. All applications for sign permits shall be made to the Zoning Administrator on forms furnished by the Town and shall include the following:
 - a. Name, address, and signature of the property owner of the site for the proposed sign location, if different from the applicant.
 - b. Type, description, and dimensions of the proposed sign.
 - c. Location of the building, structure or lot to which or upon which the sign is to be attached or erected.
 - d. A plan, drawn at a scale which produces a clearly legible drawing, showing the following:
 - (1) The spatial relationship of the proposed sign to abutting public road right-of-ways, private roads, navigable water, and property lines.
 - (2) The spatial relationship of the proposed sign to existing structures and adjacent free-standing or projection signs. Additional information as may be required on the application or by the Zoning Administrator in order to determine the full compliance with the requirements of this Ordinance.
3. All sign permit applications shall be accompanied by a fee established by the Town Board. All fees are non-refundable.
4. No application shall be accepted by the Zoning Administrator until deemed complete as judged by the Zoning Administrator and until all necessary attachments and fees established have been paid in full.
5. Applications for sign permits shall be reviewed by the Zoning Administrator for compliance with the requirements of this Ordinance. If compliance is found, the sign permit shall be issued. If compliance is not found, the permit shall be denied and the reasons for denial stated.
6. All sign permits shall expire 12 months from the date of issuance. No sign shall be erected, moved, reconstructed, or altered after expiration of a sign permit unless a new sign permit is obtained.
7. If a sign does not comply with the issued sign permit or this Ordinance, the sign permit shall be terminated by the Zoning Administrator.

11.305 Amendments**A. Initiation of an Amendment**

The regulations imposed and the zoning districts created under authority of this Ordinance may be amended from time to time. An amendment to the text of the Ordinance and/or to the Zoning Ordinance Map may be initiated by any resident or owner of property or by the Town Board or Plan Commission by filling out the appropriate Town form and paying the required fee. If the amendment is initiated by the Town Board or Plan Commission, the fee is waived.

B. Plan Commission Recommendation

1. The Plan Commission shall review all proposed amendments to the Zoning Ordinance.
2. The Plan Commission shall submit a written recommendation to the Town Board prior to the Town Board's public hearing. The Plan Commission shall include findings of fact in their recommendation.

C. Town Board Public Hearing and Action

1. The Town Board shall hold a public hearing after receiving the recommendation from the Plan Commission, giving at least ten (10) days prior notice by publication of a Class 2 notice that lists the time, place and proposed amendment.
2. The Town Board shall also give at least ten (10) days prior written notice to the clerk of any municipality within one thousand (1000) feet of any land to be affected by the proposed amendment.
3. As a matter of practice, an earnest effort will be made by the Town to send by regular mail a copy of the notice for public hearing to the applicant or petitioner or their agent, and to the property owners (as recorded in the Shawano County Register of Deeds Office) of all lands located within 1,320 feet of any part of the parcel or parcels included in the amendment petition. The failure to mail a notice to the above parties or the failure of such notice to reach any of the above parties does not invalidate any public hearing or any action of the Town Board.
4. Following the public hearing and after careful consideration of the Plan Commission's recommendations and findings of fact, the Town Board shall take action to approve, amend, or deny the proposed amendment or to refer it back to the Plan Commission for reconsideration. In taking action, the Town Board shall include findings of fact.
5. If the Town Board approves the zoning amendment, it is forwarded to the County and shall only become effective upon approval by the County Board of Supervisors.

D. Protest

1. A protest against an amendment must be duly signed and acknowledged by:
 - a. The owners of 20% or more of the area included in the proposed amendment; or
 - b. The owners of 20% or more of the area immediately adjacent to the subject area and extending one hundred (100) feet therefrom; or

- c. The owners of 20% or more of the area directly opposite the subject area and extending one hundred (100) feet from the road frontage of such opposite land.
2. The amendment shall not become effective except by the favorable vote of three-fourths of the members of the Town Board voting on the proposed change.

E. Failure to Act

If an application for a proposed amendment is not acted upon finally by the Town Board within six (6) months of the date upon which the findings and recommendations of the Plan Commission are filed with the Board, it shall be deemed to have been denied.

11.306 Variances

A. Authority

1. The Board of Appeals shall have the authority upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done.
2. If the variance is for a reduction in the setback from a county or state highway, an application must also be submitted to Shawano County. Both the Town of Lessor and Shawano County must approve the variance.

B. Application

1. An application for a variance shall be made by filing a written application on a form provided by the Town. Such applications shall:
 - a. State the name and address of applicant and owner.
 - b. State the location of property for which the variance is sought.
 - c. State the specific variance desired.
 - d. State the facts sufficient and demonstrate that the findings prescribed in 11.306(C) below exist and support such statements with any plans and/or data as are required by the Board of Appeals.

C. Standards for a Variance

1. In general the power to authorize a variance from the requirements of the Ordinance shall be sparingly exercised and only under peculiar and exceptional circumstances. No variance shall be granted for actions which require an amendment to this Ordinance. Variances shall only be granted when the Board of Appeals finds that the following standards are met:
 - a. **Unnecessary Hardship.** That there are present actual physical conditions applying to the parcel, building, structure, use or intended use on that parcel that are creating the unnecessary hardship in the application of this Ordinance, as distinguished from a mere inconvenience to the owner if the strict letter of the regulations are required.
 - b. **Unique Condition.** That the conditions described in the petition for the variance are unique, exceptional, extra ordinary, or unusual circumstances applying only or primarily to the property under

consideration and are not of such a general or recurrent nature elsewhere in the same zoning district as to suggest or establish the basis for ordinance changes or amendments, or of having that affect if relied upon as the basis for granting a variance.

- c. **Public Interest.** That in granting the variance there will not be a substantial detriment to neighboring property and the grant of the variance will not be contrary to the purpose of this Ordinance and the public interest.
- d. **Conditions Not Self-Created.** That the condition creating the hardship or difficulty was not caused by the petitioner nor by any person still having an interest in the property.
- e. **Effect on Uses.** No variance shall have the effect of allowing in any district a use not permitted in that district.

11.307 Appeals

A. Authority

The Board of Appeals shall have the authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Ordinance. The Board of Appeals may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

B. Application

An application for an appeal shall be made by filing a written application on a form provided by the Town. Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, or board of the town affected by any decision of any administrative officer of the town. Such appeal shall be made within thirty (30) days of the date of the written order, requirement, decision or determination appealed from by filing with the Zoning Administrator and with the Board of Appeals a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken. The Board of Appeals may request the applicant to provide additional information as may be needed to determine the case.

C. Stays

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify to the Board of Appeals after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Appeals or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

D. Withdrawal or Amendment

1. If the applicant elects to withdraw the appeal any time before final determination is made by the Board of Appeals, this fact shall be noted on the application, with the signature of the applicant attesting withdrawal. Copies of the withdrawn application shall be returned to the files of the Board of Appeals, to the Zoning Administrator, and to the applicant.
2. Amendment of an appeal by the applicant may be permitted at any time prior to or during the public hearing, provided that no such amendment shall be such as to make the case different from its description in the notice of public hearing. If the amendment is requested by the applicant after public notice of the hearing has been given, and such amendment is at variance with the information set forth in the public notice, the applicant shall pay an additional fee to cover the cost of amending the public notice. If the amended notice can be published within the time frame specified for the public hearing, the hearing on the amended appeal may be held on that date, otherwise the chairperson shall announce that the hearing originally scheduled on the case will be deferred to a future meeting, before which appropriate public notice will be given, and will state the reasons for deferral.

11.308 Public Hearings for Variances and Appeals**A. Time Period**

Upon filing with the Board of Appeals an application for an appeal or variance, the Board shall fix a reasonable time, not more than sixty (60) days from the filing date, for a public hearing.

B. Notice of Hearing

A Class 2 notice pursuant to Chapter 985, Wisconsin Statutes, shall be published specifying the date, time and place of the hearing and matters to come before the Board of Appeals.

C. Notification of Neighbors

As a matter of practice, an earnest effort will be made to send by regular mail a copy of the notice for the public hearing to the applicant or petitioner or their agent, and to the property owners (as recorded in the Shawano County Register of Deeds Office) of all lands located within 1,320 feet (or more if deemed necessary by the Board of Appeals) of any part of the parcel or parcels included in the application for a variance or an appeal. The failure to mail a notice to the above parties or the failure of such notice to reach any of the above parties does not invalidate any public hearing or any decision of the Board of Appeals.

11.309 Appeals from Town Board Decisions

Any person or persons, jointly or severally, aggrieved by any decision of the Town Board, or any taxpayer, or any officer, department, board or bureau of the municipality, may within thirty (30) days after the filing of the decision in the office of the Board of Appeals, commence an action seeking the remedy available by certiorari.

11.310 Fees**A. Schedule of Fees**

The schedule of fees shall be determined by the Town Board and shall be kept on record with the Town Clerk.

B. Payment of Standard Fee

All persons, firms, or corporations performing work, which by this Ordinance shall require the issuance of a permit or the holding of a public hearing, shall pay a nonrefundable fee for such permit and/or hearing to the Town of Lessor to help defray the cost of administration, investigation, processing and legally required advertising.

C. Development Agreement and Reimbursement of Services Fee

To promote and enhance public safety and general welfare, and to ensure that essential improvements are made, the Town may deem it necessary to require a development agreement and/or reimbursement of Town expenses incurred as a result of a proposed development.

1. **Development Agreement:** Before final approval of an application for development, the Town may require the developer to enter into a written development agreement with the Town to install any required improvements and comply with development requirements and to file a bond, letter of credit, or cash deposit in an amount determined by the Town as a guarantee of the performance of the developer's obligations under the development agreement.
2. **Reimbursement of Services:** The Town Board may utilize the services of such professionals as it deems appropriate to advise and assist the Town Board, Town Plan Commission, and Board of Appeals regarding a development. Before final approval of an application for development, the Town Board may require the developer to reimburse all fees, charges and costs incurred by the Town for such professional services, including but not limited to plan review, inspection, engineering, legal and administrative. The Town Board may, from time to time, establish a schedule of such professional charges by resolution. The Town Board may require that the estimated cost for such professional services be included in the bond, letter of credit, or cash deposit to be provided to the Town.

11.311 – 11.399 RESERVED

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Section 11.400 Zoning Districts and Map

11.401 Establishment of Districts

For the purpose of this Ordinance, the Town of Lessor is hereby divided into the following Districts:

OAR	Open Lands, Agricultural and Residential
A-R	Agriculture Residential
C-G	Commercial General
M	Manufacturing

11.402 Zoning District Map

The boundaries of the above listed zoning districts are hereby established as shown on the Official Zoning District Map which is considered, legally, as an integral part of this Ordinance. This map, entitled "Town of Lessor Official Zoning Map", shall be certified by the Town Clerk and available for public inspection at the Town Hall. Any change in zoning district boundaries which may occur shall follow the amendment process and be recorded (shown graphically) on the map. No such change(s) shall be effective until so recorded and until a duly certified and attested certificate describing the change is filed with the map.

11.403 Boundaries

A. Depiction of Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning district map the following shall apply:

1. Where the district boundaries are depicted as approximately following the centerlines of roads or highways, centerlines of streams, drainage ways, or road or highway right-of-way lines, such centerlines, or right-of-way lines, shall be construed to be such boundaries.
2. Where district boundaries are so depicted that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so depicted that they approximately follow section lines, quarter section lines or other government survey lines; or that they approximately follow political subdivision lines such as county lines, town lines or corporate limits; such government survey lines or political subdivision lines shall be construed to be said district boundaries.

11.404 Purpose of Districts

A. OAR Open Lands, Agricultural and Residential

The OAR district is intended to accommodate agricultural uses, undeveloped lands, small woodlots, grasslands and other open lands in agriculture, aqua culture, commercial and private forestry use, small-acreage farms/hobby farms, outdoor entertainment and recreation, and housing. This zoning district corresponds with the Agricultural, Institutional, Quarry, Recreational, and Woodlands/Forest land use categories within the Town of Lessor Comprehensive Plan.

B. A-R Agricultural Residential

The A-R district is intended for mainly single family detached residential development along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. This district requires a minimum lot size of two (2) acres, with development served by individual on-site waste treatment (septic) systems. This zoning district corresponds with the Residential land use category within the Town of Lessor Comprehensive Plan.

C. C-G Commercial General

The C-G district is intended to accommodate a wide range and scale of commercial, office, institutional, light industrial, warehousing, distribution, telecommunication, and outdoor display land uses with moderate attention towards site, building, landscape, signage, and lighting design. This zoning district corresponds to the Commercial and Institutional land use categories within the Town of Lessor Comprehensive Plan.

D. M Manufacturing

The M district is intended to accommodate a range of manufacturing, assembly, office, storage, and other compatible industrial and related land uses. This zoning district corresponds with the Manufacturing land use category within the Town of Lessor Comprehensive Plan.

11.405 Permitted, Conditional, and Accessory Uses

Table 1 identifies the Permitted (P) and Conditional (C) uses in the zoning districts. A number inside a set of parentheses, for example “(1)”, means there is a note at the bottom of the table that provides additional information. Descriptions for these land uses are in 11.407. Land Uses are subject to the standards in 11.500 and 11.600.

Table 1 Permitted and Conditional Uses

	Open Lands, Agricultural and Residential	Agricultural Residential	Commercial General	Manufacturing
Open Land/Agricultural Uses				
Agricultural Uses	P	C		
Agricultural-Related Use	P	C		
Agricultural Accessory Use	P	C		
Roadside Stand	P	C		
Residential Uses				
Single-Family Residence	P	P		
Two-Family Residence	P	P		
Multi-Family Residence		C		
Single-Family Residential - Accessory to a Commercial Use			C	
Residential Accessory Structure	P	P		
Home Occupation – Major	C	C		
Home Occupation – Minor	P	P		
Family Day Care Home	P	P		
Business Uses				
Personal and Professional Service			P	
Indoor Sales and Service			P	
Long Term Outdoor Display and Sale			P	
Maintenance Service			P	
In Vehicle Sales and Service			P	
Indoor Commercial Entertainment and Service			P	
Indoor Lodging Facility			P	
Resort Establishment			P	
Bed and Breakfast Establishment	C	C	C	
Group Day Care Center Facility			C	
Animal Boarding or Breeding Facility	C	C	C	
Adult Oriented Establishments			P(1)	
Personal Storage Facility			C	
Portable Storage Facility			C	
Indoor Storage or Wholesaling			P	
Outdoor Storage or Wholesaling			C	
Indoor Sales and Service - Accessory to Indoor Storage or Wholesaling			P	
Light Industrial – Accessory to Indoor Sales and Service			C	

Table 1 Permitted and Conditional Uses (continued)

	Open Lands, Agricultural and Residential	Agricultural Residential	Commercial General	Manufacturing
Industrial				
Light Industrial				P
Indoor Sales and Service – Accessory to Light Industrial				P
Heavy Industrial				C
Contractor Shop	C	C	C	P
Nonmetallic Mining	C			C
Junk or Salvage Yard	C			C
Solid or Hazardous Waste Facility	C			C
Public/Institutional/Parks/Recreation				
Governmental, Institutional, Religious, or Nonprofit Community Uses	C	C	P	
Outdoor Public Recreation-Passive	C	C	C	
Outdoor Public Recreation-Active	C	C	C	
Miscellaneous				
Private Airport	C	C	C	
Solar Energy Systems	C	C	C	C
Transportation, Communications, Pipeline, Electric Transmission, Utility, or Drainage Uses (2)	C	C	C	C

Notes:

- (1) Adult Oriented Establishments must comply with the Town of Lessor Adult Oriented Establishment Ordinance.
- (2) See 11.407.G.3.

11.406 Dimensional Standards

Table 2 Dimensional Standards

Zoning District	Lot Size (Note 1)	Minimum Lot Width	Maximum Impervious Surface (Note 3)	Front or Street Yard	Interior Side Yard	Rear Yard	Maximum Building Height
Open Lands, Agricultural and Residential	Minimum of 2.0 acres	290 feet	20%	See 11.510 (Note 3)	100 feet for structure housing livestock; 10 feet for all other structures	100 feet for structure housing livestock; 10 feet for all other structures	35 feet for residences
Agricultural Residential	Minimum of 2.0 acres and maximum of 5.0 acres	290 feet	30%	See 11.510 (Note 3)	100 feet for structure housing livestock; 10 feet for all other structures	100 feet for structure housing livestock; 25 feet for all other structures	35 feet for residences
Commercial General	Minimum of 2.0 acres	290 feet	50%	See 11.510	10 feet	25 feet	35 feet for detached residences; 45 feet for all other structures
Manufacturing	Minimum of 2.0 acres	290 feet	50%	See 11.510	10 feet	25 feet	80 feet

Notes:

1. Where soil conditions are such as to require larger lot sizes for subdivisions of land under the provisions of Wisconsin Administrative Code COMM 83 or the Shawano County Private On-Site Wastewater Treatment System Ordinance, then such larger lot sizes shall be considered as required by the Zoning Ordinance
2. May be exceeded with the submittal and approval of a drainage plan.
3. Section 11.510 is the minimum front or street yard requirement. In this zoning district there is also a maximum front or street yard setback of 290 feet.

11.407 District Uses and Regulations

A. Determination of Use

1. The Zoning Administrator shall determine if a proposed use can be classified as a principal use already listed for any of the zoning districts. If a proposed use can be so classified, then the use shall be regulated as specified by this Ordinance.
2. If a proposed use cannot be classified as a listed principal use, it shall be considered an unclassified use and shall be regulated as follows:
 - a. The Zoning Administrator shall determine if the proposed unclassified use is similar to other uses listed for the zoning district applicable to the site of the proposed unclassified use. If so, the application for the proposed unclassified use shall be processed as specified by this Ordinance.
 - b. If the Zoning Administrator determines otherwise, then the application for the proposed unclassified use shall be denied and the applicant shall be notified in writing.
3. The Zoning Administrator may refer unclassified uses to the Town Plan Commission if the Administrator is uncertain how to classify any uses not listed.
4. After making a determination regarding an unclassified use, the Zoning Administrator shall recommend an amendment to this Ordinance adding the previously unclassified use to the applicable zoning district.

B. Agricultural/Open Land Uses

1. **Agricultural Uses:** Any of the following activities conducted for the purpose of producing an income or livelihood:
 - a. Crop or forage production.
 - b. Keeping livestock (see 2. below).
 - c. Beekeeping.
 - d. Nursery, sod, or Christmas tree production.
 - e. Floriculture.
 - f. Aquaculture.
 - g. Forest management.
 - h. Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
2. **Agricultural Related Uses:** A facility, whether or not located on a farm, that has at least one of the following as a primary and not merely incidental purpose:
 - a. Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to farms.
 - b. Storing, processing or handling raw agricultural commodities obtained directly from farms.
 - c. Marketing livestock to or from farms.
 - d. Processing agricultural by-products or wastes received directly from farms.
 - e. Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural related use.
3. **Accessory Uses:** Any of the following land uses on a farm:
 - a. A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use on the farm.
 - b. An activity or commercial operation that is an integral part of, or incidental to, an agricultural use on the farm.

- c. A farm residence, including normal residential appurtenances.
 - d. A commercial activity, or enterprise, whether or not associated with an agricultural use, which meets all of the following requirements:
 - (1) It is conducted on the farm by the owner or operator of that farm
 - (2) It requires no buildings, structures, or improvements other than those described in par. (a) or (c)
 - (3) It employs no more than four full-time employees annually
 - (4) It does not impair or limit the current or future agricultural use of the farm.
4. **Roadside Stand:** A roadside stand shall be limited to the sale of farm products produced on the farm, and shall conform to setback, sign and other provisions of this Ordinance. No roadside stand shall be more than 50 square feet in ground area and there shall not be more than one (1) roadside stand on any one premise. If a roadside stand is determined to constitute a traffic hazard or nuisance, the Zoning Administrator may order its removal. Such removal shall be at the landowners cost if such stand was established after the effective date of this Ordinance. The Town shall in no way be obligated to pay the cost of removal of such stands.

C. Residential Uses

1. **Single-Family Residence:** Land uses consisting of a single detached building containing one dwelling unit. This land use includes modular and manufactured homes as defined in 11.700. This land use does not include mobile homes as defined in the Wisconsin Statutes 101.91(10). See 11.604 for standards.
2. **Two-Family Residence:** A building containing two (2) dwelling units. This includes dwelling units that are enclosed within a building or attached by a common floor or wall. See 11.604 for standards.
3. **Multi-Family Residence:** A building holding 3 or more dwelling units. This includes apartment buildings and other dwelling units that are enclosed within a building or attached by a common floor or wall. Each dwelling unit may be owner-occupied or renter-occupied, with the building, lot, and/or unit in fee simple or condominium ownership. If in condominium ownership, the dwelling units may be detached. See 11.604 for standards.
4. **Single-Family Residence Accessory to a Commercial Use:** Land uses consisting of a single-family residence that is accessory to a Commercial use (for shopkeeper or employee, for example). The residence may be attached to the building in which the Commercial use is located or be freestanding.
5. **Residential Accessory Structure:** Land uses clearly incidental to the primary residential use and includes such uses as garages, carports, storage sheds, and decks.
6. **Home Occupation – Major and Minor:** Land uses consisting of economic activities performed as an accessory to a residential use and are compatible with the character of nearby rural and residential areas. See 11.506 and 11.507 for standards.
7. **Family Day Care Home:** A dwelling unit where supervision and care and/or instruction for not more than 8 children under the age of 7 is provided for periods of less than 24 hours per day, and which is licensed by the Wisconsin Department of Children and Families.

D. Commercial Uses

1. **Personal or Professional Service:** Land uses that are exclusively indoor whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such land uses include, but are not limited to, professional services, insurance services, realty offices, financial services, medical offices and clinics, veterinary clinics, barber shops, beauty shops, and related land uses.
2. **Indoor Sales and Service:** Land uses which conduct or display sales or rental merchandise or equipment, or non-personal or non-professional services, entirely within an enclosed building. This includes general merchandise stores, grocery stores, bait shops, sporting goods stores, antique stores, gift shops, Laundromats, artisan and artist studios, bakeries, and the like. Artisan craft production such as consumer ceramics, custom woodworking, or other production activities directly associated with retail sales are regulated as "light industrial activities as an accessory to retail sales or service."
3. **Long Term Outdoor Display and Sale:** Land uses which conduct sales or display merchandise or equipment on a long term basis outside of an enclosed building as a principal accessory use of the lot. Examples of such land uses would include vehicle and equipment sales and rental, manufactured housing sales, monument sales, and garden centers. Such land uses do not include the storage or display of inoperative vehicles or equipment, or other materials typically associated with a junk or salvage yard or other permanent outdoor land uses specifically defined by this Ordinance. All storage of equipment shall be at least 100 feet from highways or roads and at least 200 feet from any residential property. If the Plan Commission and Town Board determine the operations will take on characteristics of a junk or salvage yard, they may require a hedge planting of sufficient size to screen the area from the public right-of-way or they may require that this land use be subject to regulations in this Ordinance that apply to a junk or salvage yard.
4. **Maintenance Service:** Land uses which perform maintenance services (including repair) either within or outside an enclosed building.
5. **In-Vehicle Sales and Service:** Land uses which perform sales and/or services to persons in vehicles, or to vehicles which may be occupied at the time of such activity. Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses include drive-in, drive-up, and drive-through facilities, vehicular fuel stations, and all forms of car washes.
6. **Indoor Commercial Entertainment and Service:** Land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours that are significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.) bowling alleys, arcades, roller rinks, and pool halls. Such land uses do not include adult oriented establishments. See paragraph 12. of this section for regulation of adult oriented establishments
7. **Indoor Lodging Facility:** Land uses which provide overnight housing in individual rooms or suites of rooms, each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens, and may also provide indoor recreational facilities for the exclusive use of their customers. Restaurant, arcades, fitness centers, and other on-site facilities available to non-

- lodgers are not considered accessory uses and therefore require review as a separate land use.
8. **Resort Establishment:** Land uses which provide overnight housing in individual rooms, suites of rooms, cabins, or cottages. Such land uses may also provide indoor and outdoor recreational facilities for the exclusive use of their customers. Restaurants, arcades, fitness centers, and other on-site facilities available to non-lodgers are not considered accessory uses and therefore require review as a separate land use. The maximum number of occupancy units in a resort shall not exceed a density of 10 units per acre in any zoning district.
 9. **Bed and Breakfast Establishment:** Land uses which provide lodging facilities that are operator-occupied residences providing accommodations for a charge to the public with no more than five guest rooms for rent, in operation for more than ten nights in a twelve month period, provide meals only to renters of the place, and are clearly residential structures in design, scale, and appearance. Such land uses may provide indoor recreational facilities for the exclusive use of their customers.
 10. **Group Day Care Center Facility:** Land uses in which qualified persons provide child care services for nine or more children. Examples of such land uses include day care centers and nursery schools. Such land uses shall not be located within a residential building. Such land uses may be operated on a for-profit or a not-for-profit basis. Such land uses may be operated in conjunction with another principal land use on the same environs, such as a church, school, commercial, or civic organization. In such instances, group day care centers are not considered as accessory uses and therefore require review as a separate land use.
 11. **Animal Boarding or Breeding Facility:** Land uses where five (5) or more animals six (6) months of age or older are bred by a person providing facilities for breeding and the offspring are sold, or where such animals are received for care, training, and boarding for compensation, not including a small animal hospital, clinic, or pet shop. These uses include exercise yards, fields, training areas, and trails.
 12. **Adult Oriented Establishments:** Land uses that include any facility involving the display of sexually-oriented materials such as videos, movies, slides, photos, books, or magazines; or actual persons displaying and/or touching sexually specified areas. This type of activity is a permitted use but is regulated by the Town of Lessor's Adult Oriented Establishments Ordinance.
 13. **Personal Storage Facility:** Land uses oriented to the indoor storage of personal items entirely within partitioned buildings having an individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis. Also known as "mini-warehouses."
 14. **Portable Storage Facility:** Land uses that include shipping containers, semi-trailers, portable on demand storage (PODS), and store and move (SAM) containers that are intended for temporary storage while an individual or business is relocating. Such storage facilities shall need a permit which regulates the length of time a portable storage facility is allowed on the specified premise.
 15. **Indoor Storage or Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities. It does not include uses described in the

- "personal storage facility" land use category. Retail outlets associated with this principal use shall be considered an accessory use.
16. **Outdoor Storage or Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage and wholesaling land use. Examples of this land use include equipment yards, lumber yards, coal yards, landscaping materials yard, tank farms, construction materials yards, and shipping materials yards. Such land uses do not include the storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard. Contractors' storage yards are considered accessory in the "contractor shop" land use category. Retail outlets associated with this principal use shall be considered an accessory use.
 17. **Indoor Sales and Service Activity as an Accessory to Indoor Storage and Wholesaling:** Land uses that include any indoor sales and service activity that is clearly incidental to an indoor storage and wholesaling facility on the same site.
 18. **Light Industrial Activity as an Accessory to Indoor Sales and Service:** Land uses that include any light industrial activity conducted exclusively indoors that is clearly incidental to an indoor sales and service facility on the same site.

E. Industrial Uses

1. **Light Industrial:** Land uses which operations (with the exception of loading operations):
 - a. are conducted entirely within an enclosed building;
 - b. are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
 - c. do not pose a significant safety hazard (such as danger of explosion); and
 - d. comply with all of the applicable performance standards.
 - e. Light industrial land uses may conduct retail sales activity as an accessory use.
2. **Indoor Sales and Service Activity as an Accessory to Light Industrial:** Land uses that include any indoor sales or service activity that is clearly incidental to light industrial activity on the same site.
3. **Heavy Industrial:** Land uses which meet one or more of the following criteria:
 - a. are not conducted entirely within an enclosed building;
 - b. are potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
 - c. pose a significant safety hazard (such as danger of explosion).

Examples of heavy industrial land uses include meat product producers; alcoholic beverage producers; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

4. **Contractor Shop:** Land uses that include businesses engaged in contract services or labor, such as contractors involved with landscaping: building construction or carpentry: and electrical, plumbing, or heating systems. Often involves accessory equipment storage yards and rental of equipment commonly used by contractors. Retail outlets associated with this principal use shall be considered an accessory use.
5. **Junk or Salvage Yard:** Land uses that include any land or structure used for a salvaging operation including, but not limited to, the above-ground outdoor storage, collection, recycling, dismantlement, and/or sale of old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; wastepaper and other waste or discarded material which might be prepared to be used again in some form; inoperable appliances and machinery; and three (3) or more motor unlicensed vehicles or no longer used as such, to be used for scrap metal or stripping of parts. It shall not include materials or objects accumulated by a person as by-products, waste, or scraps from the operation of his own business or materials or objects held and used by a manufacturer as an integral part of his own manufacturing process. Licensed recycling facilities involving on-site outdoor storage of salvage materials are not included in this land use. See Section 11.601 for the regulations for junk or salvage yards.
6. **Nonmetallic Mining:** Land uses that include operations or activities for extraction from the earth, for sale or use by the operator, of mineral aggregates such as stone, sand and gravel, and nonmetallic minerals, related operations or activities such as drilling and blasting, excavations, grading or dredging if the purpose of those operations or activities is the extraction of mineral aggregates and nonmetallic minerals and related processes such as crushing, screening, scalping, dewatering and blending. Nonmetallic mining operation does not include or allow the following activities or uses by way of illustration which include, but are not limited to: manufacture of concrete building blocks or other similar products, asphalt or hot blacktop mixing or production of ready mix concrete. See Section 11.602 for the regulations for nonmetallic land uses.
7. **Solid or Hazardous Waste Facility:** Land uses that include any area, lot, land, parcel, building, or structure, or part thereof, used for deposit, disposal, processing, or transfer of solid, demolition, or hazardous waste. Solid or hazardous waste facilities will be regulated within the process of the Wisconsin Waste Facility Siting Law and that precise application of standards and conditions will be determined within that process.

F. **Public/Institutional/Parks/Recreation Uses**

1. **Governmental, Institutional, Religious, or Nonprofit Community Uses:** Land uses such as small churches, cemeteries, small private schools, small clinics, post offices, town hall, fire stations, funeral homes, and recreational or fraternal facilities such as clubs and lodges, meeting halls, and community centers.
2. **Outdoor Public Recreation - Passive:** Land uses that include recreational uses located on public or private property which involves passive recreational activities that are open to the public or to customers, patrons, or members. Passive uses include arboretums, natural areas, wildlife areas, hiking trails, bike trails, ski trails, horse trails, open grassed areas not associated with any particular active recreational land use, picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.

3. **Outdoor Public Recreation - Active:** Land uses that include recreational uses located on public or private property which involves active recreational activities that are open to the public or to customers, patrons, or members. Active uses include play courts (such as tennis courts and basketball courts); playfields (such as ball diamonds, football fields, and soccer fields); tot lots; outdoor swimming pools; swimming beach areas; fitness courses; golf courses; trap, target, and shooting ranges; and similar land uses.

G. Miscellaneous Uses

1. **Private Airport:** An airfield or land strip where the use of the facility is limited to non-commercial flights.
2. **Solar Energy Systems:** Equipment that directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy. "Solar energy system" excludes solar powered light fixtures that are ground or wall mounted, solar powered electric fences, and portable solar energy systems as well as any solar powered system that does not convert and then transfer or store solar energy into usable forms of thermal or electrical energy. See 4.608 for standards.
3. **Transportation, Communications, Pipeline, Electric Transmission, Utility, or Drainage Uses:** These uses require a conditional use permit unless the use is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for that use.
4. **Wind Energy Systems:** Equipment that directly converts and then transfers or stores wind energy into usable forms of electrical energy.

11.408 – 11.499 RESERVED

Section 11.500 General Provisions

11.501 Accessory Structures

A. Permit Requirements

All accessory buildings and structures shall require a zoning permit except for the following:

1. Minor structures such as birdhouses, birdbaths, clothesline poles, flagpoles, doghouses (housing dogs which are licensed as the personal pets of the residents of the property), tree houses or play houses which do not exceed 120 square feet in footprint, play apparatus which does not exceed 16 feet in height and cover more than 10% of the lot area, non-commercial fuel storage tanks and pumps, lawn ornaments, mailboxes, garbage containers, accessory heating units such as pellet burners, ice fishing shanties, and school bus waiting shelters.
2. Agricultural fences which meet the requirements of Ch. 90, Wis. Stats.
3. Accessory buildings or structures that contain less than 200 square feet of floor area or cover less than 200 square feet of footprint on the lot.

B. Relationship to Principal Use Building

The construction of an accessory building may precede the construction of a residential principal use building subject to the principal use building being constructed and occupied within three (3) years from the date of the permit granted for the construction of the accessory building.

C. Yard Setbacks

Yard setbacks are stated in the standards for a district in 11.406. Any accessory building projected forward of the rear building line of the principal building shall satisfy the same yard requirements as the principal building.

D. Items Prohibited as Accessory Structures

Items such as, but not limited to, boats, truck bodies, semi-trailer boxes, manufactured homes, mobile homes, buses, railroad cars, shipping containers and trailers shall not be used as accessory structures.

11.502 Buildings and Lots

A. Standards

In all districts, the following shall apply:

1. All applicable State and Federal Codes shall apply to construction within the Town.
2. Every building hereafter erected, structurally altered, or relocated shall be placed on a legally created lot of record.
3. No lot shall hereafter be created that does not meet the minimum width, area and density requirements of this Ordinance.

4. No lot shall be so reduced that it fails to meet the width and area requirements of this Ordinance.
5. All newly created lots shall abut upon a public road and have direct access to the public road.
6. No lot shall have more than one principal building or use unless otherwise specified in this Ordinance.

11.503 Building Height Standards Exceptions

The maximum building height standards of this Ordinance shall not apply to agricultural buildings (such as silos and grain storage structures), church spires, church belfries, water towers or any type of power or communication utility tower or pole.

11.504 County Ordinances

The following Shawano County ordinances may affect land regulated under this Zoning Ordinance. In a situation where the Town and County regulations are in conflict, the more restrictive regulations shall apply. Any permit required by these ordinances shall be obtained from Shawano County prior to the issuance of any permit required by the Town of Lessor Zoning Ordinance. This list is not meant to be all inclusive. There may be other Shawano County ordinances that will affect the use of land in the Town of Lessor.

- Animal Waste Management
- Flood Plain Ordinance
- Highway Off-Presence Sign Ordinance
- Landspreading and Stockpiling of Contaminated Soils Ordinance
- Non-Metallic Mining Reclamation Ordinance
- Private On-Site Wastewater Treatment System Ordinance
- Shoreland Wetland Zoning
- Telecommunication Facilities Ordinance
- Health, Junk, and Environmental Ordinance
- Land Division Ordinance
- Wind Energy Conversion System
- 911 Uniform Property Numbering Ordinance

11.505 Fences

A. Standards

1. Two and a half feet maximum height within any vision-triangle.
2. Barbed wire fencing may not be used in residential districts, except between residential and agricultural properties.
3. Electric fences may only be used between agricultural and residential properties when agreeable to both parties.
4. Fences shall be maintained in good repair as to structure and appearance.
5. The party initiating construction of a residential fence must place the finished side toward neighboring properties.

11.506 Home Occupation – Major**A. Standards**

A home-based family or professional business that is accessory to a principal residential use. The regulations for major home occupations are more flexible than for minor home occupations; as such, major home occupations require the issuance of a conditional use permit. Includes economic activities performed within any dwelling or residential accessory structure that comply with specified requirements listed below. Examples include, but are not limited to, personal and professional services, handicrafts, small beauty salons, and small machine repair. This use shall meet the following performance standards:

1. When the use is conducted entirely within the confines of the principal structure, it shall occupy no more than 50 percent of the gross floor area on the floor(s) where the use takes place.
2. The use shall be clearly incidental and secondary to the use of the property for residential purposes, and the appearance of the structures shall not be altered or the occupation be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, or vibrations that carry beyond the premises.
3. No more than four persons in addition to those members of the family that are permanent residents of the premises shall be employed by the home occupation.
4. The business of selling stocks of merchandise, supplies, or products other than those produced by the major home occupation to fill orders made by customers shall not be permitted as a major home occupation. That is, the direct retail sale of products out of the residence within which the major home occupation is located is not allowed, but a person may pick up an order they have placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the major home occupation is prohibited, except for sales conducted entirely via the mail, telephone, or the internet.
5. The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling is permitted in an enclosed accessory building, or in a yard of the subject property provided the yard area used for such display, storage, or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. However, for property zoned A-R Agricultural Residential, display, storage, or parking is limited to a side or rear yard, provided the yard area used for such display, storage, or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. No storage, display or parking of materials, goods, supplies, or equipment shall be allowed within a minimum required yard.
6. There shall be sufficient off street parking to compensate for additional parking generated by the home occupation, and employees.
7. Any home occupation involving the on-site sale, resale, painting, body repair, salvage or wrecking of automobiles, trucks, boats, trailers, recreational vehicles, or other motorized vehicles shall be prohibited.
8. Repair and maintenance of automobiles, trucks, boats, trailers, recreational vehicles, or other motorized vehicles, not including body repair or painting

beyond “touchups”, shall be permitted. Size of the operation shall be limited to up to three vehicle repair bays and no more than 10 vehicles total onsite at any time, not including property owner vehicles. No unlicensed vehicles shall be permitted at any time.

9. Conditional use permits granted for major home occupations shall be assigned only to a designated person who resides at the residential address. Such permits do not run with the land, are not transferable from person to person, or from address to address.
10. As part of the process to grant the conditional use permit for a major home occupation, the Plan Commission may restrict the number and types of machinery and equipment used on the property, limit hours of operation, or attach other conditions to the approval to meet the standards for granting a conditional use permit in 11.303.H.

11.507 Home Occupation – Minor

A. Standards

A small home-based family or professional business that is accessory to a principal residential use. Includes economic activities performed within any dwelling that comply with the specified requirements listed below. Examples include, but are not limited to, personal and professional services, home offices, handicrafts, and small machine repair. This use shall meet the following performance standards:

1. The use shall be conducted entirely within the confines of the principal residential structure or accessory residential structure.
2. The use shall occupy no more than 25 percent of the gross floor area on the floor(s) where the use takes place.
3. The use shall be clearly incidental and secondary to the use of the premises for residential purposes, and the appearance of the structure(s) shall not be altered or the occupation within the structures be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
4. No person other than a permanent member of the resident family shall be employed on the premises.
5. Shall not generate vehicular traffic beyond 15 trips per day, on an average monthly basis, above those generated by the household’s use.
6. The business of selling stocks of merchandise, supplies, or products other than those produced by the minor home occupation to fill orders made by customers shall not be permitted as a minor home occupation. That is, the direct retail sale of products out of the residence within which the minor home occupation is located is not allowed, but a person may pick up an order they have placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the minor home occupation is prohibited, except for sales conducted entirely via the mail, telephone, or the internet.
7. The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling or an accessory building is prohibited, except for truck equipment.
8. No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.

9. Any minor home occupation involving the on-site sale, resale, salvage or wrecking of automobiles, trucks, boats, trailers, recreational vehicles, or other motorized vehicles shall be prohibited.
10. The minor home occupation shall not involve the use of commercial vehicles for more than the weekly delivery of materials to or from the premises.

11.508 Nonconforming Uses, Structures, and Lots

A. Applicability and Intent

Any use of land or structures, or any lot or structure which lawfully existed at the effective date of adoption or amendment of this Ordinance which would not be permitted or permissible by the provisions of this Ordinance as adopted or amended, shall be deemed nonconforming. It is the intent of this Ordinance to permit such nonconformities to continue, subject to certain restrictions.

B. Abolishment

If a nonconforming use or structure is discontinued for a period of twelve (12) consecutive months, any future use of the land or structure shall conform to the provisions of this Ordinance.

C. Nonconforming Uses of Land

1. Where at the effective date of adoption or amendment of this Ordinance a use of land exists which would not be allowed as a permitted or conditional use in the district in which it is located, such use may be continued subject to the following restrictions:
 - a. Such use shall not be enlarged, increased, nor extended to occupy a greater area of the lot than was occupied at the effective date of adoption or amendment of this Ordinance.
 - b. Such use shall not be moved in whole or part to any other portion of the lot other than the portion occupied by such use at the effective date of adoption or amendment of this Ordinance.
 - c. When such use is discontinued or abandoned for a period of more than twelve consecutive months for any reason whatever, or when such use is replaced by a use allowed as a permitted or conditional use, a nonconforming use shall not thereafter be resumed.
 - d. No additional structure in connection with such use shall be erected.

D. Nonconforming Uses of Structures

1. Where at the effective date of adoption or amendment of this Ordinance the use of a structure exists which would not be allowed as a permitted or conditional use in the district in which it is located, such use may be continued subject to the following restrictions:
 - a. No existing structure devoted to a use not permitted or permissible shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use that is a permitted or conditional use in the district in which it is located.

- b. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the effective date of adoption or amendment of this Ordinance. Any nonconforming use that occupied a portion of a building not originally designed or intended for such use shall not be extended to any part of the building. No nonconforming use shall be extended to occupy any land outside the building, nor any other building not used for such nonconforming use.
- c. There may be a change in tenancy, ownership, or management of a nonconforming use provided there is no change in the nature or character of such nonconforming use.
- d. When such use of a structure is discontinued or abandoned for a period of more than twelve consecutive months for any reason whatever, or when such use is replaced by a permitted or conditional use, a nonconforming use shall not thereafter be resumed.
- e. If such structure is destroyed or damaged due to violent wind, vandalism, fire, flood, ice, snow, mold, or infestation, the structure may be restored to the size and use that it had immediately before the damage or destruction occurred or to a larger size if necessary for the structure to comply with applicable state or federal requirements.

E. Nonconforming Structures

1. Where at the effective date of adoption or amendment of this Ordinance a structure exists which could not be erected in the district in which it is located by reason of restriction on area or coverage, height, yards, its location on the lot or other requirements concerning the structure, such structure may continue in existence subject to the following restrictions:
 - a. Such structure shall not be altered in any manner which would increase the degree of nonconformity.
 - b. If such structure is destroyed or damaged due to violent wind, vandalism, fire, flood, ice, snow, mold, or infestation, the structure may be restored to the size and use that it had immediately before the damage or destruction occurred or to a larger size if necessary for the structure to comply with applicable state or federal requirements.

F. Nonconforming Characteristics of Use

If characteristics of use such as lighting, parking, noise or other matters pertaining to the use of land, structures and premises are made nonconforming by the provisions of this Ordinance as adopted or amended, no change shall thereafter be made in such characteristics of use which increases the nonconformity; provided, however, that changes may be made which do not increase, or which decrease, such nonconformity.

G. Nonconforming Lots of Record

1. In any district, any permitted structure may be erected on a single lot of record as of March 2, 2012. This provision shall apply even though such lot fails to meet the requirements of lot area, lot width, or both for the district in which it is located, provided such lot shall be in separate ownership and not of continuous frontage

with other lots in the same ownership, and provided all other requirements for the district are met.

2. If two or more lots, or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the effective date of adoption or amendment of this Ordinance, the lands involved shall be considered to be in individual parcel for the purposes of this Ordinance, and no portion of such parcel shall be used, divided, or sold which does not meet the lot area and lot width requirements for the district in which it is located.

H. Nonconforming Signs

No nonconforming sign shall be altered in any manner that would increase the degree of nonconformity. If such sign is destroyed or damaged to an extent of more than 50 percent of its replacement cost at the time of destruction, such sign shall be replaced as a conforming sign. If a nonconforming sign is destroyed or damaged to an extent of less than 50 percent of its replacement cost at the time of destruction, it may be reconstructed provided any reconstruction does not increase the degree of nonconformity that previously existed.

I. Casual, Temporary, or Illegal Use

The casual, temporary, or illegal use of land or structures, or land structures in combination, shall not be sufficient to establish the existence of a nonconforming use or to create rights in the continuance of such use.

J. Repairs and Maintenance

Nothing in this Ordinance shall be deemed to prevent normal maintenance or repair of any structure or to prevent restoring to a safe condition any structure declared to be unsafe.

11.509 Parking, Loading, and Access

A. Intent

Adequate off-street parking facilities shall be provided for all uses which generate vehicular traffic and all required parking spaces shall have adequate access to a public road or street. Specific parking requirements are identified for the land uses defined in 11.407. When a particular use is not listed, the parking requirement shall be that of the most similar use. When two or more uses are combined, the total parking requirement shall be equal to the sum of the spaces required for each use, unless it is demonstrated by the applicant to the satisfaction of the Plan Commission that the combined uses result in a reduction of necessary parking spaces.

B. Standards

1. Parking access aisles shall have the following minimum widths:
 - a. Two-way aisles:
 - (1) Perpendicular parking: 24 feet
 - (2) Angled or parallel parking: 18 feet
 - b. One-way aisles:

- (1) Perpendicular parking: 20 feet
 - (2) 60 degree angled parking: 18 feet
 - (3) 45 degree angled parking: 13 feet
 - (4) 30 degree angled parking: 11 feet
 - (5) Parallel parking: 12 feet
2. If the degree of angle of parking provided is not listed, the aisle width required shall be the next largest angle of parking shown above.
 3. All required parking spaces shall have minimum area of 162 square feet with a minimum width of nine (9) feet and a minimum length of 18 feet.
 4. Parking that meets the number, location, and configuration required by the Americans with Disabilities Act (ADA) Standards for Accessible Design shall also be provided. These spaces count toward the number otherwise required for each use.
 5. All Commercial and Industrial uses shall provide sufficient off-street loading space so that no public street, road or alley will be blocked by such activities.
 6. All parking and loading spaces shall have a hard surface such as asphalt, concrete, and compacted crushed stone or gravel.

Table 3: Parking Requirements by Land Use

Land Uses	Required Parking Spaces
Open Land/Agricultural Uses	
Agriculture Uses	1 space for each employee on the largest shift
Agriculture-Related Use	1 space for each employee on the largest shift 1 space for each 200 sq. ft for display area
Roadside Stand	4 spaces and maneuvering space out of the public R.O.W.w
Residential	
Single-Family Residence	2 spaces per dwelling unit
Two-Family Residence	2 spaces per dwelling unit
Multi-Family Residence	1.5 spaces per dwelling unit
Single-Family Residence when an accessory use in the Business District	2 spaces per dwelling unit
Home Occupation – Major	1 space per employee plus two additional spaces
Business	
Personal and Professional Services	1 space for every 300 sq. ft. of gross floor area of principal building(s)
Indoor Sales and Service	1 space for every 300 sq. ft. of gross floor area of principal building(s)
Long Term Outdoor Display and Sale	1 space for every 300 sq. ft. of gross floor area of principal building(s) plus one space per 2,000 sq. ft. of outdoor sales or display area
Maintenance Service	1 space for every 300 sq. ft. of gross floor area of principal building(s)
In Vehicle Sales and Service	1 space for every 150 sq. ft. of gross floor area of principal building(s)
Indoor Entertainment and Service	1 space for every 3 patron seats or 1 space per 3 persons at the maximum capacity of the establishment, whichever is greater
Indoor Lodging Facility	1 space per room or suite, plus 1 space per employee on largest shift
Resort Establishment	1 space per room, cabin, cottage, plus 1 space for each employee on largest shift
Bed and Breakfast Establishment	1 space per bedroom
Group Day Care Center Facility	1 space per 6 person capacity, and 1 space per employee on largest shift
Animal Boarding or Breeding Facility	1 space for every 1,000 sq. ft. of gross floor area
Adult Oriented Establishments	1 space for every 300 sq. ft. or 1 space per person at the maximum capacity of the establishment, whichever is greater

Table 3: Parking Requirements by Land Use (continued)

Personal Storage Facility	1 space in front of each storage unit.
Portable Storage Facility	1 space for every 2,000 sq. ft. of gross floor area
Indoor Storage or Wholesaling	1 space for every 2,000 sq. ft. of gross floor area
Outdoor Storage or Wholesaling	1 space for every 10,000 sq. ft. of gross storage floor area plus 1 space per employee on largest shift
Indoor Sales and Service - Accessory to Indoor Storage or Wholesaling	1 space per 200 sq. ft. of indoor sales or display area
Light Industrial – Accessory to Indoor Sales and Service	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Industrial	
Light Industrial	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Indoor Sales and Service – Accessory to Light Industrial	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Heavy Industrial	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Contractor Shop	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Nonmetallic Mining	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Junk or Salvage Yard	1 space for every 20,000 sq. ft. of gross storage area plus 1 space per employee on largest shift
Solid or Hazardous Waste Facility	1 space per employee on largest shift plus 1 parking space for each truck or other vehicle incidental to the use of such parcel.
Public/Institutional/Parks/Recreation	
Governmental, Institutional, Religious, or Nonprofit Community Uses	1 space for every 4 seats in any kind of place of assembly A school will need 1 space per teacher and 1 space per 2 classrooms
Outdoor Public Recreation-Passive	1 space for every 4 expected patrons at maximum capacity
Outdoor Public Recreation-Active	Campground – 1.5 spaces per camping site, 1 space for each employee on largest shift, temporary maneuvering space to park a camper, and no occupancy of any public or private roadway space by a trailer or camper. Other – one space for every four people at maximum capacity.
Miscellaneous	
Private Airport	1 space for every five hangar or tie-down spaces
Solar Energy Systems (Commercial)	1 space for service vehicle
Transportation, Communications, Pipeline, Electric Transmission, Utility or Drainage	1 space for service vehicle

11.510 Ponds

A. Standards

1. Ponds shall adhere to the minimum yard and setback regulations of the zoning district in which it is situated.
2. 20% of the perimeter of the pond shall have a nominal side slope of 5:1 (5 horizontal to 1 vertical). The perimeter of the pond and all other associated surface disturbed areas shall be planted to vegetation within 5 days of completion of the excavation or construction. In cases where pond construction occurs during frozen soil conditions the establishment of vegetative cover may be delayed until soils have thawed.

3. For ponds larger than one acre in area, or multiple ponds on a parcel that cumulatively are greater than one acre in area, spoil material may not be exported from the property, unless the property has been approved as a nonmetallic mining use.
4. For ponds smaller than one acre in area, spoils may be exported even if the property has not been approved as a nonmetallic mining use. All spoil material shall be placed in an upland area outside of all mapped wetlands.

11.511 Setbacks - Highway

A. Purpose

In order to promote and enhance the public safety, general welfare and convenience, it is necessary that highway setback lines be and they are hereby established in the Town of Lessor along all public highways; at the intersections of highways with highways; and highways with railways; as provided in Table 3 below.

Table 4 Front and Street Yard Setbacks

Jurisdiction of Public Road	Minimum Required Front Yard from Centerline of Paved or Gravel Roadway Surface	Minimum Required Front Yard from Closest Public Road Right-of-Way or Easement Line if no Paved or Gravel Road Surface
Town Road	50 feet	17 feet
County Trunk Highway	65 feet	35 feet
State Trunk or U.S. Highway	75 feet	45 feet

Exceptions:

1. In no case shall a building be set back less than 25 feet from the nearest State or U.S. Highway right-of-way line.
2. Where each of the two adjoining lots on either side of a lot contains at least one pre-existing principal building, the minimum required front yard setback on the lot may be reduced to a number equal the average setback of the closest principal buildings to the public street on the adjoining lots, except where such setback would be in violation of exception 1.

B. Applicability

Where a highway is located on the boundary with another town or a village or city, this section is not intended to be effective on the side within the other town, village or city.

D. Structures Prohibited Within Setback Lines

No new building, mobile home, sign, or other structure or part thereof shall be placed between the setback lines established by this Ordinance and the highway, except as provided by this Ordinance, and no building, mobile home, sign or structure or part thereof existing within such setback lines on the effective date of this Ordinance shall be altered, enlarged or added to in any way that increases or prolongs the permanency thereof, or be reconstructed in its original existing location after having been destroyed by fire, storm or other catastrophe to the extent of 75% or more of its current value as determined by the local assessor.

E. Structures Permitted Within Setback Lines

The following kinds of structures may be placed between the setback line and the highway:

1. Open fences.
2. Telephone, telegraph and power transmission poles and lines and micro-wave radio relay structures may be constructed within the setback lines, and additions to and replacements of existing structures may be made, provided the owner files with the Town Board an agreement in writing to the effect that the owner will remove all new construction, additions and replacements erected after the adoption of this Ordinance at his expense, when necessary for the improvement of the highway.
3. Underground structures not capable of being used as foundations for future prohibited above ground structures.
4. Access or service highways constructed according to plans as approved by the Town Board. In giving such approval, the Town Board shall give due consideration to highway safety and maximum sight distances.
5. This section shall not be interpreted so as to prohibit the planting and harvesting of field crops, shrubbery or trees; provided, however, that no building or structure, trees or shrubbery, shall be so located, maintained or permitted to grow so that the view across the sectors at the intersections shall be obstructed.

11.512 Signs**A. Purpose**

The purpose of this section is to establish standards for the fabrication, erection, and use of signs for all properties within the Town of Lessor, except that signage in public rights-of-way is subject to approval of the jurisdiction managing that right-of-way and not this section. This section regulates the location, type, size, and height of signage based on the finding that such regulation furthers the following compelling governmental interests, while still being narrowly defined so as to limit any prohibitions on commercial speech on exterior signage:

1. To promote the public welfare, health, and safety of all persons using the public thoroughfares and right-of-ways as to the signage displayed thereon, or overhanging, or projecting into such public spaces;
2. To advance aesthetic goals throughout the community, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public;
3. To aid in the proper development and promotion of business and industry;
4. To recognize that different zoning districts and different geographic areas of the community have different characteristics, and that sign regulations should vary based in part on those differences; and
5. To implement the community vision, goals and objectives, and signage recommendations contained within the Town of Lessor's Comprehensive Plan.

B. Signs Allowed Without a Permit

The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area in the zoning district in which they are located. Definitions for signs are in 11.702.

1. Address Signs
2. Architectural Elements
3. Auxiliary Signs
4. Bulletin Boards
5. Business Nameplates
6. Commemorative Signs
7. Construction or Project Identification Signs
8. Farm Signs
9. Flags and Standards
10. Garage Sale Signs
11. Historic Markers
12. Holiday Decorations
13. Interior Signs
14. Management Signs
15. Menu Board Signs
16. "Open" Signs
17. Political/Election Signs
18. Real Estate Signs
19. Regulatory and Government Information Signs
20. Required Signs
21. Residential Signs
22. Sandwich Board/Pedestal Signs
23. Site Information Signs
24. Special Display/Event Banners
25. Temporary Window Signs
26. Temporary Signs

C. Sign Permits

1. Except as otherwise provided in 11.512.B. no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a sign permit. This section shall apply and be construed to require a permit for any conversions or changes in the sign structure. This section shall not apply to repainting with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure. No new permit is required for signs which are in place as of March 2, 2012 and such signs may remain as legal nonconforming structures. Any alteration or relocation of such signs shall conform to the requirements of this section.
2. Any sign permit granted per 11.304 may not be assigned or transferred to any other sign or modified sign face or sign structure.
3. The owner or tenant may include all such signs at one premise under one land use permit.
4. Any existing or proposed sign on property abutting STHs 47 and 156 and within any other Wisconsin Department of Transportation right-of-way or setback

jurisdiction shall also require approval from the Wisconsin Department of Transportation.

5. Any existing or proposed sign on property abutting CTHS S and X and within any other Shawano County right-of-way or setback jurisdiction shall also require approval from Shawano County.

D. Signage Purposes, Configurations, and Measurements

See 11.512.B. for definitions of sign purposes and configurations that shall be used in this Section to assist in the establishment of clear signage regulations. Section 11.512.B also includes unique size, height, placement, and other standards for certain types of signs.

E. General Signage Regulations

The regulations contained in this subsection apply to signs in all zoning districts.

1. Sign prohibitions and limitations:
 - a. No sign shall be erected at any location where it may, by reason of its position, shape, color or design, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, nor shall such sign make use of words such as —stop", "look", "drive-in", "danger", or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse users of streets or highways.
 - b. No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
 - c. No private sign shall be attached to or painted on any fence, public utility pole, public light pole or traffic regulatory structure.
 - d. No inflatable, fluttering, undulating, swinging, rotating, or otherwise moving signs, pennants or other decorations shall be permitted.
 - e. No illuminated flashing or animated signs shall be permitted. Variable message signs meeting the definition and requirements of this section shall not be considered illuminated flashing or animated signs.
 - f. No illuminated sign/bulb shall be permitted where the lighting element (except for neon signs) is visible from any property within a residential zoning district.
 - g. Except for projecting, awning, marquee and sandwich board/pedestal signs meeting all of the applicable requirements of this Section, no sign other than a regulatory or government information sign shall be permitted within or extend into a public right-of-way.
 - h. No sign shall be mounted or displayed on, or extend above the top edge of a roof. No on-building sign shall extend above the top-most edge of an exterior wall.
 - i. No mobile, portable, or advertising vehicle signs shall be permitted. Sandwich board signs as defined and regulated in this section shall not be considered mobile or portable signs.
2. Sign location requirements:
 - a. Vision Triangles. Signs must meet the vision triangle requirements of 11.513

- b. Setbacks. The permitted locations and setbacks of all freestanding signs shall be as indicated in this section. Sign setback shall be the shortest distance between the vertical plane extending from the property line (or other basis for the setback point) to the nearest structural element of the sign, whether said sign element is attached to the ground or suspended above ground.
 - c. Minimum Ground Clearance. All pylon signs, projecting, marquee and awning signs shall have a minimum clearance from grade of 8 feet to the bottom of the sign and shall not project into any vehicle circulation area, beyond any public street curb line, or beyond any public street pavement edge if no curb is present.
 3. Community information signs: On-premise and off-premise community information signs shall be allowed only by conditional use permit within all zoning districts and upon any property, except that temporary installments of such signs for a period not exceeding 30 days may be allowed by a sign permit only. Such signs shall be subject to the following regulations:
 - a. Only display information regarding public events, public facilities, and public information of general interest to residents.
 - b. May have changeable copy or variable message board.
 - c. Shall not be counted as adding to the area of signage on the property on which it is placed for the purposes of regulating sign area.
 4. Variable message signs (VMS):
 - a. Length of Cycle. Messages and non-text images shall not change appearance more than once every 10 seconds and transitions between messages shall be via instantaneous change. Use of variable message signs for images, text, or lighting that change appearance in a manner not permitted above shall be considered prohibited flashing or animated signs. No scrolling messages are permitted.
 - b. Brightness Adjustment. All VMS shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.
 - c. Dimensions. The illuminated or message display area of the VMS is subject to the same height and area requirements as other on-premise business signs in the zoning district. All variable message signs shall be included in the calculation of total permitted sign area for the type of on-premise business sign (wall or freestanding) and the zoning district in which the sign is located.
 - d. Maintenance. All VMS shall be maintained so as to be able to display messages in a complete and legible manner.
 - e. Location. In addition to standard setback requirements for the applicable sign type, no VMS shall be positioned to be visible from any residential use unless at least 100 feet from said use.
 5. Window signs:
 - a. Area. The total of all signs in the window area, including temporary and permanently mounted signs, shall not exceed 25 percent of the window area. For any business using no other signs than a permanent window sign, the amount of permanent and temporary window sign area may be increased to 35 percent of the window area.
 - b. Installation. Window signs shall be confined within the transparent glazed area of the window and shall not encroach upon the frame, mullions, or other supporting features of the glass. All permanent window signs that

- have their lettering or graphic elements directly on the glazing shall be painted, metal leafed, vinyl transferred, or in some other manner permanently applied to the exterior building window or door.
- c. Maintenance. All window signs shall be maintained so as to be able to display messages in a complete and legible manner.
 - d. Location. No window signs shall be allowed on residentially zoned property.
 - e. Area Calculations. The area of window signs shall be calculated in the same manner as other on-building signs, and shall count against the maximum number and area for on-building business signs as specified in 11.512.F.
6. Sandwich board/pedestal signs:
- a. There shall be a maximum of one sandwich board/pedestal sign per business.
 - b. Height shall not exceed six feet (as measured when such sign is properly placed directly on the ground or sidewalk surface), width shall not exceed three feet, and sign area shall not exceed nine square feet per side.
 - c. All sandwich board/pedestal signs shall be designed to be self-supporting and in such a manner to withstand the elements, including the ability to remain upright on windy days.
 - d. No sandwich board/pedestal sign shall be illuminated in any manner (except via cordless power for not more than 30 days in any calendar year), have more than two sides, be placed off-premise (except where allowed on a sidewalk immediately adjacent to the business lot to which it relates), or be designed to resemble a public regulatory sign (such as a stop sign).
 - e. No sandwich board/pedestal sign shall extend onto or into a public right-of-way.
 - f. Placement of all sandwich board/pedestal signs shall meet all intersection visibility requirements in 11.513, and shall otherwise not impede auto or pedestrian traffic or visibility in the determination of the Zoning Administrator. This may require relocation and/or adjustments to height or design.
 - g. All sandwich board/pedestal signs must be kept in good condition, as determined by the Zoning Administrator and per the maintenance requirements of 11.512.H.
 - h. Sandwich board/pedestal signs shall not count against the maximum area or number of business signs allowed per Table 5.
7. Off-premise advertising signs (including billboards but not including off-premise directional signs):
- a. Permitted locations:
 - (1) Must be located within 2,640 feet (measured along the highway from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main traveled way) of the interchanges of State and Federal Highways with State, Federal, or County Trunk Highways within Shawano County, including and limited to State Highways 47 and 156, and County Trunk Highway S and X.
 - (2) Shall not be located within 800 feet of an existing residence, park, school, church, hospital, cemetery, government building or within 2,000 feet of an intersection right of way, or interchange right of

- way (measured along the highway from the nearest point of beginning or ending of pavement widening at the exit from or entrance to the main traveled way), or 1,500 feet from another off-premise advertising sign.
- b. Maximum number allowed: 1 per parcel, except 2 will be allowed if combined on the same structure.
 - c. Minimum lot width: 50 feet frontage along a highway listed in subsection (a) above.
 - d. Setback regulations:
 - (1) Minimum front or street yard setback: 25 feet from highway right-of-way.
 - (2) Maximum front or street yard setback: 300 feet from highway right-of-way.
 - (3) Minimum interior side yard setback: Height of the sign.
 - (4) Minimum rear yard setback: Height of the sign.
 - e. The maximum area for off-premise advertising signs shall be per structure, exclusive of border and trim, apron, base supports, or other structural members. No copy or advertising shall be allowed on the border, apron, or trim.
 - f. Off-premise advertising signs which are back-to-back, side-by-side, bottom-on-top, and V-shaped shall be considered as one structure if they are physically contiguous and which share a common structure in whole or in part.
 - g. Off-premise advertising signs may be illuminated, subject to the following:
 - (1) Off-premise advertising signs which contain, include, or are illuminated by any flashing, intermittent or moving lights are prohibited, except for the purpose of giving public service information, such as time and temperature.
 - (2) Off-premise advertising signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled portion of a highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle are prohibited.
 - (3) No off-premise advertising sign shall be illuminated so that it interferes with the effectiveness of, or obscures, an official traffic sign, device or signal.
 - (4) Off-premise advertising signs which are not effectively shielded as to prevent beams or rays of light from being directed at or towards a residence are prohibited.
 - h. Off-premise advertising signs shall not contain moving parts; copy which simulates any traffic control sign; devices which emit audible sound, odor or particulate matter; or statements, words or pictures of obscene, pornographic, immoral character or containing advertising matter which is untruthful.
 - i. Off-premise advertising signs which are affixed to, or painted on, or represented directly or indirectly on the walls or roofs of buildings are prohibited.
 - j. No off-premise advertising sign shall be erected on more than four uprights.
8. Off-premise directional signs:
- a. The sign shall primarily serve a directional purpose.

- b. A maximum of 3 off-premise directional signs for each place may be displayed, per the dimensional and placement standards in this section. For purposes of this subsection, one business, attraction, farm, or organization shall constitute a place.
- c. Off-premise directional signs may not be illuminated; contain any moving parts; simulate any traffic control sign; contain devices which emit audible sound, odor or particulate matter; or bear or contain statements, words or pictures of obscene, pornographic, immoral character or containing matter which is untruthful.

F. Regulations by Zoning Districts

Signage shall be permitted per the requirements of this section including Table 5.

Table 5 Regulations by Zoning District

Zoning District	Land Use	Sign	Maximum Area	Maximum Sign Height	Number	Location
OAR Open Lands, Agriculture, and Residential	Residential	Identification (on building)	4 sq ft per dwelling unit	6 ft	1	Main entrance or front yard
		Freestanding	32 sq ft per side	6 ft	1 per principal structure	The greater of actual sign height or 3 ft from nearest property line
		On-premise directional	9 sq ft	6 ft	1 per entrance or other location where directions required	Vehicular entrance, vehicular exit, and parking areas
	Nonresidential	Freestanding	32 sq ft per side	15 ft	1 per principal structure	The greater of actual sign height or 3 ft from nearest property line.
		Wall, window projecting, awning, or marquee	1.5 sq ft per linear foot of exterior wall, up to 300 sq ft per building	8 ft	1 per principal structure	Above or next to main building entrance or on street wall
		Off-premises directional	32 sq ft per side	8 ft	3 per place	Located on private property, with the consent of the property owner
		On-premises directional	9 sq ft	6 ft	1 per entrance or other location where directions required	Vehicular entrance, vehicular exit, and parking areas

Table 5 Regulations by Zoning District (continued)

Zoning District	Land Use	Sign	Maximum Area	Maximum Sign Height	Number	Location
A-R – Agricultural – Residential	Residential	Identification (on building)	4 sq ft per dwelling unit, up to 32 sq ft total	8 ft	1 per public street or driveway entrance, up to a maximum of three per lot	Main entrance or front yard
		Freestanding	32 sq ft per side	6 ft	1 per principal structure	The greater of actual sign height or 3 ft from nearest property line
		On-premise directional	9 sq ft	6 ft	1 per entrance or other location where directions required	Vehicular entrance, vehicular exit, and parking areas
	Nonresidential	Freestanding	32 sq ft per side	8 ft	1 per principal structure	Above or next to main building entrance or on street wall
		Wall, window projecting, awning, or marquee	1.5 sq ft per linear foot of exterior wall, up to 300 sq ft per building	8 ft	1 per principal structure	Above or next to main building, entrance or on street wall
		Off-premises directional	32 sq ft per side	8 ft	3 per place	Located on private property, with the consent of the property owner
		On-premises directional	9 sq ft	6 ft	1 per entrance or other location where directions required	Vehicular entrance, vehicular exit, and parking areas

Table 5 Regulations by Zoning District (continued)

Zoning District	Land Use	Sign	Maximum Area	Maximum Sign Height	Number	Location
C-G Commercial – General M Manufacturing	All Uses	Freestanding	64 sq ft per side; 150 sq ft per side if within 2,640 ft of major highways ¹	10 ft for monument; 20 ft for pylon or arm-post; 35 ft for pylon or arm-post if within 2,640 ft of major highways (see Note 1)	1 freestanding sign per parcel	The greater of actual sign height or 3 ft from nearest property line
		Wall window projecting, awning, or marquee	2 sq ft per linear foot of exterior wall, up to 300 sq ft per building	8 ft	2 per business, with no more than 1 sign per business façade	Above or next to main building entrance or on street wall
		Off-premise advertising sign (including billboard)	288 sq ft per side	35 ft max 8 ft min	1 per parcel, except 2 will be allowed if combined on the same structure	See Note 2
		Unified business center sign	200 sq ft per side	20 ft or 35 ft if within 2,640 ft of major highways (see Note 1)	1 per every 10 acres or fraction thereof in the unified business center	The greater of actual sign height or 3 ft from nearest property line
		Off-premises directional	32 sq ft per side	8 ft	3 per place	Located on private property, with the consent of the property owner
		On-premises directional	9 sq ft	6 ft	1 per entrance or other location where directions required	Vehicular entrance, vehicular exit, and parking areas

Note 1: Major highways include STH 47 and 156.

Note 2: Minimum front of street yard setback is 25 feet from highway right-of-way; maximum front or street yard setback is 300 feet from highway right-of-way; minimum interior side yard setback is the height of the sign; minimum rear yard setback is the height of the sign.

G. Temporary Signs

1. Temporary signs regulated under this subsection include but are not limited to temporary real estate signs, construction or project identification signs, temporary commercial signs and banners, temporary residential signs, public event signs, personal greeting or congratulatory signs, temporary window signs, or others as determined by the Zoning Administrator.
2. Any one business is permitted to display no more than 2 temporary commercial signs and banners at a single time, and any combination of temporary commercial signs and banners for a maximum of 90 days within any 12 month calendar year period.
3. All temporary signs shall be anchored or supported in a manner which reasonably prevents the possibility of the signs becoming hazards to the public health and safety.
4. A mobile, portable, or advertising vehicle sign is not a permitted temporary sign. This does not apply to sandwich board signs.

H. Structural and Maintenance Requirements

1. All signs shall be constructed and mounted so as to comply with State building and electrical codes.
2. No sign or any part thereof, or anchor, brace, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or standpipe.
3. No sign or any part thereof, or anchor, brace or guide rod shall be attached, erected, or maintained which may cover or obstruct any door, doorway, or window of any building which may hinder or prevent ingress or egress through such door, doorway, or window, or which may hinder or prevent the raising or placing of ladders against such building in the event of fire.
4. No sign not designed and constructed to withstand winds during typical Wisconsin storm events shall be erected at any location.
5. No freestanding sign shall be erected at any location which is not designed and constructed with footings for support of such sign which extend not less than 42 inches below the existing ground level.
6. No sign attached to a building which is permitted to project away from the building wall shall be designed and constructed when the attachment to such wall extends above a point of bearing with the roof rafters.
7. All signs and structures appurtenant thereto shall be maintained in a neat and proper state of appearance.
8. Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.
9. The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Section, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a land use permit.
10. The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.

I Violations

1. Except for legal nonconforming signs, which shall be regulated as nonconforming structures under 11.508, the Zoning Administrator shall hereby be authorized to issue a sign removal order (“SRO”) ordering the removal of any sign that does not comply with the location, dimension, setback, spacing, or other requirements of this section and revoke any previously issued land use permit associated with such sign.
2. The SRO shall identify the alleged owner of the sign, include a photograph of the sign, describe the location of the sign and briefly explain why the sign does not comply with this section. The SRO shall further explain that the sign shall be removed within 60 days of the date of the SRO, and if the sign is not removed in that time period, that the Town of Lessor may then remove the sign, and may invoice the owner a fee for any such removal costs. The SRO shall be sent by registered mail or be personally served.
3. The SRO shall further notify the alleged owner of the sign that said party shall have 30 days from the date of the SRO to file for an appeal of the SRO with the Town of Lessor Board of Appeals. The SRO shall also provide the sign owner of the address to which the appeal request should be directed, notify the appeal requestor of the fee that must be paid, direct the alleged owner to explain the basis for the appeal request, and notify the alleged owner that appeals that are not received with the required fee within 30 days of the SRO may be summarily dismissed based on a lack of timeliness.
4. Upon receiving a timely appeal request with the fee, the Town of Lessor Board of Appeals shall review the appeal and grant or deny the appeal as it deems proper in its discretion, per the procedures established under 11.307.
5. If no appeal request of the SRO with the fee is timely received, or if a request for review is received but subsequently denied, the Zoning Administrator may remove the sign. After removing the sign, the sign shall be retained for a period of 30 days. If no claim is made for the sign within 30 days after it is removed, the Zoning Administrator may discard or destroy the sign as he or she deems necessary. The Town of Lessor may invoice the owner of the sign for the cost of removing and discarding/destroying the sign.
6. If the owner of any sign existing in violation of this section has previously been issued an SRO during any previous 12-month period, and such SRO has not been successfully appealed, the sign owner may be assessed a citation in the amount of \$500 by the Zoning Administrator for any subsequent violations. If the owner fails to pay such expense within one month of being billed therefore, or has not made arrangement for payment satisfactory to the Town of Lessor, then such expense shall become a lien on the property and shall be placed upon the tax roll.

J Nonconforming Signs

1. Signs lawfully existing at the time of the adoption or amendment of this section may be continued although the use, size, or location does not conform with the provisions of this Section. However, it shall be deemed a nonconforming structure; and the provisions of 11.508 shall apply. Nonconforming signs may be maintained. No nonconforming on-premise sign shall be altered or moved to a new location without being brought into compliance with the requirements of this section. Refer also to subsection (3), below.

2. Business signs on the premises of a nonconforming use or building may be continued, but new signs for such uses shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable sign areas under this section, may be erected only upon the complete removal of all other signs existing at the time of adoption of this section.
3. Nonconforming signs shall be removed when the principal structure located on the premises undergoes a change of use, or shall be removed per 11.512.I. Closing businesses must remove their building signs and freestanding sign faces within 60 days of closing, or sooner if the Zoning Administrator determines that the signs do not meet the maintenance requirements of 11.512.H.
4. Regardless of its conforming or nonconforming status, the replacement of signs damaged or destroyed by vehicle accident or act of God (e.g. wind) shall not require a land use permit, provided that the replacement sign is the same as or essentially identical to the sign damaged or destroyed and such replacement occurs within 60 days of the incident.

11.513 Vision Clearance Triangle

A. Standards

1. No structure in excess of 3 feet in height, vehicle, or object of natural growth, except annually harvested crops that are not trees, shall be located in a vision clearance triangle as described herein.
2. In each quadrant of any public road intersection or road-railroad intersection, there shall be a vision clearance triangle bounded by the road (and/or track) centerlines and a line connecting points on them in accordance with the following, except no vision clearance triangle shall be required on the side of the intersection where there is one-way traffic incapable of turning onto the intersecting street:
 - a. 250 feet from the centerline intersection along all railroads.
 - b. 250 feet from the centerline intersection along all State and/or Federal roads.
 - c. 200 feet from the centerline intersection along County roads.
 - d. Except as provided in f. below, 150 feet from the centerline intersection along town roads outside a platted subdivision.
 - e. Except as provided in f. below, 125 feet from the centerline intersection along town roads within, or bounded by, a platted subdivision.
 - f. For lots which are located in a platted subdivision and which are served by public sewer the vision clearance triangle shall be bounded by the intersection of the platted lot lines abutting the roads as measured 25 feet from said intersection along said lot lines.
 - g. No vision clearance triangle shall be required when a private road intersects with a public road or railroad.

11.514 Wetlands and Shorelands

Land use in or near wetlands, streams, rivers and lakes are or may be regulated by the Shawano County Shoreland Wetland Zoning Ordinance, the Wisconsin Department of Natural Resources, and/or the Army Corps of Engineers. Landowners that are considering applying for a Zoning Permit should consult with Shawano County to make an initial determination as to whether or not there are wetlands, streams, rivers, and/or lakes on or near their property. Landowners are cautioned that the mapping of these features is general in nature, and that a

conclusive determination can only be made through an on-site visit by Shawano County and/or Wisconsin Department of Natural Resources staff.

11.515 Yards

A. Standards

1. In the case of a corner lot which abuts any two (or more) roads, the frontage upon which the main entry of a principal building faces shall be deemed "front yard" and shall meet the required front yard setback. The other frontage(s) shall be deemed the "side yard(s)" and the minimum setback shall be sixty (60) percent of the required front yard setback for the same lot.
2. Every part of the required area of a yard shall be open and unobstructed except for permitted accessory buildings, minor structures, and the ordinary projections of sills, cornices and ornamental features. Fire escapes may project into a required yard area not more than five feet.

11.516 to 11.599 RESERVED

Section 11.600 Particular Use Standards

11.601 Junk or Salvage Yard

A. Standards

1. All buildings, structures, outdoor storage areas, other facilities and the required fence or wall shall be set back at least 300 feet from public roadways and 100 feet from rear and side lot lines.
2. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the business.
3. Junk or salvage materials shall be enclosed by a suitable fence so the materials are not visible from other property in the vicinity of the junk or salvage yard, from a public road, or from navigable water. The fence shall be a minimum of 8 feet in height and shall be properly maintained to satisfy the obscuring objective.
4. Junk or salvage materials shall not be piled higher than the height of the fence.
5. For fire protection, an unobstructed firebreak shall be maintained on the interior of the fence that is 15 feet in width and completely surrounds the junk or salvage yard.
6. Junk or salvage materials shall not be located in a wetland, floodplain, or other features considered highly susceptible to groundwater contamination.
7. Appropriate measures shall be taken to prevent water and soil contamination from oils, gasoline, grease, or other contaminants. At a minimum there shall be 5 feet of soil between the surface of the ground and the water table or bedrock.
8. No oil, grease, tires, gasoline, rubber, plastic asphalt or similar material shall be burned at any time, and all other burning shall be in accordance with applicable state and local regulations.
9. All junk and salvage yards shall be maintained so as to avoid creating a public or private nuisance, including but not limited to any offensive or noxious sounds or odors and breeding or harboring of rats, flies, mosquitoes, or other vectors.
10. Noxious weeds shall be controlled.
11. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects may be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.
12. No materials or wastes shall be deposited on a site so as to allow their transportation off the site by normal natural causes.
13. Toxic and hazardous materials including, but not limited to, gasoline, oil, antifreeze, brake fluids, freon and transmission oil shall be removed from any scrapped engines, vehicles, appliances or containers on the premises and shall be recycled or disposed of in compliance with applicable regulations.
14. No such facility shall discharge at any point into any public or private sewage disposal system or waterway, or into the ground, any liquid or solid materials except in accordance with applicable regulations.

11.602 Nonmetallic Mining

A. Intent

The intent of these regulations is to promote public health, safety and general welfare; protect the demand for and economical extraction of nonmetallic minerals; permit the

development and utilization of nonmetallic mineral resources in a manner compatible with neighboring land uses; preserve environmentally sensitive areas, such as the Niagara Escarpment, which is a unique geological formation; avoid the degradation of existing private and public water supplies; and, to minimize potential adverse environmental impacts of nonmetallic mining operations through the use of best management practices. These regulations are to be used in concert with the Shawano County Non-Metallic Mining Reclamation Ordinance.

- B. Non-Metallic Mineral Extraction (land use):** Any land use involving the removal of soil, clay, sand, gravel, rock, non-metallic minerals, or other related material. May include on-site processing of extraction material if part of the application and conditional use permit approval. Does not include relocation of materials required for domestic use on the same lot or a contiguous lot under the same ownership, approved on-site development grading, excavations within public road rights-of-way or easements, agricultural grading, or any soil removal activities on a hazardous waste site. An asphalt or concrete rock crushing facility or batch/ready mix plant may be temporarily located in such a facility subject to conditional use approval.

C. Application

1. In addition to the submittal information required under 11.301.B., the application for conditional use permit and land use permit shall include the following information:
 - a. A written description of the proposed operation, including the types and quantities of the materials that would be extracted; proposed dates to begin extraction, end extraction, and complete reclamation; geologic composition and depth and thickness of the mineral deposit; existing use of the land and proposed use after reclamation; existing natural and archaeological features on and adjacent to the site; where extracted materials would be hauled and over what roads; types, quantities, and frequency of use of equipment to extract, process, and haul; whether and how frequently blasting, drilling, mining, crushing, screening, washing, refueling, fuel storage, asphalt batching, or concrete mixing would be performed on site; whether excavation will occur below the water table and, if so, how ground water quality will be protected; description and elevations of all temporary or permanent structures; proposed hours and days of operation; any special measures that will be used for spill prevention and control, dust control, or environmental protection; and assurances that the site will be developed, operated, and reclaimed in accordance with all approved plans and all county, state, and federal regulations, including a listing of all applicable regulations.
 - b. A site/operations plan map, drawn to scale by a qualified professional, and including site boundaries; existing contour lines; existing roads, driveways, and utilities; existing natural features including lakes, streams, floodplains, wetlands, and shoreland areas; all residences and private and municipal wells within 1,000 feet; location of the proposed extraction, staging areas, fueling, fuel storage, and equipment storage areas; proposed location and surfacing of roads, driveways, and site access points; proposed phasing plan, if any; proposed fencing of property and gating of access points; proposed locations of stockpiles; proposed

- location and types of screening berms and landscaping; and proposed temporary and permanent structures, including scales and offices.
- c. An erosion control plan, drawn to scale by a professional engineer, meeting all applicable state and county requirements.
 - d. A reclamation plan prepared in accordance with the Wisconsin Administrative Code and the Shawano County Non-metallic Mining Reclamation Ordinance.
2. A landscaped buffer yard shall be required in the yard where the use abuts a residential use or a residential zoning district.
 3. The Town of Lessor may place limits on the amount of time the non-metallic mineral extraction use shall remain in operation.
 4. The nearest edge of all buildings, structures, and surface activity areas, including pit edges, shall be located a minimum of 200 feet from all dwellings on adjacent properties, and no less than 10 feet from any lot line.
 5. To prevent tracking of mud onto public roads, access driveways shall be paved within 100 feet of public roads, unless the adjacent road is unpaved.
 6. All public roads shall be kept free of all mud, debris, and dust by sweeping or other means as necessary, or as requested by the Town of Lessor.
 7. Access to the site shall only be through points designated as entrances on the site/operations plan; such access points shall be secured when the site is not in operation.
 8. Provisions for the upgrade, repair, and maintenance of town and county roads shall depend on the intensity of the operation and the existing condition and capacity of such roads. A bond or other performance guarantee for such work may be required provided that a clear relationship is established between the operation and the need for road upgrades, repair, and maintenance. If any town or county road is damaged or destroyed as a result of owners operations, the owner shall restore or pay for the restoration of the same to an acceptable condition and value. The owner shall have the right to show and bear the burden of proof in showing that the indicated damage was not the result of its operations.
 9. Spraying of the site and driveways shall be conducted to control dust, except when the temperature is below freezing. The Town of Lessor may request that water be applied in and around the excavation pit to further reduce dust.
 10. On-site bulk fuel storage areas and appropriate places for fueling of equipment (e.g., above the water table) shall be located to minimize the potential for groundwater contamination and in accordance with the Wisconsin Administrative Code and Wisconsin Statutes.
 11. Hours or days of operation may be limited as deemed appropriate by the Town of Lessor.
 12. Expectations for any blasting, drilling, screening, and asphalt batching shall be clearly understood, and separate acceptable hours for these activities may be established. Blasting is also regulated under Wisconsin Statutes and Wisconsin Administrative Code. The conditional use permit may specifically restrict such activities from occurring if the conditional use permit standards cannot be met.
 13. If blasting or drilling is requested, additional standards or conditions may be applied with relation to frequency, noise and vibration levels, notice to neighbors, pre-inspection of neighboring basements and wells, and claims procedures in accordance with the Wisconsin Administrative Code.
 14. All trucks, excavation, and processing equipment shall have exhaust systems that meet or exceed current industry standards to ensure that noise levels are kept at or below allowable limits. The mine operator shall demonstrate that the

- level of noise generated by the facility or equipment does not exceed 65 decibels at the property line.
15. Unless the extraction site is inaccessible, the area of extraction shall be completely enclosed by a safety fence or maintained at a slope not to exceed 3:1.
 16. The applicant shall furnish a certificate of insurance before operations commence.
 17. Approval shall be subject to amendment or revocation if non-compliance with approved plans, this section, or approval conditions is identified.
 18. Approval shall be subject to periodic review of the operation to ensure compliance with the conditional use permit, and to specific limitations over the portion of the lot or parcel where extraction may occur.
 19. The conditional use permit shall expire 5 years from the date of approval except where the Town of Lessor in its conditional use approval grants otherwise. In order to continue operation beyond the specified time frame, the applicant must apply for an extension to the original conditional use permit which shall follow the normal conditional use permit process every 5 years or the timeframe granted by the Town of Lessor.

11.603 Outdoor Public Recreation

A. Active

1. Shooting ranges for firearms require a conditional use permit and shall adhere to the following provisions (as determined by the Plan Commission and Town Board):
 - a. The shooting area of a shooting range shall be enclosed with a fence not less than 6 feet in height, except for one point of entrance not more than 12 feet wide. The shooting area for skeet and trap shooting shall be defined as an area extending 500 feet from the shooting stand in the direction of normal shooting and 50 feet from the shooting stand in lines directly opposite to the normal direction of shooting. Motor vehicles shall be prohibited in the shooting area except for maintenance purposes.
 - b. The shooting area for a rifle, pistol or ball ammunition shall be defined as an area 500 feet beyond the target area in the direction of normal shooting and 100 feet from the rear firing line and 100 feet from the outer edge of the sod faced barrier. Motor vehicles shall be prohibited in the shooting area except for maintenance purposes.
 - c. Each shooting range shall post around the perimeter of the shooting area, warning signs not more than 100 feet apart and fastened at the level of the top of fence, but not more than six feet above the ground. Such warning sign shall not be less than two square feet in area and shall contain the words "Danger – Shooting Range" in red on a white background, the letters of such words to be not less than four inches high and maintained in a legible condition at all times.
 - d. Ranges for skeet and trap shooting shall be restricted to the use of shot ammunition unless such skeet and trap range is provided with screening and a barrier as required for rifle and pistol ranges.
 - e. Shooting stands on any shooting range shall be located not less than 1,500 feet from any residential building in line with the normal shooting direction and not less than 500 feet from any residential building in

- directions other than that of the normal shooting direction, except for residential buildings under the same ownership as the shooting range.
- f. On each rifle or pistol range, and any other range where ball ammunition is used, there shall be established within six months after issue of such permit, a planting screen completely surrounding the premises, except for permitted exits and entrances, as follows:
 - (1) A temporary planting of fast growing material capable of reaching a height of 15 feet or more, such as Lombardy Poplar.
 - (2) A permanent evergreen planting such as spruce, fir, or arborvitae, the individual trees to be of such a number and so arranged that within 10 years they will have formed a screen equivalent in opacity to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.
 - g. Ranges for rifle and pistol shooting with ball ammunition shall be so arranged as to provide a sod fenced barrier of earth or sand, impenetrable by any missiles to be fired on such ranges. Such barrier shall be not less than 15 feet in height, measured from the base of the targets, and shall extend horizontally not less than 30 feet on either side of the targets.
 - h. If, on inspection, the Zoning Administrator finds that any of the above requirements are not being met at any time, he or she shall give notice to the owner or operator of the premises, specifying in writing the condition not met. If after 14 days of such notice, compliance has not been made, the Zoning Administrator shall file a complaint with the Shawano County Planning, Development, and Zoning Committee, which shall hear the action after notice of a public hearing.
2. Campgrounds and Camping Resorts: Land uses designed, maintained, intended or used for the purpose of providing camping sites for nonpermanent overnight use to accommodate not more than one (1) recreational vehicle (RV), motor home, pick-up coach, travel trailer, camping trailer, park model, or tent per site. This use also includes facilities for use by campers including restrooms/showers, active and passive recreation areas, office/convenience store buildings, and necessary accessory uses. Any public or private parcel of land containing two (2) or more recreational vehicles used for habitation and occupied twenty-four (24) hours or longer shall be deemed a campground or camping resort. In any residential zone each home or cottage owner shall be permitted only one recreational vehicle to be parked on his premises for storage purposes only. These units are not to be rented, leased, or used for habitation purposes at any time.
- a. Wisconsin Administrative Code DHS 178 entitled "Campgrounds" shall apply until amended and then shall apply as amended; except the provisions of this Code of Ordinances shall control where more restrictive.
 - b. Minimum campground/camping resort size: 5 acres.
 - c. Minimum camping site space: 1,200 square feet per camping site. (All of allotted individual lot area shall be in one contiguous parcel exclusive of roadways). Each space shall be suitably landscaped, and all areas fronting a park and any buildings or recreational areas shall be suitably landscaped.
 - d. The density shall not exceed 20 camping sites per acre of gross camp area.

- e. Exposed ground surfaces in all parts of every parking area shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.
- f. Each walkway shall have a minimum width of 36 inches. No recreational vehicle lot or space shall ingress or egress directly upon a State, Federal, County, or Town road.
- g. Except for the interior road system, all recreational vehicles shall be set back from any park area boundary line abutting upon a public street or highway according to set back requirements in Section 3.14.
- h. Every camp shall be located in a well-drained area not subject to intermittent flooding and properly graded so as to prevent the accumulation of storm or other waters that may create hazards to the property or the health and safety of the occupants. No camp shall be located in an area that is situated so that drainage from any source of filth can be deposited thereon.
- i. There shall be one or more recreational areas which shall be easily accessible to all camp residents. The aggregate size of such recreational areas shall be in an amount equal to, but not less than two hundred (200) square feet multiplied by the number of camping sites, or 2,500 square feet, whichever is greater. The design and placement of such recreation area(s) shall be approved by the Town Board, following a recommendation from the Plan Commission.
- j. Proof of ability to install a satisfactory private sewage disposal system shall be presented to the Plan Commission and Town Board at the time of application.
- k. Convenience establishments of a commercial nature may be permitted in a camp grounds providing that such establishments and their related parking areas, shall not occupy more than 10 percent of the total camp area, shall be subordinate to the recreational character of the camp, shall be located, designed and intended to serve the specific needs of the camp occupants, and shall present no visual evidence of commercial character from any portion of any residential district outside the camp. Such convenience establishment building shall adhere to any service building requirements. No repair of service facilities shall be permitted in any case where by reason of excessive noise, odor, unsightliness, etc., would detract from the recreational character of the camping area.
- l. There shall be a minimum of 10 camping sites completed and ready for occupancy before the first occupancy is permitted.
- m. The camp management shall adopt and include into their leases or camp rules, by reference, such rules and regulations as shall be reasonably required by the Town Board for the general health, safety and welfare of such campgrounds and of the Town of Lessor and shall cause the eviction of any tenants of said campgrounds who violate the same.
- n. The person or organization to whom a permit for a campground is issued shall operate the camp in compliance with this Ordinance and shall provide adequate supervision to maintain the camp, its facilities and equipment in good repair and in a clean and sanitary condition. The camp management shall notify camp occupants of all applicable provisions of this Ordinance and inform them of their duties and responsibilities under this Ordinance.

11.604 Residential**A. Single-Family**

1. All single-family residences (including manufactured homes moved into the Town of Lessor after March 2, 2012) shall meet the following requirements:
 - a. Secured to a permanent enclosed foundation that meets all applicable state building codes or full basement, not having more than 12 inches of exposed concrete foundation above the exterior finished grade of the lot. An exception is when the grade of the lot slopes, in which case only that portion of the foundation which is on the highest point of the lot must meet the requirements of this paragraph.
 - b. Minimum structure width (i.e. short side) shall be at least twenty-four (24) feet. Attached garages, carports and open decks shall not be included in the measurement of the width of the dwelling. Any home less than 24 feet in width shall require a Conditional Use permit.
 - c. The minimum first floor area shall be 960 square feet, exclusive of attached garages, carports, or open decks.
 - d. Roof pitch shall not be less than a nominal 3:12 (rise to run).
 - e. Roof overhang shall not be less than a nominal 6 inches excluding any gutter.

B. Two-Family

1. All two-family residences shall meet the standards for a single-family residence except that the minimum livable area of each unit shall be not less than 800 square feet, exclusive of attached garages, carports, or open decks.

C. Multiple-Family

1. All multi-family residences shall meet the standards for a single-family residence except that the minimum livable area of each unit shall be not less than 700 square feet for a one-bedroom unit; 800 square feet for a two-bedroom unit; and 1,000 square feet for a three-bedroom unit exclusive of common areas, hallways, and basements.
2. Parking areas shall be screened with decorative fence or shrubbery from the street and adjacent property and shall provide sufficient area so that vehicles may re-enter the public road in a forward direction.
3. Refuse disposal shall be in metal containers in the rear yard and appropriately screened and accessible for removal from a driveway or yard serviced driveway.
4. Such additional screening shrubbery and the like as shall be necessary and reasonable to retain the aesthetic values of the area and to protect adjacent property.

5. Such fencing as may be necessary for the safety of the occupants and the public generally.

D. Mobile Homes

1. Mobile homes as defined in 11.700 are not allowed in the Town of Lessor except that an existing mobile home not located in a mobile home park on March 2, 2012 shall be permitted to remain in its original location. The existing mobile home may not be extended, enlarged, reconstructed, moved or structurally altered, or replaced with a different mobile home, unless the Zoning Administrator determines that such action (a) will be an aesthetic improvement to the mobile home; (b) will be in fundamental harmony with surrounding uses; and (c) will comply to the extent feasible with requirements for mobile home installation in manufactured/mobile home parks.

11.605 Solar Energy

A. Application Process

1. Every application for a solar energy system Conditional Use permit shall be made in writing and shall, upon request, include the following information:
 - a. Name and address of applicant.
 - b. Evidence that the applicant is the owner of the property involved or has the written permission of the owner to make such an application.
 - c. Scaled drawing of the solar energy system and its dimensions, its height above ground level, orientation, and slope from the horizontal.
 - d. Site plan showing lot lines and dimensions of the solar energy system user's lot and neighboring lots that will be affected by the solar energy system.
 - e. Documentation showing that no reasonable alternative location exists for the solar energy system that would result in less impact on neighboring lots.
 - f. Documentation showing that removing or trimming vegetation on the applicant's lot will not permit an alternative location for the solar energy system that would result in less impact on neighboring lots.
 - g. Such additional information as may be reasonably requested.
 - h. Any of the information required by this section may be waived by the Town at its discretion.
2. The Town will consider each solar energy system on a case-by-case basis. The Town may deny a Conditional Use permit for a solar energy system or may impose restrictions on a solar energy system if the Town finds that the denial or restrictions satisfy one of the following conditions:
 - a. The denial or restriction serves to preserve or protect the public health or safety.
 - b. The denial or restriction does not significantly increase the cost of the system or significantly decrease its efficiency.
 - c. The denial or restriction allows for an alternative system of comparable cost efficiency.
3. The Town may impose restrictions on a solar energy system relating to any of the following:
 - a. Setbacks from inhabited structures, property lines, public roads,

- communication and electrical lines, and other sensitive structures and locations.
 - b. Wiring and electrical controls of the solar energy system.
 - c. Reimbursement for emergency services required as a result of the solar energy system.
 - d. Solar energy system ground clearance.
 - e. Solar energy system height.
 - f. Any other matters that the Town finds appropriate.
4. Any Conditional Use permit for the installation or maintenance of a solar energy system may be revoked by the Town if the permit holder, its heirs, or assigns, violates the provisions of this Ordinance or the provisions of a Conditional Use permit granted pursuant to this Ordinance.

11.606 Filling and Grading

A. Filling and Grading. The filling, grading, lagooning, or dredging of 30 cubic yards or greater of material. Such temporary land use/activity shall be subject to the following performance standards:

1. No filling, grading, lagooning, or dredging that would result in substantial detriment to navigable waters by reason of erosion, sedimentation, impairment of fish and aquatic life, or which would obstruct flood flows or increase flood stages shall be permitted.
2. Where applicable, a State of Wisconsin permit when required by the Wisconsin Statutes or other applicable State or County regulations shall be obtained prior to any filling, grading, lagooning, or dredging activity.
3. Placement of 30 cubic yards of fill or greater on an annual basis requires a zoning permit, placement of 300 cubic yards of fill or greater also requires a conditional use permit. Fill for building footprint is exempt and placement is calculated on an annual basis.
4. Placement of fill for the following purposes is exempt from the permit requirement.
 - a. Under a slab or inside the confines of a structure as part of the permitted construction project.
 - b. Construction or maintenance of residential driveways or parking areas.

11.607 – 11.699 RESERVED

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Section 11.700 Definitions

11.701 General Definitions

For the purposes of this Ordinance, certain words and terms are defined as follows. Words used in the present tense include the future; the singular number includes the plural number and the plural number includes the singular number; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory. Any words not herein defined shall be presumed to be interpreted by their customary dictionary definitions.

11.702 Specific Words and Phrases

Accessory Building. A building or portion of a building subordinate to the main building but not a part of the main building and used for a purpose customarily incidental to the permitted use of the main building. Any minor structure with a door, walls, and roof shall be considered an accessory building.

Address Signs: Address numerals and other sign information required to identify a location by law or governmental order, rule or regulation provided that such sign does not exceed one square foot in area per officially assigned address, or the size required by any law, order, rule or regulation, whichever is greater.

Adult-Oriented Establishment. Shall have the meaning given in the Town of Lessor Adult-Oriented Establishment Ordinance.

Advertising Sign, Off Premise. A sign which advertises a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Off-premise advertising signs include billboards, but do not include community information signs or off-premise directional signs.

Advertising Vehicle Sign. A vehicle or trailer parked on public rights-of-way or on private property so as to be seen from a public right-of-way, which attached to or located thereon is any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same or nearby property or any other premise. Business vehicles which contain typical business signage and which are actively used for business purposes are not considered advertising vehicle signs

Architectural Elements: Integral decorative or architectural elements of buildings or works of art, so long as such elements or works do not contain a commercial message, trademark, moving parts or moving lights.

Auxiliary Signs: A sign which provides special information such as price, hours of operation, parking rules, or warning and which does not include brand names, or information regarding product lines or square foot in area. Examples of such signs include directories of tenants in buildings, "no trespassing" signs, menu boards, drive through ordering stations, and signs which list prices of gasoline, up to one price listing sign per type of fuel, which must be displayed on a single structure. Auxiliary signs less than one square foot placed in store windows regarding hours of operation, accepted charge cards, warnings or similar information are allowed without a permit.

Alley. A road or thoroughfare affording only secondary access to abutting property.

Arm/Post Sign. A type of small scale freestanding sign mounted on a post or posts, either with a bracket arm extending outward to support a hanging sign, with the sign attached directly to the side of the post, or with the sign mounted between two posts.

Awning Sign. A sign that is directly affixed via sewing, painting, or similar method to a non-rigid removable awning or canopy which is legally mounted to the facade of a building. Text and/or logos shall be centered on the vertical face of the lower part of a canopy and shall not project below or above the vertical canopy surface. Text and logos on an awning shall be limited to 12 inches vertically; and shall not exceed 10 percent of the awning/canopy area.

Basement. That portion of any structure located partly below the average lot grade.

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

Building, Accessory. A building or portion of a building subordinate to the main building but not a part of the main building and used for a purpose customarily incidental to the permitted use of the main building. Any minor structure with a door, walls, and roof shall be considered an accessory building.

Building Area. Total ground coverage in square feet of all buildings and structures including garages and other attached or accessory structures.

Buildable Area of a Lot. That part of the lot bounded by the required building setback from the front, side, and rear yard line.

Building Height. The vertical distance from the top of the foundation to the highest peak of the roof.

Bulletin Boards: A sign allowing for the posting changing messages corresponding with different events or offerings, not exceeding 12 square feet for public, philanthropic or religious institutions located on the premises of said institutions.

Business Nameplates: A single non-illuminated nameplate, not exceeding six square feet mounted on the building face denoting the name of a business legally conducted on the premises.

Business Sign, On Premise. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located.

Commemorative Signs: Plaques, tablets, cornerstones, or lettering inlaid into the architectural materials of a building or structure denoting the name of that structure or its date of erection.

Construction or Project Identification Signs: One non-illuminated construction or project identification sign per project under 100,000 square feet and two construction signs per project over 100,000 square feet, listing only the project name and the parties involved in the design, construction, demolition, financing or project development. Such signs shall be erected no sooner than the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within 10 days of completion of work. Construction signs shall not

exceed 16 square feet for single-family residences, 48 square feet on all other parcels of less than 100,000 square feet, or 96 square feet on parcels greater than 100,000 square feet.

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

Deck. An exterior appendage to a building forming an approach, whether covered or not, and having a floor. For purposes of this Ordinance, a deck shall be considered a part of the structure to which it is adjacent and shall comply with all provisions relative to that structure. Any freestanding deck shall be considered an accessory structure.

Density. A number of units in a given land area.

Detached Structure. A structure surrounded by an open space on the same lot.

Directional Sign, Off-Premise. A sign which indicates a specific use and/or directions or distance to that use and which is not located on the lot which contains the use for which directions are being provided.

Directional Sign, On-Premise. A sign which indicates the name (or logo or symbol) of a specific business, department, use area, or destination within a development or lot and directions to that destination and which is located on the same lot which contains the business, department, use area, or destination for which the directions are being provided.

Dwelling Unit. A building or portion thereof which provides or is intended to provide living quarters exclusively for one family. A duplex shall be considered one dwelling unit for purposes of density calculations only.

Dwelling, Single-Family. A detached building designed for or occupied exclusively by one family.

Dwelling, Two-Family. A detached building containing two dwelling units, designed for occupancy by not more than one family per dwelling unit.

Family. A group of persons related by blood, marriage, or adoption and living together as a single housekeeping entity.

Family Day Care Home. A dwelling unit where supervision and care and/or instruction for not more than 8 children under the age of 7 is provided for periods of less than 24 hours per day, and which is licensed by the Wisconsin Department of Children and Families.

Farm Signs: A sign located on farm property which identifies the farm or advertises a farm product produced on that farm.

Fence, Open. A fence whose entire length is equal to or not greater than 50% opaque and whose individual elements or sections are also equal to or not greater than 50% opaque.

Findings of Fact. The facts that support and give credence to the recommendation on an amendment to the Zoning Ordinance made by the Plan Commission to the Town Board and the action taken by the Town Board.

Flags and Standards: Flags, standards, emblems and insignia of governmental, civic, philanthropic, religious or educational organizations, less than 50 square feet in area, when not displayed in connection with a commercial promotion or as an advertising device.

Floor Area. The total area bounded by the exterior walls of a building at the floor level usable as living quarters, but not including unfinished basements, garages, porches, breezeways, and unfinished attics.

Freestanding Sign. A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes arm/post signs, monument signs, and pylon signs. The sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The base or support(s) of freestanding signs shall be securely anchored to a concrete base or footing, except for public and institutional street and directional signs installed in public rights-of-way. The footing and related supporting structure of a freestanding sign including bolts, flanges, and brackets shall be concealed by the sign exterior and shall be landscaped.

Frontage. The portion of a lot abutting a road measured along the road line.

Garage, Private. Any accessory building or space for which the primary use is or is designed to be for the storage of motor vehicles.

Garage, Public. Any building or premises, other than a private garage, where motor vehicles are equipped, repaired, serviced, hired, sold or stored.

Garage Sale Signs: Up to 2 signs, not larger than 6 square feet each, which advertise garage sales, yard sales or similar merchandise sales during the time the sale is taking place.

Group Development Business Sign. A sign displaying the collective name of a group of uses, and/or the names and/or logos of individual occupants of the group development (e.g. an industrial park).

Height. The distance measured from the original grade at the base of the structure to the highest point of the structure.

Historic Markers: Commemorative plaques, memorial tablets, or emblems of official historical bodies, not exceeding two square feet, placed flat against a building, monument stone, or other permanent surface.

Holiday Decorations: Temporary displays of a primarily decorative nature, in connection with traditionally accepted civic, patriotic or religious holidays.

Identification Sign. A sign indicating the name and/or address of the tenant of the unit or manager of the property located upon the residential premises where the sign is displayed.

Impervious Surface. Land covered by roofs, decks and slotted decks, concrete, blacktop, mill felt laid to impede ground cover, paver block or landscape rock patios and walkways, brick

walkways and driveways. Hard packed gravel driveways, parking areas and walkways shall count as 50% impervious in area calculations. Gravel mulched areas around flower beds or borders of walkways, planter beds, retaining walls, gardens, building foundation drains and other drains may contain impervious surfaces but they are not regulated by this Zoning Ordinance.

Interior Sign. A sign that is located on the interior of a premise and which is primarily oriented to persons within that premises

Junk or Salvage Yard. An area consisting of buildings, structures, or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, the purchase or storage of used furniture and household equipment, house wrecking and structural steel materials and equipment yards, but not including used cars in operable condition.

Livestock.

1. Livestock means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.
2. An exception is when the term is used in determining compliance with Wis. Admin. Code ACTP 51 Livestock Facility Siting, livestock means domestic animals traditionally used in Wisconsin in the production of food, fiber or other animal products. "Livestock" includes cattle, swine poultry, sheep and goats. "Livestock" does not include equine animals, bison, farm-raised deer, fish, captive game birds, ratites, camelids or mink.

Lot. For the purposes of this Ordinance a lot shall be defined as a parcel of land on which a principal building or use and its accessory building or use are placed together with the required open spaces; provided that no such parcel shall be bisected by the public road, and shall not include any portion of a public right-of-way. No lands dedicated to the public or reserved for road purposes shall be included in the computation of lot size for the purposes of this Ordinance.

Lot Lines. The lines bounding a lot as defined herein; see Figure 1 on page 66.

Lot Line, Front. A lot line that abuts a public street right-of-way. In the case of a lot that has two or more street frontages, the lot line along the street from which the building is addressed shall be the front lot line unless otherwise approved by the Zoning Administrator. See Figure 1.

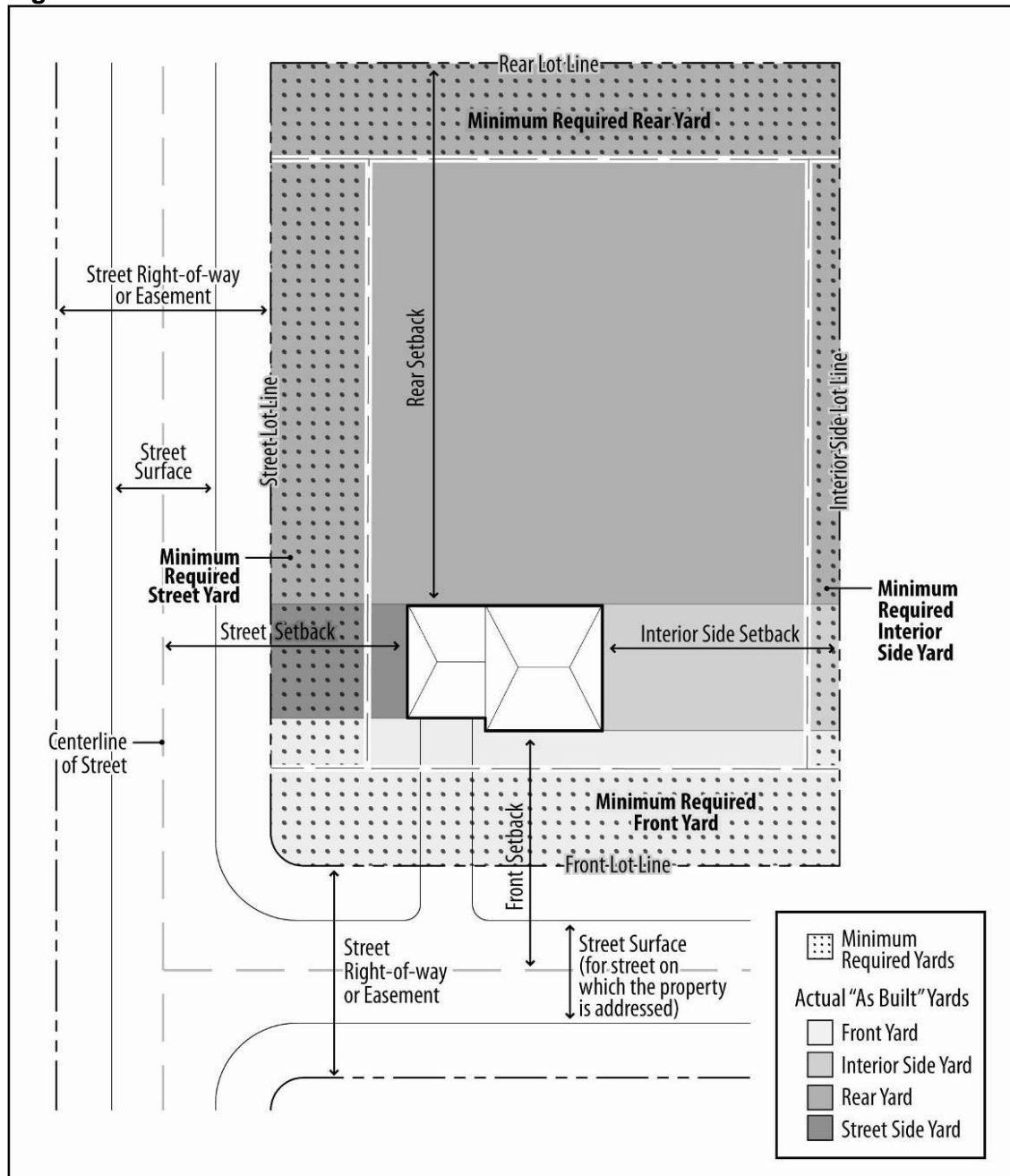
Lot Line, Interior Side. Any lot line that is not a front lot line, as street lot line, or a rear lot line. See Figure 1.

Lot Line, Rear. In the case of rectangular or most trapezoidal shaped lots, that lot line which is parallel to and most distant from the front lot line. In the case of an irregular-shaped lot, a line at least 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front line shall be considered to be the rear lot line. In the case of lots that have frontage on more than one road or street, the rear lot line shall be the opposite of the front lot line, as defined in this section. See Figure 1.

Lot Line, Street. A lot line that abuts a public street right-of-way, but is neither a front lot line nor a rear lot line, as defined in this section. See Figure 1

Lot Width. The distance between side lines of the lot measured at the front yard setback line.

Figure 1



Maintenance. Any work necessary to continue present use and upkeep of structure. If work involves replacement of materials, new material must be of comparable substance, style, use and proportional value as that being replaced.

Management Sign. A sign not exceeding four square feet which designates the real estate management agent for the premises on which it is located.

Manufactured Home. A structure substantially completed off-site meeting minimum provisions for dwellings and meets all of the following criteria:

1. Transportable in one or more sections.
2. Built on a permanent chassis
3. Placed on a permanent foundation
4. Connected to utilities (plumbing, heating, gas, electrical).
5. Constructed on or after June 15, 1976 in accordance with U.S. Housing and Urban Development Standards and identified with a H.U.D. seal of approval.

Marquee Sign. A sign mounted to a permanent roof-like structure that projects out from the exterior wall of a structure and shelters the entrance and/or entrance approaches to a building. Marquee signs shall be mounted parallel to the vertical surface of the marquee and not project more than 18 inches beyond vertical surface of the marquee. No part of a marquee sign shall extend beyond the top, bottom or side edges of the vertical face of the marquee surface.

Menu Board Sign. A sign associated with a drive-in or drive-through restaurant exclusive of any two-way microphone/speaker devices, provided that the sign does not exceed 25 square feet in area or eight feet in height.

Minor Structure. Any small, portable accessory structure or construction such as birdhouses, tool houses, ice shanties, pet houses, play equipment, and arbors. Also, walls and fences under four feet in height.

Mobile Home. A structure which was constructed prior to June 15, 1976 and was designed to be transported as a single unit or in sections by any motor vehicle upon a public highway and is designed, equipped, and used exclusively for sleeping, eating, and living quarters, or is intended to be so used, and which has an overall length in excess of forty-five (45) feet.

Mobile Sign. A sign mounted on a frame or chassis designed to be easily relocated.

Modular Home. A dwelling for which panels are fabricated at a factory, transported to the building site, assembled on site, and placed on a permanent foundation. Excluding garages and other appurtenances, modular homes shall not exceed a length to width ratio of three to one. Also, a modular home shall not include any type of permanently attached undercarriage or chassis.

Monument Sign. A type of freestanding sign with a bottom edge located within one foot of a ground-mounted pedestal.

Nonconforming Sign. A sign that was legally established prior to the adoption date of this Zoning Ordinance, or subsequent amendments to this Zoning Ordinance related to signs, which does not conform with one or more of the requirements of this Zoning Ordinance that are applicable to signs.

Nonconforming Structure. A building or premises lawfully used, occupied, or erected at the time of the passage of this Ordinance or amendments thereto, which does not conform to the regulations of this Ordinance with respect to width, height, area, yard, parking, loading, or distance requirements.

Nonconforming Use. The use or occupancy of a building or premises, which is lawful at the time of the enactment of this Ordinance or amendment thereto, but which use or occupancy does not conform to the provisions of this Ordinance or any amendments thereto.

On Building Sign. A type of sign permanently affixed to an outside wall of a building.

“Open” Signs: A sign, not exceeding four square feet each, which advertises a premises as open for business, with no more than one sign per street on which the property has frontage, and not more than two signs in aggregate which are in place only when the related premises are actually open for business.

Ordinary High Water Mark. That point upon the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristics.

Parking Area Sign. A sign used to state parking restrictions and/or conditions. Does not include handicap parking signs.

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

Political/Election Signs: A temporary political sign permitted without restriction so long as it locates per the requirements of this section. Signs promoting a candidate or position on an issue for an upcoming election may not be placed in a manner which would impede vehicular or pedestrian safety, must be outside of required vision triangles, and must meet the requirements of s. 12.03 Wis. Stats.

Pond. A natural or manmade waterbody containing water year round and smaller than 10 acres, including wildlife scrapes and other impoundments.

Principal Building. The building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the district in which it is located.

Projecting Sign. A type of on-building sign which is mounted at any angle other than parallel to the wall on which it is mounted and/or extends beyond 18 inches from the wall.

Property Line means a line that separates parcels of land on record with the Shawano County Register of Deeds.

Pylon Sign.: A type of freestanding sign erected upon one or more pylon, pole, or post, general of a scale that is larger than an arm/post sign.

Real Estate Signs: One non-illuminated real estate sign, allowed without a land use permit per street frontage of a parcel, advertising the availability of the premise for sale or lease. Such sign shall be removed within 30 days of the sale or lease of the single space it is advertising or of at least 90 percent of the total land or space available for sale or lease on the property. Such sign shall not be located in the public right-of-way, shall not exceed 12 square feet area and six feet in height in residential zoning districts and 48 square feet in area and eight feet in height in nonresidential zoning districts. Also, model home signs, not exceeding four square feet each, shall be allowed identifying a non-occupied dwelling unit used as a demonstrator for selling or renting other dwelling units in the same complex.

Recreational Vehicle. Any vehicle or trailer used for recreational purposes that is driven or towed and would include motor homes, boats that are trailered, snowmobiles and all-terrain vehicles that are driven or trailered, and other like vehicles.

Regulatory and Government Information Signs: A sign erected by or on behalf of a duly constituted governmental body, including, but not limited to legal notices, handicap parking signs; traffic signs or other regulatory, directional or warning signs, signs that are less than or equal to 32 square feet in area except if a regulatory sign. Any other sign for governmental purposes shall require a land use permit and be classified according to its purpose under this section

Required Signs: A sign required by state or federal statute or regulation.

Residential Signs: A sign customarily associated with residential use and not of a commercial nature which does not exceed a total of six square feet. Such signs include property identification names, numbers or names of occupants; signs posted on private property relating to private parking or warning the public against trespass or danger of animals; and Neighborhood Crime Watch signs.

Road. All property dedicated or intended for public or private road purposes or subject to public easements.

Road Right of Way Line. The dividing line between a lot, trail, or parcel of land and an abutting road.

Sandwich Board/Pedestal Signs: A movable sign placed by hand outside the building while the business is open; removed at the time the business closes each day; self-supporting and stable even on windy days because of its design; used for the purpose of promoting special business offers and not as primary business signage; and meeting all applicable size, placement, and other requirements of this section

Setback. The minimum horizontal distance between the lot line, right-of-way, or ordinary high water mark and the nearest point of a building or any protection thereof, excepting uncovered steps.

Shooting Range. A property or properties, or portions thereof, designed and operated for commercial purposes or by an organization or nonprofit entity for recreational or training purposes, including but not limited to, shooting preserves, target shooting ranges, skeet, trap and silhouettes ranges and courses, and sporting clay shooting operations or other similar facilities for persons using rifles, shotguns, pistols, revolvers, or black powder weapons, archery, or air rifles. This definition does not include target practice areas on private property, provided that the practice area and target(s) are positioned so that projectiles are not likely to cross a lot line and enter any adjacent property.

Shorelands. Lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream or the to the landward side of the floodplain, whichever distance is greater.

Sign. Any object, device, display, structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words,

letters, figures, logos, symbols, fixtures, color, lighting, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city or village, religious, fraternal, or civic organization; merchandise and pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields. Building colors and outline lighting which do not convey a logo or message specific to the use are not considered signs.

Sign Area. Sign area shall be measured in the following manner:

1. In the case of an on-building sign placed within a frame, a marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed.
2. In the case of an on-building sign on which the message is fabricated together with the background which borders or frames that message, sign area shall be the total area of the entire background.
3. In the case of an on-building sign on which a message is applied to a background which provides no border or frame (such as individual letters to a building face or awning), sign area shall be the combined areas of the smallest rectangle which can encompass the complete message (e.g. business name, business logo, etc.) of the sign in question.
4. In the case of a freestanding monument, arm/post, or pylon sign, sign area shall consist of the total area of the smallest rectangle that can enclose all structural elements of the sign, including the area in which copy can be placed, and all surrounding borders, decorative frames, etc. Where a freestanding sign (monument or pylon) has two or more display faces, the total area of all of the display faces which can be viewed from any single vantage point shall be considered the sign area. Freestanding sign area shall exclude any elements of the sign structure designed solely for support of the sign structure and located below or to the side of the sign elements listed above. Examples of supporting structures excluded from freestanding sign area calculations include the masonry base of a monument sign, the supporting post(s) to the side of or below an arm/post sign, or supporting pole(s) or pylons of a pylon sign.

Sign Height. The height of a freestanding sign shall be measured from the average ground level adjacent to the sign to the top of the sign or from the centerline grade of the nearest adjacent public road, if such information is supplied with the permit application and confirmed by the Zoning Administrator, whichever is higher. The average ground level is defined as the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.

Site Information Sign. A sign of no more than four square feet, without advertising of any kind, providing direction or instruction to facilities intended to serve the public, such as rest rooms, public telephones, walkways, parking, and similar facilities.

Special Display/Event Banners: A sign intended for sales, limited time offers, grand openings, or other special events only, with each such sign not exceeding 32 square feet in area, and not greater than eight feet in height if ground mounted nor extending above the roof line if building mounted.

Story. That portion of a building included between the surface of a floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the

ceiling next above it. A basement or cellar having one-half or more of its height above grade shall be deemed a story for purposes of height regulations.

Structure. Anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.

Structural Alteration. Any change in the supporting members of a structure such as foundations, bearing walls, columns, beams or girders or any substantial change in the roof structure or in the exterior or interior walls.

Temporary Window Signs: A sign temporarily affixed to the inside of a window advertising goods or services sold on premises. The total of all signs in each window area, including temporary and permanently mounted signs, shall not exceed 50 percent of the window area.

Temporary Signs: A sign or advertising display (including festoons, pennants, banners, pinwheels and similar devices) intended to be displayed for a certain limited period of time. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. Refer to 11.512.G. for regulations. Temporary signs are allowed without a land use permit.

Use, Accessory. A use customarily incidental to the principal use and on the same lot as the principal use. A permit may be required for an accessory use as provided for in 11.501(A).

Use, Conditional. A "conditional use" is a use which, because of its unique characteristics and impact upon the environment, cannot be properly classified as a permitted use. It is allowable only after the issuance of a conditional use permit by the Plan Commission. A permit for a conditional use stays with the property for which it is issued, regardless of who owns the property in the future.

Use, Permitted. A use that may lawfully be established in a particular district or districts, provided it conforms to all requirements, regulations, and standards of such district.

Use, Principal. The primary use of a property or structures.

Variable Message Sign. A sign which displays words, lines, logos, graphic images, or symbols that can change to provide different information, and which includes computer signs, reader boards with changeable letters, LCD and other video display signs, and time and temperature signs.

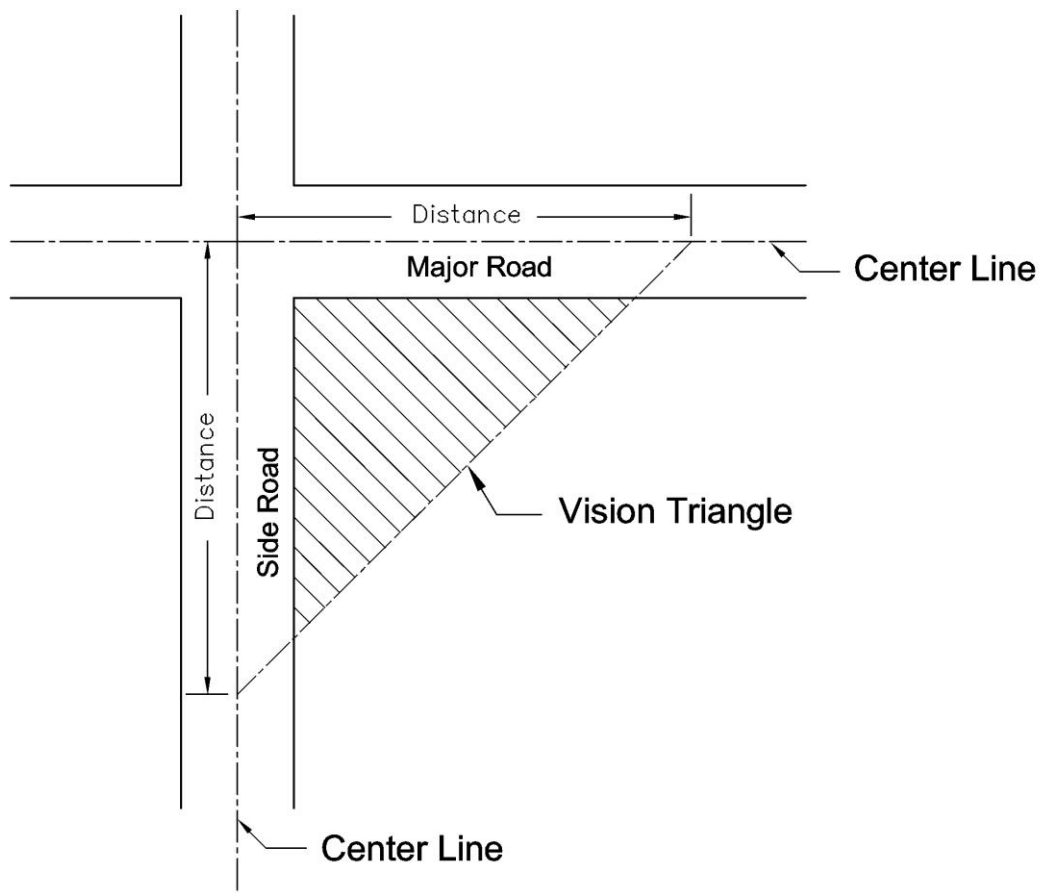
Variance. A departure from the term of this Ordinance as applied to a specific building, structure, or parcel of land, which the Board of Appeals may permit, contrary to the regulations of this Ordinance for the district in which such building, structure or parcel of land is located, when the board finds that a literal application of such Ordinance would result in a particular hardship to the owner as distinguished from a mere inconvenience.

Vehicle. A car, van, or truck that has been designed and sold with the intent to be licensed and operated on a public road.

Vision Clearance Triangle. An unoccupied triangular space at the intersection of two or more roads or highways, or highways and railways, which is bounded by the road lines, highway or railway right-of-

way lines and a setback line connecting points specified by measurement from the corner on each road, highway or railway line.

Figure 1: Vision Triangle



Wall Sign. A type of on-building sign mounted parallel to and directly on a building facade or other vertical building surface. Wall signs shall not project more than 18 inches beyond the edge of any wall or other surface to which they are mounted. The top of the sign shall not extend above the top edge of the vertical wall or above the lowest edge of a roof line of the portion of the building to which it is mounted.

Wetlands. 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.

Window Sign. A type of sign mounted on or within an exterior window with a primary intent to advertise a business or product within the premises.

Yard. An open space portion of a lot that is unoccupied by a principal building and unobstructed from the ground upward, except as otherwise provided herein.

Yard, Front. A yard between the interior side lot lines, or the interior side lot line and a street lot line, that extends from the front lot line to the part of the principal building nearest to the front lot line. See Figure 1.

Yard, Interior Side. A yard located between the front and rear yards that extends from the interior side lot line to the part of the principal building nearest to the interior side lot line. See Figure 1

Yard, Minimum Required. The minimum required distance between the specified lot line to the part of the principal building nearest that lot line, as specified in this Zoning Ordinance. See Figure 1.

Yard, Rear. A yard between the interior side lot lines, or the interior side lot line and a street lot line, that extends from the rear lot line to the part of the principal building nearest to the rear lot line. See Figure 1.

Yard, Street. A yard located between the front and rear yards that extends from the street lot line to the part of the principal building nearest to the street lot line. See Figure 1.

11.703 – 11.799 RESERVED