

CHAPTER 3 BUILDING AND LAND USE REGULATIONS

4-3-1: DISTRICTS AND DISTRICT MAPS

The unincorporated areas of Green County are hereby divided into six (6) use districts: Residential District, Agricultural District, Conservancy District, Commercial District, Highway Interchange District, and Industrial District. The boundaries of these six (6) districts are shown upon the maps of the towns of Green County, being designated as "Green County Zoning Maps", such maps hereby becoming a part of this Chapter. In unsubdivided property, unless otherwise indicated on the map, the district boundary lines are the center lines of streets, highways, railroads, section lines, quarter-section lines, quarter-quarter lines or such lines extended. Where not otherwise indicated on the map, it is intended that the district boundary line be measured at right angles to the nearest highway right-of-way line and be not less than three hundred feet (300') in depth; provided, however, that wherever a commercial district is indicated on the district map as a strip paralleling the highway, the depth of such strip shall be three hundred feet (300') measured at right angles to the right-of-way line of the street or highway to which it is adjacent unless a different depth is shown on the map. The length of each strip shall be shown on the map. When such commercial district is located at the intersection of streets or highways, the length shall be measured from the intersection of each street or highway right-of-way line included in such district. (Ord. 01-0401, 4/17/01)

4-3-1-1: RESIDENTIAL DISTRICT

- A. Use: In the Residential District no building or structure or premises shall hereafter be erected or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following uses:
1. Single-family, two-family and multiple-family residences, except dwellings or single-wide manufactured homes.
 2. Churches, public and parochial schools.
 3. Lodging house, boarding house, or bed-and-breakfast establishments, restricted to not over three (3) boarders or lodgers not members of the resident family. If the boarded population exceeds over three (3) persons, a conditional use permit will be required.
 4. Public buildings, except sewage disposal plants, garbage incinerators and buildings for the repair or storage of road building or maintenance equipment.
 5. Accessory buildings, including, but not limited to, private garages and storage sheds; provided, however, that no such accessory building may be used as a separate dwelling unit.
 6. Private clubs and fraternities, except those whose principal activity is a service customarily carried on as a business.
 7. Private gardening, hobby farming and crop farming.

8. Public parks and playgrounds, including swimming pools, golf courses, tennis courts and picnic grounds. The following regulations shall be mandatory as applied to any park or playground established by any agency within Green County:
 - a. No yard shall be less than twenty five feet (25') wide, except that no such yards need to be provided adjacent to the fairways and greens of golf courses.
 - b. Each such yard shall be increased for the following:
 - (1) For swimming pools larger than forty feet by sixty feet (40' x 60'), one foot (1') of additional yard for each two feet (2') of width or length of the pool, in the direction of such additional width or length.
 - (2) For picnic grounds having seating arrangements for more than forty (40) persons, ten feet (10') of additional width on every yard for each additional ten (10) persons or fraction thereof which such picnic ground is designed for or equipped to accommodate.
 - c. Any such yard which abuts on a public street or highway may be reduced by one-half (2) the width of such street or highway, but in no case to less than fifteen feet (15').
 - d. Each such yard shall be left in its natural condition, and the natural vegetation of the area, including grasses, flowers, shrubs, and trees, except noxious plants, trees and weeds shall be allowed to grow and develop, or other vegetation of equivalent density shall be planted therein, so as to provide a natural screen between the park or playground and neighboring residential areas and so that such yards shall be, so far as possible, unused and unusable for the general purposes of such parks and playgrounds.
 - e. Off-street parking shall be provided, on the premises of each park or playground but not in any yard established under the above suggested regulations, equal to not less than one parking space for each four (4) persons which the park or playground is designed or intended to accommodate.
9. Wired services and utilities, including metal, glass fiber or other conductors, and necessary appurtenant equipment and structures, such as transformers, unit substations and equipment housings relative thereto and provided that there be no service garage or storage yard. This regulation, however, shall not include microwave relay structures unless and until the location thereof shall first have been approved by the Zoning Board of Adjustment subject to the requirements of Chapter 10, *infra*.
10. Home occupation, when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would effect a substantial change in the residential character of the building; provided further, and that no person other than a member of the resident family is employed on the premises. Documentation must be provided that the private on-site wastewater treatment

system serving the structure is adequate to accommodate any increase in wastewater load that is generated by such use. (Ord. 22-0301, 3/8/2022)

11. Professional office, when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises; provided further, that there shall be no external alterations that would effect a substantial change in the residential character of the building, that no more than fifty percent (50%) of only one floor of the dwelling shall be devoted to such offices.
12. Signs when meeting the requirements of the sign regulations contained in Section 4-3-4 of this Chapter.
 - a. Directory sign.
 - b. Home occupation.
 - c. Temporary.
 - d. Plaque.
13. Cabins and hunting shelters, and other buildings or structures intended for human habitation when such structures meet all the provisions of this Title, as well as the requirements for an adequate, safe and potable water supply; and a properly functioning, code-compliant system for treatment and disposal of domestic waste.
14. Storage of campers, motor homes, recreational vehicles, house cars, camp cars, or any portable or mobile vehicle on wheels, skids, rollers or blocks either self-propelled or propelled by any other means which is used or originally designed to be used for temporary or permanent residential living or sleeping purposes, and other similar types of units shall be allowed to be parked or stored in the open on a lot, provided that an existing residence is in place on the lot; the resident landowner is the owner of the unit; a limit of one such unit is stored on the premises; and the unit is not occupied during the storage period. Units are not allowed to be stored on vacant lots. (Ord. 02-0801; 8/13/02)

B. Other Requirements: Also see General Provisions and Exceptions in Section 4-3-2 herein.

1. Lot Area: Buildings or parts of buildings hereafter erected or structurally altered for single or two-family residential purposes shall provide a lot area of not less than twenty thousand (20,000) square feet and provided further that no such lot shall be less than one hundred (100) feet wide at the building line, a building line being defined as the shortest line between the side lines bisecting the structure. For multi-family structures, such as triplexes, etc., an additional three thousand (3,000) square feet shall be provided for each additional living unit; and provided further, that when the regulations of the Wisconsin Administrative Code regarding private onsite wastewater treatment systems or an examination of available soils data requires a larger lot area than any of the above, such regulations shall govern. For lots serviced by public sewer, the minimum lot area shall be ten thousand (10,000) square feet and, provided further that no such lot shall be less than eighty (80) feet

wide at the building line, a building line being defined as the shortest line between the side lines bisecting the structure.

2. Floor Area: Buildings used in whole or in part for residential purposes which are hereafter erected, moved or structurally altered shall have a minimum floor area of seven hundred fifty (750) square feet of living area on the main floor(s) for single-family dwellings. For buildings which house multiple-family living units, each unit shall have a minimum floor area of seven hundred fifty (750) square feet of living area on the main floor(s) of the unit.
3. Height: No building shall be more than two and one-half (22) stories or thirty five feet (35') in height.
4. Side Yard: There shall be a side yard on each side of a building. In the Residential District no single side yard for any structure shall be less than ten feet (10') wide; provided further, that the highway setback regulations shall apply to all corner lots.
5. Rear Yard: There shall be a rear yard of not less than twenty five feet (25') in depth for any main building. Accessory buildings shall be provided with a minimum rear yard of not less than three feet (3').
6. Highway or street setback lines. See Section 4-3-5 of this Chapter. For a lot which does not have direct road frontage, in addition to the minimum setbacks provided for the highway or street, if applicable, the minimum front yard setback from any building to the front lot line shall be twenty-five feet (25').
7. Waterfront Setback Lines: See Section 4-7-5 of this Chapter.
8. Creation of Lot Lines on Developed Parcels: The setbacks of this Title shall apply to lot lines and land divisions which are created on parcels on which buildings or structures exist. (Ord. 01-0401, 4/17/01; Ord. 03-0201, 2/11/03)

4-3-1-2: AGRICULTURAL DISTRICT

- A. Use: In the Agricultural District no building or premises shall be used and no building shall hereafter be erected, moved or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following uses:
 1. a. Any use permitted in the Residential District; manufactured single-wide homes converted into dwellings.
 - b. A camper, motor home, recreational vehicle, house car, camp car, or any portable or mobile vehicle on wheels, skids, rollers or blocks either self-propelled or propelled by any other means which is used or originally designed to be used for temporary or permanent residential living or sleeping purposes, and other similar types of unit which is intended to be parked or stored on a vacant lot or a lot in which the unit's owner is not the resident landowner will be considered a building or structure intended for human habitation or occupancy, which will be required to meet all the provisions of this Title. In addition, a conditional use permit is required for designation as a private campground, as well as the requirements for an

adequate, safe and potable water supply; and a properly functioning, code-compliant system for treatment and disposal of domestic waste. If the owner of the unit signs an affidavit certifying that the unit is not occupied or used at any time on the premises, one unit may be allowed to be parked on a vacant lot owned by the unit's owner, for a period of not more than one (1) year.

2. General farming, including dairying, livestock and poultry raising, animal feedlots, nurseries, greenhouses, produce warehouses and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish or offal; provided, that no greenhouse or building for the housing of livestock or poultry shall be located within one hundred feet (100') of any boundary of a residential lot other than that of the owner or lessee of such greenhouse or building containing such livestock or poultry. (Ord. 00-0101; Ord. 10-0801, 8/10/10; Ord. 22-0301, 3/8/2022)
3. Practice of forestry and production of forest products.
4. Dams, power plans, flowage areas.
5. Wired services and utilities, including metal, glass fiber or other conductors, poles and lines, including transformers, substations, relay stations, equipment housings and other similar necessary appurtenant facilities; and other such towers structures up to a height of not more than one hundred feet (100'). Structures of heights over one hundred feet (100') shall comply with section 4-3-1-2-A-12-r. (Ord. 19-0102, 1/8/2019)
6. Extraction by or for municipalities, in municipally owned quarries only of sand and gravel and the quarrying of limestone and other rock for aggregate purposes, and the manufacture and processing of such materials incidental to the extraction including the erection of buildings, and the installation of necessary machinery and equipment incidental thereto, but not the storage of cement, asphalt or road oils or the mixing of concrete or blacktop or related materials; provided, that any county, town or municipal government or its agent may store or mix such materials when incidental to the improvement of highways or streets; provided further, that when the use of any excavation or quarry having an area of one-half (1/2) of an acre or more, within the limits of disturbance of the earth from its natural state, is discontinued, all buildings, machinery and equipment constructed or installed incidental to such extraction or processing shall be removed within three (3) months of the date of such discontinuance. If any part of such excavation or quarry is within two hundred feet (200') of a public street, road or thoroughfare, any part of such excavation or quarry in which water collects to a depth of three feet (3') or more for at least thirty (30) consecutive days in the calendar year shall be drained or filled so as to prevent such collection of water; and all banks or cuts not in rock shall be sloped to the bottoms of such banks or cuts at a slope not steeper than one and one-half feet (1 1/2) horizontal to one foot (1') vertical.
7. Roadside stands, agricultural tourism, agri-markets and agri-stores. (Ord. 22-0301, 3/8/2022)
8. Single-wide manufactured homes, also formerly known as mobile homes and house trailers shall comply with Section 4-3-3 of this Chapter.

9. Signs when meeting the requirements of the sign regulations contained in Section 4-3-4 of this Chapter.
 - a. Directory sign.
 - b. Outdoor advertising sign or billboard.
 - c. On-premise sign.
 - d. Temporary sign.
 - e. Plaque.
10. Sawmills, when located on the same premises for not more than twenty (20) days. (1982 Code)
11. Wineries, breweries and distilleries when crops planted on site are used in manufacturing and/or production. (Ord. 22-0301, 3/8/2022)
12. The following types of uses, when the location of each such use shall have been approved in writing by the Board of Adjustment, after public hearing, unless otherwise exempted, and after a view of the proposed site or sites. Listed uses, as well as those non-listed uses determined by the Zoning Administrator to be of substantially the same character, shall be subject to conditional use approval consistent with the general purpose and intent of these regulations and shall be based upon such evidence as may be presented at such public hearing, tending to show the desirability or undesirability of specific proposed locations for a specific proposed use from the standpoint of the public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, operation of heavy machinery, heavy vehicular traffic and increased traffic on the public streets. The Board of Adjustment shall require the applicant to submit such data and information as is required for its determination and may make the granting of a permit conditional upon such expressed conditions as it deems necessary to accomplish the purposes and intent of this Title. These conditions shall include but are not limited to: specific waste disposal and water supply requirements; increased setback and yard requirements; operational controls and limitations; sureties and deed restrictions; landscaping and screening requirements; noise and odor abatement measures; and pollution controls. Violation of any condition shall constitute a violation of this Section. (Upon petition of the landowner, the Board of Adjustment can review and alter any condition of a conditional use permit after holding a public hearing on the proposed change.) Such use shall also be required to meet the specific conditions below: (Ord. 80-320) (Ord. 00-0101)
 - a. Aircraft landing fields, basins and hangars. (Reference to City of Monroe Zoning Ordinance on Municipal Airport)
 - b. Contractors' storage yards. Provided that any outdoor storage is not visible from any public highway or any residential building within 1,000 feet by the use of screening or fencing. (Ord. 22-0301, 3/8/2022)

- c. Drive-in theaters, subject to the following conditions:
 - (1) That there be a clear sight distance of five hundred feet (500') to an entrance to or an exit from such drive-in theater on any public highway.
 - (2) That there be a distance of not less than one-quarter (1/4) mile between the boundary of any Residential District and the nearest point on the boundary of such drive-in theater site, measured in a straight line.
- d. Fur farms, charcoal kilns, pea viners or sawmills when located not less than one thousand feet (1,000') from any residential building other than that of the owner of the premises, his/her agent or employee.
- e. Kennels, when located not less than one thousand feet (1,000') from any residential building other than that of the owner of such kennels, his/her agent or employee.
- f. Medical, correctional or charitable institutions, when any building devoted wholly or partly to such uses or accessory thereto shall be distant not less than one hundred feet (100') from any residential building not on the same premises.
- g. Manufactured home parks, when the location of each such park shall have been approved in writing by the Board of Adjustment, after public hearing. In approving such a location, the Board shall view the proposed site or sites and shall consider such evidence as may be presented at the hearing, bearing upon the general purpose and intent of these ordinances to promote the public health, safety and general welfare and the specific purpose of this paragraph to prevent the overcrowding of land and the development of housing blight in rural areas. Also see Section 4-3-3 of this Chapter.
- h. Camp grounds and camping resorts, when the location of each such camp shall have been approved in writing by the Board of Adjustment after public hearing. Also see Section 4-3-3 of this Chapter.
- i. Public dumping ground, when the Board shall clearly define the area of each such dumping ground at the time of issuing the permit for its location; provided, that no such dumping ground shall be located within one-half (1/2) mile of the boundary of any Residence District or any incorporated city or village, nor within one-quarter (1/4) mile of any residence except that of the owner of the property on which such dumping ground is located or his/her agent, nor within seven hundred fifty feet (750') of the right of way of any through public road, nor located in any drainage course or basin or flood plain area; provided further, that no location permit for any such dumping ground shall be issued without consultation with the Town Board. The various boundaries of any public dumping ground may be changed or extended from time to time, but only by the same method by which it was

originally established. Such dumping ground shall also comply with the appropriate State of Wisconsin code relating to solid waste disposal.

- j. Shooting ranges. (Ord. 22-0301, 3/8/2022)
- k. Slaughterhouses, when located not less than one thousand feet (1,000') from any residential building other than that of the owner of the premises, his/her agent or employee.

Small scale slaughterhouse, when located not less than four hundred feet (400') from any residential building other than that of the owners of the premises, his/her agent, family member or employee, subject to the prohibition of any method of putting animals down that produce sounds which carry beyond property lines, or in any part of the process. (Ord. 06-1102, 11/14/2006).

- l. Automobile wrecking yards, junk yards; provided, that each such use shall be completely screened by a solid wall, fence, evergreen planting or equivalent opacity, or other equally effective means, built to or maintained at a minimum height of six feet (6'), except for one entrance or exit, nor more than twelve feet (12') wide and not directly facing the public street; provided further, that such yard contents shall not be visible from a public highway.
- m. Establishment of a new or re-opening of an abandoned premises for the mining, storage, processing or transportation of non-metallic materials, including the quarrying, blasting, crushing, or extraction of limestone, gravel, sand, fill or other similar materials or activities, by other than a municipality. In addition to requiring Board of Adjustment approval, such use must also comply with the screening requirements of Section 4-3-1-6, Industrial District, subsection A3d. (1982 Code) A minimum setback of at least 50 feet to all lot lines shall be required for any quarry activities, except the placement of structures which are governed or elsewhere in this Code. A site will be considered an abandoned quarry or non-metallic mining site if activity has not taken place or materials have not been extracted for a period of five (5) years or more.
- n. Placement of a temporary or permanent blacktop, asphalt, cement, or concrete plant, or other like facility.
- o. Lodging house, boarding house, or bed-and-breakfast establishment, exceeding three (3) boarders or lodgers not members of the resident family, and also in which the boarders or lodgers are housed in the main residence on the premises.
- p. Day care centers, whether or not located within a private residential building, in which care and supervision is provided for five (5) or more children or persons, by pre-arrangement for definite periods of time for compensation, who are not full-time residents of the home. State-licensed family daycare centers which are located in the operator's private residence and meet the requirements of Adm. Code 66.304 (Dept. of Health and Family Services) are exempt from zoning requirements for a Conditional Use Permit but must

meet the septic system adequacy requirements, similar to that of a home occupation.

- q. Residential care facilities, whether or not located within a private residential building, in which care and supervision is provided for three (3) or more children or persons, other than family members of the residents, who temporarily become full-time residents of the home.
- r. Wired services and utilities, including metal, glass fiber or other conductors, poles and lines, including transformers, substations, relay stations, equipment housings and other similar necessary appurtenant facilities; and other such tower structures of heights over one hundred feet (100'). (Ord. 19-0102, 1/8/2019)
- s. Rental storage units or areas of buildings rented for the storage of motor vehicles, recreational units, or any miscellaneous items.
- t. Outdoor recreational facilities including, but not limited to, commercial horseback riding, paint ball, commercial ATV/bike trails, golf courses, driving range, or regularly held outdoor events which involve temporary or permanent modification of the land or erection of temporary or permanent structures. A conditional use permit shall not be needed for activities or uses of the land which are exclusively done by or involve the land owner or their immediate family members. (Ord. 02-0801, 8/13/02; Ord. 10-0801, 8/10/10)
- u. Agricultural entertainment. (Ord. 22-0301, 3/8/2022)
- v. Event centers when operated seasonally between May 1st and October 31st. (Ord. 22-0301, 3/8/2022)

B. Other Requirements: Except as otherwise provided in Section 4-3-2, the other requirements of the Agricultural District for buildings or parts of buildings shall be the same as those required in Section 4-3-1-1.B. (Ord. 01-0401, 4/17/01; Ord. 03-0201, 2/11/03; Ord. 16-0302, 3/8/2016)

C. Any residence existing as of [the date of the amendment] shall be considered a legal confirming permitted use. Notwithstanding any provision of 4-3-2-1.F. regarding nonconforming uses to the contrary, such structure may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided the following criteria are met:

- 1. The use of the structure remains residential; and
- 2. The replacement residence, or any alteration of an existing residence, complies with all building height, setback, side yard and rear yard standards of this ordinance. (Ord. 11-1001, 10/18/2011)

4-3-1-3: CONSERVANCY DISTRICT