

ZONING ORDINANCE

VILLAGE OF DORCHESTER

CLARK & MARATHON COUNTIES

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Article I – Introduction

Section

- 1.01 Title:** This Ordinance shall be known as, referred to, and cited as the “Village of Dorchester Zoning Ordinance” and is hereinafter referred to as the “Ordinance”.
- 1.02 Intent and Purpose:** The general intent and purpose of this Ordinance is to:
- A. Promote the public health, safety, comfort, convenience, and general welfare of the citizens of the Village of Dorchester.
 - B. To protect and conserve the natural resources of the Village, including forests, wetlands, and surface and groundwater by the most appropriate use of land.
 - C. To protect and conserve the social character and economic stability and preserve property values.
 - D. To prevent the overcrowding of land and undue congestion of population.
 - E. To provide adequate light, air, and convenient access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties.
 - F. To provide adequate and efficient public services such as roads, water and sewer, schools, and police and fire protection.
 - G. To encourage the use of land and buildings which are compatible with nearby existing and planned land uses, and to prohibit and control existing land uses deemed incompatible with nearby land uses.
 - H. To prevent harm to persons and property by flood, fire, explosion, toxic fumes or other hazards.
 - I. To protect the traffic-carrying capacity of existing and proposed arterial streets and highways.
 - J. To regulate parking and loading so as to lessen congestion and promote the safety and efficiency of streets and highways.
- 1.03 Relationship with Other Laws:** Where the conditions imposed by any part of this Ordinance upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Ordinance or any other laws, ordinances, resolutions, rules, or regulations of any kind, the regulations which are more restrictive (or impose higher standards or requirements) shall be enforced.
- 1.04 Scope of Regulations:** No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof, shall hereafter be erected, converted, enlarged, constructed, moved, or structurally altered unless in conformity with all the regulations herein specified for the district in which it is located.

- 1.05 Minimum Requirements:** The provisions of this Chapter shall be held to be the minimum requirements for carrying out the intent and purpose as defined in Section 1.02.
- 1.06 Effect on Existing Agreements:** It is not intended by this Ordinance to repeal, annul, impair, or interfere with any existing easements, covenants, deed restrictions, written agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law.
- 1.07 Separability:** It is hereby declared to be the intention of this Village that the several provisions of this Chapter are separable, in accordance with the following:
- A. If any court of competent jurisdiction shall declare any provisions of this Chapter to be invalid, such ruling shall not affect any other provisions of this Chapter not specifically included in such ruling.
 - B. If any court of competent jurisdiction shall declare invalid the application of any provision of this Chapter to a particular property, building, or other structure, such ruling shall not affect the application of such provision to any other property, building, or structure not specifically included in such ruling.

Article II – Definitions

Section

2.01 General Interpretation: The following rules of construction apply to this Ordinance:

Words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number; the word “hall” is mandatory and not directory. The word “person” includes an individual, all partnerships, associations, and bodies political and corporate. The word “lot” includes the word “plot” or “parcel” or “tract”. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended”, “arranged”, or “designed to be used or occupied”.

2.02 Definitions: The following terms, for purposes of this Ordinance, shall have the meaning stated below:

ABUTTING. Have a common property line or district line.

ACRE, NET. The actual land devoted to the land use, excluding public streets, public lands, or unusable lands, and school sites contained within 43,560 square feet.

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

ACCESSORY APARTMENT. A separate, complete housekeeping unit that is substantially contained within the structure of a single-family dwelling, but can be isolated from it.

APARTMENT. A suite of rooms or a room in a multiple dwelling in which the suite or room is arranged, intended, or designed to be occupied as a residence of a single family, individual, or group of individuals, with separate facilities and utilities which are used or intended to be used for living, sleeping, cooking, and eating.

AUTOMOBILE WRECKING YARD. Any premises on which two (2) or more self-propelled vehicles not in running order or operating condition are stored in the open.

BASEMENT. A portion of a building with the floor located below the mean grade level. For the purpose of this Chapter, any such basement with more than four (4) feet above grade level shall be counted as a story. No dwelling unit shall be situated in a basement having less than four (4) feet above grade level.

BED AND BREAKFAST ESTABLISHMENT. An owner-occupied, single-family dwelling unit at which overnight sleeping accommodations are offered to travelers by the owner.

BLOCK. A tract of land bounded by streets or by a combination of streets and public parks or other recognized lines of demarcation.

BOARD. The Board of Appeals, as provided in Article VII of this Ordinance.

BOARDING HOUSE. A building other than a hotel or restaurant where meals and lodging are regularly furnished by prearrangement for compensation for three (3) or more persons not members of the family, but not exceeding twelve (12) persons and not open to transient customers.

2.02 Definitions cont'd

BUFFER ZONE. A designated neutral area designed to separate conflicting land uses. A natural vegetative screening of trees, shrubs, or other plantings is usually employed in such a designated area.

BUILDABLE LOT AREA. The portion of a lot remaining after required yards have been provided.

BUILDING. Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, or materials. When a building is divided into separate parts by unpierced walls extending from the ground up, each part shall be deemed a separate building.

BUILDING, DETACHED. A building surrounded by open space on the same lot.

BUILDING, HEIGHTS OF. The vertical distance from the average curb level in front of the lot or the finished grade at the building line, whichever is higher, to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the average height of the highest gable of a gambrel, hip, or pitch roof.

BUILDING, PRINCIPAL. A building in which the principal use of the lot on which it is located is conducted.

BUSINESS. An occupation, employment, or enterprise which occupies time, labor, and materials, or wherein merchandise is exhibited or sold, or where services are offered.

CARPORT. An automobile shelter having one or more sides open.

CHANNEL. Those floodlands normally occupied by a stream of water under average annual high water flow conditions while confined within generally well established banks.

CLINIC. An establishment or medical examination and treatment of patients, but without provisions for keeping such patients overnight on the premises (except for veterinary clinics). For purposes of this Ordinance, a doctor's or dentist's office in a residence, when it complies with the requirements of this Ordinance relating to such office shall not be considered a clinic, but any doctor's or dentist's office which is not part of his home, or the office of two or more doctors or dentists, whether in a residence or not, shall be considered a clinic.

CLUB OR LODGE. A building or portion thereof or premises owned by a corporation, association, person, or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

COMMUNITY LIVING ARRANGEMENT. The following facilities licensed or operated or permitted under the authority of the Wisconsin State Statutes: Child welfare agencies under Section 48.60, group foster homes for children under Section 48.02(7m) and community-based residential facilities under Section 50.01, but does not include day care centers, nursing homes, general hospitals, special hospitals, prisons, and jails. The establishment of a community living arrangement shall be in conformance with applicable Sections of the Wisconsin State Statutes, including Sections 46.03(22), 69.97(15), 62.23(7)(i), and 62.23(7)(a), and amendments thereto, and also the Wisconsin Administrative Code.

2.02 Definitions cont'd

CONDITIONAL USE. A use, either public or private, which because of its unique characteristics, cannot be properly classified as a permitted use in a particular district or districts and, therefore, may be permitted in such district or districts only by Conditional Use Permit.

CONSERVATION STANDARDS. Guidelines and specifications for soil and water conservation practices and management enumerated in the *Technical Guide*, prepared by the USDA Soil Conservation Service for Clark County, adopted by the County Soil and Water Conservation District Supervisors, and containing suitable alternatives for the use and treatment of land based upon its capabilities from which the landowner selects that alternative which best meets his needs in developing his soil and water conservation.

CONTROLLED ACCESS ARTERIAL STREET. The condition in which the right of owners or occupants of abutting land or other persons to access, light, air, or view in connection with an arterial street is fully or partially controlled by public authority.

DEVELOPMENT. Any man-made change to improved or unimproved real estate including, but not limited to, construction of or additions or substantial improvements to buildings, other structures, or accessory uses, mining, dredging, filling, grading, paving, excavation or drilling operations, or disposition of materials.

DISTRICT, BASIC. A part or parts of the Village for which the regulations of this Chapter governing the use and location of land and building are uniform.

DISTRICT, OVERLAY. Overlay districts, also referred to herein as regulatory areas, provide for the possibility of superimposing certain additional requirements upon a basic zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more strict of the conflicting requirements shall apply.

DWELLING. A building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

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

DWELLING, EFFICIENCY. A dwelling unit consisting of one (1) principal room with no separate sleeping rooms.

DWELLING, SINGLE FAMILY. A detached building designed for or occupied by one (1) family.

DWELLING, TWO FAMILY. A detached building containing two (2) separate dwelling (or living) units, designed for occupancy by not more than two (2) families.

DWELLING, MULTIPLE FAMILY. A building or portion thereof used or designated as a residence for three (3) or more families as separate housekeeping units, including apartments, apartment hotels, and town houses.

2.02 Definitions cont'd

ESSENTIAL SERVICES. Service provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, rains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings.

FLOOR AREA (BUSINESS AND MANUFACTURING BUILDINGS). For the purpose of determining off-street parking and off-street loading requirements, the sum of the gross horizontal areas of the floors of the building, or portion thereof, devoted to a use requiring off-street parking or loading. This area shall include elevators and stairways, accessory storage areas located within selling or working space occupied by counters, racks, or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, floor area, for the purposes of determining off-street parking spaces, shall not include the floor area devoted primarily to storage purposes except as otherwise noted herein.

FOSTER FAMILY HOME. The primary domicile of a foster parent which is four (4) or fewer foster children and which is licensed under Section 48.62 of the Wisconsin Statutes and amendments thereto.

FRONTAGE. All the property abutting on one (1) side of a street between two (2) intersecting streets or all of the property abutting on one (1) side of a street between an intersecting street and the dead end of a street.

GARAGE (PRIVATE). A detached accessory building or portion of the principal building, designed, arranged, used, or intended to be used for storage of automobiles of the occupant of the premises.

GARAGE (PUBLIC). Any building or portion thereof, not accessory to a residential building or structure, used for equipping, servicing, repairing, leasing, or public parking of motor vehicles.

GASOLINE STATION. Any area of land, including structures thereon, that is used for the sale of gasoline or other motor vehicle fuel, and oil or other lubrication substances; sale of motor vehicle accessories; and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, dry cleaning, or otherwise cleaning such vehicles.

GRADE. When used as a reference point in measuring height of a building, the "grade" shall be the average elevation of the finished ground at the exterior walls of the main building.

GROUP FOSTER HOME. Any facility operated by a person required to be licensed by the State of Wisconsin under State Statute Section 48.62 for the care and maintenance of five (5) to eight (8) foster children.

HOME OCCUPATIONS. Any occupation for gain for support conducted entirely within a building by resident occupants and no more than one non-resident person, which is incidental to the principal use of the premises; does not exceed twenty-five percent (25%) of the area of any above ground living area; has no article offered for sale except such as is produced by such home occupation; and meets all of the conditions of Section 3.08 of this Ordinance.

2.02 **Definitions** cont'd

Examples of home occupations are: baby sitting, millinery, canning, dressmaking, dentists, architects, landscape architects, registered land surveyors, lawyers, and teachers.

HOSPITAL. An institution intended primarily for the medical diagnosis treatment, and care of patients being given medical treatment. A hospital shall be distinguished from a clinic by virtue of providing for 24-hour patient care.

HOTEL. A building in which lodging, with or without meals, is offered to transient guests for compensation, and in which there are more than five (5) sleeping rooms with no cooking facilities in an individual room or apartment.

INSTITUTION. A building occupied by a non-profit corporation or a non-profit establishment for public use.

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

JUNK. Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition. Junk includes, but is not limited to, vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood, and lumber.

JUNKYARD. Any area, lot, land, parcel, building, or structure or part thereof used for the storage, collecting, processing, purchase, sale, or abandonment of wastewater, rags, scrap metal or other scrap or discarded goods, materials, machinery, or two (2) or more unregistered, inoperable motor vehicles or other type of junk.

LOADING AREA. A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

LODGING HOUSE. A building where lodging only is provided for compensation for not more than three (3) persons not members of the family.

LOT. A division of land occupied or designed to be occupied by one building and its accessory buildings or uses, including open spaces required by this Ordinance. A lot may be a parcel of land designated in a plat laid out prior to the effective date of this amendment, whether or not such division abuts a public street or other officially approved placed recorded in the office of the Register of Deeds, or any part of a larger division when such parts comply with the requirements of this Ordinance as to width and area for the district in which it is located. No land included in any street, highway, or railroad right-of-way shall be included in computing lot area.

LOT, CORNER. A lot abutting two (2) or more streets at their intersection provided that the corner of such intersection shall have an angle of one hundred thirty-five (135) degrees or less, measured on the lot side.

LOT, INTERIOR. A lot situated on a single street which is bounded by adjacent lots along each of its other lines and is not a corner lot.

2.02 Definitions cont'd

LOT, THROUGH. A lot which has a pair of opposite lot lines along two (2) substantially parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

LOT, SUBSTANDARD. A parcel of land held in separate ownership having frontage on a public street, or other approved means of access, occupied or intended to be occupied by a principal building or structure, together with accessory buildings and uses, having insufficient size to meet the lot width, lot area, yard, off-street parking areas, or other open space provisions of this code as pertaining to the district wherein located.

LOT COVERAGE (RESIDENTIAL). The area of a lot occupied by the principal building or buildings and accessory building.

LOT COVERAGE (EXCEPT RESIDENTIAL). The area of a lot occupied by the principal building or buildings and accessory buildings, including any driveways, parking areas, loading areas, storage areas, and walkways.

LOT LINE. A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the abutting street or alley right-of-way line.

LOT LINES AND AREA. The peripheral boundaries of a parcel of land and the total area lying within such boundaries.

LOT OF RECORD. A platted lot of a recorded subdivision, certified survey map, or parcel of land for which the deed, prior to the adoption of this Ordinance, is on record with the Clark County Register of Deeds and which exists as described therein.

LOT WIDTH. The horizontal distance between the side lot lines measured at the building setback line.

MINOR STRUCTURES. Any small movable accessory erection or construction such as birdhouses, tool houses, pet houses, play equipment, arbors, and walls and fences under four (4) feet in height.

MOBILE HOME. A manufactured home that is HUD certified and labeled under the National Mobile Home Construction and Safety Standards Act of 1974. A mobile home is a transportable structure, being eight (8) feet or more in width (not including the overhang of the roof), built on a chassis and designated to be used as a dwelling with or without permanent foundation when connected to the required utilities.

MOBILE HOME LOT. A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

MOBILE HOME PARK. A parcel of land which has been developed for the placement of mobile homes and is owned by an individual, a firm, trust, partnership, public or private association, or corporation. Individual lots within a mobile home park are rented to individual mobile home users. A mobile home park is also any lot on which two (2) or more mobile homes are parked for the purpose of permanent habitation and including any associated service, storage, recreation, and other community service facilities designed for the exclusive use of park occupants.

2.02 Definitions cont'd

MOBILE HOME SUBDIVISION. A land subdivision, as defined by Chapter 236 of the Wisconsin Statutes and any Village Land Division Ordinance, with lots intended for the placement of individual mobile home units. Individual homesites are in separate ownership as opposed to the rental arrangements in mobile home parks.

MODULAR UNIT. A modular unit is a factory fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial purposes.

MOTEL. A building or group of buildings containing rooms which are offered for compensation for the temporary accommodation of travelers or tourists.

NONCONFORMING USES. Any structure, use of land, use of land and structure in combination, or characteristics of use (such as yard requirement for lot size) which was existing at the time of the effective date of this code or amendments thereto and which is not in conformance with this code. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall not be considered a nonconforming use, but shall be considered nonconforming with respect to those characteristics.

NURSING HOME. An establishment used as a dwelling place by the aged, infirm, chronically ill, or incurably afflicted, in which not less than three (3) persons live or are kept or provided for on the premises for compensation, excluding clinics and hospitals and similar institutions devoted to the diagnosis, treatment or the care of the sick or injured.

OPEN SALES AREA. Any open land or area used or occupied for the purpose of displaying for sale new or secondhand merchandise including, but not limited to, passenger cars or trucks, farm machinery, construction machinery, motor scooters, for motorcycles, boats, trailers, aircraft, and monuments. No repair work is done in such area except for incidental repair of items to be displayed and sold on the premises.

OUTDOOR STORAGE AREAS. Any open land or area used for the purpose of storage of any product or part of a product, either before, during, or after manufacture, servicing, or repair, and not displayed for retail sale. This does not include open sales areas.

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

PARKING SPACE. An off-street space available for the parking of a motor vehicle and which is held to be an area the dimensions of which are ten (10) feet by eighteen (18) feet or which overs one hundred eighty (180) square feet, exclusive of passageways and driveways appurtenant thereto and giving access thereto.

PARTIES IN INTEREST. Includes all abutting property owners, all property owners within one hundred (100) feet, and all property owners with opposite frontages.

PLACES OF ASSEMBLY. Places where people gather or congregate for amusement, worship, learning, etc. This includes schools, churches, theaters, playgrounds, etc.

2.02 Definitions cont'd

PLANNING COMMISSION. Where the phrase "Planning Commission" appears, this refers to the Planning Commission of the Village of Dorchester. The Planning Commission is appointed by the Village President and confirmed by the Village Board pursuant to Section 62.23, Wisconsin Statutes.

PLANNED DEVELOPMENT. A "planned development" is a tract of land which contains or will contain two (2) or more principal buildings, developed under single ownership or control; the development of which is unique and of a substantially different character than that of surrounding areas. A planned development allows for flexibility not available under normal zoning district requirements.

PREMISE. The area of land surrounding a structure and forming one enclosure with it.

PROFESSIONAL HOME OFFICES. Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, or other recognized professionals, used to conduct their professions where the office does not exceed one-half (1/2) of the area of only one (1) floor of the residence and only (1) non-resident person is employed.

PUBLIC AIRPORT. Any airport which complies with the definition contained in Section 114.002 (18m), Wisconsin Statutes, or any airport which serves or offers to serve common carriers engaged in air transport.

RECREATIONAL VEHICLE. Any vehicle or structure designed and used for temporary, seasonal human living quarters which meets all of the following qualifications: (a) is not used as the permanent residence of the owner or occupant; (b) is used for temporary living quarters by the owner or occupant while engaged in recreation or vacation activities; (c) is towed or self-propelled on public streets or highways incidental to such recreation or vacation activities; (d) examples of such vehicles include van campers, tent camping trailers, self-contained travel trailers, pick-up campers, camping buses, and self-contained, self-propelled truck chassis mounted vehicles providing living accommodations.

RECREATIONAL VEHICLE CAMP. A park, court, campsite, lot, parcel, or tract of land designed, maintained, or intended for the purpose of supplying the location or accommodations for any recreational vehicles as defined herein, and upon which said recreational vehicles are parked.

RESTAURANT. A business establishment consisting of a kitchen and dining room, whose primary purpose is to prepare and serve food to be eaten by customers seated in the dining room.

RESTAURANT, DRIVE-IN. A business establishment consisting of a kitchen, with or without a dining room, where food is prepared and packaged to be eaten either off the premises or within automobiles parked on the premises.

RETAIL. The sale of goods or merchandise in small quantities to the consumer.

ROADSIDE STAND. A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed, and to be used solely for the sale of farm products produced on the premises.

2.02 Definitions cont'd

ROOMING UNIT. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

SCHOOL. A building or group of buildings maintained by the public or by a private organization for the purpose of education and which is accredited by the State of Wisconsin. Schools include pre-school and grades kindergarten through twelve (12), but not trade schools that do not teach the state required courses for high school graduation in addition to the vocational instruction.

SCHOOL, COMMERCIAL. A school limited to special instructions such as business, art, music, trades, handicraft, dancing, or riding.

SETBACK. The minimum horizontal distance between the front lot line and the nearest point of the foundation of that portion of the building to be enclosed. The overhang cornices shall not exceed twenty-four (24) inches. Any overhang of the cornice in excess of twenty-four (24) inches. Any overhang of the cornice in excess of twenty-four (24) inches shall be compensated by increasing the setback by an amount equal to the excess of cornice over twenty-four (24) inches. Uncovered steps shall not be included in measuring the setback.

SHELTERED CARE FACILITY. A private home which provides separate sleeping accommodations and kitchen facilities for its occupants, but also maintains some means of contact with a central control office or building. This facility may include joint recreational and eating facilities.

SHOPPING CENTER. A concentration of retail stores and service establishments in a suburban area with generous parking space and planned to serve the community or a neighborhood.

SIGNS. Any medium, including its structure, words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, or product and which is visible from any public street or highway.

STORY. That portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof. A basement having one-half (1/2) or more of its height above grade shall be deemed a story for purposes of height regulation.

STREET. Property other than an alley or private thoroughfare or travelway which is subject to public easement or right-of-way for use as a thoroughfare and which is twenty-one (21) or more in width.

STREET, ARTERIAL. A public street or highway intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways, as well as major thoroughfares, highways, and parkways.

2.02 Definitions cont'd

STREET YARD. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing street or highway right-of-way line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two (2) street yards.

STRUCTURE. Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams, or girders.

TEMPORARY STRUCTURE. A moveable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure, such as billboards.

USE. The purpose or activity for which the land or building thereof is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY. A subordinate building or use which is located on the same lot on which the principal building or use is situated and which is reasonable necessary and incidental to the conduct of the primary use of the such building or main use, when permitted by district regulation.

USE, PERMITTED. A "permitted use" is a use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and standards of such district.

USE, PRINCIPAL. The main use of land or building as distinguished from subordinate or accessory use.

UTILITIES. Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, inclusive of associate transmission facilities, but not including sewage disposal plants, municipal incinerators, warehouses, shops, storage yards, and power plants.

VARIANCE. A departure from the terms 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 buildings, structure or parcel of land is located, when the Board of Appeals finds that a literal application of such regulation will affect a limitation on the use of the property which does not generally apply to other properties in the same district, and for which there is no compensation or gain to the property and does not endanger the public health, safety, or welfare.

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

2.02 Definitions cont'd

YARD. An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except the vegetation. The street and rear yards extend the full width of the lot.

YARD, FRONT. A yard extending the full width of the lot between the front lot line and the nearest part of the principal building, including eaves, but excluding uncovered steps. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimensions.

YARD, REAR. A yard extending the full width of the lot between the rear lot line to the nearest part of the principal building, including eaves.

YARD, SIDE. A yard on each side of the principal building extending from the nearest part of the principal building, including eaves to the lot line and from the front yard line to the rear yard line.

ZERO LOT LINE. The concept whereby two (2) respective dwelling units within a building shall be on separate and abutting lots and shall meet on the common property line between them, thereby having zero space between said units.

ZONING PERMIT. A permit issued by the Zoning Administrator to certify that the use of lands, structures, air, and waters subject to this Chapter are or shall be used in accordance with the provisions of said Chapter.

Article III – General Provisions

Section

3.01 Compliance:

- A. Within the Village, the use of any land; the size, shape, and placement of lots; the use, size, height, location, and types of structures thereon; and the provision of open spaces shall be in compliance with the regulations established herein and made applicable to the district or districts in which such land or structure is located.
- B. Where a building permit for a structure has been issued in accordance with law prior to the effective date of this Chapter, and provided that construction is completed within twelve (12) months of such effective date, such structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further may upon completion be occupied by the use for which originally designated. An extension of up to twelve (12) months may be allowed by the Planning Commission provided good cause is shown.

3.02 Lot Provisions:

- A. All principal structures shall be located on a lot, and only one principal structure shall be located, erected, or moved onto a lot in the single-family residential districts.

The Planning Commission may permit more than one principal structure per lot in other districts where more than one principal structure is needed for the orderly development of the parcel. When additional structures are permitted, the Planning Commission may impose additional yard requirements, landscaping requirements, or parking requirements, or may require a minimum separation distance between principal buildings.

B. Existing Substandard Lots:

- 1. A lot located in a residential district which does not contain sufficient area to conform to the dimensional requirements of this Ordinance, but which is at least fifty (50) feet wide and 6,000 square feet in area, may be used as a single building site provided that the use is permitted in the zoning district, provided that the lot is a lot of record in the County Register of Deeds office prior to the effective date of this Ordinance.
 - 2. A lot located in a business or manufacturing district which does not contain sufficient area to conform to the dimensional requirements of this Ordinance may be used as a building site provided that the lot is a lot of record in the County Register of Deeds office prior to the effective date of this Ordinance.
 - 3. Substandard lots granted permits under this section shall be required to meet the setback and other yard requirements of this Ordinance. A building permit for the improvement of a lot with lesser dimensions and requisites than those stated above shall be issued only after a variance is granted by the Board of Appeals.
- C. All lots shall abut a public street or approved private road or way which is constructed to applicable standards.
 - D. No yard or other open space existing on the effective date of this Ordinance shall be reduced below the minimum required by this Chapter.

3.02 Lot Provisions cont'd

E. No yard or other open space allocated to a structure or parcel of land shall be used to satisfy yard, other open spaces, or minimum lot area requirements for any other structure or parcel.

3.03 Yard Regulations: Measurements shall be taken from the nearest point of a building to the lot line in question, subject to the following:

- A. On lots having double frontage (through lots), the required front yard shall be provided on both street sides.
- B. On a corner lot, the width of the yard along the side street shall not be less than any required front yard on such street, provided the buildable width of a lot of record shall not be reduced to less than twenty-eight (28) feet nor closer than six (6) feet to any side lot line. In no case shall the setback required for a side yard abutting a street be reduced to less than thirty (30) feet.

3.04 Height Regulations: Except as provided below, all buildings and structures shall conform to the height regulations for the zoning district in which they are located.

- A. Architectural projections, such as spires, steeples, belfries, parapet walls, cupolas, domes, flues, and chimneys are exempt from the height limitations of this Ordinance.
- B. Special structures, such as elevator penthouses, tanks, grain elevators, silos, observation towers, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smoke stacks, are exempt from the height limitations of this Ordinance.
- C. Essential services, utilities, water towers, electric power, and communication transmission lines are exempt from the height limitations of this Ordinance.
- D. Communication structures, such as radio and television transmission and relay towers, aerials, radio and television receiving and transmitting antennas, are exempt from the height limitations of this Ordinance. This does not include earth station dish antennas.
- E. Public or semi-public facilities, such as schools, churches, hospitals, monuments, sanatoriums, libraries, government offices and stations may be erected to a height of sixty (60) feet, provided all required yards are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.

3.05 Accessory Buildings, Uses, Structures, and Use of Required Yards: Any accessory building, use, or structure shall conform to the applicable regulations of the district in which it is located except as specifically otherwise provided hereinafter.

- A. Any permanent roofed structure serving an accessory use if attached to the principal building shall be considered as part of such principal building for all regulatory purposes.
- B. Accessory buildings and structures are permitted in the rear yard and side yard; however, when an accessory building or structure is located forward of the rear building line of the principal building, it shall satisfy the same side yard requirements as the principal building.
- C. Detached accessory buildings and structures shall not exceed 1080 square feet and not occupy more than thirty (30) percent of the rear yard area in all districts except the commercial and industrial districts in which such uses and structures shall not occupy more than fifty (50) percent of the rear yard area. Private swimming pools shall be exempt from the thirty (30) percent rear yard occupancy limitation in residential districts.

3.05 Accessory Buildings, Uses, Structures, and Use of Required Yards cont'd

- D. Detached accessory buildings and structures shall not be closer than five (5) feet to the principal structure nor closer than three (3) feet to an alley or platted easement, except that when the accessory building is a garage that has its entrance facing the alley, the rear yard setback shall be twenty (20) feet for the garage.
- E. Uncovered Stairs, porches, landings, and fire escapes may project into any yard, but not to exceed six (6) feet and not closer than 6 (six) feet to any lot line.
- F. Architectural projections, such as chimneys, flues, sills, eaves, and ornaments may project into any required yard, but such projections shall not exceed one foot.
- G. Residential fences are permitted on the property lines in residential districts, but shall not in any case exceed a height of six (6) feet.
- H. Security fences are permitted on the property lines in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.
- I. Earth Station Dish Antennas: No earth station dish antenna shall be erected, constructed, maintained, for operated except in conformance with the following regulations. An earth station dish antenna is permitted as an accessory use/structure.
 - 1. Definition: An earth station dish antenna shall mean a combination of: (a) a dish antenna whose purpose is to receive communication or other signals from orbiting satellites; (b) a low-noise amplifier (LNA) which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; and (c) a coaxial cable whose purpose is to carry the signals into the interior of the building.
 - 2. Permit: The installation of an earth station dish antenna shall require a building permit. The property owner shall submit to the Zoning Administrator plans which indicate the appearance, proposed location, and installation method of the dish. All earth station dish antennas, and the construction and installation thereof, shall conform to the applicable building code and electrical code regulations and requirements.
 - 3. Ground-Mounted Earth Station Dish Antennas:
 - a. In all residential zoning districts, such earth station dish antennas shall be located only in the rear yard of any lot subject to the provisions contained herein:
 - (1) The dish antenna shall be at least six (6) feet from any side or rear lot line or alley.
 - (2) The dish antenna shall be at least five (5) feet from the principal building on the lot.
 - (3) The dish antenna shall have a maximum height of fourteen (14) feet above the natural grade.
 - (4) In the event that a usable satellite signal cannot be obtained by locating the antenna in the rear yard of the property, such antenna may be placed in the side yard of the property, provided that it shall be not closer than five (5) feet to the principal structure and six (6) feet to any side yard lot line, nor shall any portion of the dish antenna extend into any front yard area. In the case of a corner lot, the dish antenna is not permitted in the side yard area abutting the street. A building permit shall be issued only upon showing by the applicant that a usable satellite signal is not obtainable from any other permitted locations on the property.

3.05 Accessory Buildings, Uses, Structures, and Use of Required Yards cont'd

- (5) Earth station dish antennas shall be located and designed to reduce visual impact from surrounding properties at street level and from public streets through the addition of architectural features and/or landscaping that is compatible with the elements and characteristics of the property.
- b. In any commercial or industrial zoning district, such earth station dish antennas shall be allowed in any yard area subject to the provisions contained herein:
 - (1) The dish antenna shall be at least six (6) feet from any rear property line or any alley.
 - (2) The dish antenna shall be at least six (6) feet from any side yard lot line, except when abutting a residential district, in which case the dish antenna shall be at least ten (10) feet from any side yard lot line and be screened to reduce visual impact from adjacent properties at street level.
 - (3) In cases where the dish antenna will be located in the front yard area or in the side yard area abutting a street or a corner lot, the dish antenna shall be set back at least fifteen (15) feet from any public right-of-way.
 - (4) The dish antenna shall have a maximum height of thirty (30) feet above the natural grade.
4. Roof-Mounted Earth Station Dish Antennas:
 - a. In all residential zoning districts, roof-mounted earth station dish antennas shall be permitted subject to the provisions contained herein:
 - (1) Earth station dish antennas exceeding thirty-six (36) inches in diameter shall not be permitted on the roof.
 - (2) A roof-mounted dish antenna shall not extend higher than fifteen (15) feet above the highest point of the roof.
 - b. In the commercial and industrial zoning districts, earth station dish antennas shall not extend more than twenty (20) feet above the height limit established for the district in which the structure is located.
5. All electric lines, cables, and conduits running to or from any earth station dish antenna shall be underground.
6. All dish antennas must be adequately grounded for protection against a direct strike of lightning.
7. All dish antennas shall meet all manufacturer's specifications and be constructed of non-combustible and corrosive-resistant materials.
8. Not more than one earth station dish antenna shall be permitted on a zoning lot in a residential district.

3.06 Nonconforming Buildings, Structures, and Uses:

A. Purpose: The purpose of this section is to minimize the hardships that may unintentionally occur to citizens whose present use of their lots, buildings and structures thereon do not conform wholly with the provisions of this Ordinance. Only uses which are lawful under the existing Ordinance before the adoption of this Ordinance are protected by the provisions of this section.

B. General Provisions:

1. Any lawfully established use of a building, structure, or land on the effective date of this Ordinance, or of amendments hereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal nonconforming use and may be continued except as otherwise provided herein.
2. A legal nonconforming use of a building, structure, or land existing on the effective date of this Ordinance may be continued, provided no such nonconforming use shall be in any way expanded or extended, either on the same or adjoining property.
3. Total lifetime structural repairs or alterations to a nonconforming structure shall not exceed fifty (50) percent of the municipality's equalized value of the structure at the date of adoption of this Ordinance unless permanently changed to a conforming use.

C. Changes and Substitutions:

1. When any legal nonconforming use of a building, structure, or land in any district has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use.
2. If no structural alterations are made, a nonconforming use of a building, structure, or land may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted nonconforming use, such use shall not thereafter be changed to a less restricted use. For the purpose of this regulation, uses permitted in the R-1 Single-Family District shall be deemed to be those in the most restricted classification.

D. Repair of Damages and/or Discontinuance

1. When a nonconforming building or structure is damaged by fire, explosion, flood, or other calamity, to the extent of more than fifty (50) percent of its current fair market value, it shall not be restored except so as to comply with the regulations of the district in which such building is located. (See exception noted on page 32 B.16.)
2. Whenever a nonconforming use is discontinued for a period of twelve (12) consecutive months, any future use of the building, structure, or land shall conform to the regulations of the district in which it is located.

3.07 Traffic Visibility Triangle:

A. Vision setback lines at the intersection of public streets are hereby established as follows:

1. Across each sector between intersecting streets, a vision setback line shall be established by a straight line connecting two points of the intersecting street right-of-way lines, which points are located twenty-five (25) feet from the intersection of said right-of-way lines.

- B. In the vision setback area, no structure of any kind shall be permitted which exceeds a height of two (2) feet above the elevation of the center of the intersection, except for necessary highway and traffic signs and public utility lines, nor shall any plant material or natural growth be permitted which obscures safe vision of the approaches to the intersection.
- C. The requirements for vision setback lines shall not apply within the Central Business District.

3.08 Home Occupations:

- A. Purpose: The purpose of this section of the Ordinance is to regulate the conditions under which occupations may be carried on in homes in order that such home occupations may not undermine the general intent and purpose of this Ordinance and the specific purposes of the residential districts. The standards for home occupations in this Chapter are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood, plus a clearly secondary or incidental status in relation to the residential use of the main building as the criteria for determining whether a proposed accessory use qualifies as a home occupation.
- B. Standards: Home occupations shall be subject to the following standards:
 1. The occupation or profession shall be carried on wholly within the principal building or other structure accessory thereto, and it shall utilize no more than twenty-five (25) percent of the gross floor area of the building.
 2. The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one nonresident assistant or employee employed on the premises at any one time. Persons engaged in building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off the premises, may have more employees than the limitations set forth in subsection (2) of this section if they are not employed on the premises.
 3. The home occupation shall be incidental and subordinate to its use for residential purposes.
 4. In no way shall the appearance of the structure be altered or the occupation within the residence to be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, and lighting.
 5. No home occupation shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance beyond what normally occurs in the applicable zoning district.
 6. There shall not be outside storage of any kind related to the home occupation.
 7. The home occupation shall not involve the use of commercial vehicles, other than those owned by the applicant for delivery of products or materials to and from the premises. This shall not be interpreted to include delivery and/or pick-up services such as United Parcel Service, Federal Express, etc., in the conduct of their normal operations.

3.08 Home Occupations cont'd

8. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
 9. There shall be no demand for parking beyond that which is normal to the neighborhood. In no case shall the home occupation cause more than two (2) additional vehicles to be parked on or near the premises.
 10. Activities which involve the manufacture, utilization, processing, or storage of chemicals or inflammable and explosive material shall not be permitted.
- C. Nameplate Allowed: Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation. It shall not exceed two (2) square feet in area and shall be non-illuminated. The limitation of one nameplate is intended to apply to all lots, including corner lots.
- D. Permitted Home Occupations: Permitted home occupations include, but are not necessarily limited to, the following:
1. Artists or sculptors.
 2. Authors or composers
 3. Home crafts such as model making, rug weaving, and cabinet making.
 4. Office facility of a minister, rabbi, or priest.
 5. Office facility of an attorney, architect, professional engineer, surveyor, landscape architect, insurance agent, or real estate agent.
 6. Private tutoring limited to three pupils at any one time.
 7. Musical instruction limited to two pupils at a time.
 8. Dressmaking.
- E. Home Occupations Not Permitted: The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residence purposes. Therefore, home occupations not permitted include, but are not necessarily limited to, the following:
1. Barber shops and beauty parlors.
 2. Antique shops.
 3. Stables and kennels.

3.08 Home Occupations cont'd

4. Medical offices including, but not necessarily limited to, physicians, surgeons, dentists, chiropractors, or optometrists for the general practice of the profession, except for consultation or emergency treatment.
 5. Automobile repair or paint shops.
 6. Restaurants or bakeries.
- F. Any proposed home occupation that is neither specifically permitted by paragraph D nor specifically prohibited by paragraph E shall be considered a conditional use and be granted or denied by the Village Board upon consideration of those standards contained in paragraph B and in accordance with the procedures as required in Section 9.04 of this Ordinance.

3.09 Classification of Unlisted Uses:

- A. Any use not specifically listed as a permitted use or a conditional use in the district established in Article IV shall be considered to be prohibited except as may be otherwise specifically provided hereinafter. In case of question as to the classification of an unlisted use, the question shall be submitted to the Planning Commission for determination in accordance with the following procedure:
1. Application: Application for determination for classification of an unlisted use shall be made in writing to the Zoning Administrator and shall include a detailed description of the proposed use and such other information as may be required by the Planning Commission to facilitate the determination.
 2. Investigation: The Planning Commission shall make or have made such investigations as it deems necessary in order to compare the nature and characteristics of the proposed use with those of the uses specifically listed in the Ordinance and to determine its classification.
 3. Public Hearing: The Village Planning Commission shall fix a reasonable time and place for a public hearing following the receipt of an application for the determination of a classification of an unlisted use, publish a Class 2 notice thereof, and shall give due notice to the parties in interest and Zoning Administrator.
 4. Determination: The determination of the Planning Commission shall be rendered in writing within forty (40) days from the date of the public hearing and shall include findings supporting the conclusion. The Planning Commission shall determine if the classification of the unlisted use is a permitted use, conditional use, or prohibited use in one or more of the districts established in Section 4.01.
 5. Effective Date of Determination: At the time of the determination of the classification of the unlisted use by the Planning Commission, the classification of the unlisted use shall become effective.

Article IV – Zoning Districts

Section

4.01 Districts Established: For the purpose and administration of this Ordinance, the Village of Dorchester, Wisconsin, is hereby organized into the following zoning districts:

A. Residential Districts:

1. R-1 Single-Family Residence District
2. R-2 Multiple-Family Residence District

B. Commercial Districts:

1. C-1 Central Business District
2. C-2 General Commercial District

C. Industrial Districts:

1. I-1 Light Industrial District
2. I-2 Heavy Industrial District

4.02 Zoning District Map: The boundaries of the aforesaid zoning districts are hereby established as shown on the “Village of Dorchester Official Zoning Map”. The official map and all notations, references, and other information shown thereon are a part of this Chapter and shall have the same force and effect as if the matters and information set forth by said map were fully described herein. An official copy of this map, together with a copy of this Ordinance, shall be kept at the office of the Village Clerk and shall be certified by the Village President and attested by the Village Clerk.

4.03 District Boundaries:

- A. The district boundaries are either streets or alleys unless otherwise shown, and where the designation on the map indicates that the various districts are approximately bounded by a street or alley line, such street or alley line shall be construed to be the district boundary line.
- B. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the map are approximately bounded by lot lines, said lot line shall be construed to be the boundary of the district.
- C. In unsubdivided property, the district boundary shown on the map shall be determined by use of the scale shown on such map.

4.04 Zoning of Rights-of-Way: All streets, alleys, public ways, waterways, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting them. Where the centerline serves as a district boundary, the zoning of the right-of-way shall be deemed to be the same as that of the abutting property up such centerline, unless otherwise specifically designated.

4.05 R-1 Single-Family Residence District:

A. Purpose: The R-1 Single-Family Residence District is intended to provide a quiet, pleasant, and relatively low density living area protected from excessive traffic and nuisances, such as noise, odors, vibration, and uses which are incompatible with the provisions of the Ordinance for this district.

B. Permitted Uses:

1. Single-family dwellings.
2. Public parks and playgrounds.
3. Community living arrangement which has a capacity for eight (8) or fewer persons being served by the program, subject to state licensing requirements.
4. Family day care home, limited to not more than eight (8) children. Family day care homes shall be subject to state licensing requirements.
5. Accessory building or use, including a private detached garage or carport, and paved parking areas customarily incidental to the above uses, but not involving the conduct of a business.

C. Conditional Uses: (see Section 9.04)

1. Two-family dwellings.
2. Elementary, junior, and senior high schools.
3. Fire stations.
4. Churches and cemeteries.
5. Museums, libraries, and community centers not conducted for profit.
6. Nursing homes, homes for the elderly, and hospitals.
7. Golf courses.
8. Group day care homes licensed for nine (9) or more children, subject to all state licensing requirements.
9. Community living arrangements which have a capacity for nine (9) more persons being served by the program, subject to state licensing requirements.

4.05 R-1 Single-Family Residence District cont'd

10. Private lodges and clubs.
11. Public and private facilities, such as water wells, water, and sewage pumping stations, water storage tanks, electrical power substations, telephone exchange, and microwave radio towers.

D. Dimensional requirements:

1. Lot Size: (see Section 3.02)
 - a. Minimum lot area: 15, 000 square feet.
 - b. Minimum lot width: 100 feet.
2. Setbacks and Required Yards for Principal Building: (see Section 3.03)
 - a. Minimum front yard: 30 feet.
 - b. Minimum side yard: 6 feet, 20 feet aggregate.
 - c. Minimum rear yard: 25 feet.
3. Setbacks and Required Yards for Accessory Building: (see Section 3.05)
 - a. Side/rear yard setbacks are six (6) feet for all accessory buildings (except 20 feet for garages facing an alley).
4. Maximum Building Height: (see Section 3.04)
 - a. Principal building: 35 feet.
 - b. Accessory building: 14 feet.
5. Building size:
 - a. Minimum required floor area of principal building: one family – 900 square feet; two family – 1600 square feet.

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4.06 R-2 Multiple-Family Residence District:

A. Purpose: The R-2 Multiple-Family Residence District is intended to provide a living environment similar in all respects to the R-1 District, although with a higher population density and greater diversity of housing types.

B. Permitted Uses:

1. Single-family dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Community living arrangement for fifteen (15) persons or less, subject to state licensing requirements.

4.06 R-2 Multiple-Family Residence District con't

5. Bed and breakfast establishments subject to the following provisions:
 - a. The bed and breakfast establishment shall be owner-occupied.
 - b. Bed and breakfast establishments shall require a permit in accordance with Chapter HSS 197, Wisconsin Administrative Code.
 - c. Off-street parking provisions shall be required.
6. Public parks and playgrounds.

C. Permitted Accessory Uses:

1. Private garages and carports and accessory buildings and structures incidental to residential uses.
2. Home occupations (see Section 3.08).
3. Parking (see Article V).
4. Signs (see Article VI).

D. Conditional Uses: (see Section 9.04)

1. Community living arrangements which have a capacity for sixteen (16) persons or more, subject to state licensing requirements.
2. Elementary, junior, and senior high schools.
3. Fire stations.
4. Churches.
5. Museums, libraries, and community centers not conducted for profit.
6. Nursing homes, homes for the elderly, and hospitals.
7. Golf courses.
8. Group day care homes licensed for nine (9) or more children, subject to all state licensing requirements.
9. Private lodges and clubs.
10. Boarding houses.
11. Mobile home parks (see Section 4.11).
12. Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, telephone exchanges, microwave radio towers, sewage disposal plants, municipal incinerators, power plants, shops, and storage yards.

4.06 R-2 Multiple-Family Residence District con't

E. Dimensional Requirements:

1. Lot Size: (see Section 3.02)

a. Minimum lot area:

(1) Single-family dwelling: 15,000 square feet

(2) Two-family dwelling: 15,000 square feet

(3) Multiple-family dwelling: Lots shall have the minimum of the larger of 12,000 square feet or:

<u>Dwelling Type</u>	<u>Minimum Lot Area</u>
Multiple-family, 1 bedroom	2,000 SF per unit
Multiple-family, 2 bedroom	2,500 SF per unit
Multiple-family, 3 bedroom	3,500 SF per unit

b. Minimum lot width: 100 feet.

2. Setbacks and Required Yards for Principal Buildings: (see Section 3.03)

a. Minimum front yard: 30 feet

b. Minimum side yard: 6 feet; 20 feet aggregate

c. Minimum rear yard: 25 feet

3. Setbacks and Required Yards for Accessory Buildings: (see Section 3.05)

a. Side/rear yard setbacks are six (6) feet for all accessory buildings.

4. Maximum Building Height: (see Section 3.04)

a. Principal building: 35 feet*

b. Accessory building: 20 feet

*A building may be erected to a height of fifty (50) feet if the setback from all required yard lines is increased a distance of one foot for each foot of additional height above thirty-five (35) feet.

4.07 C-1 Central Business District

A. Purpose: The C-1 Central Business District is intended to provide for the orderly and appropriate regulations to ensure compatibility of the diverse uses typical of the “downtown” area without inhibiting the potential for maximum development of commercial, cultural, entertainment, and other community activities which contribute to its role as the “center” of the Village.

B. Permitted Uses:

1. Retail sales establishments.

4.07 C-1 Central Business District con't

2. Financial institutions.
3. Personal and business service establishments.
4. Commercial and professional offices.
5. Hotels and motels.
6. Restaurants, cafes, taverns, and bars.
7. Theaters and bowling alleys.
8. Auditoriums and community centers.
9. Government offices, post offices, and libraries.
10. Medical and dental clinics.
11. Clubs and lodges.
12. Newspaper and magazine publishers.
13. Day care centers, provided all state requirements are met.
14. Churches.
15. Multiple-family dwellings. Parking shall be required in accordance with Section 5.04, Multiple-Family Dwellings.
16. Replacement of single- and two-family dwellings which have been damaged by fire, explosion, flood, or other calamity. Parking shall be required in accordance with Section 5.04, Single- and Two-Family Dwellings.

C. Permitted Accessory Uses:

1. Garages for storage and vehicles used in conjunction with the operation of the business or for occupants of the premises.
2. Off-street parking lots.
3. Signs (see Article VI).

D. Conditional Uses: (see Section 9.04)

1. Gasoline service stations.
2. Automobile and other vehicle sales.
3. Rest homes and nursing homes.
4. Warehouses for local wholesale and retail establishments or for personal property.
5. Transmitting towers, receiving towers, relay and microwave towers.

4.07 C-1 Central Business District con't

6. Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks electrical power substations, telephone exchanges, sewage disposal plants, municipal incinerators, power plants, shops, and storage yards.

E. Dimensional Requirements:

1. Lot Size: (see Section 3.02)
 - a. Minimum lot area: 2,000 square feet.
 - b. Minimum lot width: 25 feet.
2. Setbacks and Required Yards for Principal Building: (see Section 3.03)
 - a. Minimum front yard: None required.
 - b. Minimum side yard: None required, except when adjacent or abutting a residential district, a side yard setback of ten (10) feet shall be required.
 - c. Minimum rear yard: None required, except when adjacent or abutting a residential district, a rear yard setback of twenty-five (25) feet shall be required.
3. Setbacks and Required Yards for Accessory Building: (see Section 3.05)
 - a. None required; however, side and rear yard setbacks are six (6) feet for all accessory buildings when adjacent or abutting a residential district.
4. Maximum Building Height: (see Section 3.04)
 - a. All buildings: 45 feet.

4.08 C-2 General Commercial District

- A. Purpose: The C-2 General Commercial District is intended to provide for individual or small groups of retail and customer service establishments. This type of district is generally located away from the traditional central business district and provides such amenities as increased open space and off-street parking and loading facilities, making such retail centers more compatible with the character of adjacent residential districts.

B. Permitted Uses:

1. Retail sales establishments.
2. Financial institutions.
3. Personal and business service establishments.
4. Commercial and professional offices.

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5. Automotive sales and equipment service establishments, including gasoline service stations.
6. Hotels and motels.
7. Restaurants, cafes, taverns, and bars.
8. Theaters and bowling alleys.
9. Auditoriums and community centers.
10. Government offices, post offices, and libraries.
11. Clubs and lodges.
12. Veterinary hospitals and clinics provided that no service, including the boarding of animals, is offered outside of an enclosed building.
13. Medical and dental clinics.
14. Wholesale establishments.
15. Day care centers, provided all state requirements are met.
16. Rest homes and nursing homes.
17. Boarding houses.
18. Multiple-family dwellings.
19. Mini warehouses. Outdoor storage is limited to boats and recreational vehicles defined in Section 2.02. All such outdoor storage shall be screened. The screening required shall consist of a fence or wall not less than five (5) feet high. The fence or wall shall be constructed in a manner and of such material to impair direct vision of the outdoor storage area.

C. Permitted Accessory Uses:

1. Parking (see Article V).
2. Signs (see Article VI).
3. Accessory buildings and structures.

D. Conditional Uses: (see Section 9.04)

1. Hospitals.
2. Recreational establishment, including drive-in theaters, golf courses, golf or baseball driving ranges, archery fields, miniature golf course, or similar uses.

4.08 C-2 General Commercial District con't.

3. Recreational vehicle camps, when such camps provide not less than 1,800 square feet of lot area for each cabin, recreational vehicle or tent, and when such camp is clearly bounded by a fence or hedge. The requirements of Chapter HSS 178 of the Wisconsin Administrative Code and all other applicable codes shall be minimum standards and may be supplemented by the Planning Commission.
4. Kennels.
5. Animal hospitals, including the outside boarding of animals.
6. Automobile body repair shops.
7. Transmitting towers, receiving towers, relay and microwave towers, including broadcast facilities and studios.
8. Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, telephone exchanges, sewage disposal plants, municipal incinerators, power plants, shops, and storage yards.
9. Lumber and building supply yards, providing that not more than ten (10) percent of the lot or tract is used for the open storage of products, materials, or equipment.

E. Dimensional Requirements:

1. Lot Size: (see Section 3.02)
 - a. Minimum lot area: 15,000 square feet
 - b. Minimum lot width: 100 feet
2. Setbacks and Required Yards for Principal Building: (see Section 3.03)
 - a. Minimum front yard: 30 feet
 - b. Minimum side yard: 6 feet
 - c. Minimum rear yard: 25 feet
3. Setbacks and Required Yards for Accessory Buildings: (see Section 3.05)
 - a. Side and rear yard setbacks are six (6) feet for all accessory buildings.
4. Maximum Building Height: (see Section 3.04)
 - a. Principal building: 35 feet*.
 - b. Accessory building: 20 feet.

*A building may be erected to a height of fifty (50) feet if the setback from all required yard lines is increased a distance of one foot for each foot of additional height above thirty-five (35) feet.

4.08 C-2 General Commercial District con't

- F. Visual Screening Requirement: When adjoining or abutting a residential district, a visual screening may be required. Such visual screening shall consist of a single row hedge planting or solid wooden fence not less than six (6) feet in height.

4.09 I-1 Light Industrial District

- A. Purpose: This district is intended to provide for manufacturing, industrial, and related uses of a limited nature and size in situations where such uses are not in basic industrial groupings and where the relative proximity to other uses requires more restrictive regulations.
- B. Permitted Uses:
1. Manufacturing, assembly, fabrication, and processing plants of a limited scope and not involving operational characteristics which would adversely affect surrounding uses or be basically incompatible with the surrounding environmental character, and not more than ten (10) percent of the lot or tract is used for the open storage of products, materials, or equipment. Such as, but not limited to, the following: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering of fats and oils and the vining of peas. Such as, but not limited to: articles made from previously prepared materials such as bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, wax, wire, yarns, and the like, musical instruments, toys, novelties, rubber or metal stamps and other small molded rubber products, fabrication and repair of electric or neon signs or other commercial advertising structures, light sheet metal products and the like; assembly and manufacture from prefabricated parts of household appliances, electronic products and similar products or the processing or assembling of parts for the production of finished equipment.
 2. Experimental, testing, and research laboratories, not involving the keeping of animals or use of animal products or any significant degree of danger or undesirable operational characteristics.
 3. Printing and publishing houses and related activities.
 4. Tool making, cabinetry, and repair shops.
 5. General warehousing and not involving more than ten (10) percent of the lot or tract is used for the open storage of products, materials, or equipment.
 6. Lumber and building supply yards, providing that not more than ten (10) percent of the lot or tract is used for the open storage of products, materials, or equipment.

4.09 I-1 Light Industrial District con't

7. Automobile body repair shop, not including the storage of junked or wrecked automobiles and parts.
8. Signs in conformity with Article VI of this Chapter.
9. Public utility distribution lines including, but not limited to, electric, gas, water, television cable, and telephone distribution lines, and other related accessories subject to approval by the Village Public Works department.

C. Permitted Accessory Uses:

1. Office storage, power supply, and other such uses normally auxiliary to the principal use.
2. Off-street parking and loading facilities as required in Article V of this Chapter.
3. Residential quarters for the resident operator, guard, or caretaker.

D. Conditional Uses:

1. Kennels and animal hospitals, laboratories using animal products.
2. Transportation terminals, including trucking.
3. Commercial service facilities intended primarily as a convenience for the industrial area such as restaurants, motels, gasoline service stations, or similar uses.
4. Office buildings.
5. Transmission lines, antennas and towers including, but not limited to, electric, gas, petroleum and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants.
6. Multi-family structures housing a minimum of four (4) units.

E. Dimensional Requirements:

1. Setbacks:

- a. Minimum front yard: 25 feet
- b. Minimum side yard: 25 feet*, 50 feet* in aggregate
- c. Minimum rear yard: 25 feet*

*When adjoining or abutting a residence district, will maintain a minimum setback of fifty (50) feet and with a minimum fifteen (15) foot wide, six (6) foot high planting screen.

2. Maximum Building Height:

- a. Principal building: 60 feet
- b. Accessory building: 40 feet

4.10 I-2 Heavy Industrial District

A. Purpose: This district is intended to provide for manufacturing and industrial development of a more general and less restrictive nature than in the I-1 district in those areas where the relationship to surrounding land use would create fewer problems of compatibility and would not necessitate as stringent regulatory controls. Such districts should not normally abut directly upon residence districts.

B. Permitted Uses:

1. Manufacturing, assembly, fabrication, and processing plants.
2. Experimental, testing, and research laboratories, not involving the keeping of animals or use of animal products or any significant degree of danger or undesirable operational characteristics.
3. Printing and publishing houses and related activities.
4. Tool making, cabinetry, and repair shops.
5. General warehousing.
6. Transportation terminals, including trucking.
7. Lumber and building supply yards.
8. Automobile body repair shops, not including the storage of junked or wrecked automobiles and parts.
9. Signs in conformity with Article VI of this Chapter.
10. Public utility distribution lines including, but not limited to, electric, gas, water, television cable, and telephone distribution lines and other related accessories subject to approval by the Village Public Works department.

C. Permitted Accessory Uses:

1. Office, storage, power supply, and other such uses normally auxiliary to the principal use.
2. Off-street parking, loading, and service facilities, as required in Article V of this Chapter.
3. Residential quarters for the resident operator, guard, or caretaker.

D. Conditional Uses:

1. Manufacture of cement, lime, gypsum, plaster of paris, acid, explosives, fertilizers, or glue.
2. Rendering plants, refineries, or tanneries.
3. Stockyards or slaughterhouses.
4. Junk or salvage yards.
5. Storage of explosive except as incidental or a permitted use and storage of gasoline or petroleum in excess of 50,000 gallons.

4.10 I-2 Heavy Industrial District con't

6. Automobile body repair shops, including the storage of junked or wrecked automobiles and parts.
7. Animal hospitals, kennels, or laboratories using animal products.
8. Any similar uses which, in the opinion of the Planning Commission, would be hazardous, noxious, or offensive to the surrounding area.
9. Commercial service facilities intended primarily as a convenience for the industrial area such as restaurants, motels, gasoline service stations, or similar uses.
10. Transmission lines, antennas and towers including, but not limited to, electric, gas, petroleum, and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants.

E. Dimensional Requirements:

1. Setbacks:

- a. Minimum front yard: 25 feet
- b. Minimum side yard: 25 feet*, 50 feet* in aggregate
- c. Minimum rear yard: 25 feet*

*When adjoining or abutting a residence district, will maintain a minimum setback of fifty (50) feet and with a minimum fifteen (15) foot wide, six (6) foot high planting screen.

2. Maximum Building Height:

- a. Principal building: 60 feet
- b. Accessory building: 50 feet

4.11 Special Regulations for Mobile Home Parks

- A. Purpose: It is the intent and purpose of this section to regulate the placing of mobile homes of all types and varieties in the Village of Dorchester with regard to providing adequate standards to protect the public health, safety, morals, convenience, and general welfare.
- B. Occupancy: No mobile home as defined in this Ordinance shall be occupied or used for living or sleeping purposes unless it is located in an area that has been granted an appropriate permit by the Zoning Administrator in accordance with the procedures set forth in this section. Temporary mobile homes or recreational vehicles used on construction projects or in conjunction with carnivals and circuses may be permitted when approved by the Zoning Administrator.

4.11 Special Regulations for Mobile Home Parks con't

C. Special Regulations for Mobile Home Parks: The following regulations shall apply to mobile home parks:

1. Purpose: The mobile home park, as defined in Article II is established:
 - a. To provide regulations and standards for the development of a safe, healthy, and well-designed community for permanent mobile home living.
 - b. To provide, in appropriately located areas within specific zoning districts, sites for mobile home living, developed at reasonable densities consistent with sound standards of public health and safety.
 - c. To comply as much as possible with the objectives and purposes of each zoning district in which mobile home parks are located.
 - d. To ensure adequate light, air, access, and open space for each mobile living unit.
 - e. To regulated the mobile home park such that it will complement the land use policy of the zoning district.
2. Placement: Mobile home parks may be permitted in the R-3 District in accordance with the provisions of this section.
3. Administration:
 - a. Mobile Home Park Applications: New mobile home parks, as herein defined, shall require a conditional use permit, issued in accordance with the provisions of this Section. Applications for a conditional use permit shall contain the following information:
 - (1) Name and address of the applicant. If the owner of the land is other than the applicant, a duly verified statement by the owner that the applicant is authorized by him to construct the proposed park and make the application.
 - (2) Location and legal description of the proposed mobile home park.
 - (3) Existing easements and covenants affecting the property.
 - (4) Land characteristics, such as natural drainage, swamp areas, and wooded areas.
 - (5) Development characteristics, such as surrounding streets, existing buildings, available community sewer, water, and other utilities.
 - (6) Complete preliminary engineering plans and specifications of the proposed park showing, but not limited to, the following:
 - (a) The area and dimensions of the tract of land.
 - (b) The number, location, and size of all mobile home lots and the location of common and recreational areas.

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- (c) The location and width of roadways and walkways.
 - (d) The location of the mobile home stands within the mobile home park, including a detailed sketch of at least one typical mobile home lot and stand therein.
 - (e) Plans and specifications of all utilities including: sewage collection and disposal, storm water drainage, water distribution and supply, solid waste storage and collection, lighting, electrical, telephones, and TV antenna systems.
 - (f) The number, location, and size of all individual and common parking areas.
 - (g) Landscaping plans for the entire park, including a planting plan for the buffer strip.
 - (h) Plans and specifications of all buildings to be located within the park.
 - (i) Written statements describing proposed park operations, management, and maintenance, including proposed fees and charges and rules to be established by the operator for conduct of persons within the park.
 - (j) Such other plans and specifications and information as may reasonably be required by the Planning Commission or Village Board.
- b. Planning Commission Review and Recommendations: The Planning Commission shall review the conditional use permit application to determine its conformity with land development trends in the community and recognized principles of design, land use planning, and landscape architecture. The Planning Commission shall forward the conditional use permit application to the Village Board with a recommendation that it be:
- (1) Approved;
 - (2) Approved with conditions;
 - (3) Approved with modifications;
 - (4) Disapproved.
- c. Determination of the Village Board: After receipt of the recommendations of the Planning Commission, the Village Board shall make its determination regarding the conditional use permit.
- (1) Findings of Fact: Within thirty (30) days after the close of the public hearing in regards to the proposed conditional use permit, the Village Board shall approve, approve with conditions, approve with modifications, or disapprove the conditional use permit.

For the Village Board to make an affirmative recommendation, it must find in each of the following instances that:

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- (a) The establishment of a proposed mobile home park will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
- (b) The proposed mobile home park will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood.
- (c) The proposed mobile home park will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
- (d) Adequate utilities, access roads, drainage, and/or other necessary facilities have been, are being, or will be provided.
- (e) Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets.

4. Mobile Home Park Requirements:

- a. Park Size: The minimum size of a mobile home park shall be five (5) acres.
- b. Density: The maximum density for mobile home parks shall be eight (8) mobile home units or lots per gross acre.
- c. Setbacks: No mobile home shall be located closer than twenty-five (25) feet from any park property boundary line.
- d. Drainage and Landscaping: The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner away from the mobile home stand; all mobile home sites shall be sodded or seeded and the park shall be attractively landscaped in accordance with a plan submitted at the time of initial permit application.
- e. Recreation Areas: Each park shall contain a recreation area. A minimum of one-half acre of area for such use shall be provided for each 100 sites. The minimum area in a park shall be one-half acre.
- f. Screening: All mobile home parks shall be provided with a screening of trees or shrubs along the property boundary line separating the park and such adjacent properties, except where the adjoining property is also a mobile home park. Within six (6) months after issuance of the appropriate licenses and permits for the occupation of such mobile home park, the following plantings shall be established:
 - (1) A permanent planting of trees and shrubs so arranged and in sufficient numbers so as to form a solid wall of plant material. Such planting shall be a minimum height of two (2) feet at the original time of planting and shall be grown or maintained at a height of not less than ten (10) feet, except where line of sight vision is necessary for pedestrian or vehicular traffic safety.

4.11 Special Regulations for Mobile Home Parks con't

- g. Permitted Uses: The following uses are permitted within mobile home parks:
 - (1) Mobile homes used for single family residential uses.
 - (2) One single family dwelling per park for the owner, operator, or caretaker thereof.
 - (3) Service buildings such as park offices, laundromats, and recreational buildings provided that such uses be subordinate to the residential character of the park and are intended for use primarily by park residents.
 - (4) Accessory structures such as storage sheds, porches, and carports as approved by the park management. Accessory structures shall meet the minimum setback requirements prescribed for the basic mobile home unit.
 - (5) Home occupations as permitted in Section 3.08 of this Ordinance.

- h. Prohibited Uses:
 - (1) Commercial sales of mobile homes, except that existing mobile homes on the site may be sold by the owner.
 - (2) Dependent mobile homes and recreational vehicles shall be prohibited from placement or occupancy within mobile home parks.

- i. Access, Street, and Parking Requirements:
 - (1) General Requirements: All mobile home stands shall be provided with safe, convenient access to public streets and roads. Such access shall be provided by private streets located within the park boundaries.
 - (2) Park Entrances: Entrances to parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.
 - (3) Interior Streets:
 - (a) Paving requirements for interior streets shall adhere to locally applicable codes and shall meet the following width standards:

2 way street with parking on both sides	32 feet
2 way street with parking on one side	25 feet
2 way street with parking prohibited	18 feet
1 way street with parking on one side	22 feet
1 way street with parking prohibited	14 feet
 - (b) Right-of-way width shall be at least sixty-six (66) feet, unless the Village Board has specifically approved a lesser width but shall, in no case, be less than fifty (50) feet.
 - (4) Parking Requirements:
 - (a) A minimum of two (2) improved parking spaces shall be provided for each mobile home, one of which will be on the mobile home site.

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- (b) An open, well-drained, dust free storage area for the parking of boats, trailers, and outside vehicles shall be provided. The minimum size of such area shall be 100 square feet per mobile home site. The storage area shall be fenced to prevent access from outside the park.
 - (c) Walkways: Pedestrian walkways shall be provided in the area of the service buildings, along major streets, and other locations of anticipated heavy foot traffic. Walkways shall be a minimum of three (3) feet wide and be dust free. In addition, each mobile home stand shall be provided with a walkway from the stand to the street or parking space.
 - j. Sanitary Sewer Requirements: Mobile home parks and each mobile home therein shall be connected to public sanitary sewage facilities.
 - k. Plumbing Requirements: All plumbing within the park and within the mobile homes therein shall meet all applicable standards for the Wisconsin Administrative Code and any additional requirements of the Village Board.
 - l. Solid Wastes: All solid wastes shall be stored, collected, and disposed in compliance with Chapter HSS 177 of the Wisconsin Administrative Code.
5. Mobile Home Site Requirements: Each site for the placement of mobile homes shall be clearly staked or otherwise delineated and shall meet the following standards:
- a. Minimum Lot Size: Individual lots within the mobile home park shall contain an area of not less than 5,000 square feet and shall have a minimum width, at the narrowest point, of fifty (50) feet.
 - b. Mobile Home Stand: A mobile home stand with minimum dimensions of seventeen (17) feet by seventy (70) feet intended for the actual placement of the mobile home shall be provided on each mobile home site. The stand shall be hard surfaced with asphalt, concrete, or similar material, and provide adequate drainage and support against settling and frost heave. The mobile home stand shall be equipped with tie downs and anchors to secure the mobile home against winds.
 - c. Required Separation between Mobile Homes: Mobile homes shall be separated from each other and from other buildings and structures by at least twenty (20) feet. An accessory structure such as an awning, cabana, storage cabinet, carport, windbreak, or porch attached to the mobile home shall, for purposes of the separation requirements, be considered a part of the mobile home. The basic unit shall not occupy in excess of one-fourth of the area of the lot and the complete unit, including all accessory structures, shall not occupy more than one-half of the area of the lot.
 - d. Setback and Buffer Strips: Each mobile home shall be located at least five (5) feet from any mobile home lot line. There shall be a minimum setback of the mobile home of twenty (20) feet from the front or main street side of the lot, and of at least ten (10) feet from the rear of the lot. All mobile homes shall be located at least twenty-five (25) feet from any park property boundary line.
6. Miscellaneous Requirements:
- a. Responsibility of the Park Management:

4.11 Special Regulations for Mobile Home Parks con't

- (1) The person to whom a permit for a park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

Article V – Parking and Loading

Section

- 5.01 Purpose:** The purpose of this Article is to promote public safety and welfare by reducing congestion on public streets and roads by requiring on each lot sufficient parking and loading space to accommodate the traffic generated by the use of the lot.
- 5.02 Scope of these Regulations:** The off-street parking and loading provisions of this Ordinance shall apply as follows:
- A. For all buildings and structures erected after the effective date of this Ordinance, accessory parking and loading shall be according to the provisions of this Ordinance.
 - B. Where the intensity of the use of any building, structure, or premise shall be increased, additional parking to match the increased intensity of use shall be provided.
 - C. Whenever an existing building or structure is converted to a new use, parking shall be provided according to the requirements of the new use.
 - D. Any existing parking and loading serving any type of use may not be reduced below the requirements of this Ordinance.
- 5.03 General Provisions:**
- A. Minimum Size Regulations: Each parking space shall not be less than 180 square feet in area, eighteen (18) feet in length, and ten (10) feet in width, exclusive of aisles and access drives.
 - B. Access: Each off-street parking space shall open directly upon an aisle or driveway designed to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.
 - C. Computing Requirements: In computing the number of spaces required, the following rules shall govern:
 - 1. Floor space shall mean the gross floor area of the specific use.
 - 2. Provision of parking stalls, shared jointly by several persons in the same block or in the same vicinity is permissible, in which case the number of stalls required shall be the sum total of the individual requirements, provided that where it is found by the Planning Commission, upon application thereto, that the parking demand generated by the different uses included in any joint arrangement to provide parking stalls required herein occurs at distinctly different times, as in the case of a theater generating demand for parking after normal daytime business hours, and a store generating demand for parking during such daytime hours and, in similar cases, the Planning Commission may reduce the total number of parking stalls to be jointly provided.
 - 3. Where parking spaces are calculated according to the number of employees, the number of employees on the main shift shall be used to compute the number of stalls required.

5.03 General Provisions con't

- D. Location of Parking Facilities: All parking spaces required herein shall be located on the same lot with the building or use served, except that where the number of spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located not to exceed 300 feet from any building served.
- E. Screening: Any off-street parking area, other than that provided for single-family dwelling units, which abuts a single-family residential district, shall provide a planting screen, landscaped fence or wall, at least four (4) feet in height along the side abutting the single-family residential district.
- F. Lighting: Lights provided in any parking area shall be hooded or beamed so as not to create undesirable glare or illumination on adjacent residential property.
- G. Yards: Parking may be allowed in the required yards with the exception of the following:
 - 1. In any off-street parking area, which abuts a single-family residential district, no vehicles shall be allowed to park closer than ten (10) feet to the abutting lot line between the districts.
 - 2. No parking shall be allowed within the first fifteen (15) feet of the required front yard in all residential districts and the conservancy district. No parking shall be allowed within the first ten (10) feet of the required front yard in all commercial and industrial districts.
- H. Surfacing: Any off-street parking area, other than that provided for single- and two-family dwelling units, having a capacity for more than four (4) vehicles shall be hard surfaced.

5.04 Parking Space Requirements: In all districts, except the Central Business District, there shall be provided at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements:

ANIMAL HOSPITALS, one space per employee plus four additional spaces.

ATHLETIC FIELDS, INCLUDING SOFTBALL FIELDS, TENNIS COURTS, OR SIMILAR USES, parking space shall be provided in adequate number as determined by the Planning Commission to serve the public.

BOARDING HOUSES, one space per bedroom.

BOWLING ALLEYS, two spaces per lane plus the requirements for connected commercial uses, such as eating or drinking establishments.

BUSINESS, PROFESSIONAL OFFICES, OR BANK, one space per 200 square feet of floor area.

CHURCHES, one space per five seats of the main assembly area.

ELEMENTARY AND JUNIOR HIGH SCHOOLS (if the school includes a public assembly facility, the public assembly facility requirements shall govern, if it is greater), two spaces per classroom.

5.04 Parking Space Requirements con't

FUNERAL HOMES OR MORTUARIES, 20 per chapel, plus one space per vehicle kept on the premises.

HIGH SCHOOLS (if the school includes a public assembly facility, the public assembly facility requirements shall govern, if it is greater), one space per five students plus one space per employees.

HOSPITALS, CONVALESCENT AND NURSING HOMES, AND SIMILAR INSTITUTIONS, one space per four beds plus one space per employee on the major shift.

HOTELS AND MOTELS, one space per rental unit plus one space per employee on the major shift.

MANUFACTURING AND PROCESSING PLANTS, WAREHOUSES, WHOLESALE ESTABLISHMENTS, RESEARCH LABORATORIES, AND SIMILAR USES, one space per employee on the major shift, plus one space per business vehicle normally kept on the premises.

MEDICAL AND DENTAL CLINICS, five spaces per doctor.

MULTIPLE-FAMILY DWELLINGS:

1. Efficiency, one and two bedroom – 1.5 spaces per dwelling unit.
2. Three or more bedrooms – two spaces per dwelling unit.

MUSEUMS AND LIBRARIES, one space for each 200 square feet of floor area.

NURSERY SCHOOLS, DAY NURSERIES, AND CHILD CARE CENTERS, one space for each two staff members, plus one space for each ten children based on maximum occupancy load.

PARKS AND PLAYGROUNDS, parking spaces shall be provided in adequate number as determined by the Planning Commission to serve the public.

PLANNED UNIT DEVELOPMENTS, parking spaces shall be provided on the basis of the required space for each individual use.

PRIVATE CLUBS, LODGE HALLS, one space for every 100 square feet of floor area.

PUBLIC ASSEMBLY FACILITIES PROVIDING FOR SEATED AUDIENCES (theaters, auditoriums, gymnasiums, etc.), one space per three seats.

RESTAURANTS, TAVERNS, NIGHTCLUBS, ETC., one space per 50 square feet of floor area or one space per six seats, whichever is greater.

RETAIL AND CUSTOMER SERVICE ESTABLISHMENTS, one space per 200 square feet of floor area.

SINGLE- AND TWO-FAMILY DWELLINGS, two spaces per dwelling unit.

5.05 Uses Not Specified: The parking space requirements for uses not listed in Section 5.04 of this Article shall be defined by the Planning Commission. Such determination shall be based up on the requirements for the most comparable use specified in Section 5.04.

5.06 Off-Street Loading:

- A. Required for Occupancy: Loading and unloading facilities shall be provided prior to occupancy for every commercial or industrial building hereafter erected or altered, and shall be maintained as long as such building is occupied or unless equivalent facilities are provided in conformance with the regulations of this Chapter.
- B. Planning Commission Waiver: The Planning Commission may waive loading requirements dependent up on the character of the proposed use or the impracticality of adding loading docks to existing buildings. The Planning Commission may allow two or more uses to cooperatively provide off-street loading spaces, subject to the assurance of permanent availability.
- C. Site Plan for Off-Street Loading Required: Detailed drawings of off-street loading facilities shall be submitted for approval by the Zoning Administrator. The Zoning Administrator may require structural and landscape features such as bumper guards, curbs, walls, fences, shrubs, ground cover, or hedges to further carry out the screening objectives of this Code.
- D. Allocation of Use: Space required and allocated for any off-street loading facility shall not, while so allocated, be used to satisfy the space requirements for off-street parking. An off-street loading space shall not be used for repairing or servicing of motor vehicles.
- E. Location of Facility: All required loading facilities shall be related to the function of the building and use, to be served and located so as not to interfere with access and driveways.
- F. Access Driveways: Each required off-street loading space shall be designed for direct vehicular access by means of a driveway, or driveways, to a public street, provided, however, that loading shall not be from the public right-of-way except in situations of existing commercial facilities in the Central Business District where no other opportunities for loading exist. Generally, where servicing is provided from a public right-of-way, the following principles shall be followed:
 - 1. Servicing should be provided from other than the principal entrance of the use of uses.
 - 2. Trucks shall be parked for loading or unloading purposes on other than the principal street serving the use, on side streets or alleys when available.
- G. Minimum Size Criteria: A required off-street loading space shall be at least twelve (12) feet wide by at least forty (40) feet in length. The above area shall be exclusive of the maneuvering space, and each loading facility shall have a vertical clearance of at least fourteen (14) feet.
- H. Minimum Space Required: Every building having over 5,000 square feet of gross floor area shall be provided with at least one truck loading space. The following minimum number of spaces shall be required:

5.06 Off-Street Loading con't

<u>Use</u>	<u>Gross Floor Area</u>	<u>Required Minimum Number of Spaces</u>
Retail Establishments	Under 20,000 SF	1
	20,000 – 50,000 SF	2
	50,000 – 100,000 SF	3
Printing, Publishing, Warehouses, Storage Establishments	Under 40,000 SF	1
	40,000 – 100,000 SF	2
Servicing, Cleaning, Repairing, Testing, or Manufacturing Establishments	Under 40,000 SF	1
	40,000 – 100,000 SF	2

All Uses – One additional such loading space for each 100,000 square feet or major fraction thereof of gross floor area so used in excess of 100,000 square feet. When the determination of requirements results in a fractional space, any fraction of one-half or less shall be disregarded. Any fraction of more than one-half shall count as one loading space.

- I. In case of any use which is not specifically mentioned in Section H above, the provisions for a similar use which is so mentioned shall apply. The Planning Commission shall make all such determinations.

Article VI – Sign Regulations

Section

6.01 Purpose: The purpose of this Article is to create the legal framework to regulate, administer, and enforce outdoor sign advertising and display within the Village of Dorchester. This Article recognizes the need to protect the safety and welfare of the public and the need for well-maintained and attractive sign displays within the community, and the need for adequate business identification, advertising, and communication.

This code authorizes the use of signs visible from public rights-of-way, provided the signs are:

- A. Compatible with the zoning regulations.
- B. Designed, constructed, installed, and maintained in such a manner that they do not endanger public safety or traffic safety.
- C. Legible, readable, and visible in the circumstances in which they are used.
- D. Respectful of the reasonable rights of other advertisers whose messages are displayed.

6.02 Definitions:

ABANDONED SIGN. A sign which no longer correctly advertises a bonafide business, lessee, owner, product, or activity conducted, or product available on the premises where the sign is displayed or elsewhere.

AREA OF COPY. The entire area within a single, continuous perimeter composed of squares or rectangles which encloses the extreme limits of advertising message, announcement, or decoration of a wall sign.

AREA OF SIGN. The area of the largest single face of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregularly shaped sign area shall be computed using the actual sign-face surface. In the case of wall signs, the area of copy will be used.

BILLBOARD. See “Off-Premise Signs”.

CHANGEABLE MESSAGE SIGN. A sign such as an electric controlled time and temperature sign, message center or reader board where copy changes.

COPY AREA. The geometric area in square feet that encloses the actual copy of the sign.

DIRECTIONAL SIGN. Any sign which serves to designate the location or direction of any place or area. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances, and exits.

ELECTRIC SIGN. Any sign containing internal electrical wiring which is attached or intended to be attached to an electrical energy source.

6.02 Definitions con't

FLASHING SIGN. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source, not including changeable message signs.

FRONTAGE. The length of the property line of any one premise parallel to and along each public right-of-way it borders.

GRADE. The elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.

GROUND SIGN. A sign erected on one or more free-standing supports or uprights and not attached to any building.

GROSS AREA. The area of a sign is determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, the rules for "Area of Copy" apply.

HEIGHT OF SIGN. The vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign.

ILLUMINATED SIGN. A sign which is lighted by an artificial light source either directed upon it or illuminated from an interior source.

INTEGRATED SHOPPING CENTER. A shopping center in single ownership or under unified control, and containing three (3) or more separate businesses.

LEGAL NONCONFORMING SIGN. A nonconforming sign that did meet regulations when it was originally installed.

NONCONFORMING SIGN. A sign that does not meet code regulations.

OFF-PREMISE SIGN. A sign which advertises goods, products, facilities, or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.

ON-PREMISE SIGN. Any sign identifying or advertising a business, person, activity, goods, products, or services located on a premise where the sign is installed and maintained.

PORTABLE SIGN. Any sign not permanently attached to the ground or a building.

SIGN. Any emblem, painting, banner, pennant, placard, design, identification, description, illustration, or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, signs shall also include all sign structures.

6.02 Definitions con't

SIGN CONTRACTOR. Any person, partnership, or corporation engaged in whole or in part in the erection or maintenance of signs, excluding the business which the sign advertises.

SIGN STRUCTURE. Any device or material which supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers.

SWINGING SIGN. A sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

WALL SIGN. A sign attached to the wall of a building with the face in a parallel plane to the plane of the building wall. This includes signs painted directly on a wall.

WINDOW SIGN. A sign affixed to, in contact with, painted upon, or placed within a window, for the purpose of viewing from outside the premises; such sign must be placed only on the interior of any window unless painted directly upon it. This does not include merchandise located in a window.

ZONING LOT. A parcel of land considered or treated as a single unit. A zoning lot may or may not correspond with a lot of record.

6.03 Permits, Applications, Issuance and Denial, Appeals, Indemnification, Insurance, Penalties:

- A. Permits Required: It shall be unlawful for any person to erect, construct, enlarge, or structurally modify a sign or cause the same to be done in the Village of Dorchester without first obtaining a sign permit for each such sign from the Zoning Administrator as required by this Section. Permits shall not be required for a change of copy of any sign, nor for the repainting, cleaning, and other normal maintenance and repair of the sign and sign structure.
- B. Application for Permit: Application for a permit shall be filed with the Village Clerk upon forms provided by the Village Clerk and shall contain the following information:
 1. The name, address, and telephone number of the sign owner, the property owner where the sign is or will be located, and the sign contractor of the proposed sign.
 2. Clear and legible drawings with description and nominal dimensions of the proposed sign, the construction, size, dimensions, and kind of materials to be used in such structure. The site plan shall show the buildings on the premises upon which the structure is to be erected and maintained together with location setbacks, size, and types of existing signs on the premises where the proposed sign is to be located. All dimensions shall be indicated for the sign and the site plan elements.
 3. Evidence of liability, insurance policy, or bon as required by Section 6.03 F.

6.03 Permits, Applications, Issuance and Denial, Appeals, Indemnification, Insurance, Penalties con't

4. Such other information as the Zoning Administrator may require to show full compliance with this and all other applicable laws of the Village of Dorchester.
 5. Signature of the applicant.
- C. Permit Issuance and Denial: The Zoning Administrator shall issue a permit for the erection, structural alteration, enlargement, or relocation of a sign within the Village of Dorchester when the permit application is properly made and the sign complies with the appropriate laws and regulations of the Village of Dorchester. If the sign permit is denied by the Zoning Administrator, he shall give written notices of the denial to the applicant, together with a brief statement of the reasons for the denial.
- D. Sign Permit Appeal:
1. In the event any of the requirements herein contained cause undue or unnecessary hardship on any person, firm, or corporation, a variance from requirements may be applied for to the Board of Appeals. An application for variance must be made within ten (10) days after receipt of notice that the sign involved does not conform to the Ordinance and not less than forty-five (45) calendar days before a scheduled Board of Appeals meeting. In the event that the appeal is not made in writing to the Appeals Board within such ten (10) day period, a variance may not be granted. The Board of Appeals is to take action on any variance request within sixty (60) days of receipt of the variance application. The Zoning Administrator shall comply with and enforce the Zoning Board of Appeals decision.
 2. The Zoning Administrator's failure to either formally grant or deny a sign permit within fifteen (15) days of the date an application meeting the requirements of this Ordinance is filed, shall be cause for appeal to the Zoning Board of Appeals.
- E. Indemnification for Sign Installation and Maintenance: All persons engaged in the business of installing or maintaining signs which involves in whole or in part, the reception, alteration, relocation, maintenance of a sign or other sign work in, over, or immediately adjacent to a public right-of-way or public property is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the Village of Dorchester, its officers, agents, employees, from any and all claims of negligence resulting from the erection, alteration, relocation, maintenance of this sign nor any other sign work insofar as this Ordinance has not specifically directed the placement of the sign.
- F. Insurance: Every sign contractor shall file with the Zoning Administrator a Certificate of Insurance indicating the applicant holds a public liability and property damage policy specifically to include the hold harmless clause with bodily injury limits of at least \$300,000 per occurrence, and \$300,000 aggregate, and property damage insurance of at least \$100,000 per occurrence, and \$100,000 aggregate. Such insurance shall not be cancelled or reduced without the insured first giving thirty (30) days notice in writing to the Village of Dorchester of such cancellation or reduction.
- G. Penalties: Violation or failure to comply with the provisions of this Ordinance shall be and hereby is declared to be unlawful.

6.03 Permits, Applications, Issuance and Denial, Appeals, Indemnification, Insurance, Penalties con't

1. Any sign erected, altered, moved or structurally modified without a permit or altered with a permit, but violation with the provisions of this Ordinance, shall be removed at the owner's expense or brought into compliance with in thirty (30) days of written notification by the Zoning Administrator. If the violation is failure to obtain a permit, a permit fee shall be required and the permit fee shall be five (5) times normal fees. In the event that the owner does not remove or bring into compliance, the Zoning Administrator may order removal, the expenses of which will be assessed to the tax roll of the property on which the noncomplying sign is located.
2. This section shall not preclude the Village of Dorchester from maintaining any appropriate action to prevent or remove a violation of this Ordinance.

6.04 Legal Nonconforming Signs:

- A. Notification of Nonconformance: Upon determination that a sign is nonconforming, the Zoning Administrator shall use reasonable efforts to so notify, either personally or in writing, the user or owner of the property on which the sign is located of the following:
 1. The sign's nonconformity.
 2. Whether the sign is eligible for characterization as a legal nonconforming or is unlawful.
- B. Signs Eligible for Characterization as Legal Nonconforming: Any sign located within the Village of Dorchester's village limits as of the date of adoption of this Ordinance, hereafter which does not conform with the provisions of this Ordinance is eligible for characterization as a legal nonconforming sign and is permitted, providing it also meets the following requirements:
 1. The sign was covered by a proper sign permit prior to the date of adoption of this Ordinance.
 2. If no permit was required under applicable law for the sign in question and the sign was in all respects in compliance with applicable law on the date of adoption of this Ordinance.
- C. Loss of Legal Nonconforming Status: A sign loses its nonconforming status if one or more of the following occurs:
 1. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this Ordinance than it was before alteration.
 2. The sign is relocated.
 3. The sign fails to conform to the Ordinance regarding maintenance and repair, abandonment, or dangerous or defective signs.
 4. The sign is destroyed by any means to the extent of more than fifty (50) percent of its fair market value.
 5. On the date of occurrence of any of the above, the sign shall be immediate brought into compliance with this Ordinance.

6.04 Legal Nonconforming Signs con't

- D. Legal Nonconforming Sign Maintenance and Repair: Nothing in this Ordinance shall relieve the owner or user of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this Ordinance regarding safety, maintenance, and repair of signs.

6.05 Removal and Disposition of Signs:

A. Maintenance and Repair:

- 1. Every sign including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, (except when a weathered or natural surface is intended), repairing, cleaning, and other acts required of the maintenance of said sign.
- 2. The Zoning Administrator shall require compliance with all standards of this Ordinance. If the sign is not modified to comply with safety standards outlined in this Ordinance, the Zoning Administrator shall require its removal in accordance with this Section.

- B. Abandoned Signs: All signs or sign messages shall be removed by the owner or lessee of the premises upon which an on-premise sign is located when the business it advertises is no longer conducted or, for an off-premise sign, when lease payment and rental income are no longer provided. If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner sixty (60) days written notice to remove said sign. Upon failure to comply with this notice, the Village of Dorchester may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which abandoned sign is located.

- C. **Deteriorated or Dilapidated Signs**: The Zoning Administrator shall cause to be removed any deteriorated or dilapidated signs under the provisions of Wisconsin Statute 66.05.

6.06 Administrative and Enforcement Officer:

- A. Zoning Administrator: The Zoning Administrator is hereby designated as the Administrative and Enforcement Officer for the provisions of this Section. The Zoning Administrator shall examine all applications for permits for the erection of signs, issue permits and denials, authorize the continued use of signs which conform with the requirements of this code, record and file all applications for permits with any accompanying plans and documents, make inspections of signs in the Village of Dorchester and make such reports as the Village may require.

6.07 Prohibited Signs: The following signs shall be prohibited within the Village of Dorchester:

- A. Abandoned signs.
- B. Flashing or Moving Signs: Flashing signs are prohibited. Changeable message signs and signs and movie theater marquees are not subject to this restriction. Signs with physically moving components visible from the public right-of-way are not permitted except for those which revolve around a vertical axis at speeds less than seven (7) revolutions per minutes.

6.07 Prohibited Signs con't

C. Swinging signs.

D. Floodlighted and Illuminated Signs: Signs may be floodlighted or illuminated, subject to the following restrictions:

1. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of a public right-of-way and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.
2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any residential property and which are of such intensity or brilliance as to cause a public nuisance are prohibited.
3. No sign shall be so floodlighted or illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.

E. Unclassified Signs: The following signs are prohibited which:

1. Bear or contain statements, words, or pictures of obscene, pornographic, or immoral subjects.
2. Signs which are an imitation of, or resemble in shape, size, copy, or color an official traffic sign or signal.

6.08 Signs Not Requiring a Permit:

- A. Construction Signs: Two (2) construction signs per construction site, not exceeding 100 square feet in area each, shall be confined to the site of construction, and shall be removed thirty (30) days after completion of construction or prior to occupancy, whichever is sooner.
- B. Directional and Instructional Non-Electric Signs: Directional and instructional nonelectric signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight (8) square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances, and exits.
- C. Non-Illuminated Emblems: Non-illuminated emblems, or insignia of any nation or political subdivision, profit or non-profit organization.
- D. Government Signs: Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service safety which are erected by or on the order of a public officer in the performance of his public duty.
- E. Home Occupation Signs: Signs associated with a home occupation as defined in the Zoning Ordinance provided such signs are non-illuminated signs that do not exceed two (2) square feet in area. One sign per home occupation is allowed.

6.08 Signs Not Requiring a Permit con't

- F. House Numbers and Name Plates: Name plates not exceeding one square foot in area for each residential building. House numbers not exceeding one foot in height. Written house numbers not exceeding one foot in height. Letters, when used to identify individual multiple-family dwelling units, not to exceed one foot in height.
- G. Interior Signs: Signs located within the interior of any building or structure which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical, or material specifications of this Ordinance.
- H. Memorial Signs and Plaques: Memorial signs or tablets, names of buildings, and date of erection, which are cut into masonry surface of inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four (4) square feet in area.
- I. 'No Trespassing' or 'No Dumping' Signs: 'No Trespassing' and 'No Dumping' signs not to exceed one and one-half (1 ½) square feet in area per sign.
- J. Public Notices: Official notices posted by public officers or employers in the performance of their duties.
- K. Public Signs: Signs required as specifically authorized for a public purpose by any law, statute, or ordinance.
- L. Political and Campaign Signs: Political and campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:
 - 1. Said signs may be erected no earlier than sixty (60) days prior to the election and shall be removed within seven (7) days following said election.
 - 2. Each sign, except billboards, shall not exceed sixteen (16) square feet in non-residential zoning districts and eight (8) feet in residential zoning districts.
 - 3. No sign shall be located within fifteen (15) feet of the public right-of-way at a street intersection nor over the right-of-way.
 - 4. Political and campaign signs shall not be attached to public signs or utility poles.
- M. Real Estate Signs: One real estate sales sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.
 - 1. In residential districts and the Central Business District, such signs shall not exceed eight (8) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.
 - 2. In all other districts, such signs shall not exceed thirty-two (32) square feet in area and shall be removed within thirty (30) days after the sale, rental, or least has been accomplished.
 - 3. Shoreland property. Two real estate signs are permitted allowing one sign adjacent to the ordinary high water mark and one sign adjacent to the street.

6.08 Signs Not Requiring a Permit con't

- N. On-Premise Symbols or Insignia: Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.
- O. On-Premise Temporary Signs: Temporary signs not exceeding four (4) square feet in area pertaining to drives or events of civic, philanthropic, educational, or religious organizations, provided such signs are posted not more than thirty (30) days before said event and removed within fifteen (15) days after the event.
- P. Vehicular signs: Truck, bus, trailer, or other vehicles, while operating in the normal course of business, which is not primarily the display of signs.
- Q. Interior Window Signs: Permanent signs located within the interior of any building or structure which are visible from the public right-of-way provided the gross area of the sign does not exceed four (4) square feet (see Section 6.10 J). This does not include temporary advertising, special event, or sales types of signs.

6.09 Construction Specifications:

- A. Every sign or advertising structure hereafter erected shall have marked in a conspicuous place thereon the date of erection, the manufacturer's name, the permit number, and the voltage of any electrical apparatus used in connection therewith.
- B. All signs shall comply with the provisions of the Village of Dorchester Zoning Ordinance, the current National Electrical Code, and the additional construction standards hereinafter set forth.
- C. All ground sign structures shall be self-supporting structures and permanently attached to sufficient foundations.
- D. Electrical service to ground signs shall be concealed wherever possible.
- E. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
- F. Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from the public view to the extent technically feasible.

6.10 General Design Requirements

- A. A ground sign, any part of which is closer than fifteen (15) feet to the right-of-way, shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than four (4) feet in height.
- B. Any overhead sign location that is accessible to vehicles shall have a minimum vertical clearance of sixteen (16) feet.
- C. No sign facing a residential district shall be closer than twenty-five (25) feet to that district line.

6.10 General Design Requirements con't

- D. Wall signs placed against the exterior walls of buildings shall not extend more than sixteen (16) inches outside of a building's wall surface.
- E. The gross area of permanent window signs shall not exceed fifty (50) percent of the gross window area.

6.11 Special Signs:

- A. Subdivision Development Signs: The Zoning Administrator may issue a special permit for a temporary sign in any zone in connection with the marketing of lots or structures in a subdivision, subject to the following restrictions:
 - 1. Such permits may be issued for a period of not more than one year, and maybe reviewed for additional periods of up to one year and upon written application at least thirty (30) days prior to its expiration.
 - 2. The sign must be located on the property being developed and must comply with all applicable building setback requirements.
 - 3. The sign may not exceed eight (80) square feet.
 - 4. One sign is allowed for each major street adjacent to the subdivision.
- B. Banners and Pennants: Banners and pennants shall not be used on a permanent basis. They may be permitted as special promotion in a commercial or industrial zone for a total period not to exceed thirty (30) days and will be allowed in residential zones in conjunction with an open house or model home demonstration for up to five (5) days before the opening of such a demonstration or five (5) days after and not to exceed a total period of thirty (30) days.
- C. Portable Signs:
 - 1. Permit: Any person wishing to place a portable sign on his premises or the premises of another shall first obtain a permit from the Zoning Administrator. Permits shall be issued for a period not to exceed sixty (60) days in any calendar year. Any sign remaining on the premises for more than sixty (6) days in any calendar year shall be deemed to be a permanent sign and shall meet all requirements for a permanent sign.
 - 2. Size: No portable sign shall exceed thirty-two (32) square feet and no portable sign shall be over seven (7) feet in height from grade level.
 - 3. Setback: All portable signs shall have a minimum setback from the front property line of ten (10) feet or an additional setback as deemed necessary by the Zoning Administrator for the safe flow of vehicle or pedestrian traffic.
- D. Off-Premise Signs: Off-premise signs are permitted in the C-2, I-1, and I-2 Zoning districts, subject to the following provisions:
 - 1. Spacing: Off-premise signs on the same side of the street shall not be placed closer together than 300 feet.
 - 2. Size Restriction: The maximum size allow for an off-premise sign is 200 square feet.

6.11 Special Signs con't

3. Height Restriction: No off-premise sign shall exceed twenty-five (25) feet in height.
4. Length: No off-premise sign shall exceed twenty-five (25) feet in length.
5. Setbacks: No part of an off-premise sign shall be closer to the street than the building setbacks lines of the district in which it is located.
6. Exclusionary Areas: No off-premise sign shall be erected within 150 feet of a residential or conservancy district or public park.

E. Integrated Shopping Center: For integrated shopping centers in single ownership or unified control, and containing several businesses, the following regulations shall apply:

1. Each business or office shall be eligible for one attached sign. The area of such sign shall not exceed, in square feet, two (2) times the lineal front footage of the business or office.
2. One ground sign for shopping center identification with the height limitation of thirty (30) feet is permitted. If the shopping center is on a corner, either one corner sign or two signs, one on each street, is permitted. If two signs are installed, they must be placed at least 200 feet from the lot corner at the intersection. The area of such sign shall not exceed, in square footage, the lineal front footage of the lot or 200 square feet, whichever is less. No sign shall be closer than ten (10) feet to a property line unless the adjacent property is a residential district in which case the sign shall be set back twenty-five (25) feet.

6.12 District Regulations: The following signs are allowable providing a permit is acquired from the Zoning Administrator.

- A. Residential (R-1, R-2) Districts: No signs allowed except for those provided in Section 6.08.
- B. Central Business District (C-1): In the C-1 District, signs shall be regulated as follows:
 1. Permitted Signs: Wall, window, ground, and directional signs.
 2. Area: The gross area in square feet of all signs shall not exceed four (4) times the lineal front footage of the zoning lot; however, the gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage of the zoning lot.
 3. Ground Signs: The area of a ground sign shall not exceed seventy-five (75) square feet. Only one on-premise ground sign shall be permitted for each street frontage of the zoning lot. No ground sign shall project higher than twenty-five (25) feet above grade.
 4. Off-Premise Signs: Off-premise signs shall be prohibited in the Central Business District.
- C. General Commercial District (C-2): In the C-2 District, signs shall be regulated as follows:
 1. Permitted Signs: Wall, window, ground, and directional signs, and one off-premise sign.
 2. Area: The gross area in square feet of all signs shall not exceed four (4) times the lineal front footage of the zoning lot; however, the gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage of the zoning lot.

6.12 District Regulations con't

3. Ground Signs: The area of a ground sign shall not exceed 100 square feet in gross area except as provided under Section 6.11 E of this Chapter. Only one on-premise ground sign shall be permitted for each street frontage of the zoning lot. The sign shall not be higher than twenty-five (25) feet above grade.
 4. Off-Premise Signs: Off-premise signs shall be permitted in conformance with Section 6.11 D of this Chapter.
- D. Light Industrial (I-1) and Heavy Industrial (I-2) Districts: In the I-1 and I-2 Districts, signs shall be regulated as follows:
1. Permitted Signs: Wall, window, directional, and ground signs, and one off-premise sign.
 2. Area: The gross area in square feet of all signs shall not exceed four (4) times the lineal front footage of the zoning lot; however, the gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage of the zoning lot.
 3. Ground Signs: The area of a ground sign shall not exceed 200 square feet in gross area. Only one on-premise ground sign shall be permitted for each street frontage on the zoning lot. No ground sign shall project higher than twenty-five (25) feet above grade.
 4. Off-Premise Signs: Off-premise signs shall be permitted in conformance with Section 6.11 D of this Chapter.

Article VII – Board of Appeals

Section

7.01 Establishment:

- A. Pursuant to the provisions of 62.23(7)(e), Wisconsin Statutes, there is hereby established a Board of Appeals for the Village of Dorchester for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this Ordinance in harmony with the purpose and intent of this Ordinance.

7.02 Membership:

- A. The Board of Appeals shall consist of five (5) members appointed by the Village President and approved by the Village Board.
- B. Terms shall be for staggered three-year periods, except that of those first appointed, one shall serve for one year, two for two years, and two for three years.
- C. Two alternate members may be appointed by the Village President for a term of three (3) years and shall act only when a regular member is absent or refuses to vote because of a conflict of interest. Annually, the Village President shall designate one of the alternate members as first alternate and the other as second alternate. The first alternate shall act with full power only when a member of the Board of Appeals refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall so act only when the first alternate so refuses or is absent or when more than one member of the Board of Appeals refuses or is absent.

7.03 General Rules:

- A. The members of the Board of Appeals shall serve without compensation.
- B. Members shall be removable by the Village President for cause upon written charges and after public hearing.
- C. The Village President shall designate one of the members as Chairman and the Board of Appeals may designate such other officers and employ such employees as it feels necessary with the approval of the Village Board.
- D. The Board of Appeals shall adopt rules governing its procedure consistent with the terms of this Chapter.
- E. Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public.
- F. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent for failing to vote, indicating such fact and shall keep records of its examinations and other official action, all of which shall be immediately filed in the office of the Village Clerk and shall be a public record.

7.04 Powers: The Board of Appeals shall have the following powers:

- A. Errors: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator.
- B. Variants: To hear and authorize appeals for variances where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship. Such variance shall not be contrary to the public interest and shall be so conditioned that the spirit and purposes of this Ordinance shall be observed and the public safety, welfare, and justice secured.
- C. Interpretations: To hear and decide applications for interpretations of the zoning regulations and the location of the boundaries of the zoning districts.
- D. Permits: The Board may reverse, affirm wholly or partly, or modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision or determination as out to be made.
- E. Assistance: The Board may request assistance from other Village officers, departments, commissions, and boards.
- F. Oaths: The Chairman may administer oaths and compel the attendance of witnesses.

7.05 Appeals and Applications:

- A. Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the Village affected by the decision of the Zoning Administrator. Such appeals shall be filed in the office of the Village Clerk within ninety (90) days after the date of written notice of the decision or order of the Zoning Administrator. Applications may be made by the owner or lessee of the structure or land to be affected at any time and shall be filed in the office of the Village Clerk. Such appeals and applications shall include the following:
 - 1. Name and address of the appellant or applicant and all abutting and opposite property owners of record.
 - 2. Plat of survey prepared by a land surveyor registered in the State of Wisconsin or other map drawn to scale and approved by the Zoning Administrator showing the location, boundaries, dimensions, uses, and size of the following: subject site, existing and proposed structures, existing and proposed easements, streets, and other public ways, off-street parking, loading areas and driveways, existing highway access restrictions, floodplain boundaries, and existing and proposed street, side, and rear yards.
 - 3. Additional information as may be required by the Village Planning Commission or Zoning Administrator.
 - 4. All applications shall be accompanied by the appropriate fee to defray the cost of giving notice, investigation, and other administrative processing.

7.06 Hearings:

- A. The Board of Appeals shall fix a reasonable time and place for the hearing, publish a Class 2 notice under Chapter 985, Wisconsin Statutes, and shall give due notice to the parties of interest, the Zoning Administrator, and the Village Planning Commission. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

7.07 Findings:

- A. No variance to the provisions of this Ordinance shall be granted by the Board of Appeals unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates in the minutes of its proceedings:
 1. Preservation of Intent: No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.
 2. Exceptional Circumstances: There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Ordinance should be change.
 3. Economic Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.
 4. Preservation of Property Rights: That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
 5. Absence of Detriment: That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

7.08 Decision:

- A. Action Upon Receipt of Appeal: Upon receipt of an appeal, the Zoning Administrator shall transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken and the appeal application.
- B. Hearing Within 45 Days of Filing: Each appeal shall be heard within forty-five (45) days from the time of filling and public notice of such hearing shall be given as provided by Section 7.06.
- C. Decision Within 30 Days of Hearing: The Board of Appeals shall decide all appeals and applications within thirty (30) days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant and the Zoning Administrator as provided for in E below.

7.08 Decision con't

- D. Decisions of the Board: The concurring vote of four (4) members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this Chapter or to affect any variation therefrom.
- E. Form of Decision: The final disposition of an appeal or requested variance shall be in the form of a written decision or order stated in the minutes. Such decision shall state the reasons for the Board's determination and its findings of fact and shall either affirm, reverse, vary, or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal or grant or deny the application for a variance.
- F. Conditions: The Board of Appeals may impose such requirements and conditions with respect to location, construction, maintenance, and operation, in addition to any which may be stipulated in this Chapter, as the Board may deem necessary for the protection of adjacent properties and the public interest and welfare.

7.09 Review by Court of Record:

- A. Any person or persons aggrieved by any decision of the Board of Appeals or any taxpayers or any officer, department, board, or bureau of the municipality, may appeal from a decision of the Board of Appeals within thirty (30) days after the filing of the decision in the office of the Board of Appeals in the manner provided in 62.23(7)(e), Wisconsin Statutes.

Article VIII – Changes and Amendments

Section

8.01 Authority:

- A. Pursuant to the provisions of 62.23(7), Wisconsin Statutes, whenever the public necessity, convenience, general welfare, or good zoning practice require, the Village Board may, by ordinance, change the district boundaries or amend, change, or supplement the regulations established by this Ordinance or amendments thereto.

8.02 Initiation:

- A. A change or amendment may be initiated by the Village Board, Village Planning Commission, or by a petition of one or more of the owners or lessees of property within the area proposed to be changed.

8.03 Petitions:

- A. All petitions for a change, amendment, or supplement of the established zoning districts and regulations connected therewith shall be filed by the person requesting such action on forms furnished by the Village Clerk. The person requesting such action shall provide all information requested on the petition including:
 - 1. Name and street address of the petitioner.
 - 2. The lot number of any real estate owned by the petitioner adjacent to the area proposed to be changed.
 - 3. Legal description of the property to be altered.
 - 4. The existing use of all buildings on such land.
 - 5. The principal use of all properties within 300 feet of such land.
 - 6. Purpose for which such property is to be used.
 - 7. Reciting of facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Chapter.
 - 8. Names and addresses of all surrounding property owners within 1,000 feet of the property to be altered.
 - 9. Plot plan or survey plat, drawn to scale, showing the property to be rezoned, location of structures, and property lines within 300 feet of the parcel.
 - 10. Any further information requested on the petition or which may be required by the Planning Commission to facilitate the making of a comprehensive report to the Village Board.

Failure to supply such information shall be ground for dismissal of the petition.

8.03 Petitions con't

- B. A petition for change or amendment submitted by a private property owner shall be filed with the Village Clerk and shall be accompanied by the appropriate fee to defray the cost of giving notice, investigation, and other administrative processing.

8.04 Planning Commission Review and Recommendation:

- A. The Village Clerk shall transmit the petition to the Planning Commission.
- B. The Village Planning Commission shall conduct a study and investigation of all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified, or denied. The recommendation shall be made within sixty (60) days from which the petition is first received and shall be made in writing to the Village Board.
- C. The Village Clerk shall provide due notice of the Planning Commission meeting to the applicant and owners of record of properties which are located within 1,000 feet of the parcel involved in the application.

8.05 Hearing:

- A. The Village Planning Commission shall hold a public hearing upon each proposed change or amendment recommended by the Village Planning Commission, giving notice of the time, place, and the change or amendment proposed by publication of a Class 2 notice under Chapter 985, Wisconsin Statutes, to include a location sketch. The Village Board shall also give at least ten (10) days prior written notice to the Clerk of any municipality within 1,000 feet of any land to be affected by the proposed change or amendment.

8.06 Village Board Action:

- A. Following such hearing and after careful consideration of the Village Planning Commission's recommendations, the Village Board shall vote on the passage of the proposed change or amendment.

8.07 Protest:

- A. In the event of a protest at the public hearing against such district change or amendment to the regulations of this Ordinance, duly signed and acknowledged by the owners of twenty (20) percent for more either of the areas of the land included in such proposed change, or by the owners of twenty (20) percent or more of the surrounding land extending 1,000 feet from the parcel to be altered, such changes or amendment shall not become effective except by the favorable vote of three-fourths (3/4) of the full Village Board membership.

Article IX – Administration

Section

9.01 Zoning Administrator Designation:

- A. The Village Zoning Administrator is hereby designated as the administrative and enforcement officer for the provisions of this Ordinance. The duty of the Zoning Administrator shall be to interpret and administer this Ordinance and to issue, after on-site inspection, all permits required by this Ordinance. The Zoning Administrator shall further:
1. Keep an accurate record of all permits, numbered in the order of issuance, in a record book for this purpose.
 2. Initiate, direct, and review, from time to time, a study of the provisions of this Chapter, and make reports of the recommendations to the Planning Commission for investigation and appropriate action.
 3. Upon reasonable cause or question as to proper compliance, to revoke any building or occupancy permit and issue cease and desist orders requiring the cessation of any building, moving, alteration, or use which is in violation of the provisions of this Chapter, such revocation to be in effect until reinstated by the Administrator or the Board of Appeals; or take any other action as directed by the Village Board to ensure compliance with or to prevent violation of its provisions.
 4. Inspect all structures, lands, and waters as often as necessary to assure compliance with this Ordinance.
 5. Investigate all complaints made relating to the location of structures and the use of structures, lands, and waters, give notice of all violations of this Ordinance to the owner, resident, agent, or occupant of the premises, and report uncorrected violations to the Village Attorney in a manner specified by him (see Section 9.08).
 6. Assist the Village Attorney in the prosecution of Ordinance violations (see Section 9.08).
 7. Be permitted access to premises and structures during reasonable hours to make those inspections as deemed necessary by him to ensure compliance with this Ordinance. If, however, he is refused entry after presentation of his identification, he may procure a special inspection warrant in accordance with Section 66.122 of the Wisconsin Statutes.
 8. Prohibit the use or erection of any structure, land, or water until he has inspected and approved such use or erection.
 9. Request assistance and cooperation from the Village Police Department and Village Attorney as deemed necessary.

9.02 Building Permit:

- A. No building or structure above or below the ground shall be erected, structurally altered, or relocated within the Village until a building permit has been issued by the Zoning Administrator certifying that such building would be in compliance with the provisions of this Chapter and all applicable building codes.
- B. No person, whether as owner, contractor, builder, etc. shall erect, construct, or structurally alter any building or other structure without obtaining a building permit from the Zoning Administrator, and such Zoning Administrator shall not issue any permit unless the requirements of this Chapter are complied with. All applications for building permits shall be accompanied by plans, drawn to scale, showing the location, actual shape and dimensions of the lot to be built on, the exact size and location of the lot of the proposed or existing building and accessory building, the required setbacks, the existing and intended use of each building or part of a building, the number of families the building is intended to accommodate and such other information as may be required by the Zoning Administrator for the purpose of compliance with this Chapter. An application for a Building Permit shall be made in conformity with the requirements of the Zoning Ordinance and all applicable building codes.
- C. In any district where public sewerage service is not available, the width and area of all lots shall be sufficient to permit the use of an on-site sewage disposal system designed in accordance with Section H65 of the Wisconsin Administrative Code.
- D. A Building Permit shall be granted or denied in writing by the Zoning Administrator within (30) days of application and the applicant shall post such permit in a conspicuous place at the site. The permit shall expire within six (6) months unless substantial work has commenced, or within eighteen (18) months after the issuance of the permit if the structure for which a permit is issued is not substantially completed, and the applicant shall reapply for a Building Permit before commencing work on the structure. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

9.03 Planning Commission:

- A. The Village Planning Commission shall have the duties of making reports and recommendations relating to the plan and development of the Village to public officials, agencies, public utility companies, civic, educational, professional, and other organizations, and citizens. The Commission, its members and employees, in performance of its functions, may enter upon any land and make examinations and surveys. In general, the Planning Commission shall have such powers as may be necessary to enable it to perform its function and promote municipal planning.

9.04 Conditional Use Permit:

- A. Purpose: The formulation and enactment of a comprehensive zoning ordinance is based on the division of the entire Village into districts, in each of which are permitted specified uses that are mutually compatible.

9.04 Conditional Use Permit con't

In addition to such permitted compatible uses, however, it is recognized that there are other uses which it may be necessary or desirable to allow in a given district but which, because of their potential influence upon neighboring uses or public facilities, need to be carefully regulated with respect to location or operation for the protection of the community. Such uses are classified in this Chapter as "conditional uses".

Conditional uses may be permitted in the district in which listed upon petition for such grant to the Village Board and subject to the approval of the Board and to such other conditions as hereinafter designated.

B. Application for Conditional Use Permit: A request for conditional use grant shall be submitted in writing to the Village Clerk by the person requesting such action on forms furnished by the Village Clerk. The person requesting such action shall provide all information requested on the application/petition including:

1. Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor, when engaged, and all opposite and abutting property owners of record.
2. Description of the subject site by lot, block, and recorded subdivision or by metes and bounds, address of the subject site, type of structure, proposed operation or use of the structure or site, number employees, and the zoning district within which the subject site lies.
3. A map drawn to scale showing the location, property boundaries, dimensions, uses, and size of the following: subject site, existing and proposed structures, existing and proposed easements, streets, and other public ways, off-street parking, loading areas, and driveways, existing highway access restrictions, existing and proposed street, side, and rear yards, and areas subject to inundation by floodwaters.
4. Purpose of which the Conditional Use Permit is requested.
5. Reciting of facts indicating that the proposed use will not be detrimental to the general public interest, the purposes of this Chapter, and the general area in which it is located.
6. Drainage and sewage disposal plans.
7. Architecture and landscape treatment.
8. Planting screen and operational control devices plan, where necessary, to eliminate noise, dust, odor, smoke, or other objectionable operating conditions.
9. Any further information requested on the application/petition which may be required by the Planning Commission to render its decision.

Failure to supply such information shall be grounds for dismissal of the application/petition.

C. Planning Commission Review and Recommendation:

1. The Village Clerk shall transmit the petition to the Planning Commission.

9.04 Conditional Use Permit con't

2. The Village Planning Commission shall conduct a study and investigation of all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified, or denied. The recommendation shall be made within sixty (60) days from which the petition is first received and shall be made in writing to the Village Board.
- D. Hearings: The Village Board shall hold a public hearing upon each proposed change or amendment recommended by the Village Planning Commission, giving notice of the time, place, and change or amendment proposed by publication of a Class 2 notice under Chapter 985, Wisconsin Statutes.
- E. Review and Decision: Within thirty (30) days following the public hearing and any necessary study and investigation, the Village Board shall as soon as practical, render its decision in writing and a copy made a permanent part of the Board's records. Such decisions shall include an accurate description of the conditional use permitted, of the property on which permitted, and any and all conditions made applicable thereto, or if disapproved, shall indicate the reasons for disapproval.
- F. Standards for Conditional Use Permit Approval: The Planning Commission and Village Board shall apply the following general standards when reviewing, recommending, and approving or disapproving a conditional use permit:
1. No grant of a special exception shall violate the spirit or intent of this Ordinance.
 2. No special exception shall be allowed which could be contrary to the public health, safety, or general welfare, or which would be substantially adverse to property values in the neighborhood affected.
 3. No use shall be permitted by special exception that would constitute a nuisance by reason of noise, dust, smoke, odor, or other similar factors.
 4. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
 5. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
 6. Adequate measure have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- G. Authority to Impose Conditions: The Planning Commission and the Village Board may make the granting of an application for a conditional use permit contingent upon such express conditions as it considers necessary to further the aims of this Ordinance and to achieve the standards of Section F above. The applicant must agree to the conditions prior to the approval of a conditional use permit. These conditions may include, but are not limited to, specifications of:
1. The period of time in which all or part of the use may be permitted.
 2. Setback and yard dimensions.
 3. Specified sewage disposal and water supply facilities.
 4. Landscaping and planting screens.

9.04 Conditional Use Permit con't

5. Operational controls.
 6. Sureties.
 7. Deed restrictions
 8. Location of structures, docks, piers, or signs.
 9. Location and amount of parking facilities.
 10. Type of construction.
 11. Type of shore cover.
 12. Sign and lighting limitations.
 13. Number of employees.
- H. When a conditional use permit is approved, the building permit shall be appropriately noted and such permit shall be applicable solely to the structures, use, and property so described. Indication of such permit shall also be made on the Zoning District Map by appropriate symbol.
- I. Except as may be specifically otherwise provided, any use shall conform to the building location, height, lot size, and open space regulations of the district in which it is located.
- J. Lapse of Conditional Use Permit: A Conditional Use Permit shall lapse and become void one year after passage by the Village Board unless the conditional use is fully established or a building permit has been issued and/or construction has commenced and is being pursued diligently according to the requirements of the permit. A conditional use permit may be renewed for an additional period of one year by application to and approval of the Village Board.
- K. Automatic Termination of Conditional Use Permit: In the event the use for which the permit was granted shall cease or be abandoned for a period of one continuous year, the Conditional Use Permit granted herein shall automatically cease.
- L. Revocation of Conditional Use Permit: If, in the opinion of the Village Board, the terms of a Conditional Use Permit have been violated, or that the use is substantially detrimental to persons of property in the neighborhood, the Village Board shall, following notice to all parties, hold a public hearing on the revocation of the permit. If, upon finding of fact that the terms of the permit have been violated, the Village Board may revoke, modify, or leave the permit unchanged. The Village Board may thereafter direct the Village Attorney to secure such additional court orders as are necessary to implement its action.
- M. All conditional use petitions shall be accompanied by the appropriate fee to defray the cost of giving notice, investigation and other administrative processing, as provided for in Section 9.05.

9.05 Permit Fees:

- A. All persons, firms, or corporations performing work which by this Ordinance required the issuance of a permit shall pay a fee for such permit to the Village Clerk to help defray the cost of administration, investigation, advertising, and processing of permits and variances. The fee for permits shall be in accordance with the fee schedule established by the Village Board and presented as a separate attachment in support of these regulations.

9.06 Public Hearings: In order that the owners of property involved and other legitimately interested parties may have fair opportunity to be heard, adequate notice shall be given of any public hearing required by the provisions of this Chapter in the manner hereinafter defined or as may be otherwise specifically designated elsewhere in this Chapter.

- A. The Notice to be given concerning any appeals or variances, conditional use permits, or changes and amendments of this Ordinance shall be given by publishing a Class 2 notice under Chapter 985 of the Wisconsin Statutes, and by giving due notice of the hearing to all parties in interest.
 - 1. Due notice to parties in interest shall mean that the Village Clerk will mail, by ordinary postage, reasonable advance notice of all hearings and meetings on any pending matter to the applicant and to owners of record of properties which are located within 100 feet of the parcel involved in the application (1,000 feet in the case of changes and amendments to the zoning districts and regulations). In addition, at least ten (10) days prior to written notice of any such hearings shall be given to the Clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the application. Failure of the office to accomplish such provision of notice shall not invalidate or prejudice the proceedings, provided that reasonable efforts were made to so notify the parties in interest.

9.07 Annexations: Any area annexed to the Village of Dorchester after the effective date of this Ordinance shall automatically be placed in the R-1, Single-Family Residence District, and shall remain in such district until the appropriate zoning district(s), zoning district boundaries and regulations are studied and recommended by the Planning Commission and adopted by the Village Board in accordance with the requirements of Article VIII of this Ordinance; except that such adoption be completed within ninety (90) days of the annexation.

9.08 Violations and Penalties:

- A. It shall be unlawful to use or improve any structure or land, or to use water or air in violation of any of the provisions of this ordinance. In case of any violation, the Village Board, the Zoning Administrator, the Village Planning Commission, or any property owner who would be specifically damaged by such violation, may institute appropriate action or proceeding to enjoin a violation of this Ordinance or cause a structure to be vacated or removed.
- B. Whenever an order of the Zoning Administrator has not be complied with within thirty (30) days after written notice has been mailed to the owner, resident agent, or occupant of the premises, the Village Board, the Zoning Administrator, or the Village Attorney may institute appropriate legal action or proceedings to prohibit such owner, agent, or occupant from using such structure, land, or water.
- C. Any person, firm, or corporation who fails to comply with the provisions of this Ordinance or any order of the Zoning Administrator issued in accordance with this Ordinance or resists enforcement, shall be subject to a penalty as provided in the Village of Dorchester Municipal Code.

Adopted by the Village Board of the Village of Dorchester, Clark and Marathon Counties, Wisconsin, this ____ day of _____, 20____.

Village of Dorchester

Wayne Rau, Village President

Brooke Ruge, Village Clerk-Treasurer

Published: _____

Ayes _____

Nays _____