

CHAPTER 6

Zoning

Article A General Provisions

- § 10-6-1 Introduction; Authority Purpose and Interpretations
- § 10-6-2 General Provisions
- § 10-6-3 Through
- § 10-6-9 Reserved

Article B Zoning Districts

- § 10-6-10 Zoning Districts; Official Map
- § 10-6-11 Zoning Permits
- § 10-6-12 R-I Single-Family Residential District
- § 10-6-13 R-2 Multi-Family Residential District
- § 10-6-14 C General Commercial District
- § 10-6-15 I Industrial District
- § 10-6-16 A Agricultural District
- § 10-6-17 W Conservancy District
- § 10-6-18 FR Planned Unit Developments
- § 10-6-19 Reserved for Future Use

Article C Conditional Uses; Planned Unit Developments

- § 10-6-20 Statement of Purpose
- § 10-6-21 Authority of Village Board
- § 10-6-22 Initiation of Conditional Use
- § 10-6-23 Application for Conditional Use
- § 10-6-24 Hearing on Application
- § 10-6-25 Notice of Hearing on Application
- § 10-6-26 Standards
- § 10-6-27 Denial of Application for Conditional Use Permit
- § 10-6-28 Conditions and Guarantees
- § 10-6-29 Validity of Conditional Use Permit
- § 10-6-30 Complaints Regarding Conditional Uses
- § 10-6-31 Planned Unit Developments
- § 10-6-32 Through
- § 10-6-39 Reserved

Article D Signs

- § 10-6-40 Signs Governed by Ordinance
- § 10-6-41 Sign Permits
- § 10-6-42 Review by Board Committee

- § 10-6-43 Review by Village Board
- § 10-6-44 Restrictions on Placement of Signs
- § 10-6-45 Through
- § 10-6-49 Reserved

Article E Nonconforming Uses, Structures and Lots

- § 10-6-50 Existing Nonconforming Uses
- § 10-6-51 Abolishment or Replacement
- § 10-6-52 Existing Nonconforming Structures
- § 10-6-53 Changes and Substitutions
- § 10-6-54 Through
- § 10-6-59 Reserved

Article F Fences

- § 10-6-60 Prohibited Fences
- § 10-6-61 Fence Permit; Fee
- § 10-6-62 Restrictions; Conditions
- § 10-6-63 Special Purpose Fences
- § 10-6-64 Height Determination
- § 10-6-65 Nonconforming Fences
- § 10-6-66 Swimming Pool Fences Regulated
- § 10-6-67 Through
- § 10-6-69 Reserved

Article G Definitions

- § 10-6-70 Definitions
- § 10-6-71 Through
- § 10-6-79 Reserved

Article H Enforcement and Penalties

- § 10-6-80 Enforcement and Penalties
- § 10-6-81 Amendments
- § 10-6-82 Annexation
- § 10-6-83 Through
- § 10-6-89 Reserved

Article I Official Map of Plainfield

- § 10-6-90 Purpose of Official Map
- § 10-6-91 Effect of Official Map
- § 10-6-92 Official Map and Subdivision Plats and Permits

ARTICLE A

General Provisions

SEC. 10-6-1 INTRODUCTION: AUTHORITY, PURPOSE AND INTERPRETATION.

(a) In accordance with the authority granted by Sec. 61.35 and Sec. 62.23 of the Wisconsin Statutes and for the purpose listed in Sec. 62.23 of the Wisconsin Statutes, the Village Board of the Village of Plainfield, Wisconsin, establishes these zoning regulations.

(b) The provisions of this Chapter shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Village.

(c) This Chapter shall not repeal, impair or modify private covenants or public ordinances, except that it shall apply whenever it imposes stricter regulations on land use.

State Law Reference: Sections 61.35 and 62.23, Wis. Stats.

SEC. 10-6-2 GENERAL PROVISIONS.

(a) **LOT AREA REQUIREMENTS TO BE MET.** After adoption of this Chapter, no lot area shall be so reduced that the dimensions and yard requirements imposed by this Chapter cannot be met. However, where existing lots do not satisfy such requirements, the Board of Appeals may grant a variance.

(b) **ACCESSORY BUILDINGS.** Accessory buildings shall not occupy more than thirty (30%) percent of the required area for the rear yard. Any accessory building projected forward of the rear building line of the principal building shall satisfy the same side yard requirements as the principal building.

(c) **UNOBSTRUCTED YARDS; FIRE ESCAPES.** Every part of the required area of a yard shall be open to the sky unobstructed, except for accessory buildings and the ordinary projections of sills, cornices and ornamental features. Fire escapes may project into a required yard not more than five (5) feet.

(d) **VISION CLEARANCE TRIANGLE.** In each quadrant of every street intersection there shall be designated a vision clearance triangle, bounded by the inner street lines and a line connecting them thirty-five (35) feet from their intersection. Within this triangle no object shall be allowed above a height of two and one-half (2-1/2) feet above the

streets if it obstructs the view across the triangle. This Subsection shall not apply to tree trunks, posts or wire fences.

SEC. 10-6-3 THROUGH SEC. 10-6-9 RESERVED.

ARTICLE B

Zoning Districts

SEC. 10-6-10 ZONING DISTRICTS; OFFICIAL MAP.

(a) ZONING DISTRICTS. Eight (8) zoning districts are provided as follows:

- (1) Single Family Residence (R1)
- (2) Multiple Family Residence (R2)
- (3) General Commercial (C)
- (4) Mobile Homes (MH)
- (5) Industrial (I)
- (6) Agricultural (A)
- (7) Conservancy (W)
- (8) Planned Unit Development (FR)

(b) OFFICIAL ZONING MAP.

(1) The official zoning map is an integral part of this Chapter. The single official copy of this map, entitled "Village of Plainfield Official Zoning Map," together with a copy of this Chapter shall be kept at the office of the Village Clerk-Treasurer and shall be available for public inspection during office hours. The map shall be certified by the Village President and attested by the Village Clerk-Treasurer. Any changes in zoning district boundaries shall be recorded on the map. No such change shall be effective until so recorded and until a duly certified and attested certificate describing the change is filed with the map.

(2) 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.

(3) 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.

(4) In un-subdivided property, the district boundary shown on the map shall be determined by use of the scale shown on such map.

SEC. 10-6-11 ZONING PERMITS.

(a) APPLICATIONS. Applications for a zoning permit shall be made in duplicate to the Building Inspector on forms furnished by the Building Inspector and shall include the following where applicable:

(1) The name and address of the applicant, owner, architect, surveyor, engineer or contractor.

(2) A detailed description of the sites to be rezoned along with a proposed plan for the operation or use of the rezoned site.

(3) A detailed plat of survey showing any planned subdivision or other planned use.

(4) Proposed sewage disposal and water supply plans if the Village sewer and/or water is not available.

(5) Additional information as may be required by the Village Board or appropriate committee, Building Inspector, Village Engineer or Health Officer.

(b) FEES. Upon submitting application, the applicant shall pay the Building Inspector a fee which shall be set from time to time by the Village Board.

(c) REVIEW BY FINANCE, PERSONNEL, BUDGET AND PLANNING COMMITTEE. Within thirty (30) days after the Building Inspector has accepted an application for a zoning permit, the Village Finance, Personnel, Budget and Planning Committee shall review the application and make its recommendation to the Village board. It may require the attendance of the applicant at its meeting.

(d) REVIEW BY VILLAGE BOARD. No later than the next general meeting of the Village Board following the meeting of the Finance, Personnel, Budget and Planning Committee, the Village Board shall hear the application and make its decision whether to grant a permit. If the Village Board is sitting as a Zoning Board of Appeals, its decision shall be final.

(e) BOARD MAY LIMIT USE. In its decision to grant a zoning permit, the Village Board may limit the use of a rezoned area to one or more specific uses.

(f) SUBDIVISIONS. Whenever an application for a zoning permit also proposes a new subdivision, the Finance, Personnel, Budget and Planning Committee may withhold its recommendation on the zoning change until it approves the preliminary plat of the subdivision.

(g) APPEALS. Any erroneous findings, orders or unreasonable delays on the part of the Building Inspector or the Finance, Personnel, Budget and Planning Committee shall be appealable to the Board of Zoning Appeals.

SEC. 10-6-12 R-I SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) PERMITTED USES AND STRUCTURES. Single-Family dwellings and their accessory structures or uses.

(b) CONDITIONAL USES AND STRUCTURES. Parks, greenways and open spaces, playgrounds, public and private schools, hospitals, cemeteries, governmental and community service buildings and functions, utilities lines, municipal pumping stations, golf courses, churches, libraries, single-family planned residential development, home occupations, agricultural uses; mobile homes and trailers are allowed (one per lot provided the provisions of Sections 7-6-1 through 7-6-5 are complied with). "

(c) LOT SIZE.

(1) Width: Sixty-six (66) feet minimum

(2) Area: Eight Thousand Five Hundred (8,500) square feet minimum

(d) BUILDING. Height: Thirty-five (35) feet maximum

(e) BUILDING SETBACKS:

(1) Street: Thirty-five (35) feet minimum

(2) Rear: Twenty-five (25) feet minimum

(3) Side: Ten (10) feet minimum, providing the sum of the widths of the required side yards shall be not less than twenty-five (25) feet.

(f) ACCESSORY BUILDINGS: (for areas zoned R-1, R-2 and R-3) Accessory Building or detached garage must be a minimum of ten (10) feet from rear lot line, and a minimum of ten (10) feet from the required side lot lines. Accessory buildings shall also comply with the requirements of Section 10-6-2(b).

(g) SETBACK EXCEPTIONS.

(1) Where forty (40%) percent or more of the frontage is occupied with buildings having an average setback line or more, or of less, than twenty-five (25) feet, the setback line in any vacant interior lot in such frontage shall be established at the point of intersection of its center line, drawn from the front street line, and a line connecting the nearest points on the setback lines of the next existing buildings on each side of such vacant lot.

(2) On corner lots less than seventy (70) feet wide and of record at the time of the passage of this Chapter, where reversed frontage exists, the setback on the side ~ street shall be not less than fifty (50%) percent of the setback required on the lot in the rear, and no accessory building shall project beyond the setback line of the lots in the rear; provided further that in no case shall the buildable width of such corner lot be reduced to less than twenty-four (24) feet.

SEC. 10-6-13 R-2 MULTI-FAMILY RESIDENTIAL DISTRICT.

(a) PERMITTED USES: Multi-Family residential uses and structures conforming at least to the minimum and maximum requirements below.

(b) CONDITIONAL USES AND STRUCTURES: Parks, greenways and open spaces, playgrounds, public and private schools, hospitals, cemeteries, governmental and community service buildings and functions, utilities lines, pumping stations, golf courses, churches, libraries, single-family planned residential development, home occupations, agricultural uses, and multi-family planned unit residential development. Mobile homes and trailers are not permitted.

(c) LOT SIZE:

(1) Width: One hundred (100) feet minimum

(2) Area: Twelve thousand, five hundred (12,500) square feet

(d) BUILDING: Height: Maximum forty-eight (48) feet or four stories, whichever is the least.

(e) BUILDING SETBACKS:

(1) Front: Thirty-five (35) feet minimum

(2) Rear: Twenty-five (25) feet minimum

(3) Side: Ten (10) feet minimum, provided the sum of the widths of the required side yards shall be not less than twenty-five (25) feet.

(f) OTHER REQUIREMENTS:

(1) That the recreation space ratio, defined as the minimum square footage of the recreation space required for each square foot of floor area, is not less than .16.

(2) That the floor area ratio, defined as the maximum square footage of total floor area permitted for each foot of land area, is not more than .32.

(3) That the open space ratio, defined as the minimum square footage of open space required for each square foot of floor area, is not less than 2.0.

(4) That the living space ratio, defined as the minimum square footage of nonvehicular outdoor space required for each square foot of floor area, is not less than 1.2.

(5) That the occupant car ratio, defined as the minimum number of off-street parking spaces without parking time limits required for each living unit, is not less than 1.5 stalls per dwelling. At a minimum of (9) nine feet wide by (18) eighteen feet long.

SEC. 10-6-14 (C) GENERAL COMMERCIAL DISTRICT.

(a) PERMITTED USES AND STRUCTURES: Hardware and feed stores, furniture stores, barber shops, bakeries, bars, cocktail lounges, restaurants, motels, hotels, fruit stores, dry goods stores, luggage shops, stationery stores, personal and business service establishments, pet shops, clothing stores, public passenger transportation terminals, gift stores, variety stores, garages, theaters, professional offices, organization headquarters, newspaper and magazine publisher, jewelry stores, banks, shoe stores, barber shops, religious goods stores, packaged beverage stores, appliance sales and repair, sporting goods, insurance and real estate offices, radio and TV sales and service, catalogue order stores, savings and loan and finance companies, department stores, bowling alleys, churches, tobacco and magazine stores, beauty salons, music shops, radio stations (w/o antenna), churches, public and private schools, parking areas, open spaces, parks.

(b) CONDITIONAL USES: Wholesale outlets, secondhand stores, professional laundry dry cleaning establishments, gas stations, and other uses similar or customarily incident to the above uses.

(c) LOT SIZE: Width: Fifty (50) feet Area: 5,500 square feet

(d) BUILDING: Height: Maximum forty-eight (48) feet.

(e) STREET SETBACK: Minimum twenty-five (25) feet, however where forty (40%) percent or more of the frontage is occupied with buildings having an average setback line of more, or of less, than twenty-five (25) feet, the setback line in any vacant interior lot in such frontage shall be established at the point of intersection of its center line,

drawn from the front street line, and a line connecting the nearest points on the setback lines of the next existing buildings on each side of such vacant lot.

SEC. 10-6-15 (I) INDUSTRIAL DISTRICT.

(a) PERMITTED USES AND STRUCTURES: Automotive body repairs, automotive, upholstery, cleaning, pressing and dyeing establishments; commercial bakeries, commercial greenhouses, distributors, farm machinery, food locker plants, laboratories, machine shops, manufacture and bottling of non-alcoholic beverages; painting, printing, publishing, storage and sale of lumber, machinery and equipment, trade and contractor's offices, warehousing and wholesaling; manufacturing, fabrication, packing, packaging, and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textiles, and Wood; manufacture, fabrication, processing, packaging and packing of confections, cosmetics, electrical appliances, electronic devices, food except cabbage, fish, and fish products, meat and meat products, and pea vining; instruments, jewelry, pharmaceuticals, tobacco, and toiletries; freight yards, freight terminals, and transshipment depots, inside storage, breweries, agriculture, parking and open areas.

(b) CONDITIONAL USES AND STRUCTURES: Incinerators, sewage disposal plants, earth and sanitary land fill operations.

(c) MANUFACTURE AND PROCESSING of abrasives, acetylene, acid, alkaline, ammonia, asbestos, asphalt, batteries, bedding, bleach, bone, cabbage, candle, carpeting, celluloid, cement, cereals, charcoal, chemicals, chlorine, coal tar, coffee, coke, cordage, creosote, dextrin, disinfectant, dye, excelsior, felt, fish, fuel, furs, gelatin, glucose, gypsum, hair products, ink, insecticide, lime, lime products, linoleum, matches, meat, oil cloth, paint, paper, peas, perfume, pickle, plaster of paris, plastics, poison, polish, potash, pulp, pyroxylin, radium, rope, rubber, sausage, size, starch, stove polish, textiles, and varnish. Manufacturing, processing and storage of building materials, explosives, dry ice, fat, fertilizer, flammables, gasoline, glue, grains, grease, lard, radioactive materials, shellac, soap, turpentine, vinegar, and yeast. Bag cleaning, bleacheries, canneries, cold storage warehouses; electric and steam generating plants; electroplating, enameling; forges; foundries; garbage incinerators; lacquering; lithographing, offal, rubbish, or animal reduction; oil, coal, and bone distillation; refineries; road test facilities, slaughterhouses; smelting; stockyards, tanneries; and weaving.

(d) OUTSIDE STORAGE AND MANUFACTURING AREAS, wrecking, junk demolition and scrap yards shall be surrounded by a solid fence or evergreen planting screen

completely preventing a view from any other property or public right-of-way and shall be at least six hundred (600) feet from residential or commercial structures.

(e) COMMERCIAL SERVICE FACILITIES, such as restaurants and fueling stations, provided all such services are physically and sales orientated toward industrial district users and employees and other users are only incidental customers.

(f) LOT SIZE: Width: Sixty-six (66) feet Area: 8,500 feet

(g) BUILDING: Height: None

(h) BUILDING SETBACKS:

1. Street: Minimum twenty-five (25) feet

2. Rear: Minimum thirty (30) feet

3. Side: Minimum ten (10) feet

(i) PARKING: One off-street parking space for every 1.3 employees; number of employees shall be construed to mean the maximum number on the premises at one time. Any existing residences are allowed to be rebuilt in case of fire or other destruction, or to be remodeled.

(j) REQUIRED BUFFER STRIPS IN INDUSTRIAL DISTRICTS. Where an Industrial District abuts a Residential District, there shall be provided along any rear, side or front line, coincidental with any industrial-residential boundary, a buffer strip not less than forty (40) feet in width as measured at right angles to said lot line. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the Residential District shall be planted in the exterior twenty-five (25) feet abutting the Residential District. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip facing the Residential District shall be attractively maintained. Fencing may be used in lieu of planting materials to provide said screening. The fencing shall be not less than five (5) nor more than eight (8) feet in height and shall be of such materials as to effectively screen the industrial area. The exterior twenty-five (25) feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior fifteen (25) feet may be devoted to parking of vehicles.

SEC. 10-6-16 (A) AGRICULTURAL DISTRICT.

(a) PRINCIPAL USES. Agriculture, dairying, floriculture, forestry, general farming, grazing, greenhouses, hatcheries, horticulture, livestock raising, nurseries, orchards, paddocks, pasturage, poultry raising, stables and truck farming. Farm dwellings for

those resident owners and laborers actually engaged in the principal permitted uses are accessory uses and shall comply with all the provisions of the R-I Residential District.

(b) LOT, YARD AND BUILDING REQUIREMENTS.

Lot frontage Minimum 200 ft.

Lot area Minimum 5 acres

Principal building:

Front yard Minimum 80 ft.

Side yards Minimum 50 ft.

Rear yard Minimum 50 ft.

Accessory building:

Front yard Minimum 80 ft.

Side yards Minimum 45 ft.

Rear yard Minimum 45 ft.

Building height Maximum 50 ft.

(c) CONDITIONAL USES. Farm animals and fowl, such as cattle hogs, sheep, horses, chickens, geese, etc., may be permitted as a conditional use within this zoning district only, and telecommunication towers, all subject to the provisions of Article C of this Chapter.

Editor's Note: Amended at time of adoption of Ordinance: 2011-05 on July 5, 2011.

SEC. 10-6-17 (W) CONSERVANCY DISTRICT.

(a) PERMITTED USES AND STRUCTURES: The harvesting of wild crops such as marsh hay, ferns, moss, wild rice, berries, tree fruits, tree seeds, sustained yield forestry; utilities such as, but not restricted to telephone, telegraph and power transmission lines; hunting, fishing, scenic, historic, scientific, wildlife preserve; non-resident buildings used solely in conjunction with the raising of water fowl or fish; hiking trails and bridle paths, accessory uses; public and private parks and picnic areas, regulatory signs not over six (6) square feet; and general farming provided no drainage, filling or dredging takes place and no farm buildings are constructed.

(b) CONDITIONAL USES: Fillings, drainage, dredging, non-residential farm structures, dams, power plants, telecommunication towers, flowages, ponds, relocation of water courses, removal of top soil or peat; piers, docks, boat houses, and cranberry bogs. All permitted and conditional uses are subject to the provisions of Article C of this Chapter.

Editor's Note: Amended at time of adoption of Ordinance: 2011-05 on July 5, 2011.

SEC. 10-6-18 FR PLANNED UNIT DEVELOPMENTS.

Planned unit developments shall comply with the provisions of Sec. 10-6-31.

SEC. 10-6-19 RESERVED FOR FUTURE USE.

ARTICLE C

Conditional Uses; Planned Unit Developments

SEC. 10-6-20 STATEMENT OF PURPOSE.

The development and execution of this Article is based upon the division of the Village into districts, within which districts the use of land and buildings, and bulk and location of buildings and structures in relation to the land, are mutually compatible and substantially uniform. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as unrestricted permitted uses in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land or public facilities, and of the public need for the particular use at a particular location. Such uses, nevertheless, may be necessary or desirable to be allowed in a particular district provided that due consideration is given to location, development and operation of such uses. Such uses are classified as conditional uses.

SEC. 10-6-21 AUTHORITY OF THE VILLAGE BOARD.

The Village Board, after a public hearing shall, within a reasonable time, grant or deny any application for a conditional use. Prior to the granting of a conditional use, the commission shall make findings based upon the evidence presented that the standards herein prescribed are being complied with.

SEC. 10-6-22 INITIATION OF CONDITIONAL USE.

Any person, firm, corporation or organization having a freehold interest, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest, and which is specifically enforceable in the land for which a conditional use is sought may file an application to use such land for one or more of the conditional uses provided for in this Article in the zoning district in which such land is located.

SEC. 10-6-23 APPLICATION FOR CONDITIONAL USE.

An application for a conditional use shall be filed with the Building Inspector on a form prescribed by the Building Inspector. The application shall be accompanied by such plans and other information as may be prescribed by the Building Inspector, Village Board or the Finance, Personnel, Budget and Planning Committee, and shall include a statement in writing by the applicant and adequate evidence showing that the proposed conditional use shall conform to the standards set forth in Section 10-6-26 hereinafter. Application for conditional use permits shall be submitted to the Building Inspector and shall be accompanied by the same information as is required for a Building Permit as

specified in Article B of this Chapter. The Finance, Personnel, Budget and Planning Committee or Village Board may require such other information as may be necessary to determine and provide for an enforcement of this Chapter, including a plan showing contours, soil types, highwater mark, ground water conditions, bedrock, vegetative cover and specifications for areas of proposed filling, grading, and lagoon.

SEC. 10-6-24 HEARING ON APPLICATION.

Upon receipt of the application and statement referred to in Section 10-6-23 above, the Village Board shall hold a public hearing on each application for a conditional use at such time and place as shall be established by such Board. The hearing shall be conducted, and a record of the proceedings shall be preserved in such manner and according to such procedures as the Village Board shall, by rule, prescribe from time to time. An advisory recommendation from the Finance, Personnel, Budget and Planning Committee shall be submitted to the Board.

SEC. 10-6-25 NOTICE OF HEARING ON APPLICATION.

Notice of the time, place and purpose of such hearing shall be given by publication as a Class 2 Notice under the Wisconsin Statutes in the official Village paper. Notice of the time, place and purpose of such public hearing shall also be sent to the applicant, the Building Inspector, members of the Village Board, and the owners of record, as listed in the office of the Village Assessor, who are owners of property in whole or in part situated within one hundred (100) feet of the boundaries of the properties affected, said notice to be sent at least ten (10) days prior to the date of such public hearing.

SEC. 10-6-26 STANDARDS.

No application for a conditional use shall be granted by the Village Board unless such Board shall find all of the following conditions are present:

- (a) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (b) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(d) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

(e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

(f) .. That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.

(g) That the proposed use does not violate flood plain regulations governing the site.

(h) That when applying the above standards to any new construction of a building or an addition to an existing building the Village Board shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objective of the zoning district.

SEC. 10-6-27 DENIAL OF APPLICATION FOR CONDITIONAL USE PERMIT.

When a conditional use application is denied, the Village Board shall furnish the applicant, in writing, when so requested, those standards that are not met and enumerate reasons the Board has used in determining that each standard was not met.

SEC. 10-6-28 CONDITIONS AND GUARANTEES.

The following conditions shall apply to all conditional uses:

(a) Prior to the granting of any conditional use, the Finance, Personnel, Budget and Planning Committee may recommend, and the Village Board may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified in Section 10-6-26 above. In all cases in which conditional uses are granted, the Board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. Such conditions may include specifications for, without limitation because of specific enumeration:

(1) landscaping,

(2) type of construction,

(3) construction commencement and completion dates,

(4) sureties,

(5) lighting,

- (6) fencing,
- (7) operational control,
- (8) hours of operation,
- (9) traffic circulation,
- (10) deed restrictions,
- (11) access restrictions,
- (12) setbacks and yards,
- (13) type of shore cover,
- (14) specified sewage disposal and water supply systems,
- (15) planting screens,
- (16) piers and docks,
- (17) increased parking,
- (18) or any other requirements necessary to fulfill purpose and intent of this Chapter.

(b) The Finance, Personnel, Budget and Planning Committee and Village Board shall evaluate each application and may request assistance from any source which can provide technical assistance. The Committee shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems and the proposed operation/use.

(c) No alteration of a conditional use shall be permitted unless approved by the Finance, Personnel, Budget and Planning Committee.

SEC. 10-6-29 VALIDITY OF CONDITIONAL USE PERMIT.

Where the Village Board has approved or conditionally approved an application for a conditional use, such approval shall become null and void within twelve (12) months of the date of the Village Board's action unless the use is commenced, construction is underway or the current owner possesses a valid building permit under which construction is commenced within six (6) months of the date of issuance and which shall not be renewed unless construction has commenced and is being diligently prosecuted.

SEC. 10-6-30 COMPLAINTS REGARDING CONDITIONAL USES.

The Village Board shall retain continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses. Such authority shall be in addition to the enforcement authority of the Building Inspector to order the removal or discontinuance of any unauthorized alterations of an approved conditional use, and the elimination, removal or discontinuance of any violation of a condition imposed prior to or after approval or violation of any other provision of this Code. Upon written complaint by any citizen or official, the Village Board shall initially determine whether said complaint indicates a reasonable probability that the subject conditional use is in violation of either one or more of the standards set forth in Section 10-6-26 above, a condition of approval or other requirement imposed hereunder. Upon reaching a positive initial determination, a hearing shall be held upon notice as provided in Section 10-5-25 above. Any person may appear at such hearing and testify in person or represented by an agent or attorney. The Village Board may, in order to bring the subject conditional use into compliance with the standards set forth in Section 10-6-26 or conditions previously imposed by the Finance, Personnel, Budget and Planning Committee or Village Board, modify existing conditions upon such use and impose additional reasonable conditions upon the subject conditional use. In the event that no reasonable modification of such conditional use can be made in order to assure that Standards (a) and (b) in Section 10-6-26 will be met, the Village Board may revoke the subject conditional approval and direct the Building Inspector and the Village Attorney to seek elimination of the subject use. Following any such hearing, the decision of the Village Board shall be furnished the current owner of the conditional use in writing stating the reasons therefor. An appeal from a decision of the Village Board under this Section may be appealed to the Village Board.

SEC. 10-6-31 PLANNED UNIT DEVELOPMENTS.

(a) Planned unit developments (PUD) are permitted as conditional uses in all residential zones. PUD's are intended to provide for innovative large-scale residential development.

(b) A PUD must contain a minimum of ten (10) contiguous acres under one ownership or control.

(c) Plans for the proposed development shall show the location, size, and proposed use of all structures and land included in the area involved. Individual drainage and planting plans shall be provided for the entire development.

(d) The plans may provide for a combination of single and multi-family development as well as closely related commercial uses, provided the plans indicate:

(1) That the overall density of the project defined as the number of living units per acre including associated commercial uses does not exceed the district regulations for the district in which the project is to be developed.

(2) That paved streets and sidewalks adequate to serve the needs of the area will be provided.

(3) That adequate access to public streets and proper internal circulation will be provided.

(4) That adequate sewer and water facilities will be provided.

(5) That the development will constitute a reasonable extension of the living areas in the Village and will be compatible with surrounding land uses.

(6) That adequate safeguards be taken to ensure that the parks and other open spaces shown on the plan are permanently reserved as parks and open spaces.

SEC. 10-6-32 THROUGH SEC. 10-6-39 RESERVED.

ARTICLE D

Signs

SEC. 10-6-40 SIGNS GOVERNED BY ORDINANCE.

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without being in conformity with the provisions of this Article. The sign shall also meet all the structural requirements of the Building Code.

SEC. 10-6-41 SIGN PERMITS.

Applications for a sign permit shall be made to the Building Inspector and shall include a detailed description of the plans for the materials, size and location of the proposed sign, as well as any additional information as may be required by the Village Board, Building Inspector, Village Engineer or Health Officer.

SEC. 10-6-42 REVIEW BY BOARD COMMITTEE.

Within thirty (30) days after the Building Inspector has accepted an application for a sign permit, the Village Finance, Personnel, Budget and Planning Committee shall review the application and make its recommendation to the Village Board. It may require the attendance of the applicant at its meeting.

SEC. 10-6-43 REVIEW BY VILLAGE BOARD.

Not later than the next general meeting of the Village Board following the meeting of the Finance, Personnel, Budget and Planning Committee, the Village Board shall hear the application and make its decision whether to grant a permit.

SEC. 10-6-44 RESTRICTIONS ON PLACEMENT OF SIGNS.

(a.) All signs are prohibited in the R1, R2, A, MH and W Districts except the following:

(1) Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two (2) feet in height and ten (10) feet in length.

(2) Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.

(3) Name, occupation and warning signs not to exceed two (2) square feet located on the premises.

(4) Bulletin board for public, charitable or religious institutions not to exceed eight (8) square feet in area located on the premises.

(5) Memorial signs, tables, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.

(6) Official signs, such as traffic control, parking restrictions, information and notices.

(7) Temporary signs or banners when authorized by the Village Board.

(b) Signs are permitted in the C and I Districts subject to the following restrictions.

(1) Wall signs placed against the exterior walls of buildings shall not extend more than six (6) inches outside of a building's wall surface, shall not exceed five hundred (500) square feet in area for anyone premises, and shall not exceed twenty (20) feet in height above the mean centerline street grade.

(2) Projecting signs fastened to, suspended from, or supported by structures shall not exceed one hundred (100) square feet in area for anyone premises, shall not extend more than six (6) feet into any required yard, shall not extend more than three (3) feet into any public right-of-way, shall not be less than ten (10) feet from all side lot lines, shall not exceed a height of twenty (20) feet above the mean centerline street grade, and shall not be less than ten (10) feet above the sidewalk nor fifteen (15) feet above a driveway or an alley.

(3) Ground signs shall not exceed twenty (20) feet and meet all yard requirements for the district in which it is located, shall not exceed one hundred (100) square feet on one side nor two hundred (200) square feet on all sides for anyone premises.

(4) Roof signs shall not exceed ten (10) feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located, and shall not exceed three hundred (300) square feet on all sides for anyone premises.

(5) Window signs shall be placed only on the inside of commercial buildings and shall not exceed twenty-five (25%) percent of the glass area of the pane upon which the sign is displayed.

(6) Combinations of any of the above signs shall meet all the requirements for the individual sign.

(c) Signs shall not resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall limit free

ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility.

(d) Signs lawfully existing at the time of the adoption or amendment of this code section may be continued although the use, size or location does not conform with the provisions of this code section. However, it shall be deemed a nonconforming use or structure, and the provisions of Article E of this Chapter shall apply.

SEC. 10-6-45 THROUGH SEC. 10-6-49 RESERVED.

ARTICLE E

Nonconforming Uses, Structures, and Lots

SEC. 10-6-50 EXISTING NONCONFORMING USES.

(a) The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Chapter may be continued although the use does not conform with the provisions of this Chapter. However, only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Chapter.

(b) Total lifetime structural repairs or alterations shall not exceed fifty (50%) percent of the Village's assessed value of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this Chapter.

(c) Substitution of new equipment may be permitted by the Board of Zoning Appeals if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

SEC. 10-6-51 ABOLISHMENT OR REPLACEMENT.

(a) If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Chapter. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than fifty (50%) percent of its current provisions value, it shall not be restored except so as to comply with the use provisions of this Chapter.

(b) A current file of all nonconforming uses shall be maintained by the Building Inspector listing the following: owner's name and address; use of the structure, land, or water; and assessed value, at the time of its becoming a nonconforming use.

SEC. 10-6-52 EXISTING NONCONFORMING STRUCTURES.

The lawful nonconforming structure existing at the time of the adoption or amendment of this Chapter may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Chapter; however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered except when required to do so by law or order or so as to comply with the provision of this Chapter.

SEC. 10-6-53 CHANGES AND SUBSTITUTIONS.

Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Zoning Appeals has permitted the Substitution of a more restrictive nonconforming use for an existing nonconforming use, the Substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board of Zoning Appeals.

SEC. 10-6-54 THROUGH 10-6-59 RESERVED.

ARTICLE F

Fences Ordinance

SEC. 10-6-60 FENCES.

(a) Fences. Fences are a permitted accessory use in any district and may be erected provided that the fence is maintained in good repair, that the finished or decorative side of the fence shall face the adjoining property, and comply with the following requirements:

1. Residential fences. Residential fences, including solid fences, are permitted, upon issuance of a building permit, in the side and rear yards of residential districts, and may be placed on the lot line, but shall not exceed a height of six (6) feet, and shall not extend into the front yard or any street yard. No fence shall be located closer than three (3) feet to any alley right-of-way line. This provision shall not apply to structures which have a different setback as established by the zoning code (At this time those are Sec. 10-6-12 through Sec. 10-8-17.);

2. Decorative fences. A decorative fence is a fence that is 50% or more open. Decorative fences are permitted, upon issuance of a permit, adjacent to the lot line in any district, but shall not exceed a height of four (4) feet when located in a front yard or street yard in a residential district. Wrought iron fence is an example of a decorative fence.

3. Security fences. Security fences are permitted, upon issuance of a building permit, adjacent to all property lines in all districts except residential districts but shall not exceed a height often (10) feet. The Village Zoning Official shall determine, before the issuance of a building permit, the opacity of security fences, based upon consideration of the need to screen materials and upon safety considerations. Security fences shall comply with the vision triangle requirements set forth in Sec. 10-6-2(d).

4. Good Neighbor fences. A fence constructed of solid or spaced boards, where the face boards are installed at the center of the posts so that the fence looks the same from both sides.

Sec. 10-6-61 SETBACK REQUIREMENTS.

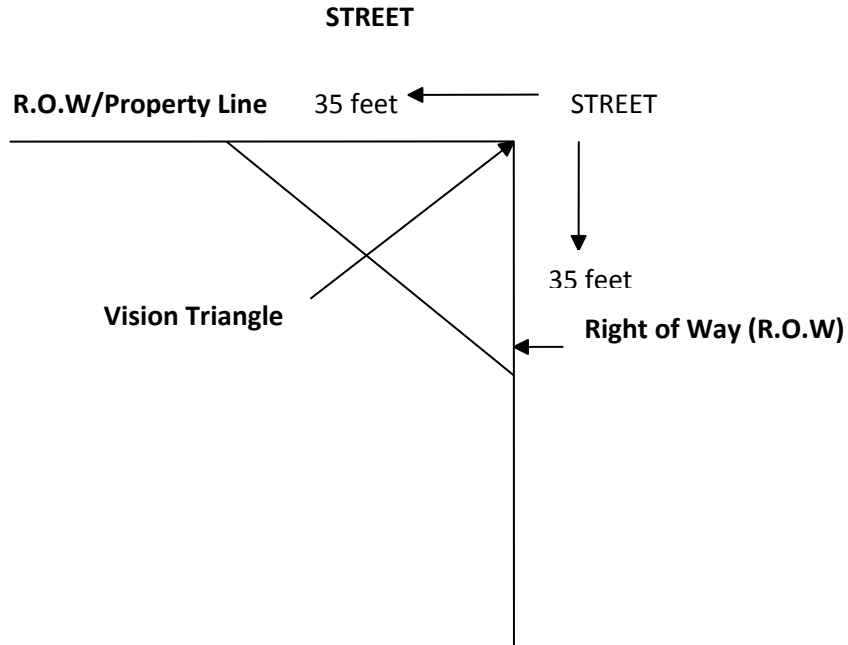
For setback requirements specific to each district type, see, at this time, Sec. 10-6-12 through Sec. 10-6-17.

SEC. 10-6-62 FENCES ALONG STATE AND COUNTY HIGHWAYS.

If a fence abuts or is adjacent to a state or county highway, the fence construction shall comply with all state laws and county ordinances with regard to setbacks and fences. Copy of State/County setback rules must accompany this ordinance.

Sec. 10-6-63 VISION TRIANGLE REQUIREMENTS.

Fences shall not conflict with the vision triangle requirements set forth in Sec. 10-6-2(d).



SEC. 10-6-64 BUILDING PERMIT.

A. Permit Required. No fence shall be installed, constructed, erected, reconstructed, rebuilt or replaced in the Village without first obtaining a fence permit and complying in all respects with the terms and conditions of this Ordinance. A fence permit is not required for painting, maintenance, or minor repair.

B. Permit Application. A fence permit application shall be filed with the Village Clerk, consisting of the following:

1. A fully completed fence permit application form and payment of the full permit fee.

2. A drawing, site plan or plat map displaying property boundaries, the location of the buildings and structures on the property, the proposed location of the fence and its

distances from the existing structures on the property. Also, to be included is the style of the fence (picture of fence style).

3. If the fence is proposed to be installed on rented or leased property, the written consent of the owner(s) of the property.

4. Other information as may be required to assist in the review of the application.

SEC. 10-6-65 PROHIBITED FENCES.

(a) No fence shall be constructed, erected, reconstructed, rebuilt or replaced which exceeds six (6) feet in height.

(b) No electrically charged or other inherently dangerous fence shall be permitted in a non-industrial area. This includes barbed wire or chicken wire, and/or agricultural type fencing.

(c) Exceptions.

(1) In an industrial area where barbed wire is used, the lowest strand shall be a minimum of six (6) feet above the grade.

(2) Electrically charged invisible pet fences are permitted in residential areas if the wire is buried at least one (1) inch below the surface of the ground.

SEC. 10-6-66 SPECIAL PURPOSE FENCES.

a. Fences for swimming pools, confining dogs, gardens, etc. shall not exceed six (6) feet in height and shall be no larger than necessary for such purpose and shall conform to the building setback requirements in Sec. 10-6-2(d).

1. Fencing required. No swimming pool shall be used, constructed, erected or maintained in any residence or rural development district unless said swimming pool, or the property on which it is located, shall be surrounded by a fence or a wall no less than four (4) feet in height above the ground which shall have a gate with a lock so as to prevent uncontrolled access by children to the pool water.

2. Definition. A swimming pool is defined as any below ground enclosure of water including, but not limited to, a natural or man-made tank or pool of sufficient size, depth, or height to enclose water at any point of greater than 1/2 feet in depth.

3. Garden Fence. Purpose of which to keep wildlife out of personal garden space. Special approval can be obtained for alternate building materials for this purpose.

SEC. 10-6-67 FENCE INSTALLATION.

A. General Requirements. No fence shall be installed, except in strict compliance with this Ordinance, site specific permit conditions, and the following requirements:

1. The height of any fence erected under this Article shall be determined by the measurement from the highest point of the fence to the existing ground level of the property

2. The height of walls and fences shall be measured vertically from the finished grade on the exterior side of the fence. Raising the finished grade by placing fill solely for the purpose of adding additional height to a fence is prohibited. If a fence is placed on a berm, the berm shall be included in the height of the fence and the height shall be measured vertically from the base of the berm.

3. All fences shall be no closer than twelve (12) inches to the public sidewalk.

4. Fences shall be installed plumb and level and the top finish of the fence shall be uniform. Fences shall follow the contour of the ground to the extent practical.

5. Fences shall be installed with the finished side facing the adjacent property or public right-of-way, and the fence posts must be located on the inside of the fence facing the property on which the fence is located, except when the style of fence commonly described as a "Good Neighbor Fence" is installed.

B. Modifications. All modifications to an existing fence shall comply with this Ordinance.

C. Approved Fence Materials. All fences shall meet the following material requirements:

1. Fences to be situated in side and/or rear yards shall be constructed using materials suitable for residential-style fencing, including, but not limited to, brick, wrought iron, vinyl, chain link (which requires top rail support).

2. No fence shall be constructed of used or discarded materials that are in disrepair, or any other items including, but not limited to, pallets, tree trunks, trash, junk, or other similar items. Materials not specifically manufactured for fencing, such as railroad ties, wooden doors, landscape timbers or utility poles shall not be used for, or in the construction of a fence.

3. Agricultural Farm fences shall only be permitted in agriculturally zoned or use districts and shall not exceed six (6) feet in height.

4. Residential front yard fences shall be fifty (50%) percent open (see-through) and be of split rail, wrought iron or picket design. Chain-link fencing is not permitted in residential front yards.

D. MAINTENANCE OF FENCES

Fences shall be maintained in a manner as to prevent rust, corrosion and deterioration. They will not become a public or private nuisance. They will not be a danger to adjoining property owners or the public. Fences shall not create an appearance of patchwork, which is indicative of a state of disrepair. Every fence installed shall be maintained by the owner in such a way that it will remain plumb, level, and in a good state of repair.

SEC. 10-6-68 NONCONFORMING FENCES.

Any fence which existed at the time of adoption of this Article which does not conform to the provisions set forth herein shall not be altered without making the entire fence conform to the provisions of this Article

SEC. 10-6-69 SPECIAL EXCEPTIONS.

a. The Village Board is authorized to grant a special exception to waive or modify any requirements of this Ordinance if, in the judgment of the Village Board, it would be inappropriate to apply literally the provisions of this Ordinance due to exceptional circumstances, to the extent deemed just and proper on a case-by-case basis. The procedures and standards to be applied are as follows:

1. Procedures.

a. Petition. A party seeking a special exception shall file a petition with the Village Clerk.

b. Petition Data Required. The petition shall include all of the following:

I. A plot map drawn to scale of not less than 100 feet to the inch showing the land in question, its location, the length and direction of each boundary thereof, the location and existing use of all buildings on such land and the principal use of all properties within 300 feet of such land.

II. The names and addresses of the owners of all properties within 300 feet of any part of the land included in the proposed change.

III. A detailed description of the intended development or use.

IV. Any further information as required by the Village Staff or Village Board to facilitate the making of an evaluation of such request, such as a site plan depicting proposed buildings, parking, traffic impact, landscaping treatment, drainage,

sanitary sewer, erosion control and other factors as would be pertinent including the impact on public facilities.

c. Hearing. The Village Board shall hold a public hearing upon receipt of such petition. Notice of such public hearing shall be provided as described in Ch. 985 of the Wisconsin Statutes.

d. Fee. The petition shall be accompanied by a fee payment as set from time to time by the Village Board to defray the cost of publication, notification, and holding a public hearing, administrative expenses and expenses of Board Members. The Petitioner shall also pay reimbursement to the Village for all costs incurred for legal, planning, engineering, and administrative work necessary to administer the application and oversee the project.

2. Basis of Approval. An application for a special exception may be approved, denied, or approved with conditions. In order to approve the special exception, the Village Board must find that the applicant has demonstrated all of the following:

e. That the Petition seeks approval of a structure that was constructed pursuant to a building permit issued by the Village of Plainfield Zoning Official, in accordance with the plans filed with the permit application and all conditions of the permit approval, and only after completing construction was the structure found to be in violation of the yard, height or area requirements of this Ordinance.

f. That there are exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use, such that a literal enforcement of the requirements of this Ordinance would result in a severe burden; and, also, that such circumstances do not apply generally to other properties or uses in the same district or are of such a recurrent nature as to suggest that the Zoning Ordinance should be changed.

g. That the special exception is necessary for the preservation and enjoyment of substantial property rights possessed by the applicant and is not inconsistent with substantial property rights possessed by other properties in the same vicinity.

h. That the special exception will not create substantial detriment to adjacent property or the general desirability of the Village and its environs and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

3. Determination. The action of the Village Board shall be stated in writing and shall include findings of facts setting forth the basis for the decision. If a special

exception is granted, or is conditionally granted, it shall be subject to the written approval of the applicant, and upon such approval it shall be recorded at the office of the Waushara County Register of Deeds. The decision of the Village Board shall be final and shall not be subject to appeal.

Editor's Note: Amended on October 6, 2015.

ARTICLE G

Definitions

SEC. 10-6-70 DEFINITIONS.

(a) **ACCESSORY BUILDING.** Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is a garage.

(b) **FAMILY.** A group of persons related by blood or marriage and living together as a single housekeeping entity.

(c) **LOT.** A parcel of land described in a recorded plat or deed.

(d) **STRUCTURE.** Anything constructed or erected having location on the ground.

(e) **GARAGE, PRIVATE.** An accessory building or space for the storage only of not more than two (2) motor-driven vehicles.

(f) **MOBILE HOME.** A mobile home is that which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances.

(g) **GARAGE, STORAGE.** Any building or premises used for storage only of motor driven vehicles and where no vehicle equipment, parts, fuel, or oil are sold and where no vehicles are serviced, repaired, hired or sold. No commercial motor vehicle, exceeding two (2) tons capacity shall be stored in any storage garage.

(h) **HOME OCCUPATION.** Any occupation carried on by a member of the immediate family residing on the premises, which meets all of the following conditions:

(1) That the occupation is conducted within a dwelling and not in an accessory building;

(2) That the occupation is clearly incidental and secondary to the principal use of the dwelling for dwelling purposes;

(3) That only members of the immediate family residing on the premises may be employed;

(4) That no stock-in-trade is kept, or commodities sold, other than those made on the premises, unless authorized by a variance from the Village Board;

(5) That samples may be kept but not sold on the premises;

(6) That no mechanical equipment is used except such as may be used for purely domestic or household purposes, unless authorized by a variance from the Village Board:

(7) That such occupation shall not require internal or external alterations, or involve construction features not customary in a dwelling;

(8) That not more than twenty-five percent (25%) of the floor area of one story of the dwelling is devoted to such home occupation;

(9) That there is no evidence, other than the nameplate referred to in Subsection (j) below that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; and

(10) That there is used no sign which is attached to the building, other than a nameplate; which sign shall not be illuminated and shall not be more than two (2) square feet in area.

(i) **LOT**. A parcel of land having a width and depth sufficient to provide the space necessary for one main building and its accessory building, together with the open spaces required by this Title and on a public street.

(j) **LOT CORNER**. A lot abutting on two (2) or more streets at their intersection.

(k) **LOT, DEPTH OF**. The mean horizontal distance between the front and rear lot lines.

(l) **LOT LINES**. The lines bounding lots as defined herein.

(m) **NONCONFORMING USE**. A building or premises lawfully used or occupied at the time of the passage of this Chapter or amendments thereto, which use, or occupancy does not conform to the regulations of this Chapter or any amendments thereto.

(n) **SETBACK**. The minimum horizontal distance between the street line and the nearest point of a building or any projection thereto.

(o) **SIGN**. Any 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.

(p) **STREET**. All property dedicated or intended for public or private street purposes or subject to public easements.

(q) **STORY.** That portion of a building included between the surface of a floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

(r) **STREET LINE.** A dividing line between a lot, tract or parcel of land and contiguous street.

(s) **STRUCTURE.** Anything constructed or erected, the use of which required permanent location on the ground.

(t) **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building or any substantial change in the roof structure or in the exterior walls.

(u) **VISION CLEARANCE.** An unoccupied triangular space at the corner of a corner lot which is bounded by the street lines and a setback line connecting points determined by measurement from the corner of each street line.

(v) **WATERLINE.** The shortest straight line at the waterfront end of a stream lot that lies wholly within the lot, provided that not less than seventy-five (75%) percent of the length of such water line shall be on, or on the landward side of, the normal high-water mark of such stream.

(w) **YARD.** An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

SEC. 10-6-71 THROUGH SEC. 10-6-79 RESERVED.

ARTICLE H

Enforcement and Penalties

SEC. 10-6-80 ENFORCEMENT AND PENALTIES.

(a) The Village Board shall designate that the Building Inspector enforce this Chapter by means of land use permits the cost of which shall be established by the Village Board.

(b) The Inspector shall not issue a permit for a structure or a use that is not allowed by this Chapter. No structure shall be built, moved or altered, and no land use shall be substantially altered, until a land use permit has been issued, except that no permit shall be required for farm structures that are not intended to shelter humans.

(c) Applications for any land use permit shall be accompanied by a plan showing the location, size and shape of the lot(s) involved, and of any proposed structures, and the existing and proposed use of each structure and lot, and in the case of residential development, the number of family expected to be accommodated. '

(d) 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.

(e) Under rules established by the Village Board, the Inspector may issue temporary permits of up to one year's duration.

(f) The penalty for violation of any provision of this Chapter shall be the general penalty provided in Title 1 of this Municipal Code.

SEC. 10-6-81 AMENDMENTS.

The Village Board may amend this Chapter following the procedures prescribed by Section 62.23, Wis. Stats.

SEC. 10-6-82 ANNEXATION.

All territory annexed by the Village shall become part of the A District until definite boundaries and regulations are recommended by the Finance, Personnel, Budget and Planning Committee and adopted by the Village Board, such adoption to be completed within ninety (90) days of the annexation.

ARTICLE I

Official Map of Plainfield

SEC. 10-6-90 PURPOSE OF OFFICIAL MAP.

The purpose of the official map is to provide orderly, safe, and economical expansion of the build-up area of the community by designating the location and extent of existing and proposed streets, highways and parks on an official map. also, to ensure proper legal descriptions and documenting of land; to facilitate adequate provision for transportation, parks, playgrounds and storm water drainage; and to facilitate further subdivision of larger tracts into smaller parcels of land.

SEC. 10-6-91 EFFECT OF OFFICIAL MAP.

The official map is intended to be final and conclusive with respect to the location and extent of streets, highways and parks shown on the map. The Village Board may change or add to the map if it is determined to be in the public interest. Changes and additions shall be made in accordance with procedures in Section 62.23 of the Wisconsin Statutes. The placing of proposed streets, highways or parks upon the official map shall not constitute or be deemed to constitute the opening or establishment of such streets, highways or parks, or the taking or acceptance of any land for such purposes.

SEC. 10-6-92 OFFICIAL MAP AND SUBDIVISION PLATS AND PERMITS.

The Village Board shall require that all subdivision plats conform to the official map. All streets within recorded subdivision approved by the Village Board shall become a part of the official map. No building permit shall be issued for any structure in the bed of any street or highway shown on the official map, and no permit for the erection of any structure shall be issued unless a street or highway giving access to the structure has been duly placed on such map, except as provided in Section 66.23 of the Wisconsin Statutes. The Building Inspector shall require each applicant to submit a plot plan (unless the site is a lot in a recorded subdivision or certified survey plat), certified by a registered surveyor, showing accurately the location of any proposed building with reference to adjacent streets, highways or parks shown on the official map.