TOWN OF GRANT
PORTAGE COUNTY
WISCONSIN

AMENDED ZONING ORDINANCE

Ordinance Number 2026-01

February 11, 2026
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TOWN OF GRANT ZONING ORDINANCE

TABLE OF CONTENTS

I. INTRODUCTION……1

II. INTENT AND INTERPRETATION ……1

III. DISTRICTS ……2
Low Density Residential ……3
High Density Residential ……4
Exclusive Agriculture……5
Transitional
Agriculture……7
General Agriculture ……9
Commercial ……11
Industrial ……13
Conservancy ……14

IV. GENERAL PROVISIONS …… 15
Buildings & Uses ……15
Area Regulations ……16
Height Regulations ……16
Front, Side and Rear Yard Regulations ……16
Vision Corners at Intersections ……17
Motor Vehicles and Parking ……17
Utilities ……18
Unsafe Buildings & Land Conditions ……18

V. ZONING PERMITS ……19

VI. CONDITIONAL USE PERMITS ……21
Conditional Use Procedures ……21
Conditional Use Approval Criteria …… 23

VII. ZONING ADMINISTRATOR …… 24

VIII. BOARD OF APPEALS ……26

IX. PONDS, EXCAVATIONS AND EXTRACTIONS – QUARRYING ……27

X. CHANGES AND AMENDMENTS…… 30

XI. VIOLATION AND PENALTIES ……30

XII. DEFINITIONS ……31

APPENDIX A - TOWN OF GRANT ZONING SETBACKS, AREA AND HEIGHT REQUIREMENTS....36

APPENDIX B - DEVELOPMENT SITE STANDARDS FOR QUARRYING ……37

APPENDIX C - SHORELAND ZONING OVERLAY MAP……..38

APPENDIX D - DRAINAGE DISTRICT MAP, ……..39

Town of Grant – Portage County
Zoning Ordinance – Ordinance Number 2026-01

I. INTRODUCTION

Title. This Ordinance shall be known, cited, and referred to as the TOWN OF GRANT ZONING ORDINANCE except as referred to herein, where it shall be known as "this Ordinance".

Purpose. This Ordinance is adopted to promote the public health, safety, and general welfare ; to promote adequate light and air; to prevent the overcrowding of land and undue concentration of population; to preserve and enhance property values; to promote high quality and sustainable community design; preserving and enhancing community appearance and quality of life; and for the said purposes to divide the Town of Grant, Portage County, Wisconsin, into Districts of such number, shape and area as are deemed best suited to carry out the said purposes; to provide a method for its administration and enforcement and to provide penalties for its violation.

Authority. This Ordinance is enacted pursuant to the authority granted by the State of Wisconsin Statutes, including but not limited to §§ 60.62, 61.35, and 62.23. Village powers were adopted at an Annual Town Meeting on April 3, 1962.

Severability and Non-Liability. The provisions of this Ordinance are separable in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.
2. If any court of competent jurisdiction shall adjudge invalid the application of any portion of this Ordinance to a particular property, water, building, or structure, such judgment shall not affect the application of said provision to any other property, water, building, or structure not specifically included in said judgment.
3. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid.

Incorporation of Appendices. The TOWN OF GRANT ZONING SETBACKS, AREA AND HEIGHT REQUIREMENTS, attached hereto and made a part of this Ordinance as Appendix A, the DEVELOPMENT SITE STANDARDS FOR QUARRYING, attached hereto and made a part of this Ordinance as Appendix B, the SHORELAND ZONING OVERLAY MAP, attached hereto and made a part of this Ordinance as Appendix C, and the DRAINAGE DISTRICT MAP, attached hereto and made a part of this Ordinance as Appendix D, are hereby incorporated and adopted into this Ordinance.

II. INTENT AND INTERPRETATION

Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to the minimum requirement adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Town of Grant, Portage County, Wisconsin, shall be liberally construed in favor of the Town, and shall not be construed to be a limitation or repeal of any other power now possessed by the Town.

More Restrictive Regulations Govern. Where property is affected by the regulations imposed under this Ordinance and by other governmental regulations, the regulations that are more restrictive or that impose higher or greater requirements shall prevail. Where there are conflicts between regulations in this Ordinance, the regulations that are more restrictive or that impose higher standards or requirements shall prevail.

Where County Zoning Regulations Govern. The Town is subject to Portage County's Shoreland and Floodplain Zoning, Subdivision, Private Sewage and Sexually Oriented Businesses Ordinances. Portions of the Town are subject to the Portage County Drainage District.

Relationship with Existing Agreements. It is not intended by this ordinance to repeal, modify, annul, impair, or interfere with any existing easement, covenants or agreements between parties or with any rules, regulations or permits previously adopted or issued pursuant to law; provided however, that where this Ordinance imposes a greater restriction upon the use

of buildings or premises or upon the height of a building or requires larger open spaces than are required by other rules, regulation or permits or by easements, covenants or agreements, the provisions of this Ordinance shall govern.

III. DISTRICTS

For the purposes of this Ordinance, the Town of Grant, Portage County, Wisconsin is hereby divided into eight districts as follows:

1. Low Density Residential
2. High Density Residential
3. Exclusive Agriculture
4. Transition Agriculture
5. General Agriculture
6. Commercial
7. Industrial
8. Conservancy

District Boundaries shall appear on the Zoning Map, Town of Grant, Portage County, Wisconsin, which accompanies and is hereby adopted and incorporated herein by reference. Such Zoning Map may be amended from time to time by the Town Board pursuant to applicable law.

Zoning and Land Use changes shall be referred to the Town of Grant Board for consideration, subsequent referral to the Town of Grant Plan Commission for recommendations which shall then submit its recommendation to the

R-1 LOW DENSITY RESIDENTIAL DISTRICT

Intent. This District is intended to provide suburban-fringe and rural area landowner/residents with greater flexibility in land use than the High Density Residential District. Minimum lot size shall be two acres with clusters of properties of two to ten acres. One- and two-family residential development is consistent with this District, as well as other non-intensive uses typically associated with the rural residential lifestyle with limited traffic and controlled ambient lighting, and to protect residential property values by prohibiting uses which are incompatible with homes. This District shall be maintained to prevent degradation of ground and surface water.

Permitted uses:

1. One- and two-family residence
2. One private detached garage for each residential parcel, in addition to or in lieu of an attached garage
3. Accessory or storage buildings not exceeding 3500 sq feet
4. Churches
5. Public and parochial schools
6. Parks and playgrounds and recreational courts
7. Produce stands
8. Municipal buildings for administrative purposes only
9. Signs See Sign Ordinance
10. Home businesses (incidental)
11. Roof mounted solar installations less than 20 kilowatts
12. Large livestock on parcels five acres and larger
13. Private burial plot

Conditional uses:

1. Bed and Breakfast Establishments and short-term rentals (i.e., tourist rooming house)
2. Utilities, substations, communication towers, and related structures, but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year See Wis. Admin Code §§ NR 812.07(53) and (80).
3. Accessory/storage buildings greater than 3500 sq. ft.
4. Golf courses and public swimming pools
5. Mobile home Parks
6. Home business and professional office in residence
7. All ponds, excavations, and/or other extractions regardless of the size with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Must provide detailed site plans prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant
8. Ground mounted (free standing) solar array
9. Large livestock on parcels less than five-acres
10. Motor vehicle repair shop [automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine sales and/or repairs]

Prohibited Use:

1. Wind turbines
2. Billboards (signs greater than 32 square feet) – see Sign Ordinance
3. Junkyards and salvage yards

Height, Yard, Area and other Requirements

1. See Appendix A

R-2 HIGH DENSITY RESIDENTIAL DISTRICT

Intent. This District is intended to provide for unsewered, one- or two-family residential development on lots typically ranging from 20,000 square feet to two acres. This District is intended to further provide a suburban atmosphere with limited traffic and controlled ambient lighting, and to protect residential property values by prohibiting uses which are incompatible with homes. This District should be maintained to prevent degradation of ground and surface water.

Permitted Uses

1. One- and two-family residence such structure to be not less than 20 feet wide
2. One private detached garage, such structure to be for each residential parcel, in addition to or lieu of an attached garage.
3. Accessory or storage buildings not exceeding 2000 sq ft
4. Churches
5. Public and parochial schools
6. Parks, playground, and recreational courts.
7. Signs. See Sign Ordinance
8. Home businesses (incidental)
9. Roof mounted solar installations less than 10 kilowatts
10. Private burial plot

Conditional uses

1. Municipal buildings
2. Golf courses and public swimming pools
3. Bed and Breakfast Establishments and short-term rentals (i.e., tourist rooming house)
4. Utilities, substations, communication towers, and related structures but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).
5. Accessory/storage buildings greater than 2000 square feet.
6. Home business and professional office in residence
7. Ground mounted (free standing) solar array
8. Motor vehicle repair shop [automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine sales and/or repairs]

Prohibited Use:

1. Wind turbines
2. Billboards (signs greater than 32 square feet) – see Sign Ordinance
3. Junkyards and salvage yards
4. Large livestock

Height, Yard, Area and other Requirements

1. See Appendix A, attached and incorporated

A-1 EXCLUSIVE AGRICULTURE DISTRICT

Intent. This District is intended to preserve productive farmlands, particularly where such lands exist in large blocks, including nonproductive lands, where necessary to maintain this strategy. This District is intended to further maintain agriculture as a major component of the Town's economy, minimize conflicts between farm and non-farm activities, avoid urban sprawl and the associated public cost, allow farmers to participate in the Wisconsin Farmland Preservation Program, and allow farm-related housing and limited non-farm housing, in appropriate locations, at very low densities.

Permitted Uses

1. A single-family residence
2. A single-family residence on pre-existing parcels less than 35 acres.
3. Accessory or storage buildings and uses
4. Agriculturally related residences
    (a) Agriculturally related residences allowed as permitted uses are those which are to be occupied by a person who, or a family at least one member of which, earns a majority of his or her livelihood from the farm operation. A lot split shall be required for a second farm residence located anywhere on any operating farm subject to setback, height, and other dimensional requirements of General Agricultural District. One lot split per forty-acre parcel will be permitted for a second farm related home.
    (b) Pre-existing. Those residences preexisting on the effective date of this section may be continued in residential use and shall not be considered nonconforming uses per Wis. Stat. Ch. 91. Such pre-existing residences may be altered, repaired or rebuilt, but are subject to setback, height and other dimensional requirements. Such residences may be occupied by any person for farm or nonfarm residential purposes, provided that the dwelling remains in single family residential use.
5. General farming
6. Cranberry production.
7. Forest management
8. A new or expanded livestock facility that will have less than 500 animal units as defined Wis. Admin. Code Ch. ATCP 51.
9. Stables, equestrian trails and riding arenas.
10. Non-retail plant nurseries
11. Sod Farming
12. Roadside stands not exceeding one per farm
13. Game and fish farms
14. Ponds, excavations, and/or other extraction less than one (1) Acre with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Must provide detailed site plans prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure.
15. Lands not being actively farmed which have prime agricultural potential and which comply with the intent and use provisions of this section
16. Signs. See Ordinance
17. Home businesses (incidental) – see definition
18. Solar installations less than 100 kilowatts in size
19. Commercial indoor and outdoor storage
20. Pine plantations, Christmas tree farms and sales
21. Private burial plot

Conditional Uses

1. Nonfarm residences created as the result of farm consolidation
2. Housing for farm laborers not permitted in the principal use section.
3. Home businesses when such businesses may be conducted anywhere on the premises for retail and professional uses. If conducted out of the residence, there shall be no external alterations that would effect a substantial change in the residential character of the building, and that no more than two persons not members of the resident family may be employed in such businesses.
4. Livestock sales facilities
5. Veterinary services for large livestock

6. Commercial fur farming
7. Dairy processing plant
8. A new or expanded livestock facility that will have 500 or more animal units as defined by ATCP51 and shall comply with Wis. Admin. Code Ch. ATCP 51
9. Fertilizer mixing plants
10. Retail greenhouses and plant nurseries
11. Retail orchards
12. Aircraft landing fields for agricultural purposes and for personal uses
13. Utilities, substations, communication towers, wind turbines and related structures including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or bases on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).
14. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.
15. Solar installations 100 kilowatts and over
16. Billboards (signs greater than 32 square feet)
17. Event barn

Height, Yard, Area and other Requirements

1. See Appendix A

A-2 TRANSITIONAL AGRICULTURE DISTRICT

Intent. This District is intended to provide for a broad range of rural oriented land uses including agriculture, forestry and open spaces. It is further intended that this District be used to preserve the rural character of certain outlying areas of the Town of Grant, where only large lot residential development is desirable.

Permitted uses:

1. Single family residence
2. Accessory or storage buildings and uses
3. General farming
4. Stables and riding arenas
5. Forest management
6. Pine plantations, Christmas tree farms and sales
7. Temporary roadside stands
8. Municipal buildings
9. Ponds, excavations, or extractions, 25,000 square feet or less of excavated area with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Detailed site plans must be submitted prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure
10. Signs. See Sign Ordinance
11. Home businesses (incidental)
12. Solar installations less than 50 kilowatts in size.
13. Large livestock
14. Private burial plot
15. Non-retail plant nurseries
16. Commercial indoor storage

Conditional uses:

1. Bed and breakfast establishments and short-term rentals (i.e., tourist rooming house)
2. Fish and game farms
3. Home businesses when such businesses may be conducted anywhere on the premises for retail and professional uses
4. Kennels
5. Shooting ranges
6. Junkyards and salvage yards
7. Campgrounds
8. Ponds, excavations, or extractions greater than 25,000 square feet with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Detail site plans must be submitted prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.
9. Utilities, substations, communication towers, wind turbines, and related structures. including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).
10. Billboards (signs greater than 32 square feet) – see Sign Ordinance
11. Motor vehicle repair shop [automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine sales and/or repairs]
12. Event barn
13. Solar installations 50 kilowatts and over
14. Sod farming
15. Cranberry production

16. Commercial outdoor storage
17. Veterinary services for large livestock
18. Retail greenhouses and plant nurseries
19. Retail orchards
20. Aircraft landing fields for agricultural purposes and for personal uses

Height, Yard, Area and other Requirements

1. See Appendix A

A-3 GENERAL AGRICULTURE DISTRICT

Intent. This District is intended to preserve the rural character of certain outlying areas and provide areas for nonfarm, single family residential large lot development. Furthermore, it is also intended to serve as a buffer between Residential and Exclusive Agriculture and Transitional Agriculture Districts. This District is intended to provide for a broad range of rural-oriented land uses including agriculture, and related structures/residences, as well as forestry, and open space.

Permitted Uses

1. Single family residence
2. Accessory or storage buildings and uses
3. General farming
4. Stables and riding arenas
5. Forest management
6. Pine plantations, Christmas tree farms and sales
7. Temporary roadside stands
8. Municipal buildings
9. Ponds, excavations, or extractions, 25,000 square feet or less of excavated area with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Detailed site plans must be submitted prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure
10. Signs with restrictions.
11. Home businesses (incidental)
12. Solar installations less than 50 kilowatts in size
13. Large livestock
14. Private burial plot
15. Non-retail plant nurseries
16. Commercial indoor storage

Conditional Uses

1. Bed and breakfast establishments and short-term rentals (i.e., tourist rooming house)
2. Fish and game farm
3. Home businesses when such businesses may be conducted anywhere on the premises for retail and professional uses – see definition
4. Kennels
5. Shooting ranges
6. Campgrounds
7. Ponds, excavations, or extractions greater than 25,000 square feet with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Detail site plans must be submitted prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.
8. Utilities, substations, communication towers, wind turbines, and related structures but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).
9. Event barn
10. Solar installations 50 kilowatts and over
11. Billboards (signs greater than 32 square feet) – see Sign Ordinance
12. Junkyards and salvage yards
13. Motor vehicle repair shop [automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine sales and/or repairs]
14. Veterinary services for large livestock
15. Retail greenhouses and plant nurseries
16. Retail orchards

Height, Yard, Area and other Requirements

1. See Appendix A

COMMERCIAL DISTRICT

Intent. It is the intent of this District to provide appropriate areas for commercial uses. Land use and aesthetic compatibility of such businesses with existing or planned residential development, on adjacent lands, shall be emphasized.

Permitted Uses

1. All permitted uses listed in this District shall have a maximum total floor area of 5,000 square feet.
2. Art Shop, antique shop.
3. Bakery
4. Bank, savings and loan or other financial institutions.
5. Barber Shop, beauty parlor
6. Beer and liquor stores
7. Book and stationery store, newsstand, card/novelty shop.
8. Business and professional offices.
9. Churches
10. Clothing store, department store, shoe store, shoe repair shop.
11. Clubs and lodges
12. Pharmacies
13. Feed and seed stores
14. Flower, garden and lawn shop
15. Food products, retail fruit and vegetables store, grocery store, meat and fish market, supermarket
16. Convenience store, variety stores, discount store
17. Funeral Homes
18. Furniture store, appliances, office equipment, upholstering
19. Hardware, household appliances, plumbing, heating and electrical supplies, sporting goods.
20. Hotel, motel, bed and breakfast establishments, and short-term rentals (i.e., tourist rooming house)
21. Jewelry store
22. Laundry and dry-cleaning establishment
23. Music, radio and television store, record shop, cell phone store, computer store
24. Paint store, interior decorator
25. Photographer, photography supply shop
26. Printing and duplicating
27. Public and municipal building, including repair, storage, maintenance of equipment specifically for use by the Town of Grant
28. Public and municipal buildings other than the Town of Grant, excluding repair, storage, maintenance of equipment
29. Public utility office, telephone exchanges
30. Radio and television broadcasting studio
31. Restaurants, café, drive-up services, soft drink stands
32. Schools and churches
33. Taverns
34. Signs with restrictions. See Sign Ordinance
35. Residences of owners or operators when attached to one of the above permitted uses.
36. Accessory uses and buildings.
37. Solar arrays less than 50 kilowatts
38. Rental storage
39. Other retail uses similar in character to the above

Conditional Uses

1. All permitted uses listed in this District that have a maximum total floor area greater than 5,000 square feet.
2. Animal hospitals, pet shops, veterinary
3. Motor vehicle repair shop [automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine sales and/or repairs]
4. Boat liveries, including boat storage, sale of boats, motors, fuel, marine supplies and the servicing of the boats and motors, but not the manufacture of boats or motors
5. Bus & Truck Terminals
6. Cemetery See Wis. Stat. § 157.128.
7. Contractor businesses and related storage yards

8. Dance halls, skating rinks, bowling alleys
9. Detached residence(s) of owner(s) or operators.
10. Gas stations, service stations, garages and vehicular towing services
11. General farming
12. Go-kart and other racetracks
13. Junkyards and salvage yards
14. Lumber yards
15. Manufacturing or storage in connection with any of the permitted uses, when clearly incidental to the conduct of retail business on the premises.
16. Mobile home park
17. Modular, manufactured, mobile homes and recreational vehicle storage and sales.
18. All ponds, excavations, and/or other extractions regardless of size with restrictions. Must provide detailed site plans prior to the start of excavation. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Refer to the Ponds/Quarrying section for more details and permit application procedure. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.
19. Private vocational schools, conducted for profit
20. Public and municipal building other than The Town of Grant that include repair, storage, maintenance of equipment
21. Shopping centers, malls, supercenter/superstore, big box stores
22. Sports complexes
23. Theater including drive-in theaters
24. Campgrounds
25. Utilities, substations, communication towers, wind turbines, and related structures, but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).Warehousing
26. Solar arrays 50 kilowatts and over
27. Rental residential units
28. Vape shop, CBD (Cannabidiol)/hemp store
29. Billboards (signs greater than 32 square feet) – see Sign Ordinance
30. Storage condominium

Height, Yard, Area and other Requirements

1. See Appendix A

INDUSTRIAL DISTRICT

Intent. It is the intent of this District to provide for industrial, heavy manufacturing activities and certain high capacity well uses, which are not allowed elsewhere in this Ordinance. All uses should be treated as Conditional Uses due to the intensive nature of industrial activities in general and the broad scope of this District.

Permitted Uses

1. Town solid waste/recycling facility

Conditional Uses

1. All main or principal uses and buildings in this District shall be Conditional Use. There shall be detailed plans submitted for review by the Zoning Administrator and Plan Commission and approved by the Town Board.
2. High capacity wells, the use of which is intended to result in the intermediate bottling or otherwise containment of groundwater for ultimate human consumption away from the lot or parcel on which the high capacity well is located.
3. Billboards (signs greater than 32 square feet) – see Sign Ordinance
4. Junkyards and salvage yards

Height, Yard, Area and other Requirements

1. See Appendix A

CONSERVANCY DISTRICT

Intent. This District is intended to identify, protect, and preserve lands that are environmentally unique, fragile or important. Areas where this District could be applied include, but are not limited to, wetlands, floodways, shorelines, drainage ways, parks and other public or privately owned lands providing opportunities for recreation and management of wildlife habitat.

Permitted Uses

1. Grazing
2. The harvesting of wild crops, such as hay, ferns, moss, berries, and tree fruits and seeds.
3. The practice of wildlife, fish and forest management.
4. Seasonal single-family dwellings for seasonal or temporary habitation. Constructed under the standards of the Wisconsin Uniform Dwelling Code.
5. Nonresidential buildings and structures used solely in conjunction with the raising of wildlife and fish, and the practice of forestry. Including buildings and structures used by public or semi-public or conservation agencies or groups for research in or the rehabilitation of natural resources (i.e. wildlife/nature centers).
6. The maintenance, repair and extension of existing drainage systems (such as ditching and tiling, tree cutting & brush removal) including depositing of excavated materials.
7. Timber harvesting, including pulpwood, selective cutting, cutting of firewood, tree plantations, Christmas tree farms and removal of dead, dying and diseased trees.
8. Signs. See Sign Ordinance
9. Ponds, excavations, and/or other extraction of less than one acre with restrictions. Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself. Must provide detailed site plans prior to the start of excavation. Refer to the Ponds/Quarrying section for more details and permit application procedure.
10. Solar arrays to support other permitted uses up to 20 kilowatts.

Conditional Uses:

1. All ponds and excavating one acre or greater are subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.
2. Hydro-electric power stations, dams and other structures for the use or control of flowing water
3. Utility and communication towers, wind turbines, and related structures but not including high capacity well systems (defined as one or more wells, drill holes or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drill holes or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting or based on the flow rate), which high capacity well system is intended for use in conjunction with a public water system, which means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. See Wis. Admin Code §§ NR 812.07(53) and (80).
4. Public parks & facilities when owned by the State, County or the Town, operated for the convenience and recreation of the public.
5. Billboards (signs greater than 32 square feet) – see Sign Ordinance

Height, Yard, Area and other Requirements

1. See Appendix A

IV. GENERAL PROVISIONS

A. BUILDING AND USES

1. No provisions of this Ordinance shall be construed to bar an action to enjoin or abate the use or occupancy of any land or structure as a nuisance under the laws of the State Wisconsin.

2. No provision of this Ordinance shall be construed to prohibit the customary and necessary construction, reconstruction or maintenance of public utility neighborhood service lines and mechanical appurtenances thereto, where reasonably necessary for the preservation of the public health, safety, convenience and welfare.

3. The use of buildings hereafter erected, converted, enlarged or structurally altered, and the use of any land shall be in compliance with the regulations established herein for the District in which such land or building is located.

4. Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot, and in no case shall there be more than one residence building on one lot, except during the construction or moving in of a replacement residence. Under no circumstances shall both residences be occupied at one time. The old residence shall be removed within 30 days of occupancy of replacement home or such other period of time at the reasonable discretion of Zoning Administrator or Town Board.

5. Nothing herein contained shall require any change in the plans, construction, size or designated use of any building nor part thereof for which a Zoning Permit has been issued before the effective date of this Ordinance and the construction of which shall have been started within six months from the date of such permit.

6. Nonconforming Uses

    a. The existing lawful use of a building or premises at the time of the enactment of this ordinance or any amendment thereto may be continued although such use does not conform to the provisions of this ordinance for the District in which it is located, but such nonconforming use shall not be expanded.

    b. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use.

    c. If a nonconforming use of a building or premises is discontinued for a period of twelve months, any future use of the building or premises shall conform to the regulation for the District in which it is located.

    d. Structural repairs or alterations to a nonconforming structure will be under the regulation of Wis. Stats. §§62.23(7)(h), (hb) and (hc), and 60.61(5e) and (5m). The Board of Appeals, after investigation and public hearing, may authorize the change of a nonconforming use to another of the same classification provided that the Board shall find that the proposed change of use will be no more harmful to the character of the neighborhood than the existing nonconforming use.

    e. When a housing project consisting of a group of two or more buildings is to be constructed on a site not subdivided into customary lots and streets, or where an existing lot and street layout makes it impractical to apply the requirements of this Ordinance to the individual building units, the Town Board of the Town of Grant may approve a development plan provided the plan complies with the regulations of this Ordinance as applied to the whole plat.

B. AREA REGULATIONS

1. Any lot or parcel shown on a recorded subdivision, plat, assessor's plat or conveyance and recorded in the Office of the Register of Deed of Portage County prior to the adoption of this Ordinance for Town of Grant may be used as a building site, or for any purpose permitted by this Ordinance, even though such lot or parcel does not conform to the minimum frontage or area requirements of the District in which it is located.

2. Any lot or parcel shown on a recorded subdivision, plat, or assessor's plat or conveyance and recorded in the Office of Register of Deeds of Portage County prior to the adoption of this Ordinance, may be increased in size by the addition of all or part of the adjoining lots or parcels, and such resulting lots or parcels may be used for any purpose permitted in the District in which they are located even though by such addition such lots or parcels do not reach the minimum area or frontage required in such District; provided, however, that subsequent to such addition, the side yard, open space and percentage of occupancy provisions for lots of the resulting size shall apply; and provided further that after buildings have been erected on such lots or parcels their area or width shall not thereafter be reduced, except in conformity with the provisions of this Ordinance.

3. In the agricultural districts, the use of the open space design option and lot averaging is allowed for low density development. Refer to the Comprehensive Plan: Chapter 5 - Section 5.5 Natural Resources - F. Open-Space Option.

C. HEIGHT REGULATIONS

1. Except as otherwise provided in this Ordinance, the height of any building hereafter erected, converted, enlarged or structurally altered shall be in compliance with the regulations established herein for the District in which such building is located. (See Appendix A)

2. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet.

3. Any planned building exceeding a height of thirty-five (35) feet shall be referred to the Town Board to determine if adequate fire protection is available prior to the issuance of a Zoning Permit. Churches, schools and other public buildings may be erected to a height not exceeding fifty (50) feet, provided the front, side and rear yards setbacks required in the District in which such building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the District in which such building is to be located.

D. FRONT, SIDE AND REAR YARD REGULATIONS

1. No building with its accessory buildings shall occupy in excess of fifty percent of the interior lot or sixty percent of a corner lot. In no case shall a Zoning Permit be issued to construct a living area covering less than 720 square feet for year round occupancy or 400 square feet of living area in a Conservancy District.

2. Every part of a required yard shall be open and unoccupied by any structure from the ground upward, except as follows:

    a. Detached accessory buildings may be located in the rear yard, or in the side yard of the principal building, provided an additional side yard, equal to that otherwise required for the principal building, is provided.
    b. Sills, belt courses, cornices, canopies, eaves and ornamental architectural features may project into a required yard not more than 30 inches
    c. Fences, walls and hedges so long as pedestrians and motorists are not obstructed

3. To create a buffer, buildings in a lot in an Exclusive Agricultural, Transitional Agricultural, or General Agricultural District used to house livestock or poultry shall not be closer than 100 feet to any side lot line adjacent to a lot in Low Density Residential or High Density Residential District.

E. VISION CORNERS AT INTERSECTIONS

1. There shall be a vision clearance triangle in each quadrant of all intersections of roads with other roads or railroad rights-of-way. Such vision clearance triangle shall be bounded by the road or railroad right-of-way lines, which are located twice the setback of the major road of the intersection.

2. Within a vision clearance triangle, no structure or object of natural growth shall be constructed, maintained, or permitted to grow between a height of two and one-half feet and ten feet above the elevation of the street or highway grade at the centerline. This regulation shall not apply to the trunks of tree, posts not over six inches in diameter, retaining walls used to support ground at or below its natural level, or wire fences, none of which shall be planted, placed, designed or constructed so as to constitute a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one road to another.

F. MOTOR VEHICLES AND PARKING

1. No parking of a commercial motor vehicle is allowed in the road right-of-way area except for loading or unloading.

2. No building for which off-street parking space is required may be added to, structurally altered or converted in use so as to encroach upon or reduce the parking spaces below the required minimum

3. No parking space required under this Ordinance may be used for any other purposes; provided however that the open space required by this Ordinance for setback and side yards may be used for such parking spaces or approaches thereto except where otherwise provided in this Ordinance, provided that on corner lots there shall be no parking in a vision clearance triangle.

4. All parking spaces shall be graded and drained so as to prevent the accumulation of surface waters.

5. Parking lots containing six or more parking spaces within a Residential District or adjoining residential lots shall have a screened solid wall, fence, evergreen planting of equivalent opacity or other equally effective means, built or maintained at a minimum height of four feet on each side abutting a residential lot. If parking lots so located are lighted, the lights shall be so shielded as to prevent undesirable glare or illumination of adjourning residential property.

6. Parking space requirements:

    a. Two family residences shall provide one off-street parking space for each family for which accommodations are provide in the building plus one additional space
    b. Establishments offering curb service to customers who remain in their vehicles shall provide off street parking spaces.
    c. Retail or local business places, banks, offices, and personal service shops shall provide at least one off-street parking space per 300 square feet of ground floor area, plus at least one additional parking space per each 500 square feet of upper floor area.
    d. Building combining business and residential uses shall provide at least one off-street parking space per 300 square feet of area devoted to business use, plus at least one parking space for each family for which accommodations are provided on the premises.
    e. Theaters, churches, auditoriums, lodges or fraternity halls and similar places of public assemblage shall provide at least one parking space per each seven seats at maximum capacity.
    f. Restaurants, taverns and similar places for eating and refreshments, except curb service establishments, shall provide at least one parking space for each 50 square feet of floor space devoted to the use of patrons.
    g. Garages and service stations shall provide adequate off-street parking space to prevent the parking of vehicles waiting to be serviced or repaired on the public street or highway.
    h. Parks, playgrounds, recreation camps, and sports complexes shall furnish adequate off street parking spaces to prevent the parking of vehicles on the public street or highway.
    i. Any use not specifically named herein shall be assigned by the Zoning Administrator to the most appropriate of the above classifications.

G. UTILITIES

1. Any utility poles, cables, lines, pipes or other equipment lying within highway right of way, whether over ground or underground, shall be located at the expense of the utility owning the same. In the event that any such poles, cables, lines, pipes or other equipment lying within highway right of-way requires relocation due to the improvement, repair or widening of such highway, the cost of such relocation shall be borne by the utility owning the same.

H. UNSAFE BUILDING AND LAND CONDITIONS

1. Whenever the Zoning Administrator shall find that any building or structure or any part thereof is dangerous to life, health or adjoining property by reason of bad conditions, defective construction, overloaded floors, decay, lack of guards against fire, general dilapidation, unsanitary conditions or other cause, he shall order the owner or tenant to be removed for repair as in the judgment of the Zoning Administrator may be necessary to properly preserve life and health of the occupants and upon receiving such order, the owner or tenants of such building or structure shall thereupon immediately cause the same to be made safe, sanitary or removed as ordered. Any person who fails or refuses to comply with such order shall be deemed guilty of violation of this Ordinance.

2. Any owner or occupant who receives an order under this Section shall comply within 30 days of said order or shall have filed with the Board of Appeals as herein provided an appeal from the order. If the Board of Appeals, after the hearing, supports all or part of the order, the owner or the occupant named in the order shall comply within 15 days unless waived by the Board of Appeals. The Town may commence an action under Wis. Stat. § 254.595 against those who fail to comply with an order under this Section.

V. ZONING PERMITS

1. No building, structure or any part thereof shall hereafter be built, enlarged, structurally altered, moved or demolished within or into the Town of Grant, unless a Zoning Permit from the Zoning Administrator is issued. A Zoning Permit shall not be issued until there is compliance with all federal, state, sand local laws nd regulations. This includes, but is not limited to, the following: Portage County Sanitary Ordinance, Shoreland Zoning Ordinance and Portage County Drainage District requirements. In add, a Building Permit may be required per Wisconsin Uniform Dwelling Code.

2. All applications for a Zoning Permit shall be accompanied by a location sketch drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location of the building on the lot, the existing or intended use of the building, the number of families to be accommodated, the distance between the nearest point on the building and the centerline of the highway, and other such information with regarding to the proposed building and neighborhood lots or building as may be called for on the application or may be necessary to provide for the enforcement of this Ordinance.

3. ”Building” in this Section shall include any building, structure, enlargement, alteration, moving or demolishing of any building or structure.

4. Decks, porches, and pools require a permit.

5. No Zoning Permit shall be required for any of the following cases:

    a. For any accessory building 100 square feet or less, provided such building conforms to all the setbacks, yard, and open space requirements of this Ordinance, or
    b. For any interior remodeling, improvement or alterations, regardless of cost, provided however, there shall not be a change in use prohibited in the District, or
    c. For any exterior alterations, improvements or remodeling provided there is not an increase in floor area constructed to the existing building or any changes in structural support.

6. Sanitary permits shall be obtained prior to construction. Sanitary facilities shall be installed in all private residences and public buildings before occupancy meeting the requirements of Wis. Stat. § 145.19, the Wis. Admin. Code Ch. SPS 383, and the Portage County Sanitary Ordinance.

7. Construction must commence within 6 months from the date of issuance of the Zoning Permit or the permit shall be void. The project shall be substantially completed within 24 months from the commencement of construction.

8. With every permit issued, the Zoning Administrator shall issue to the applicant, a permit, properly filled out, and it shall be the duty of the applicant to place the permit in a conspicuous place on the premises where the building is to be erected, the permit to be unobstructed from public view and not more than six feet above the grade. The Zoning Administrator shall establish, supply, and install an address plaque and post with every permit issued where applicable.

9. If the Zoning Administrator shall find at any time that any applicable law, rule, order, plan or specification is not being complied with, the Administrator may revoke the Zoning Permit and a written notice of such action shall be posted at the site of the work. When any such permit is revoked, it shall be unlawful to do any further work on said building until the permit has been reissued, excepting such work as the Zoning Administrator may deem necessary as a condition precedent to the reissuance of a permit.

10. It shall be the duty of the members of the Town Board to report at once to the Zoning Administrator any building or buildings in which work is being carried on without a Zoning Permit as required by this ordinance.

11. A Zoning Permit shall be required for any conforming use which is damaged by fire, explosion, act of God or public enemy to the extent that more than 50% of its current market value or the structural support is damaged as determined by the local Building Inspector.

12. Before a Zoning Permit to move any building into, within or through the limits of the Town is granted by the Zoning Administrator, the moving party must provide good and sufficient sureties or adequate insurance. The

Town shall be held harmless against all liability, judgment, cost, and expense in consequence of said permit. The moving of the building shall be continuous during all hours of the day and the night if the Zoning Administrator so orders, until completed, with the least possible obstruction to traffic; and no building shall be allowed to remain overnight upon any street, crossing or intersection or upon any public highway.

13. The Town Board shall from time to time set fees for permits under this Section.

14. When a Uniform Dwelling Code (UDC) is required, buildings shall be inspected at such time and in such manner as may be necessary to secure compliance with the laws, ordinances, rules and orders applicable thereto. Upon inspection of a completed building, the Building Inspector shall issue a Certificate of Compliance or prescribe any changes necessary for such compliance. After the issuance of such certificate, no structural part of the building shall be changed. No building or part thereof shall be occupied as a residence until such Certificate of Compliance has been issued.

VI. CONDITIONAL USE PERMITS

CONDITIONAL USE PROCEDURES

Introduction:

Generally, two categories of land uses are allowed in each Zoning District:

- Permitted uses
- Conditional uses

A ***permitted use*** is allowed as a matter of right in all locations in a District provided it complies with the Zoning Ordinance. Authorization by the Zoning Administrator is non-discretionary if it complies with all aspects of the this Ordinance. A permitted use is simply authorized by issuance of a Zoning Permit.

A ***conditional use*** is not suited to all locations in a District but may be authorized if such use is adaptable to the limitations of a particular site and adjacent land uses. Conditional use must be custom tailored to a specific location through the procedures of a conditional use process, if such use is to be permitted at all. Conditional uses require review and approval from a variety of town officials and an open process exists to gather public input on the proposed land use. The decision to grant or deny a conditional use permit is discretionary and is based upon the applicant's responses on an application, participation in the process and certain review standards.

The Town requires an applicant for a conditional use permit to demonstrate, with substantial evidence, that an application and all requirements and conditions relating to the conditional use are, or will be satisfied. The Town's decision to approve or deny their permit application will be supported by substantial evidence

Procedures:

1. **Initiation of Conditional Use Permit** Any person, firm, corporation, or organization having a freehold interest or a possessory interest entitled to exclusive possession, or a contractual interest that may become a freehold interest or an exclusive possessory interest, and that is specifically enforceable on the land for which a conditional use is sought, may file an application with the Zoning Administrator to use such land for one or more of the conditional uses in the District in which such land is located.

2. **Zoning Administrator Review** The Zoning Administrator shall initially determine whether the application is complete and fulfill the requirements of this Ordinance. The Zoning Administrator shall inform the applicant if the application is incomplete in his or her determination. Once the Zoning Administer determines the application is complete, the original application shall be forwarded to the Plan Commission. For the request to be discussed at a Plan Commission meeting, the application must be received at least seven days prior to the next scheduled meeting.

3. **Plan Commission Review and Recommendations** Within 45 days after acceptance by the Zoning Administrator, or an extension of said period requested in writing by the applicant and granted by the Commission, the Commission shall make a recommendation on the conditional use permit request to the Town Board. The Commission may recommend approving the conditional use as originally proposed, approving the proposed conditional use with conditions or modifications, or denial of the proposed conditional use. The Commission may go outside the 45 days upon good cause as determined by the Commission. The Plan Commission shall provide its reasoning as requested by the Board for its recommendation. The Plan Commission may request further information and/or additional reports from the Zoning Administrator, the applicant, outside experts and/or any other source.

4. **Public Hearing** The Town Clerk in cooperation with the Plan Commission Secretary shall schedule a public hearing before the Town Board to be held within 90 days after acceptance of a complete application as determined by the Zoning Administrator. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. Ch. 985. The Town Clerk shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the subject property at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

5. **Conducting the Public Hearing**

    a. The Applicant and/or the applicant's representatives are required to attend the Public Hearing. Such person(s) shall be given opportunity to speak on the proposal.
        i. Failure to attend shall result in denial of the Conditional Use Permit unless extenuating circumstances exist, although the public hearing will still be conducted.
    b. The public hearing **may** also be attended by the following, who shall be given opportunity to speak on the proposal:
        i. Property Owner
        ii. Plan Commission representative(s)
        iii. Adjacent landowners
        iv. General public.

6. **Town Board Review and Action** Within ninety (90) days after the public hearing and once the Town Board is satisfied that they have heard all relevant facts, it shall rule that the Conditional Use Permit be approved, denied or approved with conditions. The Town Board may refer the application back to the Plan Commission for further study before making its final decision.

7. **Effect of Denial** No conditional use permit application that has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.

8. **Notice of Decision** The Town Clerk shall provide a notice of approval or denial of the Conditional Use Permit to the applicant upon completion of this process.

9. **Validity Upon Signatures** Any Conditional Use Permit is not valid until signed by the Applicant, Town Clerk and Town Chairperson.

10. **Appeals** The Town Board's determination shall be final and subject to appeal to the circuit court under any procedure authorized by statute.

Miscellaneous Provisions

1. Zoning Permit requirements under the Zoning Permit section of this Ordinance are applicable to Conditional Use Permits.

2. Continuance of Use – Subsequent owners of property are entitled to continue a conditional use subject to the limitations imposed in the original Conditional Use Permit through addendum. Subsequent owners are required to meet with the Plan Commission to transfer the Conditional Use Permit into the new owner's name. There is no fee to transfer the permit unless a public hearing is required.

3. Revocation of Use - Conditional Use Permits may be revoked if owner/applicant does not comply with the conditions of use. The owner/applicant will be notified in writing of non-compliance before the conditional use is revoked. Applicant/owner will have ninety (90) calendar days to comply before automatic revocation, unless extenuating circumstances exist.

4. Expiration of Use - If the business activity for which the Conditional Use Permit was issued ceases operation for more than 12 months, the permit expires. It may be possible to reinstate the permit by written request to the Town Board.

5. Revisions/Extensions/Reinstatements to a Conditional Use Permit - Revisions or extensions or reinstatements of a Conditional Use Permit require the owner to meet with the Plan Commission to review the revisions desired or extensions required. Revisions, extensions, and reinstatements furthermore require Town Board approval. There are no additional fees required unless a public hearing is required.

CONDITIONAL USE APPROVAL CRITERIA

The Town may approve or approve with conditions an application for a Conditional Use Permit only if the following criteria are satisfied:

1. The conditional use will not substantially harm the public health, safety and general welfare and will not be contrary to federal/state/local regulations.

2. The conditional use is appropriate in design, character and appearance with the existing or intended land use and is consistent with the Town of Grant Comprehensive Plan.

3. The conditional use will not be detrimental to uses or property in the vicinity of the subject parcel.

4. The conditional use complies with all other applicable provisions of this Ordinance.

5. The conditional use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated through conditions of use.

6. The location, size and height of buildings, structures, walls, storage yards, fences, screening, outdoor lighting and signage for the conditional use will not unreasonably interfere with allowable development or use of neighboring properties.

7. The conditional use will be served by adequate infrastructure including utilities, emergency services, roads and water.

8. The conditional use will not introduce noise, smoke, dust, fumes, vibrations, odors or other conditions that would unreasonably impact existing uses in the vicinity of the subject parcel.

9. The vehicular, air and rail traffic associated with conditional use will not be hazardous to existing or anticipated traffic in the vicinity of the subject parcel.

10. The conditional use will have adequate wastewater disposal and storm water control.

11. The conditional use complies with any local, state or federal laws and regulations for the storage, handling and disposal of hazardous or non-hazardous materials and waste.

12. The conditional use has merit and value for the community as a whole.

VII ZONING ADMINISTRATOR

There is hereby created the office of Zoning Administrator to uphold the terms of the Zoning Ordinance. Such administrator shall be appointed by the Town Board for the term of one year, at a salary to be fixed by said Board, and shall hold office one year unless sooner removed by said Board, and until his or her successor shall have been duly appointed and qualified. The Zoning Administrator as an employee of the Town shall be covered by the Town's bond of its officials.

The Zoning Administrator shall conform to the requirements listed in other sections of this document to attend Plan Commission or Town Board meetings which is at the sole discretion of the Commission or Board Chairs when his or her attendance is warranted.

The Zoning Administrator shall have the necessary ability to assess and proclaim fitness pursuant to Town ordinances. He or she shall maintain his/her office in the Town of Grant and furthermore shall not be interested either directly or indirectly in the construction of buildings or permanent building equipment in the Town of Grant or in the preparation of plans and specification thereof. The duties of the Zoning Administrator include the following and are further described below.

- Enforce Zoning Related Ordinances
- Issue Permits
- Develop Records
- Facilitate Conditional Use Permits
- Coordinate with Assessor
- Advise Residents Regarding Ordinance Terms
- Review Certified Survey Maps for Compliance
- Monitor existing land use and its conformance to ordinances
- Review compliance with conditions on active Conditional Use Permits

The Zoning Administrator shall, except as otherwise provided in this Ordinance, have the general management and control of all matters pertaining to his/her office and shall enforce all applicable Town ordinances, and lawful orders of the Town Board relating to the construction, alteration, repair, removal, and safety of buildings and other structures of permanent building equipment.

The Zoning Administrator shall be the Town's designee for outreach to residents, assisting them with completing the application, and issuing required permits. These shall include all Zoning Permits as described in Section V as well those required by ordinance (e.g. buildings and driveways.)

The Zoning Administrator shall be the Town's designee to facilitate Conditional Use Application forms. Responsibilities shall include the necessary collaboration with the permit applicant, the Plan Commission, the Town Board, and the Town Clerk according to Section VI and directing the application so that approvals may be granted according to this ordinance.

The Zoning Administrator shall be the Town's designee to coordinate with the Building Inspector and Town Assessor as they carry out their respective work. Responsibilities shall include outreach to residents, scheduling of meetings between stakeholders, and collaboration on ordinance requirements.

The Zoning Administrator shall keep a record of all applications for Zoning Permits in a book used for such purpose and regularly number each permit in the order of its issuance. He/she shall keep a record showing the number, description, and size of all buildings erected during his/her term of office. Copies of said records closing December 31 of each calendar year shall be provided annually at the January Board meeting to the Town Clerk and the Town Assessor.

The Zoning Administrator shall provide a status report of the active Conditional Use Permits by March 31st of each calendar year.

The Zoning Administrator shall provide Plan Commission and Board approved forms for the applications and permits required and keep in his office a proper daily record of all inspections made, and all removal and condemnation of buildings, and a record of all fees earned; and he/she shall make an annual report covering the period closing December 31 of each calendar year, to be filed on or before the April Town Meeting of the Electors, showing the total amount of fees earned and general summary of the work of his office during said period.

The Zoning Administrator shall retain continuing jurisdiction over all permitted uses for the purpose of resolving complaints or inspection of premises for which a permit was issued and may order the removal or discontinuance of any unauthorized alterations or violations of this ordinance.

The power to inspect at all reasonable times shall also extend to the Board of Appeals and the Town Board when so required to fulfill the intent of the ordinance. Possible violations, including condemnations, are to be referred to the Town Board for their action.

VIII. BOARD OF APPEALS

A Board of Appeals is hereby established as per the Wisconsin Statutes. The Board will have three members, appointed by the Town Board to carry out duties in accordance with Wis. Stat. § 59.694. Members shall be entitled to per diems and mileage.

1. Purpose
   The purpose of the Town of Grant Board of Appeals is to promote the health, safety, and general welfare of the citizens of the Town of Grant by providing limited flexibility in the application of Zoning Ordinance and by providing an avenue of appeal to administrative decisions regarding those ordinances. The Board of Appeals acts as a judicial body and may decide if an area variance or administrative petition has merit, based on state laws and local zoning ordinances.

2. Rules of Conduct

   a. All meetings of the Board of Appeals shall be held only after giving public notice in the same manner as required by the Town Board.
   b. Board of Appeals members shall avoid ex parte communication.
   c. Board of Appeals members must be unbiased: If biased or would appear biased, they shall recuse from decision.

3. General Powers
   The powers and duties of the Board of Appeals are identified in Wis. Stat. § 59.694(7) of the Wisconsin Statutes and in this Ordinance. If there is a conflict between this ordinance and state law, State law shall control.

   a. To hear and decide appeals on decisions or determinations made by the Zoning Administrator in the enforcement of the Town of Grant Zoning Ordinance.
   b. To authorize area variances from the terms of this Ordinance.

4. Variances
   a. Shall not be granted unless an applicant proves the following three criteria to the Board of Appeals:
      i. Complying with ordinance standards will result in unnecessary hardship. The applicant must prove that compliance with all applicable regulations governing area, setbacks, frontage, height, bulk or density would unreasonably prevent a permitted use of the property or would render conformity with such restrictions unnecessarily burdensome. The property owner bears the burden of showing unnecessary hardship.
      ii. The hardship is due to unique conditions of the property. The applicant must prove a hardship that is the result of physical features of the property, and which prevents compliance with the zoning ordinance. Physical limitations of the property, not the circumstance of the applicant, are the basis for the criterion. The entire property must be considered if a code-compliant location exists, a hardship due to unique property limitations does not exist.
      iii. The variance will not harm the public interest. .An applicant must provide that the variance will not adversely affect public interest as expressed in the Town of Grant ordinances.
   b. Shall not be granted on the basis of economic gain or loss.
   c. Shall not be granted for a self-created hardship.

IX. PONDS, EXCAVATIONS, NON-METALLIC MINING AND EXTRACTIONS HEREIN AFTER REFERRED TO AS: QUARRYING.

A. **PURPOSE**. It is the purpose of this subsection to establish conditional regulations and performance standards for the activity defined as quarrying in such a manner as to assure maximum protection to surrounding properties and the physical environment through siting of activities and structures, buffering, setbacks, visual screening, height limitations, access routing, noise, vibration, air quality and water quality controls. This subsection applies to new quarrying activity or the expansion or enlargement of an existing pond or quarry.

Further, the purpose of the QUARRYING subsection is to require that any individual, partnership or corporation engaged in any quarrying activity develop and submit a site plan to the Zoning Administrator for approval.

It is further the purpose of this subsection not to prohibit quarrying, but to control quarrying by the permit process. All quarrying activity shall comply with and conform to federal and state law and county ordinance.

1. Development Site Standards
See Appendix B

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2. Special Regulations

a. Fencing. If, in the opinion of the Zoning Administrator, a quarry results in a condition dangerous or hazardous to the general public moving about in the vicinity of such quarry, the Zoning Administrator may order the owner or tenant of the property on which the quarry lies to construct a fence. If required, the Zoning Administrator shall approve the type of fencing.

b. Degree of Slope. Slopes created by quarrying must have a minimum three (3) to one (1) ratio from top of excavation to waterline, horizontal to vertical to minimize cave-in and slump, wind and water erosion and lateral shifting of the undisturbed ground surface near the quarried area.

c. Screening. Adequate planting and/or fencing may be required along public roads and residential dwellings adjacent, to screen the quarry from public view as reasonably as possible and as approved by the Zoning Administrator.

d. Setbacks. Any excavation or soil deposit from excavation shall conform to setback dimensions in the appropriate zoning District in which it lies.

e. Hours of Operation. In cases where noise, vibration, vehicle traffic, lights, or other intrusions may disrupt surrounding property owners, the Zoning Administrator may require reasonable hours of operation.

3. Performance Standards

a. Dust. Any operation shall comply with all applicable federal, state and local air pollution control laws and regulations.

b. Protect Water Table. No quarrying activity shall be conducted in such manner as to lower or contaminate the water table of surrounding inhabited properties.

c. Roads. The operator of the excavation shall maintain all haulage roads used in connection with this operation, whether under their control and ownership, a private road, or that of a municipality, as much as possible in a dust free condition. (Maintain is defined as: condition or the road after the work is complete shall be the same as the condition before the work was started.

d. Hauling restrictions. Hauling of quarrying material is prohibited consistent with Portage County seasonal weight restrictions.

4. Performance Guideline

a. Topsoil Replacement. Graded or backfilled area or banks in the cases of excavations made to water-producing depth shall be covered equal to a depth of topsoil or percentage of organic matter that originally existed on property prior to the commencement of operation, with the exception that the nine (9) foot area extending outward from water's edge for the entire circumference of water area, the cover shall be sand or any other material as set forth in the approved site plan. No greater depth of topsoil or percentage of organic matter in the soil shall be required than originally existing on property prior to the commencement of operation.

b. Vegetation Replacement. Upon replacement of the topsoil, trees, shrubs, legumes, grasses or groundcover shall be planted upon such area in order to avoid erosion.

B. **PERMIT APPLICATION**. Quarry/Pond Application shall include:

1. Adequate description of the operation;

2. List of equipment, machinery and structures to be used;

3. Topographic map of the sites, with a minimal vertical contour interval of five (5) feet; trees, access roads, depth of excavations, commencement and completion dates of excavation and restoration;

4. Restoration plan containing proposed contours, depth and type of restored topsoil; seeding and other planting or reforestation; final slopes of pond; and expected cost of completion of restoration plan.

5. Explanation of final destination of removed material. If the material is to be removed from the property site an explanation as to quantity of material to be removed; type of truck to be used to transport; routes of travel and purpose for removal.

6. Information about soil conditions and level of water tables.

7. Length of time needed to complete the project for which the permit is issued.

8. Dust abatement plan.

9. All ponds & excavating greater than one acre subject to Portage County Non-Metallic Mining Reclamation Ordinance in lieu of the Town of Grant.

C. **STANDARD OF REVIEW IN APPROVING CONDITIONAL USE PERMIT**. The Plan Commission, in its recommendation and the Town Board in granting or denying Conditional Use Permits under this Section, shall consider the following factors:

1. The effects of the proposed quarrying on streets both existing and proposed on the adopted official map.

2. The effects on neighboring development;

3. The effects on proposed land use;

4. The effects on the adopted Comprehensive Plan;

5. The effect on water supply, air quality, soil erosion, natural beauty, character and land value of the locality;

6. The effect on wetlands, drainage and potential for ground and surface water pollution;

7. The practicality of the proposed restoration plan for the site;

8. The effect on town roads of hauling removed material from the subject parcel land;

9. Any other factors which the Plan Commission or the Town Board in each application determines are relevant.

D. **ISSUANCE**. In the issuance of a Conditional Use Permit, the Town Board may impose conditions that address the following areas of concern:

1. Size of quarry;
2. Fencing;
3. Screening;
4. Hours of operation;
5. Dust;
6. Water table;
7. Top soil replacement;
8. Vegetation replacement;
9. Slope and height stockpiles
10. Routes of travel;
11. Quantity of material being removed;
12. Bond if necessary;
13. Expiration period of permit;
14. Any other conditions which the Planning Commission or the Town Board determines are relevant and necessary for the issuance of the Conditional Use Permit.
15. Hold the Town harmless from any environmental contamination.

E. **PERMIT FEES** The Town Board shall from time to time set fees for permits under this Section.

The Town of Grant specifically acknowledges rights of the cranberry growers, and that this ordinance is not intended to interfere with rights otherwise afforded under state law, including Wis. Stats. §94.26, but neither is it intended to diminish the Town's ability to regulate matters of health, safety and welfare where the Town is not legally preempted from such regulations. In addition, cranberry growers shall abide by Best Management Practice's developed for these activities in conjunction with Wisconsin State Cranberry Growers Association.

X. Changes and Amendments

The Town Board may from time to time, on its own motion or petition, amend, supplement or change the district boundaries or the regulations herein or subsequently establish upon giving notice as required in the Wisconsin Statutes, of the proposed amendment, supplement or change and of hearing thereon, and opportunity to any person interested to be heard.

A landowner may also request zoning ordinance amendments including changes to the permitted and conditional uses. A written request should be sent to the Town.

In regard to protest, public hearings and adoption of this Ordinance refer to the General Zoning in the Wisconsin Statutes.

XI. Violation and Penalties

The provisions of this ordinance shall be enforced under the direction of the Town Board, through the Zoning Administrator and county law enforcement officers. Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall pay a forfeiture of not less than $50.00 nor more than $500.00 per day with no cumulative maximum, together with the costs of prosecution or in default thereof by imprisonment in the county jail of Portage County for a term of not more than 30 days. Above said fees or forfeiture listed above if applicable may be assessed to the real estate property tax.

Any building or structure hereafter erected, moved or structurally altered or any use hereafter establishing violation of the provisions of this ordinance shall be deemed an unlawful building structure or use. The Zoning Administrator shall promptly report all such violations to the Town Board which may then bring an action to enjoin the erection, moving or structural alteration of such building, or the establishment of such use or to cause such building, structure or use to be vacated or removed.

Each day that a violation exists shall constitute a separate offense. Every violation of this ordinance is a public nuisance and may be enjoined and the maintenance thereof may be abated by action at suit of the Town Board or any citizen of the Town of Grant. In addition to any other penalty, the owner shall be ordered to cease or correct a violation in a reasonable period of time as established by the Town Board.

Other equitable remedies, such as injunction to stop violation may be exercise by using authorization of Wisconsin State Statutes 62.23(7)(f) or 62.23 (8)

XII. DEFINITIONS

The following words, terms, and phrases, wherever they occur in this Ordinance, shall have the meanings ascribed to them by this Section:

Accessory Building - A separate building or portion of the principal building, the use of which is incidental to the permitted use of the principal building.

Automobile Graveyard – *See Salvage Yard*

Bed and Breakfast - Any place of lodging that provides four or fewer rooms for rent, is the owner's personal residence and is occupied by the owner at the time of rental and in which the only meal served to guests is breakfast. Guests shall not exceed seven consecutive days of occupancy.

Boat Liveries - Establishments offering the rental of boats and repairs and fishing equipment.

Building – A structure having a roof and intended for the shelter, housing, or enclosure of persons, animals or chattels, except as provided in the Zoning Permits section.

Building, Principal – A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Building Site - The space or area of ground upon which a building is to be erected.

Campground - A parcel of land designed, maintained, intended, or used for the purpose of providing a location for camping units and designed for overnight accommodation for more than 20 days in a year. A campground may be the sole principal use of a property, or part of a range of principal uses on a property (e.g., a component of a park, school forest, or other recreational facility).

Camping Unit – Any structure, equipment, or vehicle intended or used for temporary sleeping accommodations for recreation or travel, not more than 400 square feet in area, including recreational vehicles (RV's), pick-up trucks with sleeper attachments, motor homes, camping trailers, tents, park models, yurts, camping cabins, and similar equipment.

Club - An association of persons for some common purpose but not including groups organized primarily to render a service, which is customarily carried on as a business.

Cemetery - Land that is used or intended to be used, exclusively for the burial of human remains.

Commercial Motor Vehicle -any self-propelled or towed vehicle used for commercial purposes that: (1) has a gross vehicle weight rating of over 25,000 pounds; (2) is designed to transport more than 15 passengers, including the driver; or (3) is used to transport hazardous materials in a quantity that requires placards under federal hazardous materials regulations.

Conditional Use - A land use allowed under a conditional use permit that does not include a variance.

Crops – Plants grown for food (except for cranberries), fiber, fuel, or ornamental purposes.

Deck – A structure that has no constructed roof or walls and is considered part of a building or structure.

District - A section or sections of Town of Grant for which the regulations governing the use of the land and buildings are uniform.

Event Barn – An agriculture building used for purposes such as hosting weddings or other public events.

Farm - An area of land devoted to the production of field or truck crops, livestock or livestock products, and poultry which constitute the major use of such property. This includes fur farms in which the animals are housed and fed under artificial conditions.

Floor Area - The area within the outer lines of the exterior walls of a building, at the top of the foundation or basement wall. The floor area of a dwelling shall not include space usable for living quarters, such as attics, utility or unfinished basements rooms, garages, breeze ways and unenclosed porches or terraces.

Fur Farm - Any property comprising land or buildings or both, used for the purpose of raising or harboring fur bearing animals including those defined in appropriate Wisconsin Statutes, and also including chinchillas and other fur bearing animals, if any, whether the animals are kept for breeding, slaughtering or pelting purposes.

Garage - An accessory building or accessory portion of the principal building, used or designed or intended to be used for the storage of private motor vehicles.

General Farming - The practice of growing crops and raising livestock on a farm. It involves the use of agricultural techniques, including irrigation practices, to maximize crop yield and quality.

Highway - *See Road*

Home Business – Any business, occupation, or activity conducted for gain within a residential building, or an accessory building, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of the building. Two or more of the following go beyond an incidental home business and shall furthermore require a conditional use permit.

- Business activities that are inconsistent with the intent and character of the zoning district
- Selling retail goods or services to the public that generates vehicular traffic
- Commercial deliveries by vehicles larger than a box truck (e.g., UPS/FedEx)
- Parking of commercial or industrial vehicles and equipment in residential districts
- Employees not related that are working on the premises
- Advertising sign

Hotel – A place where sleeping accommodations are offered for pay to transients, in five or more rooms, and all related rooms, buildings and areas.

Junkyard - An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard.

Kennel - Any premises wherein any person engages in breeding of more than one (1) litter per year, letting for hire, sporting, or buying or selling more than three (3) adult dogs per year.

Large Livestock – Large animals identified by the Department of Agriculture, Trade, and Consumer Protection as requiring premises registration including, but not limited to, horses and other equine animals, cattle and other bovine animals, swine, sheep, goats, bison, llamas, and alpacas.

Lot - A parcel of land that: (a) is undivided by any street or private road; and (b) has frontage on a public road or other officially approved means of access, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area and other provisions of this Ordinance and any subdivision regulation.

Lot Area – The area contained within the exterior boundaries of a recorded lot, excluding public roads and land under bodies of water.

Lot, Corner - A lot located in the intersection of two streets, any two corners of which have an angle of 120 degrees or less, or is bounded by a curved street, any two chords of which, on the inside of a curve, from an angle of 120 degrees or less.

Lot, Interior - A lot which is not a corner lot.

Lot Line -A property line bounding a lot.

Lot Line, Front – A lot line that abuts a public or private street right-of-way. For corner lots, the lot line along the street from which the principal building on the lot is addressed shall be the lot line.

Lot Line, Rear – In the case of a rectangular or most trapezoidal shaped lots, the lot line that is opposite and most distant from the front lot line of the lot is the rear lot line. In the case of an irregular, triangular, or gore-shaped lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front line shall be considered to be the rear lot line. In the case of a double frontage lot, there shall be no rear lot line.

Lot Line, Side – Any boundary of a lot that is not a front lot line or a rear lot line.

Lot Width - The maximum horizontal distance between the side lot lines of a lot, measured at a location of the lot this is parallel to the front lot line and at the minimum required front yard.

Manufactured Home - A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425. For purposes of zoning code enforcement, manufactured homes shall be allowed as permitted and conditional uses where "single family residences" and "two family residences" are shown as permitted and conditional uses. All such structures manufactured prior to July 15, 1976 shall be defined as mobile homes.

Mobile Home - A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

Mobile Home Park - Any plot or plots of ground upon which two or more units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.

Motel - A hotel that furnishes on-premises parking for motor vehicles of guests as part of the room charge, without extra cost, and is identified as a motel rather than hotel at the request of the operator.

Motor Vehicle Repair Shop (including automobile, truck, agricultural implement and equipment, motorcycle, snowmobile, all-terrain vehicle (ATV)/utility task vehicle (UTV), small engine) - A place of business used for the repair of motor vehicles; also, where battery, tire and similar service are rendered.

Non-metallic mine – Operations or activities at a non-metallic mining site for the extraction of mineral aggregates or non-metallic minerals for sale or use by the operator.

Nonconforming Structure – An existing structure or building that was lawfully established prior to the 1966 Zoning Ordinance or subsequent amendments thereto, but would not conform to regulations within this Ordinance.

Nonconforming Use - An active and actual use of land, building(s), or structure(s) that was lawfully established prior to the 1966 Zoning Ordinance, or subsequent amendments thereto, that has continued as the same use to the present, and does not comply with all the applicable use regulations of this Ordinance.

Off Street – The area outside of road right-of-way.

Ordinary High Water Mark - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Park, Public - An area owned by the State, County or municipality within the Town, operated for the convenience and recreation of the public, and containing such facilities as the owning municipality shall see fit.

Parking Lot - An area where vehicles are parked or stored temporarily, excluding at residences, but not including the wrecking of automobiles or other vehicles or storage for the purpose of repair or wrecking.

Pit – An open hole or excavation made by digging.

Plant Nursery – an establishment where plants are propagated, grown and nurtured until they are ready for sale or transplanting (trees, shrubs, flowers and vegetables).

Pond- Small still, land-based body of water formed by pooling inside a depression, either naturally or artificially.

Pool - A structure designed to hold water for swimming or wading . Permanent inground pools either outside or inside buildings require permits, whereas above-the-ground structures do not.

Porch - A covered platform attached to the outside of the entrance to a building.

Premises - A house or building(s), and its lands.

Private Burial Plot –Privately held land used for the burial of human remains of designated individuals.

Professional Office - A place where a licensed or otherwise recognized professional conducts business.

Quarrying – The removal of rock, slate, gravel, sand, topsoil or other natural material from the land by excavating, stripping, leveling or any other such process which results in creation of a pond, pit, strip and/or non-metallic mine. Drainage ditching shall not be considered quarrying.

Riding Arenas - A premises used for personal riding or professional training of horses or other animals.
Road - A public thoroughfare, which affords a primary means of access to abutting property.

Right of Way - A strip of land occupied or intended to be occupied by a road, (including the travel surface shoulder and set back distance), railroad utility line or for other special purposes, and normally requiring public dedication where public maintenance is involved.

Road – A public or private thoroughfare, which affords a primary means of access to abutting property.

Roadside Stand - A structure having a ground area of not more than 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 on the premises (or adjourning premises. There shall not be more than one such roadside stand on any single premises.

Salvage Yard - An establishment or place of business which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts. Ten or more such vehicles constitute an automobile graveyard.

Service Station - Any building, structure, premises or other place used for the dispensing, sale or offering for sale of any motor fuel or oil, having pumps and storage tanks; also, where battery, tire and similar services are rendered.

Setback - The areas measured from the referenced lot line to any structure, within which building is prohibited.

Shoreland Zoning – All shorelands of navigable waters designated by the State which are less than 1,000 feet from the ordinary high water mark of lakes, ponds or flowages or less than 300 feet from the ordinary high water mark or to the landward side of a floodplain or navigable reaches of rivers or streams, whichever is greater.

Short-Term Rentals - All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments.

Sign - Anything erected, hung, suspended, painted or attached to any structure, carrying words, letters or figures. Phrases, sentences, names, designs, trade names or trade makers of any other device placed so as to be visible from a street or highway and calling attention to a business, trade, profession, commodity, product, person, firm or corporation.

Single Family Residence – A detached building designed for, and occupied exclusively by, one family.

Solar, Roof Mounted Installations – A photovoltaic system that has its electricity-generating solar panels mounted on the rooftop of a residential or commercial building or structure.

Solar, Ground Mounted (Free Standing) Array – A photovoltaic system that is mounted on the ground using specially designed frames.

Solar installations - An array of photovoltaic cells mounted in a framework that supply solar electricity to electrical equipment, the main components of a solar power system are photovoltaic (PV) panels, a DC to AC power converter (called an inverter) and a rack system that holds the PV panels in place.

Stable – Building or structures for the breeding, rearing or boarding horses.

Storage Building – Any structure primarily used for storing goods or personal property.

Storage condominium - Privately owned, customizable storage unit within a larger complex.

Structure - Any man-made object with form, shape and utility, either permanently or temporarily.

Structural Alterations - Any changes in the supporting members of a structure such as bearing walls, column, beams or girders, footing and piles.

Substantial Evidence - Facts and information, other than merely personal preference or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Two Family Residence - A building or portion thereof used or intended to be used by one or two families living independently of each other.

Unnecessary Hardship - The circumstance where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of Ordinance.

Variance, Area - A modification to a dimensional, physical, or locational requirement such as a setback, frontage, height, bulk, or density restriction for a structure.

Variance, Use - The use of land for a purpose that is otherwise not allowed or is prohibited by this ordinance. Use variances are not allowed under this ordinance. The use would require a rezone.

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

Wetlands - Those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions as determined by U. S. Army Corps of Engineers or Wisconsin Dept. of Natural Resources.

Wind Turbine - A device that converts the kinetic energy of wind into electrical energy.

Yard - A required open space on a lot that is unoccupied and unobstructed by a structure from its lowest ground level to the sky, except as expressly permitted in this Ordinance. A yard shall extend along a lot line and at right angles to such lot line to a depth or width specified in the yard regulations for the district in which such lot is located.

Yard, Front - A yard extending across the full width of the lot and measured between the front lot line and the front line of the principal building.

Yard, Rear - A yard extending from the rear line of the principal building to the rear lot line for the entire width of the lot.

Yard, Side - A yard on each side of the principal building extending from the side wall of the building to the side lot line, and from the front yard to the rear yard. When an accessory building is constructed as part of the principal building or constructed on one side of the principal building, the side yard requirements shall be the same for the accessory building as required for the principal building.

Appendix A

TOWN OF GRANT – ZONING SETBACKS, AREA AND HEIGHT REQUIREMENTS (1) (6) (9)

Zoning District	Maximum Height Residential	Maximum Height Accessory	Minimum Floor Area	Minimum Lot Area	Minimum Lot Width	Minimum Side Yard	Minimum Rear Yard
(R-1) Low Density Residential	**35 ft.**	**25 ft.(8)**	**720 sq. ft.**	**2 Acres**	**160 ft (3)**	**15 ft.**	**25 ft. (4)**
(R-2) High Density Residential	**35 ft.**	**18 ft.(2)**	**720 sq ft.(5)**	**20,000 sq ft. (7)**	**100 ft. (3)**	**15 ft.**	**25 ft (4)**
(A-1) Exclusive Agriculture	**35 ft.**	**35 ft.**	**720 sq. ft**	**35 Acres**	**NA**	**25 ft.**	**25 ft.**
(A-2) Transition Agriculture	**35 ft.**	**35 ft.**	**720 sq. ft.**	**10 Acres**	**300 ft.**	**25 ft.**	**25 ft.**
(A-3) General Agriculture	**35 ft.**	**35 ft.**	**720 sq ft.**	**5 Acres**	**160 ft.**	**25 ft.**	**25 ft.**
(C-1) Commercial	**35 ft.**	**45 ft.**	**720 sq. ft.**	**20,000 sq ft.**	**100 ft.**	**15 ft.**	**25 ft.(4)**
(I) Industrial	**No Residential**	**Conditional**	**Conditional**	**Conditional**	**Conditional**	**Conditional**	**Conditional**
(Con) Conservancy	**35 ft.**	**25 ft.(2)**	**400 sq ft.**	**2.5 Acres**	**200 ft. (3)**	**15 ft.**	**25 ft. (4)**

(1) All lots subject to Portage County Sanitary approval

(2) Total maximum sq. ft. of accessory building(s) shall not exceed 2000 sq. ft.

(3) Minimum lot width at building line.

(4) Accessory building minimum rear setback is 10 feet. No exception for side yard setback of accessory buildings.

(5) Residence not less than 20 feet wide

(6) Portage County Shoreland Zoning Ordinance requires 75 feet construction setback from navigable waterways.

(7) Minimum lot area of 30,000 square feet for a duplex

(8) Total maximum sq. ft. of accessory building(s) shall not exceed 3500 sq. ft.

(9) Ground mounted solar panels must follow the same setbacks designated in R-1 and R-2.

Township Road Setbacks-66 feet from centerline or 33 feet from right-of-way, whichever is greater.

County Road Setbacks-75 feet from centerline or 42 feet from right-of-way, whichever is greater

State Road Setbacks-110 feet from centerline or 50 feet from right-of-way, whichever is greater

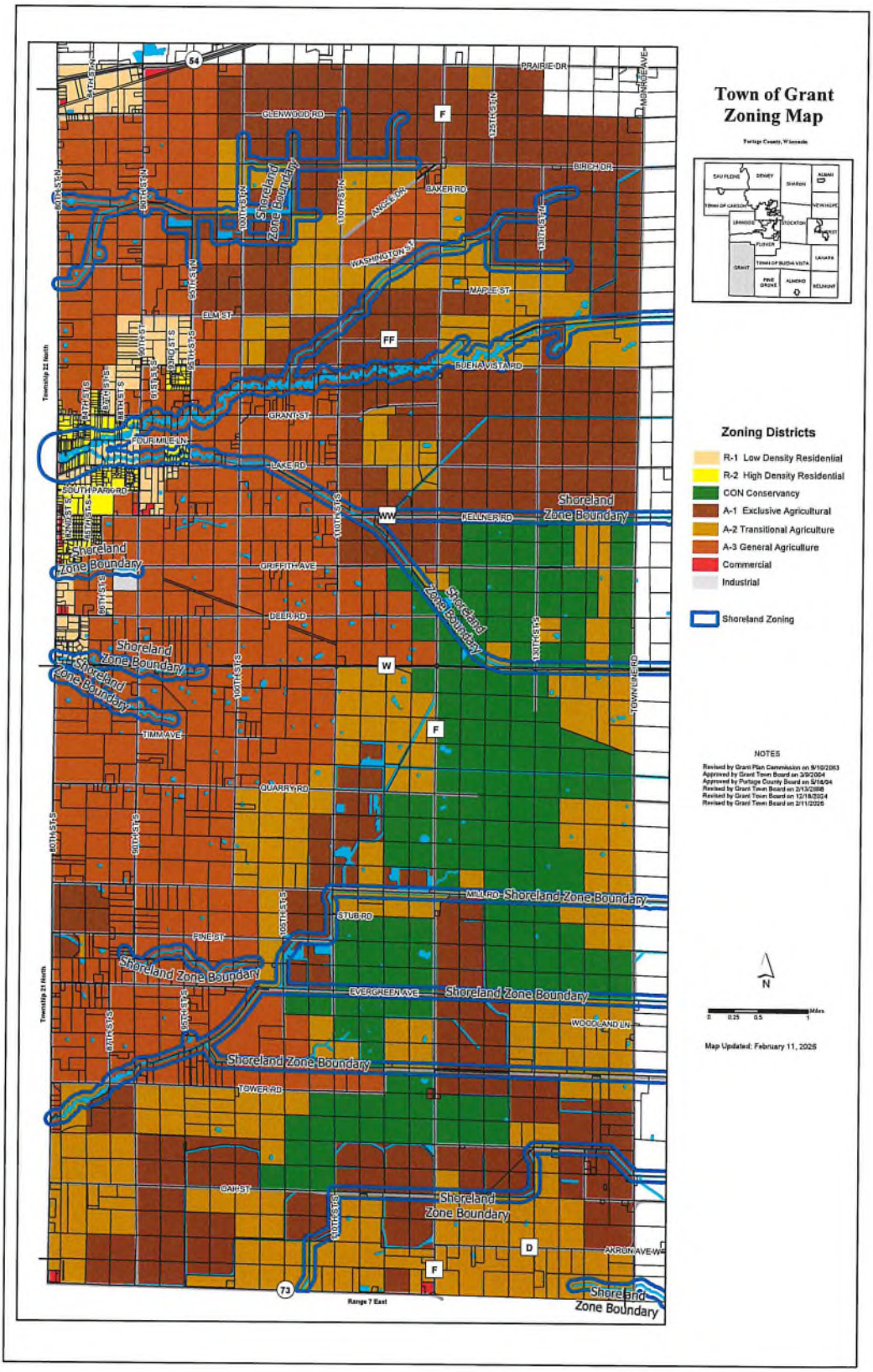
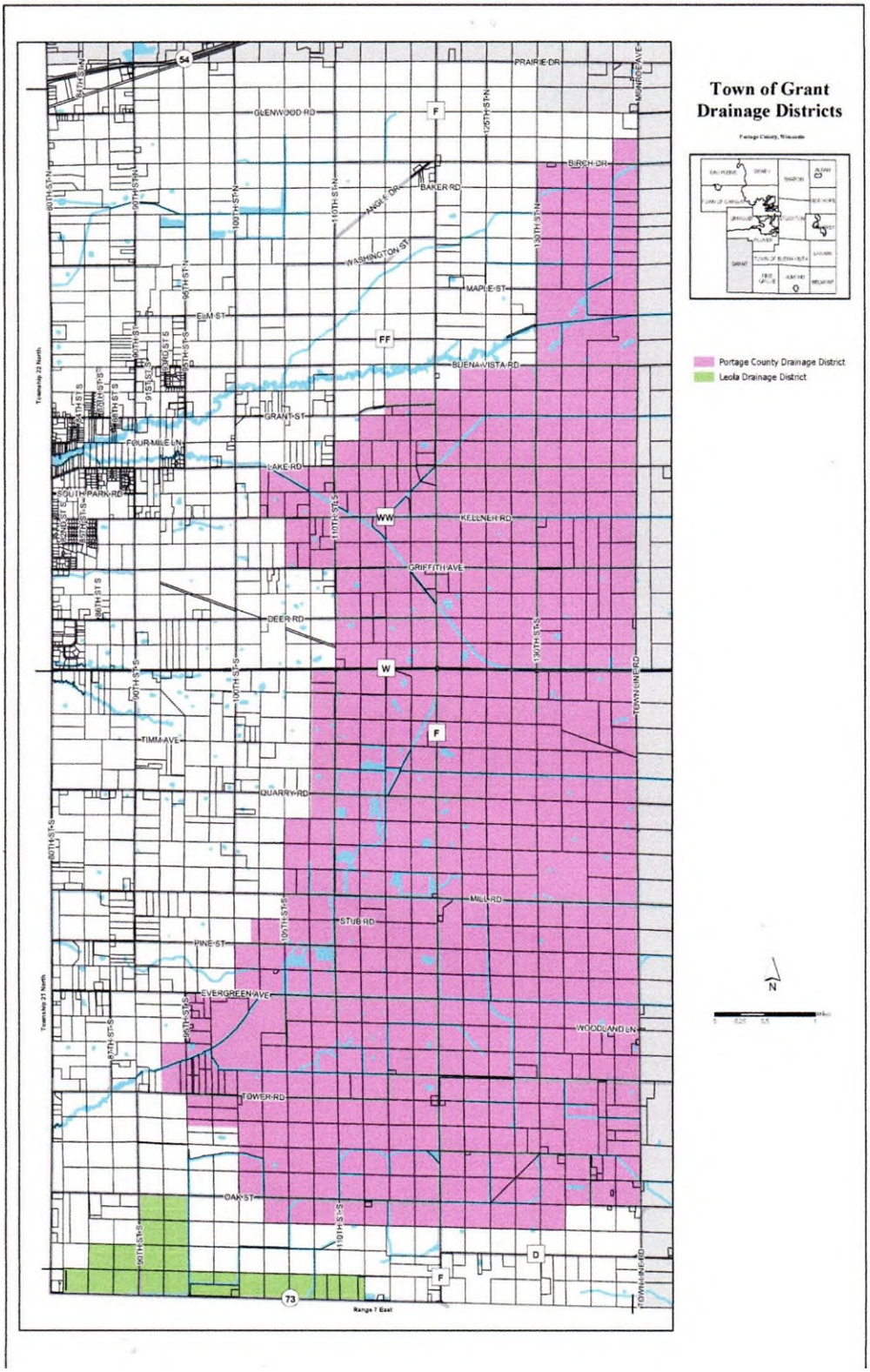
Appendix B

TOWN OF GRANT DEVELOPMENT SITE STANDARD FOR QUARRYING

ZONING DISTRICTS	USE	LIMITS	FEES
Low Density Residential	Conditional Use	Conditional	Conditional Use & Permitted Quarry Fee
High Density Residential	Not Allowed	Not Allowed	--------
Conservancy	Permitted	< 1 Acre	Permitted Quarry Fee
Exclusive Agriculture	Permitted	< 1 Acre	Permitted Quarry Fee
Transition Agriculture	Permitted	< 25,000 sq. ft.	Permitted Quarry Fee
Transition Agriculture	Conditional	> 25,000 sq. ft.	Conditional Use & Permitted Quarry Fee
General Agriculture	Permitted	< 25,000 sq. ft.	Permitted Quarry Fee
General Agriculture	Conditional	> 25,000 sq. ft.	Conditional Use & Permitted Quarry Fee
Commercial	Conditional	Conditional	Conditional Use & Permitted Quarry Fee
Industrial	Conditional	Conditional	Conditional Use & Permitted Quarry Fee

All ponds & excavating greater than one acre are subject to Portage County Non-Metallic Mining Reclamation Ordinance

APPENDIX C - SHORELAND ZONING OVERLAY MAP



Appendix D
DRAINAGE DISTRICT MAP