

## **SECTION 16**

### **DEFINITIONS**

#### **16.1 DEFINITIONS OF SPECIFIC WORDS AND PHRASES.**

Whenever a word or term in this section appears in the text of this Ordinance, its' meaning shall be construed to mean as set forth in this section. Any minimum or maximum standards, limitations, exclusions, or other requirements included in a definition set forth in this section shall have the same force and effect as if specifically set forth in any other section of this Ordinance. Any words or phrases not defined in this Section shall be presumed to have their customary dictionary definitions.

#### Accessory Use or Structure

A separate structure, building , or use located on the same lot or parcel that is customarily recognized as being incidental and subordinate to the principal building or use.

#### Bed and Breakfast

Any place of lodging that provides four (4) or fewer rooms for rent for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

#### Buffer Yard

An area within a property or site, generally adjacent to or parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit continuously the view and/or sound from the site to adjacent sites or property.

#### Building

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery or materials.

#### Building Area

The total area bounded by the interior walls, as measured in square feet from the outside surface of the walls, including only areas completely enclosed from the elements having finished interior walls, ceilings, and floors and having light, ventilation, heating and other requirements of the Building Code, but not including basements, garages, porches, breezeways, unfinished attics, and overhangs.

#### Building Height

The vertical distance measured from the mean elevation of the finished lot grade along the street yard face of the structure to the highest point of the roof. Mechanical equipment, chimneys, air conditioners, elevator houses, church spires and steeples, and similar appurtenances to a building are exempt from building height requirements provided said appurtenances do not exceed the maximum building height permitted by twenty (20) feet.

#### Building Setback

See "Setback" and "Yard".

#### Concentrated Animal Feed/Lot Operation (CAFO)

Single or contiguous lots, parcels and/or buildings intended for the confined feeding, breeding, raising, and/or holding of 250 or more equivalent livestock units specifically designed as a confinement area where manure may accumulate, and, where the concentration of animals is such that vegetative cover cannot be maintained within the lots and parcels, where one (1) equivalent livestock unit equals the following:

Dairy cattle (adult)	1.4 animals
Dairy cattle (young)	.6
Feed/slaughter cattle	1.0
Swine	.4
Sheep	.1
Horses	2.0
Turkeys	.02
Chickens	.02

Community Living Arrangement

The following facilities licensed and operated under the authority of Wisconsin State Statutes: child welfare agencies under Section 48.60, group foster homes for children under Section 48.02(7m), and community-based residential facilities under Section 50.01; but does not include day care centers, nursing homes, general hospitals, special hospitals, prisons, and jails. The establishment of a community living arrangement shall in conformance with Sections 46.03(22), 59.97(15), 62.23(7)(i), and 62.23(7a) of the Wisconsin State Statutes and amendments thereto.

Cluster Development or Subdivision

A development design technique that concentrates allowable development on a part of an overall parcel or tract in order to allow the remaining portion(s) of said parcel or tract to be used for common open space, recreation, agriculture, and/or the preservation of natural and environmentally sensitive features.

Density, Residential

A measure of the number of dwelling units or homesites allowed per acre.

Development

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

Dwelling Unit

One or more rooms designed, occupied, or intended for occupancy as separate living quarters with cooking, sleeping, and sanitary areas or facilities provided within a building.

Dwelling, Single-Family

One (1) detached dwelling unit designed for or occupied exclusively by one (1) family.

Dwelling, Two-Family

One (1) detached building containing two (2) separate dwelling units, designed for occupancy by not more than two (2) families.

Dwelling, Multi-Family

A residential building designed for or occupied by three (3) or more families, with the number of families in residence not to exceed the number of dwelling units provided.

Essential Services and Facilities

Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call

boxes, traffic signals, pumps, lift stations, and hydrants, but NOT including above-ground buildings or wireless communication tower facilities that are allowed as conditional uses in appropriate zoning districts. *{amended 3/5/2001}*.

Family

Any number of persons related by blood, adoption, or marriage, or not to exceed four (4) persons not so related, living together in one dwelling unit as a single housekeeping entity, excepting foster family homes.

Family Day Care Home

A dwelling licensed as a day care center by the State of Wisconsin pursuant to Section 48.65 of the Wisconsin Statutes, where care is provided for not more than eight (8) children.

Farm

An area of land principally devoted to and used for all forms of agricultural activities as set forth in Section 91.01 Wisconsin Statutes.

Fence

Any structure serving as a partition, enclosure, barrier, boundary, or screen. In this Ordinance, a fence shall include any structure constructed of wire, metal, wood, stone, brick, or other masonry products, but shall not include shrubs, trees, or other growing plants. A snow fence is a temporarily constructed fence for the purpose of catching wind blown snow and shall not be subject to the provisions of the Zoning Ordinance, provided that no such snow fence shall be installed earlier than November 1st of each year and shall be removed from the property where it is located not later than April 1st of the subsequent year.

Floor Area (gross)

The total of all horizontal floor areas of a building, but excluding the basement floor, as measured in square feet from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area of a building includes elevator shafts and stairwells at each floor, floor space used for mechanical equipment, penthouses, interior balconies, enclosed mezzanines and porches, and attic or other storage spaces having headroom of not less than eight (8) feet.

Floor Area Ratio (FAR)

The gross floor area of all buildings and structures on a lot or parcel divided by the total lot area.

Foster Family Home

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

Group Foster Home

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

Home Occupations

An occupation or profession for financial gain or profit which is carried on entirely within a dwelling unit located on a lot or parcel by resident occupants of the dwelling unit and which is clearly incidental to and accessory to the residential use of the premises. Home Occupations and Professional Home Offices are permitted accessory uses and do not require a zoning permit provided that: (1) the use of the residential dwelling for the home occupation or professional home office shall not occupy more than 25 percent of the floor area of one floor; (2) the home occupation or professional home office shall not be located in nor conducted in an accessory building or structure; (3) no person other than members of the family residing on

the premises shall be employed or otherwise engaged in the home occupation or professional home office; (4) home occupations and professional home offices shall use only common household equipment and no stock in trade shall be kept or sold except that made on the premises; (5) no traffic shall be generated by the home occupation or professional home office in an amount greater than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation or use shall be provided on the lot or parcel and not in any required yard; (6) no outdoor storage of equipment or product shall be permitted.

Home occupations, which comply with the conditions set forth above, may include, but are not limited to baby sitting, in-home daycare, canning, crafts, desktop publishing and other computer-related services, dressmaking, insurance sales, laundering, piano or other musical instrument instruction, teachers, artists, authors, real estate sales, word processing, architectural and other similarly recognized professional and/or consulting services.

#### Impervious Surface

Any material that prevents the absorption of storm water into the ground, including, but not limited to buildings, structures, paved parking areas, driveways, roads and other paved and compacted gravel surfaces, pools, patios, etc.

#### Kenel

The principal or accessory use of land and/or buildings, structures and enclosures where five (5) or more dogs, cats or other domestic animals over six (6) months of age are bred, raised, trained, groomed, boarded, and/or sold for a fee or other compensation.

#### Landscaping

Living material, such as grass, ground cover, flowers, shrubs, vines, hedges, and trees; and non-living durable material, such as rocks, pebbles, sand, mulch, and wood chips or bark, but not including paving. Landscaping is intended to be both decorative and functional. Functional uses of landscaping include protection against erosion, absorption of pollutants, sound retardation, visual barrier, buffering or screening between different land uses, shade to moderate temperatures, protection from wind, and oxygen renewal. Landscaping may serve as screening when it is densely planted.

#### Lot

A parcel of land having frontage on a public street, 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, and other open space provisions of this Ordinance.

#### Lot, Corner

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

#### Lot, Double Frontage ("through")

A parcel of land, other than a corner lot, with frontage on more than one street or with frontage on a street and a navigable body of water. On a double-frontage lot, both street lines shall be deemed front lot lines.

#### Lot Frontage

The dimension of a lot abutting a public street measured along the street right-of-way line.

#### Lot, Interior

A lot situated on a single street which is bounded by adjacent lots along each of its other lines.

Lot Coverage

The area of a lot or parcel covered by buildings (see "Impervious Surface").

Lot of Record

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

Lot Width

The width of a parcel of land measured at the building setback line or required front yard setback.

Manufactured Home

A dwelling structure or component thereof as defined in the Wisconsin Administrative Code that has been fabricated in an off-site manufacturing facility for installation or assembly at the dwelling site and bearing a HUD label of insignia certifying that it has been built in compliance with Federal and State Manufacturing Housing construction and inspection standards.

Mobile and Modular Home

A structure that is a transportable structure, being eight (8) feet or more in width (not including the overhang of the roof) or 32 feet or more in length (not including the overhang of the roof), built on a chassis or transported in sections and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

Mother-In-Law Suite.

One or more rooms within a single-family or two-family dwelling designed, occupied, or intended to be occupied by one or more members of a family provided that such rooms do not constitute or include a separate cooking facility and entry designed, occupied, that are intended to be occupied exclusively as a separate dwelling unit. A Mother-In-Law Suite shall not be or included as part of any detached accessory structure or building erected upon the same lot or parcel upon which a principle dwelling is located.

Non-Farm Lot

A lot or parcel created from land located in the AG: General Agricultural Zoning District used exclusively for residential purposes and typically occupied by non-farm residents.

Open Space

Area(s) of a lot, parcel, tract or subdivision not occupied by buildings, structures, roads, parking areas, driveways, or other developed features or facilities that are beyond required setbacks and yards.

Setback

The minimum horizontal distance measured between the property line of a lot or parcel and the nearest vertical wall of a roofed or enclosed portion of a building or any projection thereof, excluding uncovered steps and stoops, gutters, overhangs and awnings.

Sign

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

Sign, Canopy

A sign that is mounted or painted on, or attached to a canopy or marquee.

Sign, Ground

Any sign placed upon or supported by the ground independent of any other structure.

Sign, Pole

A sign that is mounted on a free standing pole or other support so that the bottom of the sign is 10 feet or more above grade.

Sign, Portable

A sign that is not permanent and is not affixed to a building, structure, or to the ground. Such sign is sometimes mounted on wheels to make it transportable.

Sign, Projecting

A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, Roof

A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eaves line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign, Wall-Mounted

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from such building or structure.

Sign, Window

A sign that is applied or attached to the exterior or interior of a window or located in such manner within the building that it can readily be seen from the exterior of the building through a window.

Sign, Copy

The message or advertisement, and any other symbols on the face of a sign.

Sign, Area

The entire face or area, including the advertising surface and any framing, trim, or molding but excluding the support structure, upon which the sign message is painted, mounted or otherwise attached. Where no defined background or mounting surface is used, and, when individually painted or mounted letters, numbers, or figures comprise a sign, sign area shall be calculated as the area of an appropriate rectangle, circle, triangle or combination of each that can be drawn around said figure(s) as defined by the outermost points of said letters, numbers, or figures.

Structure

Any erection, construction, or assembly of materials, such as buildings, towers, canopies, masts, poles, booms, signs, decorations, carports, machinery, retaining walls, and equipment. By this definition, all buildings are structures, however, not all structures are buildings.

Surety

Whenever the terms "surety," "surety bond," or "bond" are used in this Ordinance, said term shall describe only an irrevocable letter of credit, a cash bond, or other financial guarantee approved by the Town Board.

Use

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

Use, Principal

The main use of land or buildings as distinguished from a subordinate or accessory use. A principal use is specifically authorized as a use-by-right in a particular zoning district and may be operated after securing the necessary building permit or use approval.

Utilities

Public and private facilities, such as water wells, sanitary sewers, water and sewage pumping stations, water storage tanks, water purification facilities, power and communication transmission lines, electrical power stations and substations, microwave radio relays, and gas regulation stations, wastewater treatment plants, municipal incinerators, and storage yards.

Variance

An authorization granted by the Board of Zoning Appeals to construct or alter a building or structure in a manner that deviates from the dimensional standards of this Ordinance.

Vision Triangle

A triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Yard

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