

ARTICLE P

Definitions

(Revised Ord. 2010-04, May 11, 2010)

SEC. 13-1-200 DEFINITIONS.

- (a) For the purposes of this Chapter, the following definitions shall be used, unless a different definition is specifically provided for a section. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.
- (1) Abutting. Have a common property line or district line.
 - (2) Accessory Building or Use.
 - a. An accessory building or use is one which:
 1. Is customary and clearly incidental to the principal building or principal use;
 2. Serves exclusively the principal building or principal use;
 3. Is subordinate in area, extent or purpose to the principal building or principal use;
 4. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
 5. Is located on the same zoning lot as the principal use served, with exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot as the building or use served.
 - b. An accessory building or use may include, but is not limited to, the following:
 1. A children's playhouse, garden house or private greenhouse;
 2. (Rev. 7/98) A detached garage, carport, shed or building for storage incidental to a permitted use;
 3. Incinerators incidental to a permitted use;
 4. Storage of goods used in or produced by permitted manufacturing activities on the same zoning lot with such activities, unless such storage is excluded by the district regulations;
 5. The production, processing, cleaning, servicing, testing, repair or storage of merchandise normally incidental to a permitted retail service or business use if conducted by the same ownership as the principal use;
 6. Off-street motor vehicle parking areas and loading facilities; and
 7. Signs, as permitted and regulated in each district incorporated in this Chapter.
 - (3) Acre, Net. The actual land devoted to the land use, excluding public streets, public lands or unusable lands, and school sites contained within 43,560 square feet.
 - (4) Agent. The person designated by the owner of a bed and breakfast as the person in charge of such establishment and his name shall be filed in writing with the Building Inspector of the Village and the Village Clerk prior to issuance of a permit for operation and any change in agent shall require

- written notice delivered to the Village Clerk-Treasurer five (5) days prior to his effective appointment date.
- (5) Alley. A public way not more than twenty-one (21) feet wide which affords only a secondary means of access to abutting property.
 - (6) Apartment. A room or suite of rooms in a multiple-family structure which is arranged, designed, used or intended to be used as a single housekeeping unit. Complete kitchen facilities, permanently installed, must always be included for each apartment.
 - (7) Arterial Street. A public street or highway used or intended to be used primarily for large volume or heavy through traffic. Arterial streets shall include freeways and expressways as well as arterial streets, highways and parkways.
 - (8) Automobile Laundry. An automobile laundry is a building or portion thereof containing facilities for washing automobiles using production-line methods with a chain, conveyor, blower, steam-cleaning device or other mechanical devices or any premises with a capacity of washing twenty (20) or more vehicles per eight (8) hour day.
 - (9) Awning. An awning is a retractable, roof like cover, temporary in nature, which projects from the wall of a building.
 - (10) Bed and Breakfast Establishment. Any place of lodging that provides four (4) or fewer rooms for rent for more than ten (10) nights in a twelve (12) month period, is the owner's primary personal residence, is occupied by the owner or his designated agent at the time of rental and in which the only meal served to guests is breakfast. Occupancy of each room shall be limited to not more than two (2) adults.
 - (11) Basement. That portion of any structure located partly below the average adjoining lot grade which is not designed or used primarily for year-around living accommodations.
 - (12) Block. A block is a tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad right-of-way, bulkhead lines or shorelines of waterways. A block may be located in part beyond the boundary lines of corporate limits of the Village.
 - (13) Boarding House. A building other than a hotel or restaurant where meals or lodging are regularly furnished by prearrangement for compensation for three (3) or more persons not members of a family, but not exceeding twelve (12) persons and not open to transient customers.
 - (14) Buildable Lot Area. The portion of a lot remaining after required yards have been provided.
 - (15) Building. A building is any structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind and which is permanently affixed to the land. When any portion thereof is completely separated from every other portion by masonry or fire wall without any window, which wall extends from the ground to the roof, then such portion shall be deemed to be a separate building.
 - (16) Building, Completely Enclosed. A completely enclosed building is a building separated on all sides from the adjacent open space or from other buildings or structures by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.
 - (17) Building Coverage. Building coverage shall mean the proportion of the lot area, expressed as a percent, that is covered by the maximum horizontal cross-section of a building or buildings.
 - (18) Building, Detached. A detached building is a building surrounded by open space on the same lot.

- (19) Building Height. Building height is a vertical distance from the curb level or the approved ground level opposite the center of the front of a building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the mean-height level between eaves and ridges of a gable, hip or gambrel roof.
- (20) Building, Principal. A building in which the principal use of the lot on which it is located is conducted.
- (21) Building Setback Line. A line parallel to the lot line at a distance parallel to it, regulated by the yard requirements set up in this Code.
- (22) Bulk. Bulk is the term used to indicate the size and setbacks of buildings or structures and the location of such buildings or structures with respect to one another and includes the following:
 - a. Size and height of buildings;
 - b. Location of exterior walls at all levels in relation to lot lines, streets or to other buildings;
 - c. Gross floor area of buildings in relation to lot area (floor area ratio).
 - d. All open spaces allocated to buildings; and
 - e. Amount of lot area provided per dwelling unit or lodging room.
- (23) Business. An occupation, employment or enterprise which occupies time, labor and materials, or wherein merchandise is exhibited or sold, or where services are offered.
- (24) Campground. Developed campground or camping resort or a primitive campground.
- (25) Channel. Those floodlands normally occupied by a stream of water under average annual high-water flow conditions while confined within generally well-established banks.
- (26) Clinic, Medical and Dental. A "medical and dental clinic" is a building in which a group of physicians, dentists or physicians and dentists and allied professional assistants are associated for the purpose of carrying on their professions. The clinic may include an accessory dental or medical laboratory. It shall not include in-patient care or operating rooms for major surgery.
- (27) Club or Lodge, Private. A private club or lodge is a non-profit association of persons who are bona fide members paying annual dues which owns, hires or leases a building or portion thereof, the use of such premises being restricted to members and their guests. The affairs and management of such "private club or lodge" are conducted by a Board of Directors, Executive Committee or similar body chosen by the members at their annual meeting. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facilities are available. Where properly licensed under existing Village ordinances, the consumption of intoxicating beverages by, members of such club or lodge or their guests may be permitted.
- (28) Community Living Arrangement. The following facilities licensed or operated or permitted under the authority of the Wisconsin State Statutes: Child welfare agencies under Section 48.60, group foster homes for children under Section 48.02(7m) and community-based residential facilities under Section 50.01, but does not include day care centers, nursing homes, general hospitals, special hospitals, prisons and jails. The establishment of a community living arrangement shall be in conformance with applicable Sections of the Wisconsin State Statutes, including Sections 46.03(22), 59.69(15), 62.23(7)(i) and 62.23(7a), and amendments thereto, and also the Wisconsin Administrative Code.

- (29) Conditional Use. A use of land which, while appropriate for inclusion within a given district, possesses a high likelihood of creating problems with regard to nearby parcels of land or the occupants thereof and which are, therefore, permitted only subject to the fulfillment of conditions which effectively insure that no such problems will be created. All conditional uses shall first be approved by the Plan Commission.
- (30) Conforming Building or Structure. A conforming building or structure is any building or structure which:
- a. Complies with all the regulations of this Chapter or any amendment thereto governing bulk or the zoning district in which such building or structure is located; or
 - b. Is designed or intended for a conforming use.
- (31) Conservation Standards. Guidelines and specifications for soil and water conservation practices and management enumerated in the Technical Guide, prepared by the USDA Soil Conservation Service for Dane County, adopted by the County Soil and Water Conservation District Supervisors, and containing suitable alternatives for the use and treatment of land based upon its capabilities from which the landowner selects that alternative which best meets his needs in developing his soil and water conservation.
- (32) Controlled Access Arterial Street. The condition in which the right of owners or occupants of abutting land or other persons to access, light, air or view in connection with an arterial street is fully or partially controlled by public authority.
- (33) Convalescent Home and Nursing Home. A convalescent home or a nursing home is a home for the aged, infirm, chronically ill or incurable persons in which five (5) or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation but not including hospital clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness.
- (34) Corner Lot. On corner lots, the setback shall be measured from the street line on which the lot fronts. The setback from the side street shall be equal to seventy-five percent (75%) of the setback required on residences fronting on the side street -- but the side yard setback shall in no case restrict the buildable width to less than thirty (30) feet. Said corner lots shall be consisting of a parcel of property abutting on two (2) or more streets at their intersection providing that the interior angle of such intersection is less than one hundred thirty-five degrees (135⁰). Corner lots shall meet front yard setback requirements for all street sides.
- (35) Curb Level. The curb level for any building is the level of the established curb in front of such building measured at the center of such front.
- (36) Development. Any man-made change to improved or unimproved real estate, including but not limited to construction of or additions or substantial improvements to buildings, other structures, or accessory uses, mining, dredging, filling, grading, paving, excavation or drilling operations or disposition of materials.
- (37) District, Basic. A part or parts of the Village for which the regulations of this Chapter governing the use and location of land and building are uniform.
- (38) District, Overlay. Overlay districts, also referred to herein as regulatory areas, provide for the possibility of superimposing certain additional requirements upon a basic zoning district without disturbing the require-

ments of the basic district. In the instance of conflicting requirements, the stricter of the conflicting requirements shall apply.

- (39) Dwelling. A building or part of a building containing one (1) or more dwelling units and also containing other directly associated elements such as hallways, storage areas or common laundry facilities. For purposes of this Chapter, this term does not include "group lodging facilities."
- (40) Dwelling, Attached. A dwelling separated from another dwelling unit and not having any portion of any roof, wall or floor in common with another dwelling unit.
- (41) Dwelling, Detached. A detached dwelling is one which is entirely surrounded by open space on the same lot.
- (42) Dwelling, Manufactured. Any structure or component thereof which is intended for use as a dwelling and:
- a) Is of closed construction and fabricated or assembled on site or off site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
 - b) Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

The term manufactured dwelling does not include a building of open construction which is not subject to b) above. A manufactured (mobile) home is not considered a manufactured dwelling.

- (43) Dwelling, Multiple-Family. A multiple-family dwelling is a building, or portion thereof, containing three (3) or more dwelling units.
- (44) Dwelling, Single-Family. A single-family dwelling is a building containing one (1) dwelling unit only.
- (45) Dwelling, Two (2) Family. A two (2) family dwelling is a building containing two (2) dwelling units only.
- (46) Dwelling Unit. An area within a dwelling that is designed, occupied or intended to be occupied by a family (or by a non-family household) as permitted by this Chapter as separate living quarters with private kitchen, sanitary, sleeping and living quarters within the unit.
- (47) Eating Place. Establishments primarily engaged in the retail sale of prepared food and drinks for consumption on the premises. Caterers and institutional food service establishments are included. The term shall not apply to churches, religious, fraternal, youths' or patriotic organizations, service clubs and civic or union organizations which occasionally prepare or serve or sell meals to transients or the general public, nor shall it include any public or private school lunchroom.
- (48) Efficiency Unit. An efficiency unit is a dwelling unit consisting of one (1) principal room exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, providing that such dining alcove shall not exceed ninety (90) square feet in area and shall not be used for sleeping purposes.
- (49) Essential Services. 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, towers, 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 buildings.

- (50) Establishment, Business. A business establishment is a place of business carrying on operations which are physically separate and distinct from those of any other place of business located on the same zoning lot:
- (51) Family. An individual or group of two (2) or more individuals who are related by blood, marriage or adoption, together with not more than four (4) additional persons not so related, living as a single household in a dwelling unit. For purposes of this Chapter, family includes "non-family households."
- (52) Family Day Care. The provision of day care for children, for compensation, within a dwelling whether or not licensed by the State, including educational services so long as the care and services are taking place within a dwelling.
- (53) Farming -- General. General farming shall include floriculture, forest and game management, orchards, raising of grain, grass, mint and seed crops, raising of fruits, nuts and berries, sod farming and vegetable farming. General farming includes the operating of such an area for one (1) or more of the above uses with the necessary accessory uses for treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities.
- (54) Farmstead. A single-family residential structure located on a parcel of land, which primary land use is associated with agriculture.
- (55) Floor Area (For Determining Off-Street Parking and Off-Street Loading Requirements). Floor area when prescribed as a basis of measurement for off-street parking spaces and loading berths for any use shall mean the sum of the gross horizontal areas of the several floors of the building, or buildings, devoted to such use, including accessory storage areas located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, floor area for the purpose of measurement for off-street parking spaces shall not include:
- a. Floor area devoted primarily to storage purposes, except as otherwise noted herein.
 - b. Floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space.
 - c. Basement floor area, other than area devoted to retailing activities or to the production or processing of goods or to business or professional offices.
- (56) Foster Family Home. The primary domicile of a foster parent which is four (4) or fewer foster children and which is licensed under Section 48.62 of the Wisconsin Statutes and amendments thereto.
- (57) Frontage. All the property butting on one (1) side of a street between two (2) intersecting streets or all of the property abutting on one (1) side of a street between an intersecting street and the dead end of a street.
- (58) Garage -- Private. A detached accessory building or portion of the principal building, designed, arranged, used or intended to be used for storage of automobiles of the occupant of the premises.

- (59) Garage -- Public. Any building or portion thereof, not accessory to a residential building or structure, used for equipping, servicing, repairing, leasing or public parking of motor vehicles.
- (60) 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.
- (61) Group Lodging, Facilities. Buildings or parts of buildings designed, occupied or intended to be occupied as living quarters on a basis other than as a dwelling, dwelling unit, hotel or motel.
- (62) Group Lodging g. House. A group lodging facilities containing general lodging rooms not having kitchen facilities, offered for rent or comparable compensation on a monthly or longer basis. Meals or access to common meal preparation facilities may be offered as part of the service to occupants.
- (63) Guest, Permanent. A permanent guest is a person who occupies or has the right to occupy on a monthly or longer basis a hotel or apartment hotel accommodation as his domicile and place of permanent residence.
- (64) Home Occupation. A gainful occupation conducted by members of the immediate family residing on the premises; conducted within their dwelling and not in an accessory building, provided that no article is sold or offered for sale on the premises except such as is produced for such occupation, that no stock in trade is kept or sold, that no mechanical equipment is used other than such as is permissible for purely domestic purposes, that such occupation shall not require internal or external alterations, or involve construction features not customary in a dwelling, that not more than twenty-five percent (25%) of the floor area of one story of the dwelling is devoted to such home occupation, that no sign other than one unlighted name plate not more than one (1) foot square is installed and that no more than one (1) person other than a member of the immediate family living on the premises is employed.
- (65) Home Professional Office. A home occupation consisting of the office of a recognized profession.
- (66) Hotel. A facility containing sleeping rooms with private or semi-private bathroom facilities offered overnight lodging to the public for compensation and catering primarily to the traveling public. A hotel shall offer services such as maid, telephone, desk and vending services. It may offer a restaurant, recreational facilities and meeting facilities.
- (67) Hotel, Apartment. An apartment hotel is a building in which at least ninety percent (90%) of the accommodations are dwelling units or are occupied by permanent guests.
- (68) Household. A family or non-family group living in a non-transient manner in a single dwelling unit.
- (69) Illustrations. (rev 6/97) Inclusion of Illustration No. 1 showing location of yards on typical interior, corner and double frontage lots.
- (70) Junk. Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk includes, but is not limited to, vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.
- (71) Junk Yard. A junk yard is an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A junkyard includes an automobile wrecking

- or dismantling yard, but does not include uses established entirely within enclosed buildings.
- (72) Kennel, Animal. An animal kennel is any premises, or portion thereof, where dogs, cats and other household pets are maintained, boarded, bred or cared for in return for remuneration, or are kept for the purpose of sale.
- (73) Living Area Floor Area. (rev. 7/01) Living area floor area shall be measured at each level from center of wall to center of wall, but for the purpose of determining minimum required floor area shall not include basements not used for living purposes, attached garages, open porches, or attics and other storage areas having an average height of less than seven (7) feet. In a split level building the first floor level shall include all area which is not over another living area of the building. Basements used for living purposes shall be included in determining permitted living area floor area. Living areas shall meet the requirements of the Uniform Dwelling Code for second exits; windows used for second exits shall be at grade level.
- (74) Loading Area. A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.
- (75) Lodging House. A building where lodging only is provided for compensation for not more than three (3) persons not members of the family.
- (76) Lodging Room. A room rented as sleeping and living quarters without kitchen facilities and with or without an individual bathroom.
- (77) Lodging Room (For Determining Lot Area Requirements and Off-Street Parking Requirements): For the purpose of determining the lot area requirements, any lodging room designed or intended to be occupied by more than two (2) persons shall be determined as one (1) lodging room for each two (2) persons, provided, however, that in a lodging house or a fraternity and sorority house the number of lodging rooms shall be determined by dividing the total number of persons intended to occupy the lodging rooms by two (2).
- (78) Lot. A parcel of land having frontage on a public street, 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 and other open space provisions of this Code as pertaining to the district wherein located.
- (79) Lot Area. The lot area is the area of a horizontal plane bounded by the front, side and rear lot lines.
- (80) Lot, Corner. A corner lot is a lot of which at least two (2) adjacent sides abut for their full lengths upon a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than one hundred thirty-five (135) degrees.
- (81) Lot Coverage (Residential). The area of a lot occupied by the principal building or buildings and accessory building.
- (82) Lot Coverage (Except Residential). The area of a lot occupied by the principal building or buildings and accessory buildings including any driveways, parking areas, loading areas, storage areas and walkways.

- (83) Lot Depth. The lot depth is the mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.
- (84) Lot, Double Frontage. (rev. 6/97) A parcel of land, other than a corner lot, with frontage on more than one (1) 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. (See Illustration No. 1)
- (85) Lot, Interior. A lot situated on a single street which is bounded by adjacent lots along each of its other lines and is not a corner lot.
- (86) Lot Line. A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the abutting street or alley right-of-way line.
- (87) Lot Line, Front. The front lot line, in the case of a lot abutting upon only one (1) street, shall mean the line separating such lot from such street. In the case of any other lot, the owner shall, for the purpose of this Chapter, have the privilege of electing any street lot line the front lot line, providing that such choice, in the opinion of the Zoning Administrator, will not be injurious to the existing, or to the desirable future development of the adjacent properties.
- (88) Lot Line, Rear. (rev. 10/02) The rear lot line shall mean that lot line which is opposite the most distant from the front lot line. In the case of an irregular, triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall be considered to be the rear lot line for the purpose of determining depth of rear yard. The cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.
- (89) Lot Line, Side. A side lot line shall mean any lot line not a front lot line or a rear lot line.
- (90) Lot Lines. Lot lines shall mean the property lines bounding the lot.
- (91) Lot Lines and Area. The peripheral boundaries of a parcel of land and the total area lying within such boundaries.
- (92) Lot of Record. A lot of record is a lot which is part of a subdivision or a certified survey map which has been recorded in the Office of the Register of Deeds of Rock County or a parcel of land, the deed to which was recorded in the Office of said Register of Deeds prior to the effective date of this Chapter. Any lot or parcel of land created through a violation of any other applicable laws or ordinances of the State of Wisconsin and the Village of Marshfield shall not, in this instance, be considered a lot of record.
- (93) Lot, Reversed Corner. A reversed corner lot is a corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.
- (94) Lot, Substandard. A parcel of land held in separate ownership having frontage on a public street, or other approved means of access, occupied or intended to be occupied by a principal building or structure, together with accessory buildings and uses, having insufficient size to meet the lot width, lot area, yard, off-street parking areas or other open space provisions of this Code as pertaining to the district wherein located.
- (95) Lot, Through. A lot which has a pair of opposite lot lines along two (2) substantially parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

- (96) Lot Width. The lot width is the horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth, said measurement to be made at the rear line of the required front yard.
- (97) Lot, Zoning. A zoning lot or lots is a single tract of land located within a single block which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit under single ownership or control. Therefore, a zoning lot or lots may or may not coincide with a lot of record.
- (98) 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 Department of Housing and Urban Development as complying with the standards under 42 USC 5401 to 5425.
- (99) Minor Structures. Any small, movable accessory erection or construction such as birdhouses, tool houses, pet houses, play equipment, arbors and walls and fences under four (4) feet in height.
- (100) Mobile Home. A manufactured home in accordance with the ANSI Code (American National Standards Institute) that is certified and labeled under the National Mobile Home Construction and Safety Standards Act of 1974. All said homes shall bear the proper approved Wisconsin insignia as required by the Wisconsin Administrative Code, ILHR 20.12-20.17. A mobile home is a transportable structure, being eight (8) feet or more in width (not including the overhang of the roof), built on a chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities. A mobile home is not deemed a mobile home if the assessable value of additions, attachments, annexes, foundations and appurtenances equals or exceeds fifty percent (50%) of the assessable value of the mobile home. The term "mobile home" shall not include a factory-built structure meeting the following requirements:
- (1) Intended to be set on a foundation by virtue of its construction.
 - (2) Which is normally transported only once, from the factory to the construction site.
 - (3) Which, from its very beginning, is designed to be permanently affixed to land.
- (101) Mobile Home Lot. A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.
- (102) Mobile Home Park. A parcel of land which has been developed for the placement of mobile homes and is owned by an individual a firm, trust, partnership, public or private association, or corporation. Individual lots within a mobile home park are rented to individual mobile home users. Mobile home parks are distinguished from subdivisions lacking common facilities and continuing management services. The latter would be controlled by general subdivision regulations, which would apply also to mobile home subdivisions without common open space or continuing management.
- (103) Mobile Home Subdivision. A land subdivision, as defined by Chapter 236 of the Wisconsin Statutes and any Village Land Division Ordinance with lots intended for the placement of individual mobile home units conveyed by deed to individual owners as opposed to a rental arrangement.
- (104) Modular Unit. A modular unit is a factor fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational or industrial purposes.

- (105) Motel. A facility offering services of a hotel but where the sleeping rooms are physically arranged so that most have access to outside, adjacent parking areas without passing through the lobby.
- (106) Motor Freight Terminal. A motor freight terminal is a building or area in which freight brought by motor truck is assembled and/or:- stored for routing in intrastate or interstate shipment by motor truck.
- (107) Nameplate. A nameplate is a sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.
- (108) Nonconforming Building or Structure. A nonconforming building or structure is any building or structure which:
 - a. Does not comply with all of the regulations of this Chapter or of any amendment hereto governing bulk for the zoning district in which such building or structure is located; or
 - b. Is designed or intended for a nonconforming use.
- (109) Nonconforming Use. A nonconforming use is any use of land, buildings or structures which does not comply with all the regulations of this Chapter or of any amendment hereto governing use for the zoning district in which such use is located.
- (110) Non-family Households. A group of individuals not exceeding five (5) in number who do not constitute a "family" as defined herein and who live as a single household in a dwelling unit.
- (111) Nursery School. A nursery school is a facility licensed as a day care center by the State of Wisconsin where a person or persons provide for compensation and/or consideration for service, group care for four (4) or more children under seven (7) years of age, for less than twenty-four (24) hours a day at a location other than the child's own home or the homes of relatives or guardians.
- (112) Nursing Home. An establishment used as a dwelling place by the aged, infirm, chronically ill or incurably afflicted, in which not less than three (3) persons live or are kept or provided for on the premises for compensation, excluding clinics and hospitals and similar institutions devoted to the diagnosis, treatment or the care of the sick or injured.
- (113) Office for a Professional Person. An office for a professional person is one in which services are, performed by persons engaged in a profession requiring advanced training in a recognized professional specialty and including the fields of religion, architecture, engineering, law, medicine, personal health services and instruction in the liberal or fine arts.
- (114) Parking Lot. A structure or premises containing five (5) or more parking spaces open to the public.
- (115) Parties in Interest. Includes all abutting property owners, all property owners within one hundred (100) feet, and all property owners of opposite frontages.
- (116) Public Airport. Any airport which complies with the definition contained in Section 114.013(3), Wisconsin Statutes, or any airport which serves or offers to serve common carriers engaged in air transport.
- (117) Planned Residential Development -- Dwelling. A planned residential development -- dwelling is a parcel or tract of land having an area as required in the district regulations under common management, single ownership, and which is the site for two (2) or more principal residential buildings and where regulations may be modified as regulated in this Chapter. The issuance of a permit for a planned residential development--dwelling shall require approval as provided in this Chapter.

- (118) Professional Office in a Home. A professional office in a home shall mean the office or studio in his residence or a person engaged in a recognized professional specialty and including the fields of religion, architecture, engineering, law, medicine, personal health services and instruction in the liberal or fine arts, provided that such use shall comply with all of the conditions of a home occupation, except that mechanical equipment customarily appurtenant to said profession may be used, provided no external manifestations thereof are apparent at the proper line.
- (119) Public Way. A public way is any sidewalk, street, alley, highway or other public thoroughfare.
- (120) Railroad Right-of-Way. A railroad right-of-way is a strip of land containing railroad tracks and customary auxiliary facilities for only track operation. For the purpose of this Chapter, a railroad right-of-way does not include land used or intended to be used for switching, spur, lead, team or siding tracks, freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, car yards or classification yards.
- (121) Reservoir Parking Space. Reservoir parking spaces are those off street parking spaces allocated for temporary standing of automobiles awaiting entrance to a particular establishment.
- (122) Retail. The sale of goods or merchandise in small quantities to the consumer.
- (123) Roadside Stand. A roadside stand is a temporary structure which is not permanently affixed to the ground and is readily removable in its entirety, which is used solely for the display or sale of farm products produced on the premises upon which such roadside stand is located. No roadside stand shall be more than three hundred (300) square feet in ground area and there shall not be more than one (1) roadside stand on any one (1) premise.
- (124) Row House. A place of abode not more than two (2) stories in height, arranged to accommodate three (3) or more attached living units in which each living unit is separated from the adjoining unit by an unpierced vertical occupancy separation of not less than one (1) hour fire-resistive construction, extending from the basement or lowest floor to the underside of the roof boards. Each living unit shall have separate entrances and exits leading directly to the outside.
- (125) Screening. Screening is a hedge, wall or fence to provide a visual separator and physical barrier not less than four (4) feet nor more than six (6) feet in height, unless otherwise provided for in this Chapter. (See Illustration No. 1).
- (126) Setback. (rev. 6/97) The minimum horizontal distance between the front lot line and the nearest point of the foundation of that portion of the building to be enclosed. The overhang cornices shall not exceed twenty-four (24) inches. Any overhang of the cornice in excess of twenty-four (24) inches shall be compensated by increasing the setback by an amount equal to the excess of cornice over twenty-four (24) inches. Uncovered steps shall not be included in measuring the setback. (See Illustration No. 1).
- (127) Side Yard. (rev. 6/97) A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure. (See Illustration No. 1).
- (128) Signs. Any medium, including its structure, words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profes-

- tion, business, commodity or product and which is visible from any public street or highway.
- (129) Special Use. (Rev. 4/98) A land use which must be developed per a set of requirements specifically applying to that use. Special uses shall be approved by the Village Plan Commission per the procedures set forth in Section 13-1-73, Special Use Permits.
- (130) Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof. A basement having one-half (1/2) or more of its height above grade shall be deemed a story for purposes of height regulation.
- (131) Story, Half. That portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two (2) opposite exterior walls, are not more than four and one-half (4-1/2) feet above the finished floor of such story. In the case of one (1) family dwellings, two (2) family dwellings and multi-family dwellings less than three (3) stories in height, a half (1/2) story in a sloping roof shall not be counted as a story for the purposes of this Code. (See Illustration No. 1).
- (132) Street. Property other than an alley or private thoroughfare or travelway which is subject to public easement or right-of-way for use as a thoroughfare and serves as a principal means of access to abutting property.
- (133) Street Yard. (rev 6/97) A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing street or highway right-of-way line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two (2) street yards. (See Illustration No. 1).
- (134) Structural Alterations. Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams or girders.
- (135) Structure. Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.
- (136) Temporary Structure. A movable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure, such as billboards.
- (137) Trailer. A trailer is any structure which is or may be mounted upon wheels for moving about and is propelled by its own or drawn by other motive power and which is used as a dwelling or as an accessory building or structure in the conduct of a business, trade or occupation or issued for hauling purposes.
- (138) Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by principal or accessory buildings, service driveways, off-street parking spaces and/or loading berths and is obstructed to the sky. This space of minimum prescribed dimensions shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space and other leisure activities normally carried on outdoors. Where and to the extent prescribed in these regulations, balconies and roof areas designed and improved for outdoor activities may also be considered as usable open space. Ground level for this purpose may include open terraces above the average level of the adjoining ground, but not including a permanently roofed-over terrace or porch.

- (139) Use. The purpose or activity, for which the land or building thereof is designed, arranged or intended, or for which it is occupied or maintained.
- (140) Use, Accessory. A subordinate building or use which is located on the same lot on which the principal building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such building or main use, when permitted by district regulations.
- (141) Use, Conditional. A conditional use is a use which, because of its unique or varying characteristics, cannot be properly classified as a permitted use in a particular district. After due consideration, as provided for in this Chapter, of the impact of such use upon neighboring land and of the public need for the particular use at a particular location, such conditional use may or may not be granted.
- (142) Use, Permitted. A permitted use is a use which may be lawfully established in a particular district or districts provided it conforms with all requirements and regulations of such district in which such use is located.
- (143) Use, Principal. The main use of land or building as distinguished from subordinate or accessory use.
- (144) Utilities. Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays and gas regulation stations inclusive of associated transmission facilities, but not including sewage disposal plants, municipal incinerators, warehouses, shops, storage yards and power plants.
- (145) Vision Clearance. An unoccupied triangular space at the street corner of a corner lot which is bounded by the street lines and a setback line connecting points specified by measurement from the corner on each street line.
- (146) Yard. An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except the vegetation. The street and rear yards extend the full width of the lot.
- (147) Yard, Front. A yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building. The side where the address is shall be considered the front yard.
- (148) Yard, Rear. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building.
- (149) Yard, Side. That part of the yard lying between the main building and a side lot line, and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard.
- (150) Zero Lot Line. The concept whereby two (2) respective dwelling units within a building shall be on separate and abutting lots and shall meet on the common property line between them, thereby having zero space between said units.
- (151) Zoning Permit. A permit issued by the Zoning Administrator to certify that the use of lands, structures, air and waters subject to this Chapter are or shall be used in accordance with the provisions of said Chapter.

SEC. 13-1-201 THROUGH SEC. 13-1-219 RESERVED FOR FUTURE USE.

ILLUSTRATION NO. 1
LOCATION OF YARDS ON TYPICAL
INTERIOR, CORNER AND DOUBLE FRONTAGE LOTS