

7.05 SUPPLEMENTARY REGULATIONS

- (1) **General Application.** The regulations set forth herein shall supplement or modify the regulations set forth in 7.05 Schedule of District Regulations.
- (2) **Lots and Yards.**
 - (a) **Through Lots and Corner Lots.** On through lots or lots with double frontage, the required front yard shall be provided on each street. On corner lots, the street side yard shall be equal the required front yard for lots fronting on that street.
 - (b) **Development in Mapped Streets.** Where an official line has been established for the future widening or opening of a street, the depth of a front yard or the width of a side yard shall be measured from such official line to the nearest line of the building.
 - (c) **Access.** *Except as provided below, every building housing a principal use hereafter erected or moved shall be on a lot which fronts or abuts a public street and has direct vehicular access to that public street for a distance of at least 33' and be so located as to provide safe and convenient access for servicing and off-street parking. Direct access does not include the use of easements. Fee simple title to the access to a public roadway must be the same as the building title. Notwithstanding the foregoing direct requirement, the Town may require indirect access by easement between and among adjoining industrial and commercial parcels or by public frontage road to minimize access points and optimize the location of access points to facilitate traffic flow and promote safe ingress and egress. 8-14-06*
 - (d) **Building Groups.** In any non-residential district, a group of buildings separated only by common or party walls shall be considered as one building.
 - (e) **Yard Encroachment.** Every part of every required front and side yard shall be open and unobstructed by

structures from 30 inches above the general ground level of the graded lot upward to the sky except as hereinafter provided or as otherwise permitted in these regulations.

- (1) Roof eaves may project into a required side yard not more than 2 feet.
- (2) Fire escapes, stairways and balconies whether unroofed, open and unenclosed or enclosed shall not intrude into required yards.

(f) **More Than One Building on a Lot.** *In any Commercial, Industrial or Business Park district, more than one building housing a principal use may be erected on a single lot, provided that yard and other requirements of these regulations shall be met for each building as though it were on an individual lot. 9-13-04*

(3) **Accessory Uses and Structures**

(a) **Accessory Building Number Limits.** In any residential district, in addition to the principal building, a detached garage or attached garage and one additional accessory building may be placed on a lot. No accessory building shall be built on a lot without a principal building.

(b) **Attached Accessory Buildings.** All accessory buildings that are attached to the principal building shall comply with the yard requirements of the principal building.

(c) **Detached Accessory Buildings.** No detached accessory building shall occupy more than 30 percent of the yard it is in, or be located within 12 feet of any building. Setbacks as per the zoning district.

(4) **Fences, Hedges and berms.** For the purpose of this Section, a "fence" is herein defined as an enclosed barrier consisting of vegetation, *earthen materials(3-12-07)*, wood, stone or metal intended to prevent ingress or egress. For the purpose of this Section, the term "fence" shall include plantings, such as hedges, berms and shrubbery. No fence

shall be constructed of unsightly or dangerous materials that would constitute a nuisance. *Parcels zoned agricultural of over five acres would be exempt from the requirements of this ordinance. 3-12-07*

For the purpose of this ordinance, all measurements are taken from property lines (this is not the curb or the blacktop of the road - it is specifically the property line). 3-12-07

- (a) **Approval required.** *No person shall erect or construct any fence unless specifically exempted by the provisions of this ordinance on any property in the Town of Greenville without having first obtained approval from the Town of Greenville and having submitted the proper information, which may include drawings, plot plan, fence detail or any other information deemed necessary. 3-12-07*
- (b) **Installation of Fences.** *All fences shall be maintained and kept safe and in a state of good repair and the finished side or decorative side of a fence shall face adjoining property.*
- (c) **Setback for Residential Fences.** *Fences in or adjacent to a residential property may be constructed along lot lines as per 7.05 (4)(c) and 7.05 (8).*
- (d) **Height of Fences Regulated.** *Notwithstanding other provisions of these regulations, ornamental fences, walls, berms and hedges may be permitted in any yard provided no such fence, wall, berm or hedge shall exceed a height of forty-two (42) inches in the entire area of any required front. The required front yard is the same as the required building setback for a principal structure as per the zoning district it is located in. All street sides are considered front yards and no such fence, wall, or hedge shall exceed a height of six (6) feet in any other required yard. Eight (8) feet will be allowed on Industrial and commercial sites as per Planning Commission approval. 3-12-07*

- (e) **Security Fences.** Security fences are not permitted in any required front yard in any district. Security fences are permitted on side and rear property lines in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.
- (f) **Prohibited Fences.** No fence shall be constructed which *creates or is* in a dangerous condition or which uses barbed wire, provided however, that barbed wire may be used in industrially and airport zoned areas if the devices securing the barbed wire to the fence are eight (8) feet above the ground in height. Devices securing barbed wire attached to fences placed on a property line shall not project over said line. Barbed wire may not be used in residential areas. Electric fences are allowed in exclusive or general agricultural districts except when it can be shown a dangerous condition will result.
- (g) **Temporary Fences.** Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section and shall not be erected for more than forty-five (45) days.
- (h) **Non-conforming Fences and Hedges.** Any fence or hedge existing on the effective date of the Code of Ordinances and not in conformance with this Section may be maintained, but all alterations, modifications or improvements of said fence shall comply with the Section.
- (i) **Conditional Use Fence Permits.** *Permission to deviate from the height, size, material, design, or setback may be considered by the Town of Greenville Planning Commission. Application with fee and all supporting documentation must be submitted to the Town. The Planning Commission may grant the request for a Conditional Use Fence*

Permit upon finding that the property owner has shown clear and convincing evidence that the applicant has a legitimate need for the permit. Fee as per fee schedule. 3-12-07

(5) **Storage of Firewood in Residential Districts.**

No person shall store in the open more than three full cords of firewood in any residential district. No firewood shall be stored in any required front yard or closer than two (2) feet to any residential lot line.

(6) **Telephone, Television, Natural Gas and Power Transmission**

lines may be constructed within the setback line, and additions to and replacements of existing lines may be made, provided that the utility owner first file with Outagamie County, in the case of a County Highway, and the Town of Greenville, in the case of a Town Road, an agreement in writing that they will remove at their expense all new lines, additions and replacements constructed after the effective date of this amendment, when such removal is necessary for the improvement of the highway/road.

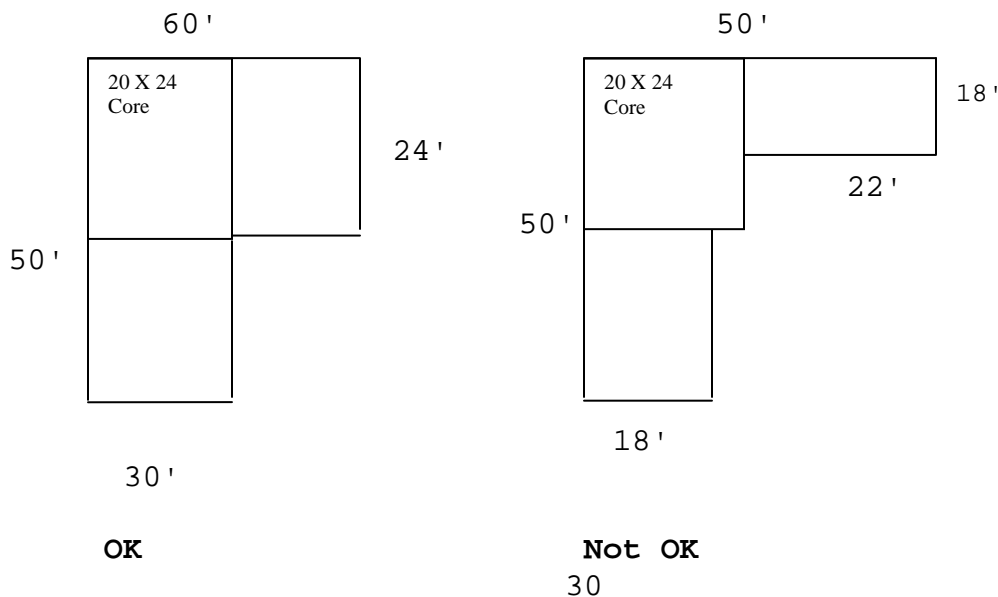
(7) **Height Exceptions.** Height limitations do not apply to belfries, cupolas, water tanks, elevator bulkheads, chimneys, spires, flagpoles or other appurtenances usually required to be placed above the roof level and not intended for human occupancy. These heights are not to exceed airport limitations.

(8) **Corner Visibility.** On any corner lot in all zoning districts, no fence, wall, hedge, planting, object or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two and one half (2 ½) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the right of way lines of such corner lots and a line joining the point along said right of way line (15) feet from the point of intersection.

(9) **Requirements for Single Family and Duplex Dwellings.**

(a) No single family dwelling or duplex dwelling shall be erected or installed in a zoning district within the Town of Greenville except the mobile/manufactured home district unless it meets all of the following criteria:

- (1) The dwelling shall be set on a full basement or crawl space which meets the standards set forth in subchapters III, IV and V of Chapter Comm. 21, Adm. Code. The Building Inspector may require a plan certified by a registered architect or registered professional engineer to be submitted in order to ascertain that a proposed enclosed foundation system provides proper support for the structure.
- (2) The structure shall have a minimum living area of at least 1056 square feet and a minimum width of 25 feet.
- (3) The structure shall have a core area of living space at least 20 feet by 24 feet in size to insure that adequate width exists.



- (4) All on-site construction shall be in compliance with all of the following:
 - (a) Comm 21, Admin. Code, the Uniform Dwelling Code.
 - (b) Comm 81 through 84, Wis. Admin. Code, the Plumbing Code.

(c) Comm 16, Wis. Admin. Code, the electrical code.

(5) The structure shall have a pitch with a minimum slope of 4/12 and eaves extending outward a minimum of 16 inches beyond the nearest vertical wall (excluding dormers and overhangs at gable ends. On homes of 1 ½ story or more or which have a roof pitch of 7/12 or steeper, this minimum overhang requirement shall be decreased to 12 inches).

(6) The structure shall be roofed with asphalt, metal, fiberglass, woodshake, clay or cement shingles.

(b) The Town Plan Commission may grant a Special Exception Permit upon application and payment of fees for a deviation from the requirements of 5 and 6 if such granting of that Special Use will not have an adverse aesthetic or pecuniary impact on the surrounding neighborhood and/or the value of nearby properties.

(10) **Keeping of Animals.**

Household Pets. Household pets are permitted in all districts provided that not more than three dogs shall be kept and that no pets are bred or reared for commercial purposes on any lot or parcel where the principal use is residential. Offspring of household pets may be kept and sold from the premises for a period not to exceed eight months after birth.

(11) **Home Occupations**

(a) **Intent** - The intent of this Section is to provide a means to accommodate a small family home-based business or professional home office as a permitted or

conditional use without the necessity of a rezone into a commercial district. Approval of an expansion of a limited family business or home occupation at a future time beyond the limitations of this Section is not to be anticipated; relocation of the business to an area that is appropriately zoned may be necessary.

Home occupations shall comply with the following general conditions:

- (1) Home occupations shall be permitted only after Planning Commission approval following the procedure for special exceptions in Section 7.23.
- (2) The total area devoted to such home occupations shall not exceed 20 percent of the building area of the dwelling unit involved.
- (3) A home occupation shall produce no offensive noise, vibration, dust, odors, smoke, heat, pollution, glare, or radio, electrical or television interference or otherwise produce a nuisance as determined by the Planning Commission.
- (4) No materials, which decompose by detonation, shall be allowed in conjunction with a home occupation.
- (5) No home occupation shall be permitted which changes the outside appearance of the dwelling or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, non-illuminated, mounted flat against the wall of the principal building.
- (6) Materials used in or produced by a home occupation may not be stored or displayed outside the dwelling.
- (7) No person other than members of the family residing on the premises shall be engaged in such occupation.
- (8) Retail and wholesale sales shall be prohibited except for the retail or wholesale sales of products or goods produced or fabricated on the premises as a result of the home occupation.
- (9) The applicant shall demonstrate that there is sufficient off-street parking available to the

home occupation. All vehicular parking for both the residence and the home occupation shall be located on the premises.

- (10) A home occupation shall be carried on wholly within the principal dwelling. No home occupation or any storage of goods, materials, or products connected with a home occupation shall be allowed in any accessory building attached or detached.
- (11) Home occupation uses shall meet all applicable fire and building code safety requirements.
- (12) No home occupation involving visits to the site of the home occupation by customers or the loading or unloading of business-oriented material shall be operated between the hours of 8:00 p.m. and 8:00 a.m.
- (13) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
- (14) Every home occupation shall be subject to periodic, unannounced inspection by the Zoning Administrator in response to complaints or to ensure compliance with this Ordinance.
- (15) The following uses are prohibited as home occupations:
 - (a) Animal hospitals or pet boarding.
 - (b) Automobile or other motor vehicle repair or paint shops.
 - (c) Dance studios for more than six (6) students.
 - (d) Gift shops.
 - (e) Gun or ammunition sales.
 - (f) Private clubs.
 - (g) Restaurants.

- (h) Small engine repair shops.
- (i) Stables or kennels.
- (j) Tourist homes or boarding houses.
- (k) Any other home occupations not meeting the criteria established by this Ordinance.

(b) **Permitted Use Exception.**

- (1) A home occupation or professional home office under this Section may be maintained in any residential or agricultural district as a permitted use, as opposed to a special use, if the standards of this section are complied with, and no sign is erected or maintained regarding the home occupation, no customers regularly come to the house, there is no advertising, and the business is service oriented and not engaged in retail trade on the premises.
- (2) Home-based hair and beauty salons shall require issuance of a special use permit.
- (3) Farm produce stands are allowed as specified in the general agricultural district.

(12) **Common Open Space.**

- (a) **Nature.** Common open space shall not include street right of ways, driveways, parking areas or yards required in connection with any buildings.
- (b) **Buildings and Structures.** Common open space areas may contain complementary buildings and structures appropriate for the recreational use and enjoyment of the residents of the development for which it was established.
- (c) **Reservation.** When common open space or any portion thereof is to be reserved for the exclusive use and enjoyment of the residents of the development from which it was established, the developer shall establish conditions as to the ownership, maintenance, and use of such areas as deemed necessary to assure

preservation of its intended purposes. Land designated as common open space shall be restricted by appropriate legal instrument as open space perpetually or for a period of not less than ninety-nine years. Such instrument shall be binding upon the developer, his successors and assigns, and shall constitute a covenant running with the land, and be recorded as a condition of approval.

- (d) **Maintenance.** In the event that common open space is improperly maintained, the Town may serve written notice upon any property owner or association setting forth the manner in which such property owners or association has failed to maintain the common open space and demand maintenance deficiencies to be corrected within 30 days. If the deficiencies as originally set forth or subsequently modified are not corrected within 30 days, the Town may enter upon such common open space and correct maintenance deficiencies. The cost of such maintenance shall be assessed equitably against the properties within the development that have the right to use the area and shall become a tax lien on said properties. The Town shall file notice of any liens in the office of the Town Clerk.

- (13) **Display of vehicles and equipment** *No parcel or contiguous parcel under single ownership shall display more than one vehicle or one piece of equipment (boat, camper, trailer or items of a similar nature) for sale at any one time for no more than 6 (six) months. Any such item on display for sale shall not be located less than 15' (fifteen feet) from the right-of-way.*

11-12-07