

Village of Highland Zoning Ordinance

**Prepared by:
Village of Highland Plan Commission
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**Adopted by:
Village of Highland Village Board
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Theresa Michek, Clerk**

**Adopted August 2004
Amended June 2006, January 2007,
October 2010**

**Technical Assistance Provided by:
Southwestern Wisconsin Regional Planning Commission**

SECTION 1.0 INTRODUCTION

1.01 AUTHORITY

These regulations are adopted under the authority granted by Sections 61.35 and 62.23 of the Wisconsin Statutes, Therefore, the Village Board of Highland, Wisconsin, does ordain as follows:

1.02 PURPOSE

The purpose of this Ordinance is to promote the health, safety, morals, prosperity, aesthetics, and general welfare of this community.

1.03 INTENT

It is the general intent of this Ordinance to regulate and restrict the use of all structures, lands, and water; regulate and restrict lot coverage population distribution and density, and the size and location of all structures so as to: lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic, and other dangers; provide adequate light, air, sanitation, and drainage; facilitate the adequate provision of public facilities and utilities; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; and implement the community's comprehensive plan or plan components. It is further intended to provide for the administration and enforcement of this Ordinance and to provide penalties for its violation.

1.04 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to laws. However, wherever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

1.05 INTERPRETATION

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

1.06 SEVERABILITY

If any section, clause, provision, or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.07 REPEAL

All other ordinances or parts of ordinances of the Village inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed.

1.08 TITLE

This ordinance shall be known as, referred to, or cited as the "Zoning Ordinance, Village of Highland, Wisconsin."

1.09 EFFECTIVE DATE

This ordinance shall be effective after a public hearing, adoption by the Village Board of Trustees, and publication or posting as provided by law.

*Date of Publication/Posting: **August 2, 2004***

SECTION 2.0 GENERAL PROVISIONS

2.01 JURISDICTION

The jurisdiction of this ordinance shall include all lands and waters within the corporate limits of the Village of Highland.

2.02 VILLAGE PLAN COMMISSION DESIGNATED

A Village Plan Commission is hereby created to carry out the intent of the Village of Highland Comprehensive Plan and Zoning Ordinance. Chapter 62.23 of the Wisconsin Statutes shall prescribe the make up of the commission and its powers and duties.

2.03 ZONING ADMINISTRATOR DESIGNATED

The office of Zoning Administrator is hereby created as the administrative and enforcement officer for the provisions of this ordinance. The duties of the Zoning Administrator shall be to interpret and administer this ordinance and to issue, after on-site inspection, all approvals required by this ordinance. The Zoning Administrator shall investigate all complaints, give notice of violations, issue orders to comply with the zoning ordinance, and assist the Village Attorney in the prosecution of ordinance violators.

2.04 COMPLIANCE

No structure, land, or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit, and without full compliance with the provisions of this ordinance and all other applicable Village, County, and State regulations.

2.05 ZONING APPROVALS

Zoning approval shall be required for all new structures, exterior renovation, interior alterations, demolition, placement of signs, and changes in land use unless specifically accepted by this ordinance. Applications for zoning approval shall be made to the Zoning Administrator and shall include the following information where it may apply:

Name and Addresses of the applicant, owner of the site, architect, professional engineer, or contractor.

Description of the Subject Site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure, existing and proposed operation or use of the structure or site; number of employees; the zoning district within which the subject site lies.

Site Plan showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements streets, and other public ways; off-street parking, loading areas, and driveways; existing highway access restrictions existing and proposed street, side, and rear yards. In addition the site plan shall show the location, election, and use of any abutting lands and their structures within 40 feet of the subject site.

Water Supply/Sewage Disposal – all new residential, commercial, and industrial structures shall be served by public water and sewer systems.

Additional Information as may be required by the Village Plan Commission or the Village Zoning Administrator.

Zoning Approval shall be granted or denied in writing by the Zoning Administrator within 30 days. The approval shall expire within 6 months unless substantial work has commenced. Any approval given in conflict with the provisions of this ordinance shall be null and void.

2.06 FEE RECEIPT

From the Village Treasurer, the fee to be computed in accordance with Village resolution.

2.07 USES NOT REQUIRING ZONING APPROVAL

- (1) Any small, movable accessory or erection or constriction such as bird houses, pet houses, play equipment, arbors; said minor structures shall be limited to 16 square feet in floor space.
- (2) Walls and fences fewer than 3 feet in height; however, no fences or walls fewer than 3 feet in height shall be located within 6 inches of a street right-of-way.
- (3) Private sidewalks and driveways poured or formed patios, decks, and walkways that do not exceed 6 inches in height above ground level.

2.08 SITE RESTRICTIONS

No land shall be used or structure erected where the land is held unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibilities, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of this community. The Zoning Administrator, in applying the provisions of this section, shall in writing recite the particular facts upon which he/she bases their conclusions that the land is not suitable for certain uses. The applicant shall have an opportunity to appeal a finding of such unsuitability to the Board of Zoning Appeals if he so desires. Thereafter, the Zoning Administrator may affirm, modify, or withdraw the determination of unsuitability.

All Lots shall abut upon a public street, and each lot shall have an absolute minimum frontage of 50 feet, except in the case where the downtown design overlay district applies.

All Principal Structures shall be located on a lot; and only on principal structure shall be located, erected, or moved onto a lot.

No Zoning Approval shall be granted for a lot that abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

Solar Access shall be protected in the following manner, lot structure, whether Principal Use or Accessory Use; and lot plan materials, whether trees, shrubs, or other; and no permanently-fixed equipment shall be of such a height that it would cast a shadow during daylight between 9 a.m. and 3 p.m. of the winter solstice on any portion of another building or the buildable area of a parcel if no building exists. Compliance with this standard must be graphically shown in application for zoning approval.

2.09 USE RESTRICTIONS

The following use restrictions and regulations shall apply:

Principal Uses: Only those principal uses specified for a district, their essential services, and the following uses shall be permitted in a designated district.

Accessory Uses: Structures are permitted in any district but not until their principal structure is present or under construction. Residential accessory uses shall not involve the conduct of any business, trade, or industry. Accessory uses include incidental repairs; storage; parking facilities; gardening; servant's, owner's itinerant agricultural laborer's, and watchman's quarters not for rent; private swimming pools; and private emergency shelters.

Conditional Uses: Their accessory uses are considered as special uses requiring review, public hearing, and approval by the Village Plan Commission in accordance with Section 4.0 of this ordinance.

Unclassified or Unspecified Uses: May be permitted by the Village Plan Commission provided that such uses are similar in character to the principal uses permitted in the district.

Temporary Uses: Such as real estate sales field offices or shelters of materials and equipment being used in the construction of a permanent structure, may be permitted by the Planning Commission.

2.10 MOBILE HOMES

No mobile homes, other than non-confirming structures, shall be permitted to be used as permanent residences within the Village unless they are located in a mobile home park. (See also Section 3.06 and 8.0.)

2.11 REDUCTION OR JOINT USE

No lot, yard, parking area, building area, or other space shall be reduced in area or dimension so as not to meet the provisions of this ordinance. No part of any lot, yard, parking area, or other space required for structure or use shall be used for any other structure or use.

2.12 VIOLATIONS

It shall be unlawful to construct or use any structure, land, or water in violation of any of the provisions of this ordinance. In case of any violation, the Board of Trustees, the Zoning Administrator, the Village Plan Commission, or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this ordinance.

2.13 PENALTIES

Any person, firm, or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit \$200 per day for each violation that exists, and costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

SECTION 3.0 ZONING DISTRICTS

3.01 ESTABLISHMENT

For the purpose of this ordinance, the Village of Highland is hereby divided into the following zoning districts. In addition, a Conservancy district is also established, as well as a Planned Unit Development District.

R-1 Single Family Residential District
R-2 One and Two Family Residential District
R-3 Multiple Family Residential District
R-4 Mobile Home Residential District
R-5 Mixed Multi Family --- Light Commercial District
B-1 Retail Business District
B-2 Wholesale and Service Business
B-3 Highway Business District
M-1 Industrial District
A-P Agricultural Preservation District
A-H Agricultural Holding District
A-T Agricultural Transition Areas
C-1 Conservancy District
PUD Planned Unit Development District

Boundaries of These Districts are hereby established as shown on maps entitled “Zoning Map, Village of Highland, Wisconsin” which accompany and are part of this ordinance. Such boundaries shall be construed to follow: corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements, and railroad rights-of-way or such lines extended; unless otherwise noted on the zoning map.

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

Annexations to or consolidations within the Village subsequent to the effective date of this ordinance shall be placed in the A-T Agricultural Transition District unless the annexation ordinance places the land in another district. Within 90 days, the Village Plan Commission shall evaluate and recommend a permanent district classification to the Village Board.

3.02 ZONING MAP

A certified copy of the zoning map shall be adopted and approved with the text as part of this ordinance and shall bear upon its face the attestation of the Village Clerk and shall be available to the public in the office of the Village Clerk.

Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.

3.03 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The R-1 Single-Family Residential District is to provide for low-density, detached single-family homes.

Permitted Uses: Single family detached residences; residential day care facilities; horticulture and gardening, but not including commercial greenhouses; essential facilities and services; accessory uses such as private garages and carports and paved parking areas when located on the same lot and not including the conduct of business, except as permitted household occupation or conditional use, provided that no such garage or other accessory building shall be erected prior to the execution of the principal building to which it is accessory.

Conditional Uses: Elementary and secondary schools; commercial day care facilities; churches, farm buildings on an existing farm, provided farm buildings shall be kept at least 200 feet from the nearest residence on a non-farm lot; accessory uses; and permitted home occupations and professional offices when incidental to the principal residential use, situated on the same property, and carried on by the residential occupant, subject to the following conditions:

- (1) Such use shall not occupy more than 50 percent of the classified floor area of the principal building in which it is located.
- (2) Such use shall not employ more than one person not a resident on the premises.
- (3) Any off-street parking area shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.
- (4) Such use shall not include the conduct of any retail or wholesale business on the premises, or the removal of sand, gravel, stone topsoil, or peat moss for commercial purposes.
- (5) Such use shall not include the operation of any machinery, tools, or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding residential area.

WITHIN THE R-1 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet from the edge of the street R.O.W. Line In addition, it should be noted that no accessory building or detached garage should be constructed in the front yard area of any residential property.
Minimum Rear Yard Setback	Principal Buildings: 25 feet Accessory Buildings: 5 feet
Minimum Side Yard Setback	Principal Buildings: 10 feet on each side Detached Garage: 10 feet on each side Storage buildings are only permitted in the rear yard and shall be no larger than 120 square feet in area, and shall be set back at least 5 feet from the side property line and 5 feet from the rear property line.
Minimum Lot Width	80 feet
Minimum Lot Area	9,000 square feet
Percent of Lot Coverage	Maximum 30%
Minimum Floor Area	960 square feet (single story) 1440 square feet (two story)
Maximum Building Height	35 feet (and no more than 2 ½ stories)

3.04 R-2 ONE AND TWO FAMILY RESIDENTIAL DISTRICT

The R-2 One and Two Family Residential District is to provide for one and two family residences or duplexes within the Village limits of Highland.

Permitted Uses: Single family detached residences; horticulture, but not including commercial greenhouses; charitable or non-profit institutions and facilities; accessory uses; permitted uses in the R-1 District.

Conditional Uses: Two-family units; rooming and boarding houses; public buildings, except sewage plants, garbage incinerators, warehouses, shops, and storage yards; clubs, lodges, and meeting places of a non-commercial nature; rest homes, nursing homes, and other group home facilities; historic sites; libraries, museums, and art galleries; hospitals and clinics; funeral homes; cemeteries; bed and breakfast establishments; and uses customarily incidental to any of the above uses provided that no such use generates traffic or noise that would create a public or private nuisance; home occupations and professional offices, subject to conditions set forth under Section 3.03; and all conditional uses in the R-1 District.

WITHIN THE R-2 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet from the edge of the street R.O.W. Line In addition, it should be noted that no accessory building or detached garage should be located in the front yard area of any residential property.
Minimum Rear Yard Setback	Principal Buildings: 20 feet Accessory Buildings: 5 feet
Minimum Side Yard Setback	Principal Buildings: 8 feet on each side Detached Garage: 8 feet on each side Storage buildings are only permitted in the rear yard and shall be no larger than 120 square feet in area, and shall be set back at least 5 feet from the side property line and 5 feet from the rear property line.
Minimum Lot Width	65 feet
Minimum Lot Area for Single-Family Unit	7,500 square feet
Minimum Lot Area for Two-Family Unit	Minimum of 15,000 square feet for new two-family structures; minimum of 11,000 square feet for two-family structures on lots of record if converting an existing single-family structure to a two-family.
Percent of Lot Coverage	Maximum 30%
Minimum Floor Area for Single Family Home	960 square feet (single story) 1400 square feet (two story)
Minimum Floor Area for Two-Family Structures	750 square feet/unit
Maximum Building Height	40 feet (or 3 stories)

3.05 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The R-3 Multi-Family Residential District allows one or two family residences as permitted uses, and apartment housing with a conditional use permit.

Permitted Uses: One or two-family residential units, horticulture, but not including commercial greenhouses; charitable or non-profit institutions and facilities; accessory uses; permitted in the R-1 and R-2 Districts.

Conditional Uses: Multi-family residential structures; rooming and boarding houses, public buildings, except sewage plants, garbage incinerators, warehouses, shops and storage yards; clubs, lodges, and meeting places of a non-commercial nature; rest homes, nursing homes, and other group home facilities; historic sites; day care facilities; libraries, museums, and art galleries; hospitals and clinics; funeral homes; cemeteries; uses customarily incidental to any of the above uses provided that no such use generates occupations and professional offices, subject to conditions set forth under Section 3.03; and all conditional uses in the R-1 and R-2 Districts.

WITHIN THE R-3 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet from the edge of the street R.O.W. Line
	In addition, it should be noted that no accessory building or detached garage should be located in the front yard area of any residential property.
Minimum Rear Yard Setback	Principal Buildings: 20 feet Accessory Buildings: 5 feet
Minimum Side Yard Setback	Principal Buildings: 8 feet on each side Detached Garage: 8 feet on each side
	Storage buildings are only permitted in the rear yard and shall be no larger than 120 square feet in area, and shall be set back at least 5 feet from the side property line and 5 feet from the rear property line.
Minimum Lot Width	65 feet
Minimum Lot Area for Single-Family Unit	7,500 square feet
Minimum Lot Area for Two-Family Unit	15,000 square feet
Minimum Lot Area for Multi-Family Unit	Minimum of 15,000 square feet with 3,500 square feet per efficiency, 4,000 square feet per one and 4,500 square feet per two-bedroom unit
Percent of Lot Coverage	Maximum 30%
Minimum Floor Area for Single Family Home	960 square feet (single story)
	1400 square feet (two story)
Minimum Floor Area for Two-Family Unit	750 square feet/unit
Minimum Floor Area per Family for Multi-Family Unit	600 square feet/unit
Maximum Building Height	40 feet (or 3 stories)

3.06 R-4 MOBILE HOME RESIDENTIAL DISTRICT

The R-4 Mobile Home Residential District is intended to provide area for planned mobile home parks within the Village of Highland.

Permitted Uses: Mobile home parks, which are developed exclusively for mobile home usage with the exception of community buildings, laundry facilities, or other common use buildings, which are ancillary to the residential use of the development.

Conditional Uses: None

Regulations and Standards: For regulations and standards, which apply to the R-4 Mobile Home District, refer to Section 8.0, which lists the mobile home park requirements.

3.07 R-5 MIXED MULTI FAMILY – LIGHT COMMERCIAL DISTRICT

The purpose of this district is to encourage the grouping of compatible businesses that will aid in further developing the vacated high school property area as a multi-family and retail service center.

Permitted Uses: Art studios, galleries and supply stores; antique shops; audio/visual studios,; apartments; appliance stores; aquariums and aquariums supply stores; auctioneers; auto parts store; retail bakery shops; barber shops and beauty parlors; bank and other financial institutions; book stores, business and professional offices; candy and ice cream stores; caterers; charitable or non-profit institutions and facilities; churches; clothing stores & clothing repair shops; clinics; clubs; confectioneries; day care facilities; delicatessens; department stores; drug stores; electrical supply stores; fitness centers; floral and gift shops; food stores; funeral homes; furniture stores; government and cultural uses; greenhouses; halls, auditoriums and banquet facilities; hotels and motels; jewelry stores; libraries; martial arts studios; medical clinics; museums; newspaper offices; opticians and optical stores; paint stores; parking facilities; photographic studios; restaurants; school supply stores; shops; showrooms; small animal hospitals; special trade contractors; tourist information and hospitality centers; upholsterer’s shops; utilities; variety stores; woodworking shops.

Conditional Uses: Inside storage; outside storage; machine shops; repair shops; and any other similar uses not specifically listed above which are consistent with the purpose and intent of this district

Prohibited Uses: Agricultural equipment sales and service; automobile sales and repair services; cocktail lounges and taverns.

WITHIN THE R-5 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet
Minimum Rear Yard Setback	25 feet
Minimum Side Yard Setback	10 feet
Minimum Lot Width	100 feet
Minimum Lot Area	20,000 square feet
Maximum Building Height	40 feet (or 3 stories)

3.08 RETAIL BUSINESS DISTRICT

The purpose of this district is to encourage the grouping of compatible businesses that will aid in further developing the downtown area as a retail service center.

Permitted Uses: Art and school supply stores; automotive servicing repairs and sales; antique shops; hotels and motels; appliance stores; barber shops and beauty parlors; bank and other financial institutions; business and professional; candy and ice cream stores; caterers; clothing repair shops; clinics; clubs; cocktail lounges; confectioneries; delicatessens; department stores; drug stores electrical supply; food stores; furniture stores; jewelry stores; medical clinics; newspaper offices; opticians and optical stores; paint stores; retail only; parking facilities; photographic studios; professional offices; small animal hospitals; taverns, with permit by City or Village Board; tourist information and hospitality centers; funeral homes; upholsterer’s shops; government and cultural uses; utilities; churches; variety stores, and any other similar retail uses not specifically listed above which are compatible with established uses on adjoining properties. Also dwelling units above the ground floor.

Conditional Uses: Vehicle sales.

WITHIN THE B-1 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	None
Minimum Rear Yard Setback	10 feet
Minimum Side Yard Setback	Fireproof construction: None Non-Fireproof construction: 11 feet
Minimum Lot Width	Fireproof construction: 25 feet Non-Fireproof construction: 45 feet
Minimum Lot Area	8,500 square feet
Maximum Building Height	40 feet (or 3 stories)

3.09 B-2 WHOLESALE AND SERVICE BUSINESS DISTRICT

The purpose of this district is to provide an area for wholesale and service businesses that have large land area requirements. It is intended that the uses permitted in this district will not detract from the potential of revitalizing the downtown business district.

Permitted Uses: Lawn and garden services; agricultural services; general building contractors; general contractors - - heavy construction; special trade contractors; motor freight transportation and warehousing; wholesale trade, durable goods and non-durable goods; retail trade - - building materials, lawn and garden supply, boat dealers, recreation and utility trailer dealers, automotive repair, services, and garages; miscellaneous repair services; bowling alleys, pool halls, handball, racket ball clubs, cement plants, bulk oil dealers, and beer distributors.

Conditional Uses: Any other land extensive business uses not specifically listed above that are consistent with the purpose and intent of this district.

WITHIN THE B-2 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet
Minimum Rear Yard Setback	25 feet
Minimum Side Yard Setback	10 feet
Minimum Lot Width	65 feet
Minimum Lot Area	8,500 square feet
Maximum Building Height	75 feet (or 3 stories)

3.10 B-3 HIGHWAY BUSINESS DISTRICT

The purpose of this district is to provide for principally motor vehicle oriented or dependent commercial activities that cater to the traveling public, and require larger land areas than can normally be found in the downtown business district. Lot dimensional requirements are established to provide for the orderly grouping of commercial uses and for adequate off-street parking.

Permitted Uses: Service stations and automobile repair places; motels; restaurants and drive-in establishments serving food or beverages; tourist information and hospitality centers; and convenience stores.

Conditional Uses: Any other highway commercial activities similar to above that cater to the traveling public; vehicle sales; car washing and upholstery shops; bowling alleys; small motor sales and/or service; farm machinery and equipment sales and service; food locker plants; wholesaling and warehousing; lumber yards; and veterinary clinics.

WITHIN THE B-3 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	50 feet
Minimum Rear Yard Setback	40 feet
Minimum Side Yard Setback	20 feet
Minimum Lot Width	80 feet
Minimum Lot Area	12,000 square feet
Maximum Building Height	3 stories or 50 feet

3.11 M-1 INDUSTRIAL DISTRICT

The purpose of this district is to provide appropriate areas within the Village limits for manufacturing and related activities that strengthen the Village’s economic base and that are not incompatible with other land uses in the Village.

Permitted Uses: Manufacture, fabrication, packing, packaging, and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textile, and wood; manufacture, fabrication, processing, packaging, and packing of confections, cosmetics, electrical appliances, electronic devices, food (except cabbage, fish, and pea vines), instruments, jewelry, pharmaceuticals, tobacco, and toiletries; freight yards, freight terminals, and trans-shipment depots; inside storage; and any similar uses not specifically listed.

Conditional Uses: Retail sales; agricultural services; retail trade–building materials; bulk oil dealers; motor freight transportation and warehousing; mini-storage; general building contractors; miscellaneous repair services; disposal areas, incinerators, and sewage disposal plants; manufacturing establishments that require outside storage areas that may be objectionable to surrounding land uses. The Village Board may require solid fencing or evergreen plantings to screen objectionable outside storage areas from other properties or from the public right-of-way.

Prohibited Uses: Residential, education, or institutional uses except a dwelling for a watchman employed on the premises and members of his family; uses in conflict with village or state ordinances governing nuisances; abattoirs, except for slaughter of poultry; acid manufacture; cement, lime, gypsum, or plaster of paris manufacture; distillation of bones; explosives manufacture or storage; fat rendering; fertilizer manufacture; dead animal reduction or dumping; glue manufacture; junk yards; petroleum refining.

WITHIN THE M-1 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	Principal building: 25 feet
Minimum Rear Yard Setback	Principal building: 25 feet Accessory building: 25 feet
Minimum Side Yard Setback	Principal building: 20 feet Accessory building: 10 feet
Minimum Lot Width	100 feet
Minimum Lot Area	20,000 square feet
Percent of Lot Coverage	50 %
Maximum Building Height	50 feet (2 stories)
Required Buffer Strips	Where the M-1 Industrial District abuts or adjoins along a street line opposite a residential district, a buffer strip of not less than 15 feet shall be provided. Plan materials at least 6 feet in height of such variety and growth habits as to provide a year-round effective visual screen when viewed from the residential district shall be planted within the buffer strip.

3.12 A-P AGRICULTURAL PRESERVATION DISTRICT

The purpose of this district is to preserve those agricultural lands, woodlands, and wetlands where it has been determined that their highest and best uses are in long-term agriculture or wildlife habitat, and to prevent uneconomical scattering of residential commercial, and industrial development in such areas.

Permitted Uses: Beekeeping, dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, paddocks, equestrian trails, nature trails, stables, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, grazing, greenhouse, viticulture, and similar agricultural uses. Two single family dwelling unit for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted use.

Conditional Uses: Fish and fur farms, commercial livestock and poultry operations, livestock sales facilities, veterinary services for farm animals, sales and service of machinery used in agricultural production utility uses except transmission corridors, airplane landing strip for a permitted of associated with an approved conditional use alcohol fuel stills, and similar agriculturally-related business uses. The storage and sale of seed, feed, fertilizer, and other products essential to farm production. Housing for seasonal farm laborers. More than two single family dwelling units for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted use. Placement of a mobile home for use as farm-related housing. Cemeteries.

WITHIN THE A-P DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Lot Area	Minimum 35 acres (minimum parcel size is to establish a residence or farm operation)
Additional Farm-Related Business Uses	Minimum: 20,000 square feet Maximum: 80,000 square feet
Agriculturally-Related Business Uses	Minimum 1 acre
Minimum yards	Additional farm-related housing shall comply with the provisions of the R-1 Residential District
Farm Buildings	Side Yard: Minimum 50 feet Rear Yard: Minimum 50 feet Highway Yard: Minimum 50 feet
Maximum Building Height	Two times their distance from adjacent lot lines
Pre-existing Residences	In the Agricultural Preservation District that do not conform to district standards may be continued in residential use and shall not be subject to any limitations imposed by Section 9.0 nonconforming uses.
Any Lot or Parcel of Less Than 35 Acres	That is recorded under separate ownership in the Office of the Register of Deed at the time of adoption of the Zoning Ordinance may be used as a single residential building site provided that it can comply with the standards of the R-1 Residential District.
Farm Related Structures Remaining After Farm Consolidation	May be divided from the farm provided that it can comply with the provisions of the R-1 Residential District
Standards for Rezoning	Decisions on petitions for rezoning land from the Agricultural Preservation District shall be based on findings resulting from a comprehensive update to the Village Comprehensive Development Plan. Individual landowner requests for rezoning shall be held until the approving authorities have determined that such a Master Plan update is needed. Following the outcome of a plan update, if land is rezoned from the A-P Agricultural Preservation District, the Department of Agriculture Trade and Consumer Protection shall be notified.

3.13 A-H AGRICULTURAL HOLDING DISTRICT

The purpose of this district is to preserve those agricultural lands and woodlands identified in the Village Comprehensive Development Plan as being potentially necessary for urban expansions within a 10-20 year period.

Permitted Uses: Beekeeping, dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, paddocks, equestrian trails, nature trails, stables, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, grazing, greenhouse, viticulture, and similar agricultural uses. Two single family dwelling units for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted use. *(Same as those established for the A-P Agricultural Preservation District)*

Conditional Uses: Non-farm residential use of unsewered lots recorded at the time of adoption of the Zoning Ordinance; plus those listed in the Agricultural Preservation District.

WITHIN THE A-H DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Lot Area	Same as A-P District
Minimum Yards	Same as A-P District
Maximum Building Height	Same as A-P District
Other Use Standards	Same as A-P District
Standards for Rezoning	Decisions on petitions for rezoning land from the Agricultural Preservation District to the Agricultural Transition District shall conform to the Village Comprehensive Development Plan.

3.14 A-T AGRICULTURAL TRANSITION DISTRICT

The purpose of this district is to permit agricultural use of farmland that has been identified in the Village Comprehensive Development Plan as desirable for urban expansion within a 0-10 year period.

Permitted Uses: (The use and standards for this district are the same as those established for the A-H Agricultural Holding District.)

Conditional Uses: (The use and standards for this district are the same as those established for the A-H Agricultural Holding District.)

3.15 C-1 CONSERVANCY DISTRICT

This district is intended to preserve the natural state of scenic areas in the Village and to prevent the uncontrolled, uneconomical spread of residential or other development, and to help to discourage intensive development of marginal lands, particularly flood plain lands and steep slopes, as to prevent hazards to public and private property.

Permitted Uses: Flood mitigation facilities; forestry and the management of woodlands; wildlife preserves; the management of wildlife, including waterfowl, fish, and other similar lowland animals, and non-residential buildings used solely in conjunction with such activities; hunting, fishing, and trapping; park and recreation area; hiking trails and bridle paths; preservation of

areas of scenic, historic, or scientific value; uses similar and customarily incidental to any of the above uses; essential services and facilities.

Conditional Uses: None

There are no setback, lot size and other dimensional standards applicable in the conservancy district.

3.16 PUD – PLANNED UNIT DEVELOPMENT DISTRICT

The Planned Unit Development District is established to promote improved environmental design and innovative uses of land in the Village of Highland. To this intent this District allows variation in the relationship of uses, structures, and open spaces in developments conceived and implemented as cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public services, energy efficiency, and community appearance consistent with the overall intent of this Ordinance and the Comprehensive Plan of the Village of Highland.

Permitted Use: Any permitted or conditional use in any of the other Districts in this Ordinance may be permitted subject to the criteria listed below, but such conditions or requirements as are made a part of an approved development plan shall be construed to be and enforced as a part of this Ordinance.

Lot, Building, Yard, and Parking Requirements: In the Planned Unit Development District, there shall be no specific lot areas, lot width, yard, height, parking and open space requirements, but such requirements as are made a part of an approved development plan shall be construed to be and enforced as part of this Ordinance.

Criteria for Approval: As a basis for determining the acceptability of application for zoning to the Planned Unity Development District, the following criteria shall be applied to the proposed development plan:

- (1) The proposed development shall be compatible with the physical nature of the site with particular concern for preserving natural features, existing vegetation, and topography.
- (2) The proposed development shall be an n asset to the community aesthetically. The building and uses shall blend in with the surrounding neighborhood.
- (3) The proposed development shall not create traffic or parking demand incompatible with existing or proposed facilities. The width and location of streets, other paving, and lighting should be appropriate to the uses proposed. In no case shall standards be less than those necessary to ensure public safety as determined by the Village.
- (4) The proposed development shall not place avoidable stress on the Village's water supply sanitary sewer, and storm water drainage systems.
- (5) The proposed development shall make adequate provisions for the permanent preservation and maintenance of open space.

Procedure

Step 1: Procedure for Rezoning

The procedure for rezoning to the Planned Unit Development District shall be the same as for any other Zoning District change (Section 10.0), except that in addition a general development plan shall be submitted to the Village Plan Commission. The general development plan of the proposed project shall be presented at the scale of 1" – 100' and shall show at least the following information:

- (1) The pattern of public and private roads, driveways, and parking facilities.
- (2) A description of land uses and building types, size, and arrangements.
- (3) A utilities feasibility analysis.
- (4) The location of recreational and open space areas reserved or dedicated to the public.

- (5) General landscape treatment.
- (6) The plan for phasing the development.
- (7) Any other data required by the Village Plan Commission or Board.

Upon final approval and adoption of the zoning change to the Planned Unity Development District, all plans submitted as well as other commitments, restrictions, and other factors pertinent to assuring that the project will be carried out as presented, shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans.

Step 2: Specific Implementation Plan Approval

Detailed plans are not required to be completed at the time the zoning is approved; however, doing so may make the review process faster. Before any building permit is issued, the Plan Commission shall review and approve a Specific Implementation Plan. The applicant shall file the following with the Plan Commission:

- (1) A final plat of the entire development area showing detailed lot layout, intended uses of each parcel, public dedication, public and private streets, driveways, walkways, and parking facilities.
- (2) The location and treatment of open space areas.
- (3) The arrangement of building groups other than single-family residences and all final landscape plans.
- (4) Architectural drawing and sketches illustrating the design of proposed structures.
- (5) A utilities plan locating all utility installations.
- (6) A storm water drainage and erosion control plan.
- (7) Agreements, by-laws, provisions, or covenants, which govern the organizational structure, use, maintenance, and continued protection of the Planned Unit Development.

At a regular meeting, the Plan Commission shall approve or require changes consistent with the approved general development plan. Upon final approval of the specific implementation plans, they shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans. All covenants, restriction, or contractual agreements with the Village shall be recorded with the Register of Deeds before final issuance of building permits.

Modifications

Any subsequent change of use of any parcel of land or addition of modification of any approved development plans shall be submitted to the Plan Commission for approval. Minor changes can be granted administratively by the Plan Commission. Major changes shall require a public hearing preceded by a Class 1 Notice.

SECTION 4.0 CONDITIONAL USES

4.01 PERMITS

The Village Plan Commission and Village Board may require the zoning Administrator to issue a conditional use permit for conditional uses after review and public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this Ordinance and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.

4.02 APPLICATION

Applications for zoning permits for conditional uses shall be made to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the following:

Name and Addresses: The applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located.

Site Plan showing all the information required under Section 2.05.

Additional Information as may be required by the Village Plan Commission or Zoning Administrator.

4.03 HEARING

The Village Plan Commission shall hold a public hearing upon each conditional use application giving Class 2 Notice thereof and written notice shall be given to all abutting and opposite property owners of record.

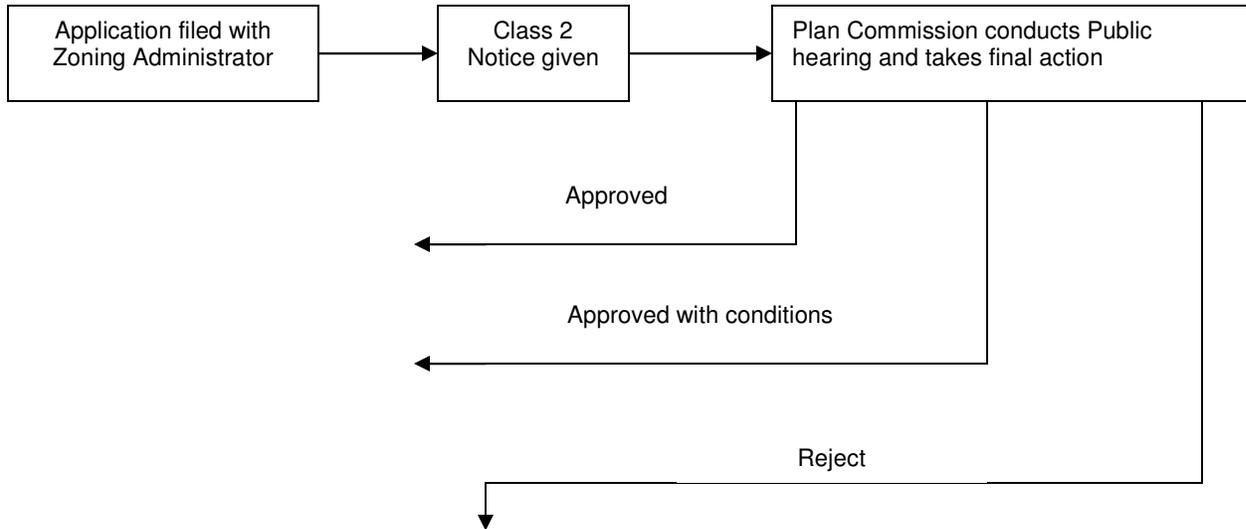
4.04 REVIEW AND APPROVAL

The Village Planning Commission and Village Board shall use the following standards when reviewing applications for conditional use; that the establishment maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or reduce the values of other property; that adequate utilities, access roads, parking, drainage, landscaping, and to the necessary site improvement are being provided; that the conditional use conforms to all applicable regulations of the district in which it is located; that the conditional use conforms to the purpose and intent of the village land use plans.

Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operations control, house of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Village Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

Compliance with all other provisions of this Ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses. Variances shall only be granted as provided in Section 9.0

Step in Application for Conditional Use in Village:



Approval: Following the public hearing and review of the conditional use application, the planning commission shall approve, disapprove, or further conditionally approve the application. A simple majority approval by the planning commission constitutes final approval of the conditional use. No further action by the Village Board is required.

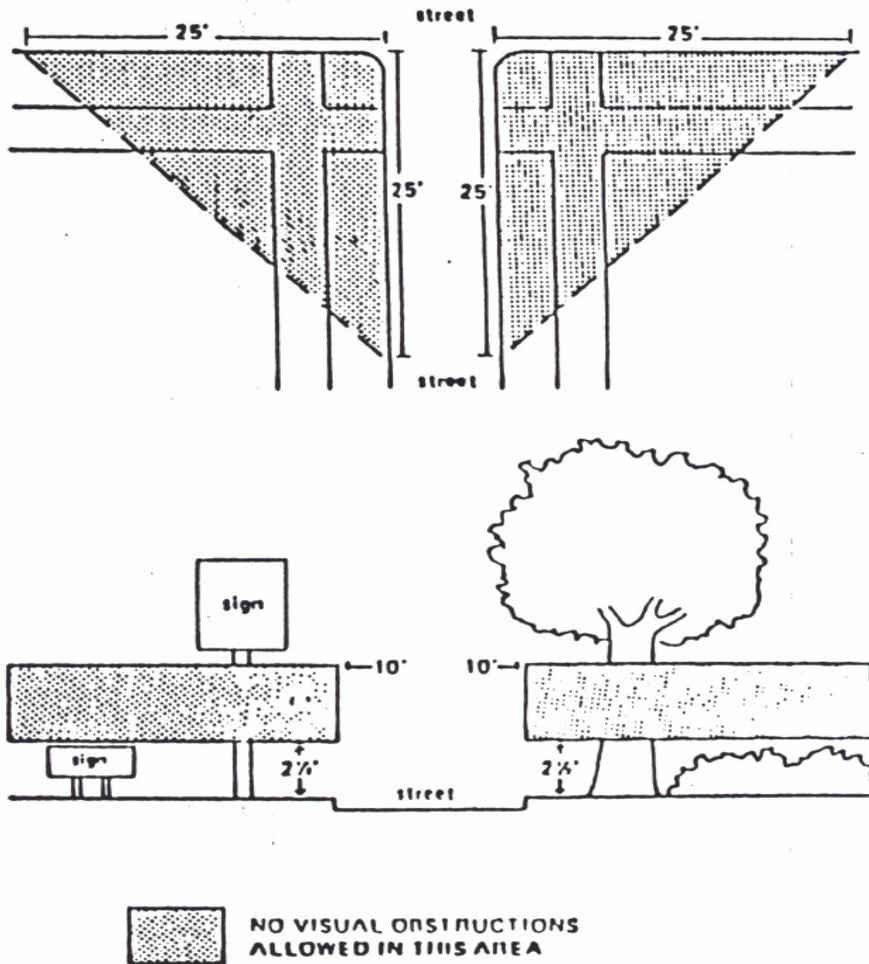
Record Keeping: Records of all Village Planning Commission actions approving conditional uses shall be maintained by the Zoning Administrator and shall be referred to in regard to enforcement and modification of conditional use approvals.

SECTION 5.0 TRAFFIC, PARKING, AND ACCESS

5.01 TRAFFIC VISIBILITY

No obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of 2 ½ feet and 10 feet above the plane through the mean curb-grades within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of 25 feet from their intersection. (Refer to diagram.) In the Case of Arterial Streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to 50 feet.

Diagram for Section 5.01



5.02 LOADING REQUIREMENTS

In all districts, adequate loading areas shall be provided so that all vehicles loading or unloading are completely off the public right-of-ways.

5.03 PARKING REQUIREMENTS

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to Public Street shall be provided for each parking space, and driveways shall be least 10 feet wide for parking areas for less than 10 vehicles and 20 feet for parking lots for 10 or more vehicles.

Size of each parking space shall be not less than 180 square feet exclusive of the space required for ingress and egress.

Location to be on the same lot as the principal use or not over 400 feet from the principal use. No parking stall or driveway, except in residential districts, shall be closer than 25 feet to a residential district lot line or a street line opposite a residential district, and no residential driveway shall be closer than 8 feet from any lot line except on cul-de-sacs.

Lighting Any lighting used to illuminate an off-street parking area shall be shaded or diffused in order to direct the light away from adjoining properties and adjoining streets.

Surfacing All off-street parking areas shall be graded and surfaced so as to be dust free and properly drained.

Number of Parking Stalls Required For New Construction

- (1) Single-family dwellings: 2 stalls for each dwelling unit
- (2) Multi-family dwellings (housing for the elderly exempted): 2 stalls for each dwelling unit
- (3) Hotels, motels: 1 stall for each guest room plus 1 stall for each 3 employees
- (4) Hospitals, clubs, lodges, sororities, dormitories, lodging and boarding houses: 1 stall for each 2 beds plus 1 stall for each 3 employees
- (5) Rest and nursing homes: 1 stall for each 5 beds plus 1 stall for each 3 employees
- (6) Medical and dental clinics: 3 stalls for each doctor
- (7) Theaters, auditoriums, community centers, vocational and night schools, and other places of public assembly: 1 stall for each 5 seats
- (8) Colleges, secondary and elementary schools: 1 stall for each 2 employees plus 1stall/student auto permitted
- (9) Restaurants, bars, places of entertainment, repair shops, retail and service stores: 1 stall for each 200 square feet of floor area
- (10) Manufacturing and processing plants, laboratories, and warehouses: 1 stall for each three employees
- (11) Financial institutions; business, governmental, and professional offices: 1 stall for each 200 square feet of floor area
- (12) Funeral homes: 1 stall for each 4 seats plus 1 stall/vehicle used in the business
- (13) Bowling alleys: 5 stalls for each alley

Combination of any of the above uses shall provide the total of the number of stalls required for each individual use.

Uses Not Listed In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.

5.04 Driveways

All driveways installed, altered, changed, replaced, or extended after the effective date of this amendment shall meet the following requirements:

- (1) Islands between driveway openings in business and industrial areas shall be provided with a minimum of 12 feet between all driveways and 6 feet at all lot lines.
- (2) Openings for vehicular ingress and egress shall not exceed 30 feet at the curb or ditch line in all districts except for Industrial District where openings for vehicular ingress and egress shall not exceed 40 feet at curb or ditch line.

SECTION 6.0 MODIFICATIONS

6.01 HEIGHT

The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modifications shall be in accord with the following:

Architectural Projections: Such as gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, windmills, substations, smoke stacks and solar collectors, are exempt from the height limitations of this Ordinance.

Special Structures: Such as gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, windmills, substations, smoke stacks and solar collectors, are exempt from the height limitations of this Ordinance.

Essential Services: Utilities, water towers, electric power, and communication transmission lines are exempt from the height limitations of this Ordinance.

Communication Structures: Such as radio and television transmissions and relay towers, aerials, and observation towers, shall not exceed in height three (3) times their distance from the nearest lot line.

Agricultural Structures: Such as barns, silos, and windmills, shall not exceed in height twice their distance from the nearest lot line.

Public or Semipublic Facilities: Such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices, and stations may be erected to a height of 60 feet provided all required yards are increased not less than 1 foot for each foot the structure exceeds the district's maximum height requirement.

6.02 YARDS

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

Uncovered Stairs: Landings and fire escapes may project into required setbacks but no closer than 3 feet to any lot line, with an exception to give access to street frontage.

Architectural Projections: Such as chimneys, flues, stills eaves, belt courses, ornaments, and solar collectors may project into any required yard.

Residential Fences: Permitted on the property lines in residential districts but shall not in any case exceed a height of 7 feet; shall not exceed a height of 4 feet in the front yard and shall not be closer than 2 feet to any public right-of-way.

Security Fences: Permitted on property lines in business and industrial districts, but shall not exceed 10 feet in height.

Accessory Uses: Detached accessory structures, except garages, are permitted in the rear yard only.

Essential Services: Utilities, electric powers, and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.

Landscaping and Vegetation are exempt from the yard requirements of this Ordinance, providing the required vision corners at street intersections can be met.

6.03 ADDITIONS

Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.

6.04 AVERAGE STREET YARDS

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side. Were the established setback

in any residential or business districts is greater than the minimum requires, no structure shall be permitted to extend in front of the established building setback line.

On a reversed corner lot each yard abutting a street shall be governed by the front yard requirements.

SECTION 7.0 SIGNS

7.01 PERMIT REQUIRED

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except those signs excepted in Section 7.02 and without being in conformity with the provisions of this Ordinance. The sign shall also meet all the structural requirements of the building code.

7.02 SIGNS ACCEPTED IN RESIDENTIAL AND AGRICULTURAL DISTRICTS

All signs are prohibited in all residential and agricultural districts except the following:

Signs Over Show Windows or Doors: of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed 2 feet in height and 10 feet in length.

Real Estate Signs: not to exceed 8 square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.

Name, Home, Occupation, Professional Office, and Warning Signs: not to exceed 2 square feet located on the premises.

Farm Signs: giving the name of the farm, farm owner, or commodities produced shall not exceed 15 square feet in total area.

Bulletin Boards: for public, charitable, or religious institutions not to exceed 8 square Feet in area located on the premises.

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

Official Signs: such as traffic control, parking restrictions, information, and notices.

Temporary Signs: or banners when authorized by the Planning Commission.

7.03 SIGNS PERMITTED IN BUSINESS AND MANUFACTURING DISTRICTS

Signs are permitted in all business and manufacturing districts subject to the following restrictions:

Wall Signs: placed against the exterior walls of buildings shall not extend more than 6 inches outside of a building's wall surface, shall not exceed 400 square feet in area for anyone premises, and shall not exceed 20 feet in height above the mean centerline street grade.

Projecting Signs: fastened to, suspended from, or supported by structures shall not exceed 100 square feet in area for any one premises; shall not extend more than 6 feet into any required yard; shall not extend more than 3 feet into any public right-of-way; shall not be less than 10 feet from all side lot lines; shall not exceed a height of 20 feet above the sidewalk.

Ground Signs: shall not exceed 30 feet in height above the mean centerline street grade, shall meet all yard requirements for the district in which it is located, shall not exceed 150 square feet in total advertising area.

Roof Signs: shall not exceed 10 feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located, and shall not exceed 300 square feet on all sides for any one premises

Combinations: of any of the above signs shall meet all the requirements for the individual sign.

All Signs: shall be well maintained and properly secured.

7.04 TRAFFIC SIGNS

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals, or divides. Not sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape; and no sign shall be attached to a standpipe or fire escape; No signs shall be places so as to obstruct or interfere with traffic visibility.

7.05 EXISITNG SIGNS

Signs lawfully existing at the time of the adoption or amendment of this ordinance may be continued although the use, size, or location does not conform to the provisions of this ordinance. However, it shall be deemed a nonconforming use or structure, and the provisions of Section 9.0 shall apply.

7.06 SIGN REMOVAL

At the termination of an advertised use, all signs advertising that use shall be removed from public view within 30 days. Responsibility for violations shall be with the property owner according to the latest tax roll listing.

7.07 SIGNS GENERAL

No flashing, moving, or apparent moving signs shall be permitted except for time and temperature and changeable copy displays. Lighted signs shall be shielded to prevent glare onto adjoining properties or onto the public street. No sign shall be placed on a tree.

SECTION 8.0 MOBILE HOME PARK REQUIREMENTS

8.01 SITE PLAN

At the time of application for a rezoning to the R-3 Mobile Home District and application for a mobile home park license under the Village's separate mobile home ordinance, the applicant shall submit a site plan to the Zoning Administrator containing the following:

- (1) The name and address of all owners and developers of the proposed mobile home park.
- (2) The legal description and lot size, in areas, of the proposed mobile home park.
- (3) The location and size of all mobile home spaces, storage areas, recreation area and facilities, landscaping, existing tree growth, water areas, roadways, sidewalks, and parking sites.
- (4) Detailed landscaping plans and specifications
- (5) Plans for sanitary sewage disposal, surface drainage, water system, electrical service, gas service, street lighting, and topography diagrams.

- (6) Location and size of all public roadways abutting the mobile home park and all street and sidewalk accesses from such street and sidewalk to the mobile home park.
- (7) Preliminary road construction plans, specifications, and elevations.
- (8) Preliminary floor plans and elevation for all structures.
- (9) Description and method of disposing of garbage and refuse.
- (10) Detailed description of proposed maintenance procedure and grounds supervision.
- (11) Staging and timing of construction program whether or not the entire area will be developed at one time or in stages.
- (12) Such other reasonable information as shall be required by the Zoning Administrator.

8.02 MOBILE HOME SPACE

Each mobile home space shall have at least 5,000 square feet of land area for the exclusive use of the residents of the mobile home located on the space, with a minimum width of 50 feet and a minimum depth of 100 feet. The frontage on the approved roadway and the corner of each space shall be marked and each lot shall be numbered.

8.03 YARD REQUIREMENTS

No mobile home shall be parked closer than 10 feet to the side lot lines, 25 feet to the front lot line, not 25 feet to the rear lot line. There shall be an open space of at least 20 feet between the sides of adjacent mobile homes.

8.04 PARKING REQUIREMENTS

The following are minimum parking requirements of mobile home parks:

- (1) Each mobile home space shall have off-street parking space for two automobiles.
- (2) Each mobile home park shall maintain a hard surfaced off-street parking lot for guests of occupants of a size equivalent to one space for each 5 mobile home spaces.
- (3) Access drives off road to all parking spaces and mobile home spaces shall be hard surfaced in bituminous concrete or Portland cement concrete designed to accommodate normal traffic.
- (4) Automobiles shall not be parked nearer than 5 feet from any side lot line unless combined with a contiguous parking area.

8.05 UTILITIES

The following minimum requirements for utilities shall be maintained:

- (1) There shall be no obstructions impeding the inspection of plumbing, electrical facilities, utilities, or other related equipment.
- (2) Garbage, waste and trash disposal plans must be approved by the Zoning Administrator and must conform to all State and local health and pollution control regulations.
- (3) The owner of a mobile home park shall pay all required sewer and utility connection fees to the Clerk-Treasurer.

8.06 INTERNALS TREETS, SIDEWALKS, AND LIGHTING

All internal streets, sidewalks, and lighting shall meet the following requirements:

- (1) Streets shall be hard surfaced with bituminous concrete or Portland cement concrete to accommodate the structural requirements in the Village streets as approved by the Village Board
- (2) All streets shall be developed with a roadbed of not less than 30 feet and a street surface of not less than 18 feet. Ancillary parking on one side may be allowed except at parking area entrances if the street is at least 28 feet wide.
- (3) A 30-inch Portland cement concrete sidewalk shall be built and maintained by the owner providing access to all recreational area, common use building, and storage areas, and to the public street access.

- (4) Artificial lights shall be maintained during all hours of darkness in all building provided for common facilities for occupants' use. The mobile home park grounds. Street and pedestrian areas shall be lighted from sunset to sunrise in accordance with a lighting plan approved by the Village Board.

8.07 RECREATION AREAS

All mobile home parks shall have one or more recreational areas, which shall be easily accessible to all park residents. Recreational areas shall be so located as to be free of traffic hazards and shall, where the topography permits, be centrally located. The size of such recreational areas shall be a minimum of 10 percent of the land area of the mobile home park. All equipment installed in such areas shall be owned and maintained by the owner or operator of the mobile home park at his expense.

8.08 LANDSCAPING

The following minimum landscaping requirements shall be maintained in all mobile home parks:

- (1) Each space shall be properly landscaped with at least one tree. All yards shall be covered with sod or planted in grass. There shall be a minimum of 20 trees per gross acre in all areas of a mobile home park. Tree, grass, and landscape materials shall be properly maintained and replaced to conform to the approved landscaped plans and specifications.
- (2) A visual screen consisting of compact hedge, redwood fence, coniferous trees or other approved landscape materials or a screen fencing approved by the Zoning Administrator shall be installed and maintained around the periphery of the mobile home park to substantially inhibit the eye level vision from the exterior when adjacent to any R-1 or R-2 District and shall be maintained free of rubbish, debris, weeds, and paper.
- (3) All areas shall be landscaped and the Zoning Administrator shall approve the landscape plan.

8.09 MOBILE HOME STANDS REQUIRED

All mobile homes shall be placed on leveled on stands consisting of a 16-inch by 16-inch by 4-inch deep square solid base, minimum, with a double tier of alternately crossed 8-inch block ascending; no I-beam or any portion of the mobile home frame shall rest directly on the concrete block. Wood shimming shall be used. No second or medium grade of concrete block may be used and all block must be installed with the hollow core in a vertical position. These stands shall be placed with a minimum spacing of 8 feet.

8.10 TIE DOWNS, ANCHORS, SKIRTING, AND STORAGE BUILDINGS

Tie downs and anchors are required on all mobile homes. Straps and anchoring equipment shall be capable of resisting an allowable working load of not less than 3,150 pounds and capable of withstanding a 50 percent overload (4,750 pounds) without failure. (Example: Type 1 Finish B, Grade 1 steel strapping, 1-1/4 inch wide and 0.035 inch thick conforming to Federal specifications. Q-QS781-H is recommended to meet the above load requirements.) Tie downs and anchors shall be installed as shown in chart.

All mobile home units have skirts around the entire mobile home made of plastic, fiberglass, or other comparable noncombustible material approved by the Zoning Administrators and shall be of a permanent color or painted to match the appropriate mobile home so as to enhance the general appearance thereof.

Any storage building in a mobile home park shall be anchored.

Mobile Home Size	Number of Over-The-Roof Ties Required	Number of Frame ties required		
		2' pier	3' pier	4' pier
44 x 12	2	4	5	5
52 x 12	2	5	5	6
54 x 12	2	5	6	7
60 x 12	2	5	6	7
65 x 12	2	6	7	8
70 x 12	2	6	7	9
74 x 12	2	6	8	9
54 x 14	2	4	5	6
60 x 14	2	5	5	6
65 x 14	2	5	6	7
70 x 14	2	6	7	8
76 x 14	2	6	7	8
80 x 14	2	7	7	8

8.11 REGISTER OF OCCUPANTS AND INSPECTION

The owner of a mobile home park shall keep a registration list available to the Village or its agents for inspection at reasonable times. All mobile homes shall comply with State and Village fire, health and building regulations. Before a mobile home unit may be occupied, the owner must secure the inspection and approval of the Zoning Administrator regarding compliance with such regulations.

SECTION 9.0 NONCONFORMING USES, STRUCTURES, AND LOTS

9.01 NONCONFORMING USES

The continued lawful use of a building, premises, structure, or fixture existing at the time of adoption or amendment of a zoning ordinance may not be prohibited although the use does not conform to the provisions of the ordinance. The total structural repairs or alterations in such nonconforming building, premises, structures, or fixture shall not during its life exceed 50 percent of the assessed value of the building, premises, structure or fixture unless permanently changed to a conforming use. If the nonconforming use is discontinued for a period of 12 months, any future use of the building, premises, structure, or fixture shall conform to the ordinance.

9.02 RESTORATION OF CERTAIN NONCONFORMING STRUCTURES

- (1) Restrictions that are applicable to damaged or destroyed nonconforming structures and that are contained in an ordinance enacted under this subsection may not prohibit the restoration of a nonconforming structure if the structure will be restored to the size, subject to subd.2., location, and use that it had immediately before the damage or destruction occurred, or impose and limits on the cost of repair, reconstruction, or improvement if all the following apply:
 - a. The nonconforming structure was damaged or destroyed on or after March 2, 2006.
 - b. The damage or destruction was caused by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation.
- (2) An ordinance enacted under this subsection to which subd. 1. applies shall allow for the size of a structure to be larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with applicable state or federal requirements.

9.03 CHANGES AND SUBSTITUTIONS

Once a nonconforming use or structure has been changed, it shall not revert back to a nonconforming use or structure.

9.04 SUBSTANDARD LOTS

A lot which does not contain sufficient area to conform to the dimensional requirements of the ordinance but which is at least 50 feet wide and 5,000 square feet in areas, may be used as a single-family building site provided that the use is permitted in the zoning district, and providing the lot is on record in the county Register of Deeds office prior to the effective date or amendment of this ordinance. In these cases, the minimum side yard setback shall be 5 feet. If two or more substandard lots with continuous frontage have the same ownership as the effective date of this ordinance, the lots involved shall be considered to be an individual parcel for the purposes of this ordinance.

SECTION 10.0 BOARD OF ZONING APPEALS

10.01 ESTABLISHMENT

There is hereby established a Board of Zoning Appeals for the Village of Highland for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this ordinance in harmony with the purpose and intent of the zoning ordinance.

10.02 MEMBERSHIP

The Board of Zoning Appeals shall consist of 5 members appointed by the Village President and confirmed by the Village Board.

Terms shall be for staggered three-year periods.

Chairman shall be designated by the Village President.

An Alternate Member may be appointed by the Village President for a term of 3 years and shall act only when a regular member is absent or refuses to vote because of conflict of interest.

Secretary shall be the Village Clerk.

Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within 10 days of receiving notice of this appointment.

Vacancies shall be filled for the un-expired term in the same manner as appointments for a full term.

10.03 ORGANIZATIONS

The Board of Zoning Appeals shall organize and adopt rules of procedure for its own government in accordance with the provisions of this ordinance.

Meetings shall be held at the call of the Chairman and shall be open to the public.

Minutes of the proceedings and a record of all actions shall be kept by the secretary, showing the vote of each member upon each question, the reasons for the board's determination, and its finding of facts. These records shall be immediately filed in the office of the Board and shall be public record.

The Concurring Vote of 4 members of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a utility, temporary, unclassified, or substituted.

10.04 POWERS

The Board of Zoning Appeals shall have the following powers:

Errors: to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official or body in the course of enforcing this ordinance.

Variances: to hear and grant appeals for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of this ordinance shall be observed and the public safety, welfare, and justice secured. Use variances shall not be granted.

Substitutions: to hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Village Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.

10.05 APPEALS AND APPLICATIONS

Appeals may be made by any person aggrieved or by an offices, department, board, or commission of the Village. Such appeals shall be filed with the secretary within 30 days after the date of written notice of the decision or order of the Zoning Administrator Applications may be made by the owner of lessee of the structure, land, or water to be affected at any time and shall be filed with the secretary. Such appeals and application shall include the following:

Name and Address of the appellant or applicant and all abutting and opposite property owners of record.

Site Plan showing all of the information required under Section 2.03 for a zoning permit.

Additional Information required by the Village Plan Commission, Village Engineer, Board of Zoning Appeals, or Zoning Administrator.

10.06 HEARINGS

The Board of Zoning Appeals shall fix as reasonable time and place for the hearing, give class 2 notices thereof, and give written notice to all abutting and opposite property owners of record. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

10.07 FINDINGS

No variance to the provisions of this ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates in the minutes of its proceedings.

Exceptional Circumstances: there must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the zoning ordinance should be changed.

Preservation of Property Rights: that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

Absence of Detriment: that the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this ordinance or the public interest.

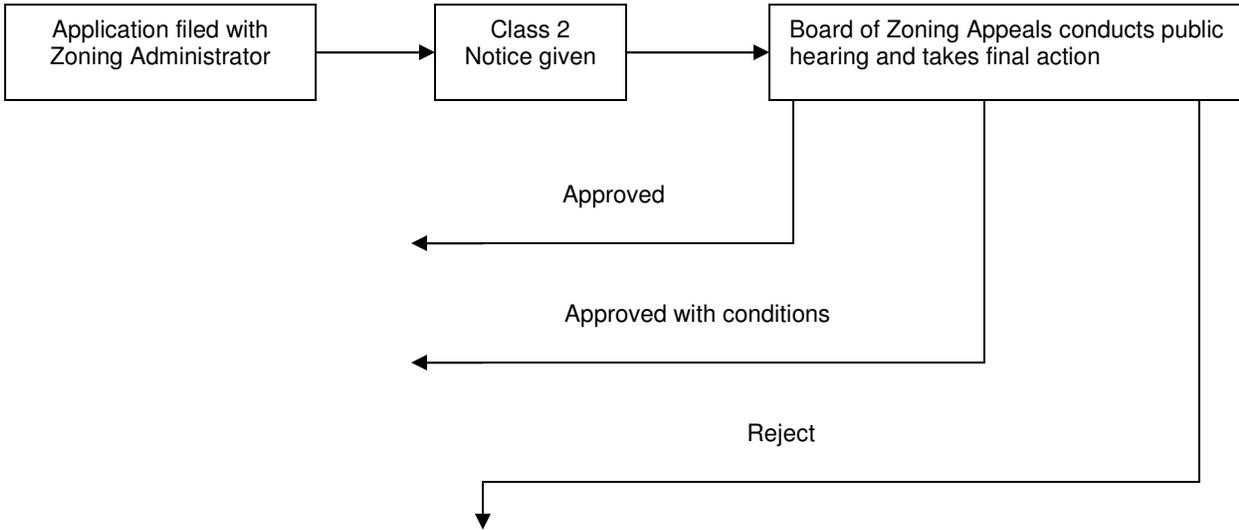
10.08 DECISION

The Board of Zoning Appeals shall decide all appeals and applications within 30 days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or application, Zoning Administrator, and Village Plan Commission.

Conditions may be placed upon any zoning permit ordered or authorized by this Board. Approvals granted by the Board shall expire within 6 months unless substantial work has commenced pursuant to such grant.

10.09 REVIEW BY COURT OF RECORD

Any person or persons aggrieved by any decisions of the Board of Zoning Appeals may present to the court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the Board of Zoning Appeals.



SECTION 11.0 CHANGES AND AMENDMENTS

11.01 AUTHORITY

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Village Board of Trustees may, by ordinance, change the district boundaries or amend, change, or supplement the regulations established by this ordinance or amendments thereto.

Such Change or Amendment shall be subject to the review and recommendation of the Village Plan Commission.

11.02 INITIATION

A change or amendment may be initiated by the Village Board, or any member thereof, Village Plan Commission, or by a petition of one or more of the owners or lessees of property within the area proposed to be changed.

11.03 PETITIONS

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk, describe the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use, and have attached the following:

Site Plan drawn to a scale of 1 inch equals 100 feet showing the areas proposed to be rezoned, its locations, its dimensions, the locations and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within 200 feet of the area proposed to be rezoned.

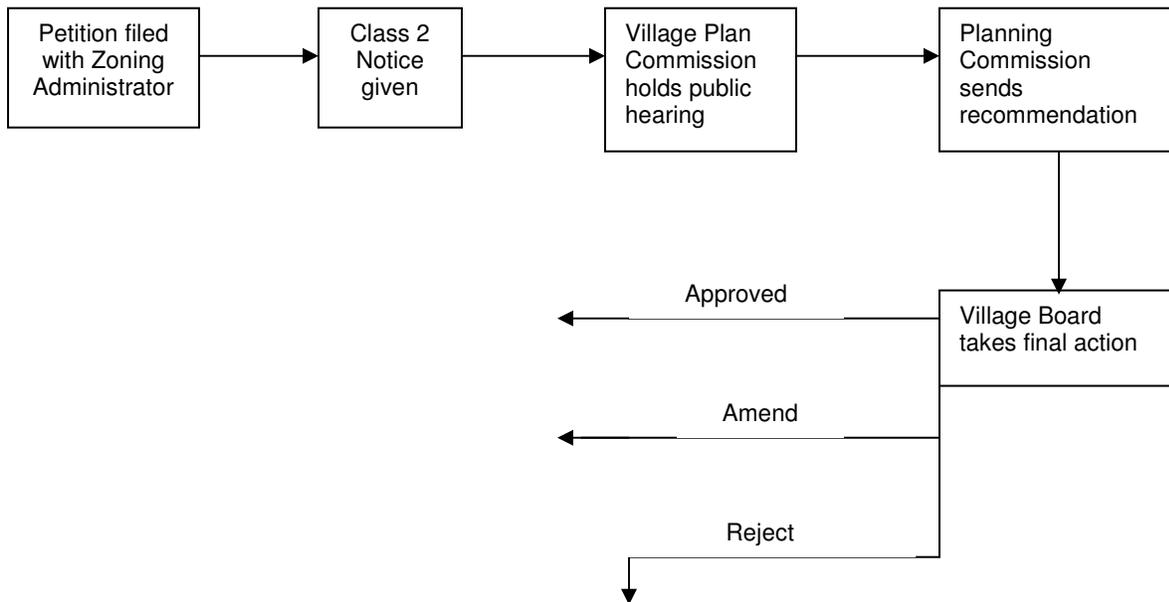
Additional Information required by the Village Plan Commission or Village Board.

11.04 RECOMMENDATIONS

The Village Plan Commission shall review all proposed changes and amendments within the corporate limits, conduct a public hearing (with class 2 notice), and shall recommend that the petition be granted as requested, modified, or denied.

11.05 VILLAGE BOARD'S ACTIONS

Following such hearing and after careful consideration for the Village Plan Commission's recommendation, the Village Board shall vote on the passage of the proposed change or amendment.



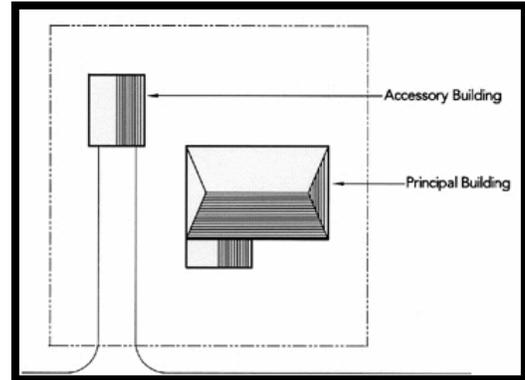
11.06 PROTEST

In the event of a protest against such district change or amendment to the regulations of this ordinance duly signed and acknowledge by the owners of 20 percent or more wither of the areas of the land included in such proposed change or by the owners of 20 percent or more of the land immediately adjacent extending 100 feet there from, or by the owners of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three-fourths of the full Village Board membership.

SECTION 12.0 DEFINITIONS

For the purpose of this ordinance, the following definitions shall be used. 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 work "shall" is mandatory, the work: "should" is advisory and the word "may" is permissive. Any words not defined in this section shall be presumed to have the customary dictionary definitions.

Accessory Use or Structure: A use or detached structure subordinate to the principal use of a structure, land, or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure. Examples of accessory structures include detached garages, carports, playhouses, sheds, private greenhouses, gazebos, storage buildings, wind generating devices, swimming pool, outdoor furnaces, etc.



Alley: A special public right-of-way affording only secondary access to abutting properties.

Animal Unit: One animal unit shall be defined as being the equivalent of 1 cow, 1-1,000 lb. Steer or bull, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse or pony.

Arterial Street: A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways and parkways.

Basement: That portion of any structure located partly below the average adjoining lot grade.

Building: Any structure having located partly below the average adjoining lot grade.

Building Area: The total living area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways, and unfinished attics.

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 flat roofs, to the mean height level between the eaves and ridges of gable, gambrel, hip, and pitch roofs; or to the deck line of mansard roofs.

Classes of Notice: References in this ordinance to Class 1 and Class 2 notice refer to Chapter 985 of the Wisconsin Statutes.

Clothing Repair Shops: Shops where clothing is repaired, such as shoe repair shops, seamstress, tailor shops, shoe shine shops, clothes pressing shops, but none employing over 5 persons.

Clothing Stores: Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress, hosiery and millinery shops.

Commercial Livestock Operation: An animal confinement facility used or designed for the feeding or holding of more than 400 animal units for 30 days or more.

Commercial Poultry Operation: A confinement facility used or designed for the raising of more than 150 animal units for egg or meat production.

Conditional Uses: Uses of a special nature as to make impractical their predetermination as a principal use in a district.

Dwelling: A detached building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

Dwelling, Multiple-Family: A residential building designed for or occupied by two or more families, with the number of families in residence not to exceed the number of dwelling units provided.

Efficiency: A dwelling unit consisting of one principal room with no separate sleeping room.

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, life stations, and hydrants.

Family: Any number of persons related by blood, adoption, or marriage, or not to exceed 4 persons not so related, living together in one dwelling as a single housekeeping entity.

Front Yard: A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards. A front yard is the same as a street yard as defined by this ordinance.

Frontage: The smallest dimension of a lot abutting a public street measured along the street line.

Garage: Structure whose primary purpose is the storing of personal vehicles.

Garage, Attached: A structure for the primary purpose of storing motor vehicles, which is connected to the principal structure by a common wall.

Garage, Detached: A structure for the primary purpose of storing motor vehicles, and is free standing from the principal building. For the purpose of this ordinance a detached garage is an accessory structure.

Government Uses: Includes all public uses and facilities including parks.

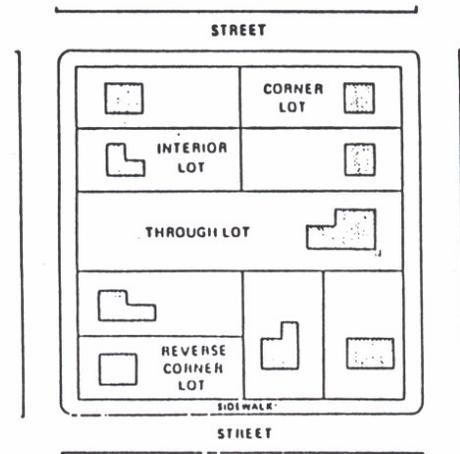
Household Occupations: Any occupation for gain or support conducted entirely within buildings by resident occupants which are customarily incidental to the principal use of the premises and does not exceed 50 percent of the area of any floor. A household occupation includes uses such as babysitting, millinery, dressmaking, canning, laundering, and crafts, etc. Household occupations shall not cause any odors, noise, traffic, parking, or outside storage. No outside display of product activity shall be allowed on any premises.

Joint Extraterritorial Zoning Committee: Any zoning committee established in accordance with Section 62.23 (7a) of the Wisconsin Statutes.

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 public street or alley.

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, yard, parking area, and other open space provisions of this ordinance.

Lot, Corner: A lot situated at the junction of, and abutting on, two (2) or more intersecting streets or a lot at the point of deflection in alignment of a single street, said deflection being forty-five (45) degrees or more. (**Lots abutted by more than two streets will be reviewed by the Planning Commission on a case by case basis. No lot shall be required to have more than 2 front yards.)



Lot, Interior: Any lot other than a corner lot, including a through lot.

Lot, Through: A non-corner lot that abuts two (2) streets. A through lot for purposes of the Village of Highland Zoning Ordinance has two front yards.

Lot Lines and Area: The peripheral boundaries of parcel of land and the total area lying within such boundaries.

Lot Width: The width of a parcel of land measured at the rear of the specified street yard.

Machine Shops: Shops where lathes, presses, grinders, shapers, and other wood and metal working machines are used, such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair and overhaul shops.

Manufactured Home: A structure or structures certified and labeled as manufactured home under 42 U.S.C. secs. 5401 to 5406, built since June 15, 1976, that bears a seal indicating it has met the mobile home construction and safety standards of the United States Department of Housing and Urban Development (HUD) standards, is used as a permanent, single family residential dwelling, is installed in accordance with the manufacturer’s instructions, is properly connected to all applicable utilities, and is set on a permanent foundation in accordance with sec. 70.043(1), Wis. Stats., that conforms with subchapters III, IV and V of ch. Comm 21, Wis. Admin. Code or that conforms with the pier requirements of sec. Comm. 27.18, Wis. Admin. Code.

Minor Structures: Any small, movable accessory erection or construction such as birdhouses, tool houses, pet houses; play equipment, arbors; and walls and fences under 4 feet in height.

Mobile Home: A single family dwelling built on or before June 14, 1976, designed to be towed or transported and used as a residential dwelling, but does not include a manufactured home. Mobile home also means any coach, cabin, trailer, travel trailer, motor home, house care or other structure which is, or was originally constructed or designed to be transported by any motor vehicle upon a public highway and designed, equipped or used for sleeping, eating or living quarters or as a place of business, or is intended to be so used, whether mounted upon wheels or supports or capable of being moved by its own power or transported by another motor vehicle, and includes and additions, attachments, foundations, annexed or appurtenances thereto.

Mobile Home Park: Any lot on which 2 or more mobile homes are parked for the purpose of temporary or permanent habitation.

Motel: A series of attached, semi-attached, or detached sleeping units for the accommodation of transient guests.

Nonconforming Uses or Structures: Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

Parking Lot: A structure or premises containing 10 or more parking spaces open to the public for rent or a fee.

Parking Space: A graded and surfaced area of not less than 180 square feet in area either enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to public street or alley.

Parties in Interest: Includes all abutting property owners, all property owners within 100 feet, and all property owners of opposite frontage.

Professional Home Offices: Residences of doctors of medicine, practitioners, dentists, clergymen, architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, or other recognized professions used to conduct their professions where the office does not exceed one-half of the area of only one floor of the residence and only one non-resident person is employed.

Rear Yard: A yard extending across the full width of the lot, and depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

Renovation: A general upgrading of the building's interior and exterior appearance. Exterior improvements can include cleaning and painting, and with often involve a substantial change to shop front and sign. Interior rehabilitation can include the upgrading of electrical, mechanical, or structural elements and new interior design.

Restoration: The reinstatement of original architectural integrity of structural form to quality buildings of the past, but does not necessarily extend to a reinstatement of the apt use of the building.

Side yard: 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.

Signs: Any 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.

Small Livestock and Poultry: For purposes of this ordinance, small livestock shall be limited to animals weighing less than 20 pounds.

Street Yard: A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.

Street: A public right-of-way not less than 50 feet wide providing primary access to abutting properties.

Structure: Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, machinery, and equipment.

Structural Alterations: Any change in the supporting member of a structure, such as foundation, bearing walls, columns, beams, or girders.

Utilities: Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone and telephone exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, and storage yards.

Yard: An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.