

**VILLAGE OF HEWITT
HEWITT, WISCONSIN**

**ZONING ORDINANCE
3.0**

AMENDED:
September 8, 2009

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VILLAGE OF HEWITT
Hewitt Wisconsin 54441

ORDINANCE 3.0
ZONING

STATEMENT OF PURPOSE:

An ordinance to regulate and restrict the location of trades and industries and the location of buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereafter erected or altered, to regulate and limit the percentage of lot occupancy, to regulate and determine the area of yards, courts and other open spaces surrounding buildings, and for said purposes, to divide the Village into districts, to provide a method of administration, and to prescribe the penalties for violation of its provisions.

Whereas, the Village Board of the Village of Hewitt, Wisconsin, find and determine that a zoning plan will protect residence sections, encourage home ownership, prevent undue concentration, reduce fire, health and traffic hazards, conserve property values, increase business and industrial efficiency, direct the building of the Village and the development of all property along orderly and economic lines, and thereby promote the public health, safety, comfort, conveniences, prosperity, and general welfare.

DEFINITIONS:

1. ACCESSORY BUILDING(S)

A subordinate building located in and occupying not more than thirty (30) percent of the yard. The use of such building is incidental to the main building and shall not exceed fifteen (15) feet in height measured from the ground floor to the roof ridge.

2. APARTMENT HOUSE:

A building or portion thereof used or intended to be used as a residence by three (3) or more families living in separate apartments.

3. BOARDING HOUSE OR LODGING HOUSE:

A building other than a hotel, where lodging and or meals, for three (3) or more persons not members of a family, are provided for compensation.

4. BUILDING:

A structure having a roof supported by columns or walls and for shelter, support or enclosure, of persons, animals or vehicles.

5. ALLEY:

A public way less than thirty (30) feet in width and not officially designated or recorded as a street.

6. BUILDING AREA:

A maximum horizontal projected area of a building and its accessory buildings, excluding open steps and porches, terraces, patios and chimneys.

7. BUILDING AREA LIMITATIONS:

The maximum space a building can occupy on a given lot.

8. BUILDING HEIGHT(S):

The maximum height a building can be on a given lot as measured from the top of the foundation to the roof ridge.

9. COURT(S):

An open unoccupied space on the same lot with a building.

10. RESIDENCE:

- A. One Family -- A detached building having accommodations for and occupied by only one (1) family.
- B. Duplex -- A detached, or semi detached building having accommodations for and occupied by not more than two (2) families.

11. GARAGE:

A building used for storage or private use.

12. PUBLIC GARAGE:

A building used for storage of municipal owned vehicles and or equipment.

13. HOTEL:

A building occupied as the more or less temporary abiding place individuals who are lodged with or without meals in which as a rule the rooms are occupied singly in which provisions are not made for cooking in any individual apartment, and in which there are more than twelve (12) sleeping rooms, a public dining room for the accommodation of more than fifteen (15) guests and a general kitchen.

14. LOT:

- A. CORNER LOT -- A lot that is boarded on two (2) sides by an intersected street.
- B. INTERIOR LOT -- A lot with frontage on only one (1) street.
- C. A THROUGH LOT -- An interior lot having frontage on two (2) streets.
- D. LOT LINES -- The lines bounding a lot.
- E. DEPTH OF LOT:
The horizontal distance from the front property line to the rear lot line.

15. NON-CONFORMITY USE:

A building or premise occupied by a use that does not conform to the regulations of the use district in which it is located.

16. SET BACK:

The minimum horizontal distance between the front line of the building, including steps and building overhangs, and the street (property) line.

17. STRUCTURAL ALTERATIONS:

Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, excepting alteration as may be required for the safety of the building.

18. STREET:

A public thoroughfare thirty (30) feet or more in width.

19. YARD(S):

An open unoccupied space on the same lot with a building.

A. REAR YARD -- A yard from the rear of the building line to the rear property line of the lot.

B. SIDE YARD -- A yard between the side line of the building and the side lot lines, extending from the street line to the rear lot line.

C. FRONT YARD -- A yard between the front line of the building and the front street (property) line.

20. CIVIC BUILDINGS:

Buildings other than Village Halls, Town Halls, Fire Stations or places of assembly. Representative of such include: skating shelters, park shelters, public rest rooms, etc.

DISTRICTS:

In order to regulate and restrict the location of trade and industry and the location of buildings erected or altered for specified uses, and to regulate and limit the maximum building area of lots, and to regulate and determine the area of yards and other open spaces surrounding such buildings, the Village of Hewitt is hereby divided into districts of which there shall be eight (8) as indicated below:

1. Single Family Residence District (District A)
2. Two Family Residence District (District AA)
3. Multiple Family District (District B)
4. Mobile Home Park District (District C)
5. Local Business and Commercial District (District D)
6. Light Industrial District (District F)
7. Agricultural District (District G)
8. Industrial Park District (District H)

ZONING MAP:

The boundaries of such districts are shown upon the map adopted pursuant hereto by the Village Board and made a part of this ordinance, being designated as Zoning Map and said map and all notations, references, map, and any amendments.

EXCEPT AS HERE IN AFTER PROVIDES:

- A. No building shall be erected or altered, nor shall any building or premises be used for any purpose other than is permitted in the District in which such building or premises are located.

No building shall be erected or altered to exceed in height the limit herein established for the district in which such building is located.

No building shall be erected, nor shall any building be altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the area regulations hereby established for the district in which such building is located.

- B. The provisions of the afore mentioned section (A) shall not apply in the following cases:
 - 1. Where the owner of the premises upon which a non- conforming uses exists proposes to make a change to a more restricted use. Such change in use may be made, subject to the following conditions:
 - a. No structural alterations or changes shall be made on the exterior of the buildings concerned, except that, in the case of a change to a dwelling, not more than two (2) porches may be added if none exists, and incidental changes to windows, roof lines and doors, including the addition of such exits or entrances as may be required by law.
 - b. The total structural repairs or alterations in such a non-conforming building, including the cost of making such proposed change, shall not during its life exceed fifty (50) percent of the assessed value of the building unless permanently changed to a conforming use.
 - c. The use of said building shall not again be changed to its previous non-conforming status.

I. SINGLE FAMILY RESIDENCE DISTRICT (District A)

In This District no premises shall be used and no buildings shall be hereafter erected or altered, unless otherwise provided in this Ordinance, except for one (1) or more of the following uses:

- A. One family dwelling with adequate off street parking.
- B. Churches with adequate off street parking
- C. Schools with adequate off street parking
- D. Libraries and museums with adequate off street parking
- E. Parks, playgrounds, golf clubs, recreational and community buildings owned by the Village of Hewitt
- F. Farming and truck gardening
- G. Accessory buildings and uses incident to any of the above when located on the same lot and not involving the conduct of a retail business including one private garage when located not less than six (6) feet from the main building, or in a compartment as a part of the main building, and including home occupations engaged in by the occupants of a dwelling not involving the conduct of a retail business on the premises.

On corner lots no accessory buildings shall be built closer than twelve (12) feet from the inside lot line nor closer than roadway setbacks.

Section A - Regulations governing "SINGLE FAMILY RESIDENCE" (District A)

1. HEIGHT

No building shall exceed thirty three (33) feet or two (2) stories in height, measuring from the top of the foundation to the roof ridge.

2. REAR YARD

There shall be a rear yard minimum depth of at least twenty five (25) feet.

3. SIDE YARD

There shall be a side yard on each side of the building of not less than twelve (12) feet in width.

4. BUILDING AREA

No Building with its accessory buildings shall occupy in excess of forty (40) percent of an interior lot, nor in excess of fifty (50) percent of a corner lot.

5. LOT AREA PER FAMILY

Every dwelling hereafter erected or altered since December 31, 1974, shall provide a lot area of not less than eighteen thousand (18,000) square feet.

If a lot was on record on or before December 31, 1974, with less area than herein required, the above regulation shall not apply.

6. DRIVEWAYS / PARKING AREAS

Driveways and parking areas shall be surfaced with asphalt, cement, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.

Driveways and parking areas shall not be closer than twelve (12) feet to side lot line at the point where the driveway crosses the street (property) line.

7. BASEMENTS

Every dwelling hereafter¹ erected shall provide a basement for a single-family residence. Crawl spaces with frost walls that are 4-feet below the grade are permitted for additions which the square footage of the addition is 50% or less of the original structure's square footage.

¹ Date of acceptance for amendment: 3/11/2003

II. TWO FAMILY RESIDENCE DISTRICT (District AA)

In this District no building or premises shall be used and no building shall be hereafter erected or altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

- A. Any use permitted in the "Single Family Residence District"
- B. Two family dwelling
- C. Mortuaries (Where Board approval has been granted)
- D. Accessory buildings and used incident to any of the above when located on the same lot and not involving the conduct of a retail business including one private garage when located not less than twelve (12) feet from the main building, or in a compartment as a part of the main building, and including also home occupations engaged in by the occupants of a dwelling not involving the conduct of a retail business on the premises.

On corner lots no accessory buildings shall be built closer than twelve (12) feet from the inside lot line nor closer than roadway setbacks from street (property) lines.

Section AA - Regulations governing "TWO FAMILY RESIDENCE" (District AA)

1. HEIGHT

No building shall exceed thirty three (33) feet or two (2) stories in height as measured from the top of the foundation to the roof ridge.

2. REAR YARD

There shall be a rear yard minimum depth of at least twenty five (25) feet.

3. SIDE YARD

There shall be a side yard on each side of the building of not less than twelve (12) feet in width.

4. BUILDING AREA

No building with its accessory buildings shall occupy in excess of forty (40) percent of an interior lot, nor in excess of fifty (50) percent of a corner lot.

5. LOT AREA PER FAMILY

Every two (2) family dwelling shall provide a lot area of not less than nine thousand five hundred (9,500) square feet per family.

If a lot was on record on or before December 31, 1974 with less area than herein required, the above regulation shall not apply.

6. DRIVEWAYS / PARKING AREAS

Driveways and parking areas shall be surfaced with asphalt, cement, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.

Driveways and parking areas shall not be closer than twelve (12) feet to side lot line at the point where the driveway crosses the street (property) line.

7. BASEMENTS

Every dwelling hereafter² erected shall provide a basement for a single-family residence. Crawl spaces with frost walls that are 4-feet below the grade are permitted for additions which the square footage of the addition is 50% or less of the original structure's square footage.

² Date of acceptance for amendment: 3/11/2003

III. MULTIPLE FAMILY DISTRICT (District B)

In this District no building or premises shall be used and no building shall be hereafter erected or altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

- A. Single family residences or two family residences may occupy this District if in existence on or before December 31, 1974.
- B. Apartment houses
- C. Hotels or motels
- D. Private clubs, fraternities and lodges, excepting those in which the chief activity is a service customarily carried on as a business.
- E. Boarding and lodging houses
- F. Housing for the elderly
- G. Nursery and greenhouses for the propagation and cultivation of plants only.
- H. Railroad right of ways
- I. Accessory buildings and uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a retail business on the premises, and the office of a physician, surgeon, dentist, musician, or artist, and when situated in the dwelling; and including also one (1) private garage when located not less than roadway setbacks and not less than twelve (12) feet from the main building or private garage within or attached to the building.

On corner lots no accessory building shall be built closer than twelve (12) feet from the inside lot line.

The terms accessory shall not include:

A business outside the building to which it is accessory or which occupies a total floor area in excess of twenty five (25) percent of the floor area of one (1) story of such building, which by reason of the appearance of the building or premises, or the emission of odor, smoke, dust, or noise, or in any other way is objectionable or detrimental to the residential character of the neighborhood, or which involves features in design not customary in buildings for the above uses or any structural alteration of the building.

Section B - Regulations governing "MULTIPLE FAMILY" (District B)

1. HEIGHT

No building shall exceed thirty five (35) feet or two (2) stories in height as measured from the top of the foundation to the roof ridge, unless approved by the Board of Appeals.

2. REAR YARD

There shall be a rear yard minimum depth of at least twenty five (25) feet.

3. SIDE YARD

There shall be a side yard on each side of the building of not less than twelve (12) feet in width.

4. BUILDING AREA

No building with its accessory buildings shall occupy in excess of fifty (50) percent of an interior lot, nor in excess of sixty (60) percent of a corner lot, unless approved by the Board of Appeals.

5. LOT AREA PER FAMILY (Or Sleeping Space)

- A. Every single family dwelling shall provide a lot area of not less than eighteen thousand (18,000) square feet per family.
- B. Every two (2) family dwelling shall provide a lot area of not less than nine thousand five hundred (9,500) square feet per family.
- C. Every apartment building shall provide a lot area of not less than fifteen hundred (1,500) square feet per room used as sleeping quarters or two thousand (2,000) square feet per family, whichever is less.

6. SIGNS AND ILLUMINATIONS

- A. Only identifying signs showing the name of the business and/or insignia of the business using the site shall be used where visible from the street. No signs shall be placed to obstruct traffic vision, traffic controls, or traffic signs or utility service.
- B. No sign shall have the height or width to unnecessarily obstruct the open air space.
- C. Illumination of sign(s), facades, buildings, park areas, load and unloading facilities and yards shall be installed so as to eliminate glare, reflection or nuisance to adjoining districts or streets.

7. DRIVEWAYS AND PARKING AREAS

Driveways and parking areas shall be surfaced with asphalt, cement, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.

Driveways and parking areas shall not be closer than twelve (12) feet to side lot line at the point where the driveway crosses the street (property) line.

8. YARD MAINTENANCE

All yard area(s) shall be landscaped and maintained in such a manner that they will be aesthetically attractive.

9. PARKING FACILITIES

Off street parking facilities shall be provided which are sufficient to meet the needs of all persons associated with the use of the property, either as employees, customers, suppliers or visitors. The minimum standards shall be one off street parking space for each patron of the building floor area or one off street parking space for each main shift employee, whichever results in the larger number of parking spaces.

IV. MOBILE HOME PARK DISTRICT (District C)

In this District no building shall be hereafter erected nor shall such premises be otherwise used, except for the following uses:

- A. Mobile homes for singles family occupancy.
- B. Park and playgrounds.
- C. Accessory buildings and uses incident to any of the above uses when located on the same lot and not involving the conduct of a retail business include (1) private garage when located not less than forty (40) feet from the front line or in a compartment as part of a main building, and including also home occupations engaged in by the occupants of a dwelling not involving the conduct of a retail business on the premises. On corner lots no accessory building shall be built closer than twelve (12) feet from the side lot lines nor closer than thirty five (35) feet from the street (property) line.
- D. This District shall be not less than ten (10) acres in area including streets, parks, playgrounds and any other land dedicated to public use.
- E. There shall be no area minimum for additions to this District.
- F. See MOBILE HOME ORDINANCE for further information regarding this District.

V. LOCAL BUSINESS AND COMMERCIAL DISTRICT (District D)

In this District all buildings and premises are to comply with the following examples:

- A. Tavern with adequate off street parking
- B. Grocery stores with adequate off street parking
- C. Clothing stores with adequate off street parking
- D. Garages with adequate off street parking
- E. Hardware stores with adequate off street parking
- F. Sporting goods stores with adequate off street parking
- G. Filling stations with adequate off street parking
- H. Veterinarians with adequate off street parking
- I. Churches with adequate off street parking
- J. Schools with adequate off street parking
- K. Monasteries with adequate off street parking
- L. Bakeries with adequate off street parking
- M. Public libraries with adequate off street parking
- N. Machine shops
- O. Hospitals and clinics

Section D - Regulations governing "BUSINESS AND COMMERCIAL" (District D)

1. HEIGHT

No building shall exceed thirty five (35) feet or two (2) stories in height unless approved by the Board of Appeals.

2. REAR YARD

There shall be a rear yard having a minimum depth of twenty (20) feet, except railroad property with no minimum.

3. SIDE YARD

A side yard shall be not less than twelve (12) feet in width, except railroad property.

4. SET BACK

Buildings to be located in this District shall comply with the set back provisions of the adjoining residential district.

5. BUILDING AREA

No building shall occupy in excess of seventy (70) percent neither of a corner lot nor in excess of sixty (60) percent of an interior lot.

A. Reversed frontage:

If the front of the building faces the rear of the lot, then the set back is forty (40) feet from the front lot line to the rear of the building.

6. SIGNS AND ILLUMINATION

A. Only identifying signs showing the name of the business and/or insignia of the service of the business using the site shall be used where visible from the street. No sign shall be place to obstruct traffic vision, traffic controls, or traffic signs, or utility services.

B. No sign shall have a height or width to unnecessarily obstruct the open air space.

C. Illumination of sign(s), facades, buildings, park areas, loading and unloading facilities and yards shall be installed so as to eliminate glare, reflection or nuisance to adjoining districts or streets.

VI. LIGHT INDUSTRIAL DISTRICT (District F)

In this District all buildings and premises are to comply with the following examples:

- A. Lumber yards
- B. Distribution centers
- C. Bottling works
- D. Machine shops
- E. Bakeries
- F. Feed and Milling
- G. Sewage disposal plants

Note: Contaminating gases and acids, ammonias, etc, will not be manufactured in this area

Section F - Regulations Governing "LIGHT INDUSTRIAL" (District F)

1. HEIGHT

No building shall exceed thirty five (35) feet or two (2) stories in height, unless approved by the Board of Appeals.

2. REAR YARD

There shall be a rear yard having a minimum depth of twenty (20) feet.

3. SIDE YARD

A side yard shall be not less than twelve (12) feet in width.

4. SET BACK

Buildings to be located in this District shall comply with the set back provisions of the adjoining residential district.

5. BUILDING AREA

No building shall occupy in excess of seventy (70) percent of a corner lot or in excess of sixty (60) percent of an interior lot.

6. SIGNS AND ILLUMINATION

- A. Only identifying signs showing the name of the business and/or insignia of the service of the business using the site shall be used where visible from the street. No sign shall be placed to obstruct traffic vision, traffic controls, or traffic signs, or utility services.
- B. No sign shall have a height or width to unnecessarily obstruct the open air space.
- C. Illumination of sign(s), facades, buildings, park areas, loading and unloading facilities and yards shall be installed so as to eliminate glare, reflection or nuisance to adjoining districts or streets.

VII. AGRICULTURAL DISTRICT (District G)

In this District all building and premises are to comply with the following examples:

- A. Farms
- B. Vacant land
- C. Recreational areas (tourist parks and camps)
- D. Sewage disposal with lagoon
- E. Roadside stand for sale of farm produce grown on premises

Section G - Regulations Governing "AGRICULTURAL" (District G)

1. HEIGHT

No building shall exceed thirty three (33) feet or two (2) stories in height, unless approved by the Board of Appeals.

2. REAR YARD

There shall be a rear yard having a minimum depth of twenty five (25) feet.

3. SIDE YARD

A side yard shall be not less than twelve (12) feet in width.

4. BUILDING AREA

No buildings with its accessory buildings shall occupy in excess of forty (40) percent of an interior lot, nor in excess of fifty (50) percent of a corner lot.

5. LOT AREA PER FAMILY

Every dwelling hereafter erected or altered shall provide a lot area of not less than eighteen thousand (18,000) square feet.

6. DRIVEWAYS

Driveways and parking areas shall be surfaced with asphalt, cement, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.

Driveways and parking areas shall not be closer than twelve (12) feet to side lot line at the point where the driveway crosses the street (property) line.

VIII. INDUSTRIAL PARK DISTRICT (District H)

In this District, no building, structure or premises shall be used and no building or structure shall be erected or altered until the following conditions have been complied with:

A. The following information must be submitted to the Zoning Inspector.

1. A plot plan showing present and proposed driveways, buildings, off street parking, loading areas, and other accessory uses.
2. Any other information which may be necessary to determine that the proposed use and construction complies with the conditions of this section and the State of Wisconsin Building Codes.

B. PERMITTED USES

Any use which is not specifically prohibited in sub-section (C) below or by any other section of this Ordinance will be permitted in this District if it complies with all of the provisions of this Section.

C. PROHIBITED USES

The following uses shall be prohibited in this District:

1. All uses permitted in the SINGLE FAMILY RESIDENCE DISTRICT
2. TWO FAMILY RESIDENCE DISTRICT (District AA)
3. MULTIPLE FAMILY DISTRICT (District B) except railroad right of ways
4. LOCAL BUSINESS AND COMMERCIAL DISTRICT (District D)
5. Bulk oil storage, refineries, junk and salvage yards

Section H - Regulations Governing "INDUSTRIAL PARK" (District H)

1. HEIGHT

No building or structure (except chimneys and architect features) shall exceed two (2) stories or thirty three (33) feet in height, unless approved by the Board of Appeals.

2. REAR YARD

There shall be a rear yard minimum depth of at least twenty five (25) feet between the rear property line and any building, structure or part thereof, except:

- A. Where a rear property line abuts a residential district, the minimum depth shall be fifty (50) feet.
- B. Where a rear property line abuts a railroad track or right of way, no rear yard shall be required.

3. SIDE YARD

There shall be a minimum of at least twenty five (25) feet between any side lot line and any building, structure or part thereof, except:

- A. Where a side property line abuts a residential district, the minimum depth shall be fifty (50) feet.
- B. Where a side property line abuts a railroad track or right of way, no rear yard shall be required.

4. FRONT YARD

There shall be a minimum distance of fifty (50) feet between the front property line and any building, structure or part thereof.

5. YARD USES

- A. Driveways are not to exceed twenty four (24) feet in width.
- B. Landscaping facilities and features such as entrance ways, flagpoles, walls, etc.
- C. Parking in rear yards and side yards when such yard does not abut a residential district.

6. BUILDING AREA

No building shall cover more than fifty (50) percent of the total property area, unless approved by the Board of Appeals.

7. PARKING

Off street parking facilities shall be provided which are sufficient to meet the needs of all persons associated with the use of the property, either as employees, customers, suppliers or visitors. The minimum standards shall be one (1) off street parking space for every two thousand (2,000) square feet of building floor area or one (1) off street parking space for each main shift employee, whichever results in the larger number of parking spaces.

8. LOADING AREAS

Loading areas shall be constructed and maintained upon a building site in such a location that any vehicle transporting goods, wares, merchandise or materials to or from a building site shall not be required to park on any street or in any minimum front yard or on any street side of a corner lot. If a building is set back beyond the minimum yard requirements, the area beyond the required set back may be used for parking.

9. STORAGE OF ON SITE MATERIALS

Storage of all materials, products, either in process of construction or fabrication, or in completed form, equipment, or other necessary tools or articles outside of any building shall be in an area designated for such purposes and enclosed by a fence or other appropriate enclosure which shall screen such storage. Plans for such storage arrangements must be approved by the Village of Hewitt Board.

In any case, there shall be no open storage of materials, supplies, or products that would conflict with the Performance Standards of this Section.

10. OPEN SPACE REQUIREMENTS

- A. Driveways and Parking Areas -- Such areas shall be surfaced with asphalt, portland concrete, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.
- B. Yard Areas -- All required yard areas (except driveways and parking areas) shall be landscaped and maintained in such a manner that they will be aesthetically attractive.
- C. Open/Unoccupied Areas -- All such areas shall be continuously maintained in a dust free condition.

11. DRIVEWAYS

Driveways and parking areas shall be surfaced with asphalt, cement, concrete or any other material or combination of materials that will provide a hard, durable, dust free surface.

Driveways and parking areas shall not be closer than twelve (12) feet to side lot line at the point where the driveway crosses the street (property) line.

12. SIGNS AND ILLUMINATION

- A. Only identification signs showing the name and or insignia, products or services of the company using the site shall be permitted where visible from the street.
- B. No signs shall be placed in a required front yard or street side of a side yard except those necessary for traffic control, directional or safety purposes.
- C. No sign shall extend above the roof line of the building to which it is attached or placed near.
- D. One sign, not exceeding 150 square feet in area, may be erected to identify the District, owner and/or occupants.
- E. Illumination of signs, facades, buildings, parking areas, loading and unloading facilities and yards shall be installed so as to eliminate glare, reflection or nuisance to adjoining districts or streets.

13. PERFORMANCE STANDARDS

Any use in this District shall comply with the following regulations:

- A. **NOISE** -- At no point on the boundary of any individual parcel of property shall the sound level of any industrial operation exceed the limits shown in the following table:

Frequency	Cycles per second	Maximum sound level-decibels	
		7 AM - 10 PM	10PM - 7 AM
0-75		72	67
75-150		67	62
150-300		59	54
300-600		52	47
600-120		46	41
1200-2400		40	35
2400-4800		34	29
Over 4800		32	27

Frequencies and sound levels shall be measured with an Octave Band Analyzer and Sound Level Meter which comply with the USA Standards prescribed by the United States of America Standards Institute.

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness.

- B. **AIR CONTAMINANTS** -- No smoke, scot, fly ash, dust cinders, dirt, noxious or obnoxious acids, fumes, vapors, odors, toxic or radioactive substance, waste, or particulate, solid, gaseous matter shall be introduced into the outdoor atmosphere along or in any combination in such quantities and of such duration that they would interfere with the safe and comfortable enjoyment of life or property or any use permitted in this and adjacent districts.

1. LIMITATIONS OF EMISSION FOR CONTAMINANTS:

- a. No air contaminant shall be discharged into the atmosphere from any single source of emission for a period or periods aggregating more than three (3) minutes in any One (1) hour which is as dark or darker in shade as that designated as No. 2 on the Rinemann smoke chart published by the United States Bureau of Mines, or of such capacity as to obscure an observers view to a degree of equal to or greater than does smoke in the shade designated as No. 2.

b. No sulfur compound shall be emitted which would result in ground level concentration of sulfur dioxide at the property line or beyond in excess of 1.0 parts per million (volume) in a twenty (20) minute period of any hour or average exposure in excess of 0.1 parts per million (volume) in any eight (8) hour period, nor shall any gas be emitted which contains sulfur dioxide in excess of two thousand (2,000) parts per million (volume).

c. There shall be no emission of matter which can be readily detected as odorous at the property line or beyond.

C. LIQUID AND SOLID WASTE

Any disposal of wastes on the property shall be done in such a manner that it will conform to the regulations of this Section. No waste shall be discharged into a storm sewer or roadside ditch or drainage area, except clear and unpolluted waters.

Any water discharged into a sanitary sewer shall be pretreated and not contain:

- a. Cyanides or halogens
- b. Hydrogen sulfide, sulfur dioxide or nitrous oxide gases in excess of 10 parts per million
- c. Insoluble substances in excess of 10,000 parts per million or exceed a daily average of 500 parts per million or fail to pass a No. 8 standard sieve, or have dimensions greater than one half inch.
- d. A chlorine demand greater than 15 parts per million.
- e. Be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a temporary variation of 5.0 to 10.0.
- f. Phenols in excess of 0.005 parts per million.
- g. Grease, oil or oil substance in excess of 100 parts per million or exceed a daily average of 25 parts per million.

D. FIRE AND EXPLOSION HAZARDS

All activities involving and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires shall be prohibited at any point. The relevant provision of State and Local laws and regulations shall also apply.

E. RADIOACTIVITY OR ELECTRICAL DISTURBANCES

No activities shall be permitted which emit dangerous radiation at any point of any equipment other than that of the creator of such disturbance. Radioactive emissions shall be further subject to applicable federal regulations.

F. VIBRATION

In non-industrial districts no vibration shall be permitted which is discernible without instruments at the points of measurement. In industrial districts there shall be no operation or activity which would cause ground transmitted vibrations in excess of the limits set forth below at the boundary of this district under any conditions, nor beyond the property line if it would adversely affect any other use within the district.

Frequency Cycles Per Second	Maximum Permitted Displacement Sub division boundaries (inches)
0 to 10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and over	.0001

G. GLARE OR HEAT

All lighting shall be arranged so as to deflect light away from any adjoining residential use. No direct or sky reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the points of measurement shall be permitted.

IX. COURT REGULATIONS

A. INNER COURT

An open unoccupied space on the same lot with a building bounded on one (1) side and both ends with a wall and on the remaining side by a lot line.

B. OUTER COURT

A court not on a lot line, extending to a street, alley or other open space, said space at least fifteen (15) feet wide.

C. COURT WIDTH

The width of a court is its least horizontal distance dimension at its lowest level.

D. COURT LENGTH

The length of a court is the mean horizontal distance between the ends of said court.

E. COURT HEIGHT

The height of a court is the vertical distance from the lowest level of such court to the highest point of any abounding wall.

F. COURT LOWEST LEVEL

The lowest level of a court shall be the same as that for a rear yard as required in the appropriate District(s).

X. RELOCATION OF BUILDINGS

The following must be completed before the Village of Hewitt Board will make a decision:

- A. The proposed relocation and reason for relocation of said building must be submitted to the Village Board in writing sixty (60) days prior to the intended relocation.
- B. A public hearing shall be held regarding the proposed relocation. A notice of the public hearing will be published in accordance with the Open Meeting Laws, State of Wisconsin. The notice shall state the type of structure proposed for relocation, its present location, future location, hearing date and time. No hearing shall be held until the costs of such hearing have been paid for by the person requesting the relocation, including any professional costs incurred, as well as any other related costs.

XI. LIGHT AND VENTILATION

Shall follow the State of Wisconsin Building Code for regulations.

XII. BUILDING PERMIT REQUIREMENTS

1. PERMIT REQUIREMENTS

- A. No person shall alter, in excess of \$1000 value in any twelve month period, build, add onto or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the building inspector.
- B. Any structural changes or major changes to mechanical systems that involve extensions shall require permits.
- C. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is included in permit requirements.
- D. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be included for permit requirements.
- E. Any NEW object or structure with a value in excess of \$1000 dug into the ground or attached to an object or structure shall require a building permit.
- F. Any REPLACEMENT, REPAIR or REMODELING of a structure or object with a value in excess of \$1000 shall require a building permit.

2. SETBACK(S) FOR BUILDINGS, STATIONARY OBJECTS, DRIVEWAYS & PARKING AREAS

- A. Lot Line Setbacks for buildings including the overhang, stationary objects, driveways, and parking areas shall be 12 feet from side and back lot lines.
- B. Roadway Setbacks for buildings and stationary objects:
 - 1. Yellowstone Drive - 100 feet from centerline or 70 feet from right of way line, whichever is greater.
 - 2. County Trunk T - 75 feet from centerline or 42 feet from right of way line, whichever is greater.
 - 3. All other streets/roads - 35 feet from lot line.

3. CULVERTS

- A. Minimum diameter for driveway culverts will be 15 inches.
- B. Minimum length of culverts for a driveway is 24 feet.
- C. Exact size will be determined by the Building Inspector, who **MUST** be contacted prior to the installation of any culvert.
- D. All culverts shall be galvanized steel or smooth interior corrugated polyethylene pipe (SICPP). (AASHTO M-294 type S)

4. CLEAN UP COSTS

- A. Any costs associated with the clean up, and/or disposal of wastes by: the property owner, a contractor or subcontractor, on their property or the property of others, will be assessed to the property owners' tax roll.

5. VARIANCES

Any variance from the zoning ordinance or Building Permit Guidelines must be approved prior to the issuance of a building permit. One of the following two options may be followed:

- A. A request for a variance may be submitted to the Board of Appeals as the Board of Appeals by State Statute has the authority to grant any and all variances to the Zoning Ordinance. Requests must be submitted in writing to the Village Clerk who will schedule a meeting of the members of the Board of Appeals. The Board of Appeals decision is final. The cost of the Board of Appeals meeting is incurred by the person(s) requesting the variance.
- B. A request for a variance may be submitted to the Village Board. Requests must be submitted in writing to the Village Clerk who will have the request added to the next regularly scheduled Village Board meeting's agenda. The property owner requesting a variance must also provide signed letters from adjoining property owners verifying that they agree to the variance if approved.

FEES – The Village of Hewitt has established building permit fees to include State required seal and a minimum of four (4) inspections and reports). Permit Fees and Other Fees **MUST** be paid before the Building Inspector issues the Permit to the requester. Fees are assessed for each of the following (See Resolution 2009-2):

- Single family homes up to 2000 square feet.
- Single family homes over 2000 square feet.
- Duplexes.
- A minimum fee per 100 Square feet for New Business/Church Buildings
- Additions up to 200 square feet.
- Additions per 100 square feet over 200 square feet.
- Non-UDC permits for estimates from \$1000.00 - \$5000.00 and an additional fee for every \$1000.00 estimate increase after \$5000.00.
- Occupancy Fee for New Dwellings and Businesses. This is refundable per Uniform Dwelling Code Ordinance 2000.10.
- Sewer Service Connection Charges for:
 - Single Family Residence
 - Multiple Family Residence
 - Business – Residence Combination
 - Business
 - School
 - Church

7. PENALTIES

Failure to obtain a building permit, for any type of construction or alterations that require one, will result in a fine of twice the cost of the permit, plus the cost of the permit.

XIII. SATELLITE DISH / TV ANTENNA / TV TOWER SETBACKS & INSTALLATION

1. SATELLITE DISHES LARGER THAN 30" in DIAMETER

Satellite dishes larger than 30" in diameter being installed on property within the Village of Hewitt must be installed at the rear of the property owner's lot within the setback regulations for buildings and/or stationary objects as follows:

- A. Shall be at least twelve (12) feet from back and side lot lines.
- B. A building permit for the installation of a satellite dish larger than 30" in diameter is required.
- C. Satellite dishes larger than 30" in diameter cannot be installed: on building rooftops or on a pole/tower with the total height of the pole/tower and dish exceeding 15 feet above ground level.

2. SATELLITE DISHES SMALLER THAN 30" in DIAMETER - TV ANTENNA'S - TV TOWERS

Satellite dishes smaller than 30" in diameter, TV antennas, TV towers being installed on property within the Village of Hewitt must be installed within the setback regulations for buildings and/or stationary objects as follows:

- A. Shall be at least twelve (12) feet from back and side lot lines, thirty five (35) feet from front lot lines.
- B. A building permit for the installation of a satellite dish smaller than 30" in diameter, TV antenna, TV tower is not required.
- C. Satellite dishes smaller than 30" in diameter can be installed: on a building rooftop or on a pole/tower with the total height of the pole/tower and dish not to exceed 35 feet above ground level.

PENALTY: Failure to comply with any part of this ordinance section will result in a fine of not less than twenty five (\$25) dollars nor more than seventy five (\$75) dollars in addition to the repositioning of the satellite dish within specified boundaries at the owners expense.

XIV. UTILITIES

The sub-divider or developer shall cause gas, electrical power, and telephone facilities to be installed in such a manner to make service available to each lot. All such utilities shall be installed underground within the boundaries of the subdivision. Any replacements to utilities such as gas, electrical power, and telephone facilities shall be also be installed underground within the boundaries of the subdivision .

XV. PENALTIES

Failure to comply with any part of this ordinance will result in a fine of not less than twenty five (\$25) dollars nor more than five hundred (\$500) dollars in addition to any costs incurred by the individual or Village Board, in order to rectify the non compliance.

Failure to obtain a building permit, for any type of construction or alterations that require one, will result in a fine of twice the cost of the permit, plus the cost of the permit.

Amended by the Village of Hewitt Board the 8th day of September, 2009.

Vote: Yes 3
No 0

Ken Eilers, Village President

Marlene Stueland, Village Clerk



Amended by the Village of Hewitt Board this 11th day of March 2003.

Approved For 4
Against 0

Marlene Stueland - Village President Marlene Stueland

Scott Wunrow - Village Clerk Scott Wunrow