

TOWN OF GLENDALE

ORDINANCE NO 99-01

LAND USE ORDINANCE

The Town Board of the Town of Glendale, Monroe County, Wisconsin, does ordain as follows:

Section 1. Construction Certificates

- 1.01 No building or structure shall be constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches, etc.) moved to, placed upon, or converted to other uses within the Town of Glendale without a Land Use Certificate/Occupancy Permit being obtained from the Town Board. This includes and isn't limited to buildings/structures that are temporary, movable, on skids, etc. In addition to the certificate, no person shall build or cause to be built a one-family or two-family dwelling without first submitting a Wisconsin Administrative Building Permit to the Town Clerk
- 1.02 No single-family dwelling whether permanent or temporary shall be constructed, erected, moved to, or placed upon, on any parcel or lot less than 3.0 acres in size, and no certificate shall be issued for the erection or placement of more than one single family dwelling on any 3.0 acre parcel or lot. Smaller parcels created by deed, recorded prior to this ordinance are exempt from this restriction (original ordinance language date Oct. 8, 2018).
- 1.03 No business, farm, commercial, industrial, recreational, or other permanent or temporary building shall not be constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved to, placed upon, or converted to other uses within the Town of Glendale unless a Land Use Certificate/Occupancy Permit is obtained from the Town Board which specifically designates the size of the area upon which such proposed structure/building may be constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved, placed upon, or converted to other uses. A state building plan approval also must be submitted for any commercial building (except factory, office, mercantile or storage garage occupancies of less than 25,000 cubic feet) or for any residential building of three or more living units. The Town of Glendale Board, in determining the size of the area proposed for the constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved to, placed upon, or converted of a structure/building, shall not be bound by the limitations set forth in section 1.02 above, and shall have wide discretion in determining the size and area necessary to properly provide for the conduct of the proposed use, including loading, unloading, parking and other facilities which shall be required for the proper use of the structure.
- 1.04 Condominiums, apartments, or other multi-family units shall not be constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved to, placed upon, or converted to other uses within the Town of Glendale unless a Land Use Certificate/Occupancy Permit is obtained from the Town Board. The Town Board shall specifically designate the size of the area for said construction and may grant the application for any area which, in the opinion of the Board, provides a reasonable area for the use of the structure/building as a condominium, apartment or multi-family unit including consideration of necessary services to be provided to the occupants, such as parking areas, access, traffic congestion and other factors related to the health, safety and general welfare of the area. In no event shall the area for the erection or placement of any such condominium, apartment, or multi-family unit be less than 3 acres in size.

- 1.05 No certificate shall be issued for any building/structure to be constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved, or placed upon neither closer than 75 feet from the center of a public road; nor any closer than 10 feet to the boundary of any adjoining properties.
- 1.06 No certificate shall be issued until the applicant has obtained a sanitary certificate for the installation of a private sanitation facility. The entire system, including tanks and drain-fields, shall not be located less than 5 feet from the boundary of any adjoining lot.
- 1.07 No certificate shall be issued in the town of Glendale if such structure, in the opinion of the Town Board, will detract from the value of the surrounding properties, or will detract from the general appearance of the area, or for any reason, including fire and safety hazards, is not suitable for the area in which it is sought to be erected or placed. The Town Board may conduct or authorize any investigation deemed reasonable and proper under this ordinance for the purpose of promoting the objectives of said ordinance.
- 1.08 Application for construction certificates and state building permits shall be made to the Town Clerk on forms furnished by the Town and shall contain that information and authorization that the Town Board determines is necessary to carry out the intent of this Ordinance.
- 1.09 The application(s) shall be submitted to the Town Clerk to allow sufficient time for the Clerk to give the applicable statutory public notice for consideration of the issue by the Board.
- 1.10 The application(s) shall be accompanied by the then applicable fee(s). If the application is received after commencement of construction, each applicable fee will double.

Land Use Certificate/Occupancy Permit Fee Schedule

1. New to parcel 1 -and 2-family dwelling buildings (any dimension) = \$150
 - a. This includes any additions/enlargements (decks, balconies, stoops, etc.)
2. New to parcel and any additions to detached accessory building (including agriculture buildings) 601 sq. feet or larger = \$100
3. New to parcel and any additions to detached accessory building (including agriculture buildings) 101 sq. feet -600 sq. feet = \$50
4. No permit needed for but not limited to; accessory building/structure 100 sq. feet or less, re-siding of any building/structure, re-roofing of any building/structure, finishing of interior surfaces, installation of cabinetry, repairs that do not affect the structural elements of a building/structure, replacement of furnaces, air conditioners, water heaters or any other similar equipment that doesn't involve the extension or expansion of the system.

If a Land Use/Occupancy permit is required and not properly obtained prior to starting construction, all construction actions shall cease immediately and shall not continue until a proper permit is issued by the Town of Glendale.

- 1.11 A certificate shall expire two years from the date of issuance unless extended by the Town Board in which case substantial work shall have been completed.
- 1.12 Any certificate issued as a result of any false or misleading statement made in the application for the certificate or any certificate issued in violation of any provision of this Ordinance shall be void.

Section 2. Subdivisions

Pursuant to Chapter 236, Wisconsin Statutes, "Subdivisions" is a division of a lot, parcel or tract of land by the owner thereof or the owner's agent for the purpose of sale or building development, where:

- (a) the act of division creates 5 or more adjacent parcels or building sites of 3.0 acres or less in area; or
- (b) five or more adjacent parcels or building sites of 3.0 acres each or less in area are created by successive divisions within a 5-year period.

Any such subdivision shall meet the following requirements:

- 2.01 Access to each lot shall be provided from a public street or highway. The minimum width fronting on the public street for each lot or parcel in the subdivision shall be specifically approved by the Town Board.
- 2.02 All final plats submitted for approval shall contain a restriction on the sale of lots platted which provides that no more than one home site may be erected on each lot.
- 2.03 All streets and highways in such plats shall be of a comparable width to other streets and highways in the general area, but in no event less than 86 wide feet with a 20-foot-wide travel base. All such roadways shall be constructed at the expense of the applicant of the plat according to the specifications and standards required by the Town Board and in accordance with generally accepted construction standards in effect at the time of application. In the event that it is deemed necessary to install culverts for said road or roads, the applicant shall install such culverts where needed, and provide easements as may be required for the proper drainage of waters. The Town Board may require proof of financial security guaranteeing the construction of such streets and highways by the applicant as required in such amount as the Town Board shall deem reasonable and necessary.
- 2.04 Prior to the sale of any lot within a subdivision, the owner or developer of the subdivision shall furnish to the town Board a scale map of the subdivision, clearly showing each proposed roadway and lot, prepared by a surveyor or registered professional engineer, and containing the legal description of the proposed roadways and lots.
- 2.05 Business, commercial, industrial, recreational buildings, and other buildings shall not be constructed, erected, moved to, or placed upon any platted lots unless the prior approval of the Town Board is obtained, and which certificate shall specifically designate the size of the area upon which such proposed structure may be erected. The Town Board, in determining the size of the area proposed for the erection of such structure, shall not be bound by the limitations set forth in section 2.01, above, and shall have wide discretion in determining the size and area necessary to properly provide for the conduct of the business, commercial or industrial use, including loading, unloading, parking and other facilities which shall be required for the proper use of the structure as a business, commercial, industrial or recreational structure.
- 2.06 Applications for Land Use Certificate/Occupancy Permit for the erection, construction, moved to or placed upon and location of condominium, apartments, or other multi-family units, in a subdivision shall contain the information set forth in section 1. 09. The Town Board may grant the application for any area which, in the opinion of the Board, provides a reasonable area for the use of the structure as a condominium, apartment, or multi-family unit including consideration of necessary services to be provide to the occupants, such as parking areas, access, traffic congestion, and other factors related to the health, safety and general welfare of the area. In no event shall the area for the erection or placement of any such condominium, apartment or milt-family unit be less than 3 acres in size.
- 2.07 The provisions of this section shall be subject to and in addition to any State, Federal, or County laws or regulations which apply to platting lands. No final plat of lands in the Town of Glendale shall be approved by the Town Board unless it complies with the applicable requirements of Chapter 236, Wisconsin Statutes, as amended from time to time.

Section 3. Mobile Homes

- 3.01 A "mobile home" is defined as manufactured home that is HUD certified and labeled under the National Mobile Home Construction and Safety Standards Act of 1974. A mobile home is a transportable structure, being eight (8) feet or more in width, (not including the overhang of the roof), built on a chassis and designed to be used as a dwelling with or without permanent foundation when connected to utilities. No mobile home more than 10 years from date of manufacture may be placed individually or in a mobile home park in the Town of Glendale.
- 3.02 In addition to the requirements of this section, no mobile home shall be erected, placed upon, converted or enlarged upon any lands within the Town of Glendale without a certificate being obtained in the manner set forth in this Ordinance for dwellings and other structures.
- 3.03 A certificate issued for the placement of a trailer or mobile home, other than those situated in a lawfully established trailer or mobile home park, shall require the applicant to remove the wheels from said structure and permanently affix said mobile home to the real estate so as to be an integral part thereof as follows:
- (1) Footings must be at least 12 inches in diameter and be placed no more than 10 feet apart and installed to a depth of at least 4 feet below ground level. Either round or 8 x 16-inch support piers shall be placed upon footings and the mobile home shall be attached thereto at four corners of such mobile homes.
 - (2) In lieu of the above-described footings, a concrete slab 4 inches thick, the width and length of the mobile home may be used provided anchors are provided at the four corners.
 - (3) The appropriate support structures described above shall be in place before the mobile home is moved onto the property.
- 3.04 All mobile homes in the Town of Glendale shall have mobile home skirting attached around the bottom exterior.
- 3.05 No mobile home will be permitted in the Town of Glendale that is not either in a duly licensed mobile home park or that does not meet anchoring and support requirements outlined above.
- 3.06 A mobile home that is used for other than dwelling purposes also shall comply with the requirements of this ordinance.
- 3.07 The provisions of this section shall be subject to and in addition to any State, Federal, or County laws or regulations which apply to house trailers, mobile homes or mobile home parks.

Section 4. Roadways/Driveways

- 4.01 The establishment and installation of all proposed public roads and driveways from all public roads onto private property shall be controlled by the Town Board. No public or private roads or driveways shall be installed, altered, or changed without first obtaining a construction certificate authorizing the same. Changes include, but are not limited to, widening, and changing grades. Normal maintenance procedures do not require a certificate.
- 4.02 Such certificate shall designate the location and width of such roadway or driveway, the proposed construction materials, the proposed amount and type of traffic use and the contractor's name.
- 4.03 The application(s) shall be accompanied by a \$40 fee.
- 4.04 All driveways shall be constructed of suitable material for the amount and kind of traffic and shall be constructed in such manner that no damage be done to the public road. All driveways shall be graded so that it will not be necessary to change the established grade of the public road. No driveway shall obstruct or interfere with the proper drainage of surface waters, and all culverts shall be of suitable size, material, and condition for such purpose.

- 4.05 The applicant shall pay the cost of any such roadway or driveway.
- 4.06 If, upon inspection, the Board determines that a driveway has not been constructed in substantial compliance with a certificate, the Town may perform or order corrections so as to achieve compliance and charge the costs of correction to the landowner, the person who did the work or both.
- 4.07 No certificate shall be issued if the public safety, flow of traffic or condition of town roads would be endangered or impaired by the project in question.

Section 5. Junkyards/Disposal Sites

- 5.01 It shall be unlawful to establish or maintain any junkyard/salvage yard or disposal site in the Town of Glendale without the permission of the Town Board under such rules, regulations and restrictions as the Town Board may require.
- 5.02 All accumulations of junk, and two (2) or more unlicensed or junk vehicles, shall be removed by the landowner upon notice by the Town Board. Any such notice shall be in writing by certified mail and shall advise the landowner of the condition to be corrected and shall permit the landowner no less than 45 days to remove the same. In the event that the landowner fails to correct such condition within the time permitted, the Town Board may, in addition to any other remedies available at law or in equity, take appropriate action for correction or removal of the condition. The owner shall be liable to the Town for all expenses incurred in connection with such action including actual attorney's fees.
- 5.03 For purposes of this ordinance, the term, "Junk" as defined in State Statutes 84.31 and "Junk" Vehicles means any inoperable, ruined, dismantled, or wrecked vehicle, in whole or in part, as defined in State Statutes 29.001, 100.47, 101.91, 340.01 and 341.01.

Section 6. Campers & Recreational Vehicles

- 6.01 No camper or recreational vehicle shall be occupied as dwelling for more than thirty (30) days annually unless it is parked in a campground as defined in section 707.02, Wisconsin Statutes.
- 6.02 No camper or recreational vehicle shall be parked in the Town of Glendale for more than thirty (30) days annually by other than the owner of the land where it is parked unless it is parked in the campground as defined in section 707.02, Wisconsin Statutes.

Section 7.

- 7.01 No person shall cause to be created a parcel of less than 3 acres in size upon which a single-family dwelling is located.
- 7.02 If a construction certificate was issued for a building other than a single-family dwelling after the effective date of this ordinance, no person shall cause to be created a parcel less than the size authorized for said structure.

Section 8. Variances

- 8.01 Any application which does not conform to the specific requirements of this Ordinance may, upon request of the applicant, be scheduled for a hearing for the purpose of determining whether a variance on the building restrictions as established by this Ordinance shall be granted. Such hearing shall be held by the Town board within thirty (30) days of the request for hearing.
- 8.02 At the conclusion of the hearing, the Town Board shall, based upon the evidence presented, determine whether the variance requested, or any other variance should be granted. If granted, the Board shall specify the conditions upon which such variance is granted.

Section 9. Penalties

Any person, firm or corporation who violates, disobeys, neglects, omits, or refuses to comply with the terms of this Ordinance, shall, upon conviction, forfeit not more than five hundred dollars (\$1,200.00) for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.

9.01 In addition to any other penalties set forth in this Ordinance, any constructed, erected, altered, enlarged (addition to existing structure including but not limited to decks, balconies, stoops, porches etc.), moved to, placed upon, or converted to other uses without a Land Use Certificate/Occupancy Permit as required by the provisions of this Ordinance, or not otherwise in conformity with the provisions of this Ordinance, shall be deemed an unlawful structure and shall be promptly removed from the site upon notice from the Town Board. Any such notice shall be in writing by certified mail and shall advise the landowner of the time period for said removal. In the event that the landowner fails to remove the offending structure, the Town Board may remove, or cause said structure to be removed.

9.02 The Town Board may bring action to enjoin the erection, placing, moving, or structural alteration of such building, or the establishment or the use thereof such building or premises, and may cause such building, structure, and use to be enjoined, vacated and removed from the premises.

9.03 The owner of the premises shall be liable to the Town of Glendale for all expenses the Town incurs in connection with any action brought under this Ordinance, including actual attorney's fees.

Section 10. Severability

10.01 Any action declaring any section, clause, or provisions of this Ordinance to be invalid shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 11. Effective Date

11.01 This Ordinance shall become effective and shall be in full force and effect from and after its passage and publication in the manner provided by law.

Updated & adopted this 18th day of June 2024

Signed: _____

Nic Betts, Chairman

Signed: _____

Steve Murray, Supervisor

Signed: _____

Brian Hyer, Supervisor

Signed: _____

Jamie Hyer, Clerk