

**Sec. 18-17. Specific words and phrases.**

When used in this chapter, the following words and phrases shall have the specific meaning as hereinafter defined:

*Accessory living quarters* means a residential accommodation accessory to the principal residence located within the primary structure or within an accessory building. Accessory living quarters must be incidental and subordinate in size, impact and purpose to the principal dwelling, and may be no more than 50% of the square footage of the principal residential structure or 1,500 square feet, whichever is smaller in size.

*Accessory use or structure* means 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 principal structure. (See also "Building, accessory")

*Agricultural land use* means use of land for planting, growing, cultivating, and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

*Alley* means a special public right-of-way affording only secondary access to abutting properties.

*ANSI* is the American National Standards Institute.

*A zone* means those areas shown on the FEMA flood hazard boundary map which would be inundated by the "regional flood" as defined below. These areas may be numbered or unnumbered A zones. The A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

*Babysitting* means the act of providing care and supervision for fewer than four children. This definition does not apply when the babysitter is related to the child, or when more than four children in one household are related.

*Banner* means a bunting or flexible sign characteristically supported at two or more points and hung on a building or otherwise suspended down or along its face, or across streets. The banner may or may not include copy or other graphic symbols.

*Bed and breakfast establishment* means any place of lodging that provides four or fewer rooms for rent to tourists or transients, provides no meals other than breakfast, is the owner's personal residence and is occupied by the owner at the time of rental. As used herein, "personal residence" means the place where the owner resides seven months or more in a 12-month period.

*Boarding house* means a building other than a hotel or restaurant where meals or lodging are regularly furnished by prearrangement for compensation for four or more persons not members of a family, but not exceeding 12 persons and not open to transient customers.

*Boathouse* means, as defined in § 30.121(1), Wis. Stats., a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls, or any combination of structural parts.

*Building* means any roofed structure used or intended for the protection or shelter of persons, animals, or property.

*Building, accessory* means a building or portion of a building used for a purpose customarily incident to the permitted principal use of the lot and located on the same lot as the principal use. (See also "Accessory use or structure")

*Building envelope* means the space remaining on a lot within which a building may be permitted after the minimum open-space requirements (coverage, yards, parking, setbacks, etc.) have been met.

*Building footprint* means that portion of a lot area that is covered or proposed to be covered by the foundations, including garages, carports, of the first floor area and floor areas of the floors above the first which extend beyond first floors (cantilevered sections), of a building or structure or proposed building structure. "Footprint" shall be measured from the exterior faces of all walls, including all cantilevered sections. Cantilevered sections shall not encroach into setback or offset areas. Eaves shall be allowed to encroach into setback and offset areas no more than 18 inches in an effort to encourage their installation and use.

*Building height* means the vertical distance of a building or structure as measured from the lowest existing grade at the perimeter of the building or structure to the highest point of the roof. The existing grade and building plan elevations shall be indicated on both the survey submitted for application and the "as-built" survey, as required by the building official.

*Building, principal* means the building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the district in which it is located.

*Bulkhead line* means a geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the department of natural [resources] pursuant to § 30.11 Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary high water mark, except where such filling is prohibited by the floodway provisions of this chapter.

*Caliper* is the term used for small trees and is measured at six inches to 12 inches above grade.

*Canopy tree* means any mature, deciduous tree with branches that form a high foliage crown (canopy) which filters the sun, unifies the area, and provides a dominant feature. These trees are often referred to as shade trees.

*Clear cutting* shall mean the removal or destruction of 30 percent or greater of the trees having a DBH of eight inches or more on a village lot as determined by the village administrator based on historic air photos, tree inventories, SEWRPC determinations and other appropriate records. This approach shall prevent the systematic incremental removal of tree cover. Approval may be granted through approval of a conditional use permit or through planned development zoning.

*Commercial land use* means use of land for the retail or wholesale sale of goods or services.

*Common facilities* means all the real property and improvements set aside for the common use and enjoyment of the residents of a development, including, but not limited to, buildings, open space, private streets, parking areas, walkways, recreation areas, drainage easements, and any utilities that serve more than one unit, such as sewerage and water-supply facilities.

*Common open space* means undeveloped land within a development that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be part of individual residential lots; it shall be substantially free of structures, but may contain such recreational facilities for residents as are shown on the approved development plan. (See "Open space easement" and "Preserved lands")

*Community-based residential facility (CBRF)* means a place where five or more unrelated adults reside in which care, treatment, or services above the level of room and board, but not including nursing care, are provided in the facility. A community-based residential facility is subject to state-level licensing and operational limitations as set forth in ch. 50, Wis. Stats. A CBRF does not include any of the following: a convent, facilities for victims of domestic abuse, a shelter, [or] other facilities excluded in § 50.01(1g), Wis. Stats.

*Community living arrangement.* The following facilities licensed and operated, or permitted under the authority of the Wisconsin Statutes: child welfare agencies under § 48.60, group homes for children under § 48.02 (7m), and community-based residential facilities under § 50.01; but does not include day care center, nursing homes, general or special hospitals, prisons, or jails. The establishment of community living arrangements is governed by §§ 46.03 (22), 59.97 (15), 60.63, and 62.23 (7)(i), Wis. Stats.

*Conditional use.* See Use, conditional.

*Construction site erosion control measure* means a control measure used to meet the requirements of section 18-9.

*Control measure* means a practice or combination of practices to control erosion and attendant pollution.

*Control plan* means a written description of the number, locations, sizes, and other pertinent information of control measures designed to meet the requirements of section 18-9 submitted by the applicant for review and approval by the building inspector.

*Corner lot* means a lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

*Crown* shall mean the upper mass or head of a tree created by its branches and leaves.

*Day care center* means a facility for the care and supervision of four or more children under the age of seven for less than 24 hours a day, which shall conform to the requirements of § 48.65, Wis. Stats.

*DBH* shall mean the diameter at breast height, which, for the purposes of this division, shall be measured at four and one-half feet above grade on trees of four inches in diameter or greater.

*Department* means the Wisconsin Department of Natural Resources.

*Destroy* shall mean to kill or damage irreparably, which shall be deemed to include, but not be limited to, damage inflicted to the root system by machinery, storage of materials and soil compaction, change of natural grade above or below the root system or around the trunk; damage inflicted on the tree permitting fungus, pests or other infestation; excessive pruning or thinning leading to a failure to thrive; paving over the root system with any impervious materials within such proximity as to be fatally harmful to the tree; or application of any toxic substance.

*Development* means any manmade change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial alterations to buildings, structures or accessory structures; the placement of buildings or structures; ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations; and the deposition or extraction of earthen materials.

*Developer's agreement* means an agreement by which the village and the developer agree in reasonable detail as to all of those matters to which the provisions of this Code apply and which does not come into effect unless and until an irrevocable letter of credit or other appropriate surety has been issued to the village.

*District, basic* means a part or parts of the village for which the regulations of this Ordinance governing the use and location of land and buildings are uniform.

*District, overlay.* Overlay districts provide for the possibility of superimposing certain additional requirements upon a basic zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more strict of the conflict requirements shall apply.

*Drainage system* means one or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

*Drip line* shall mean a limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than eight feet from the tree trunk, whichever is greater.

*Drive-in restaurant* means an establishment for the sale, dispensing or serving of food, refreshments, or beverages in or on disposable plates and cups; including those establishments where customers may serve themselves and may eat and drink the food, refreshments, and beverages on or off the premises.

*Dryland access* means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above the regional flood elevation and wide enough for wheeled rescue and relief vehicles.

*Dwelling, single-family attached* means a portion of a building occupied by a single residential living unit from ground to roof, having a common wall or walls with one or more adjoining dwelling units or uses.

*Dwelling, single-family detached* means a building providing a residential living unit exclusively for a single-family.

*Dwelling, duplex* means a building providing two residential living units, either side-by-side or one above the other.

*Dwelling, multiple* means a residential living unit in a building providing for more than two such living units where any one of such units does not have exclusive occupancy from ground to roof. *Eave* means that portion of the roof line extending beyond the building wall, a canopy attachment on a wall, or the lowest horizontal line on any roof. Eaves may not extend any further than 18 inches into any setback or offset areas.

*Enforcement officer* means the village-designated zoning administrator or certified arborist appointed by the zoning administrator for the purpose of enforcing the terms of this division.

*Environmental control facility* means any facility, temporary or permanent, which is reasonably expected to abate, reduce or aid in the prevention, measurement, control or monitoring of noise, air or water pollutants, solid waste and thermal pollution, radiation or other pollutants, including facilities installed principally to supplement or to replace existing property or equipment not meeting or allegedly not meeting acceptable pollution control standards or which are to be supplemented or replaced by other pollution control facilities.

*Erect* means to build, construct, attach, place, suspend, affix or fabricate, which shall also include painting of wall signs and window signs or other graphics.

*Erosion* means the detachment and movement of soil, sediment or rock fragments by water, wind, ice, or gravity.

*Family* means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability on a long-term basis.

*FEMA* means the Federal Emergency Management Agency.

*Fence* means any structure designed to confine, protect or divide property, including a wall, but not including plantings, trees or retaining walls.

*Fence, open* means a structure of rails, planks, stakes, strung wire or similar material erected as an enclosure, barrier, or boundary. Open fences are those with more than 50 percent of their surface area open for free passage of light and air. Examples of such fences include picket, rail, and chain link.

*Fence, solid* means a structure of rails, planks, stakes, strung wire or similar material erected as an enclosure, barrier or boundary. Solid fences are those with 50 percent or less of their surface area open for free passage of light and air and designed to conceal from the activities conducted behind them. Examples of such fences are stockade, board-on-board, board and batten, basket weave, louvered fences, and chain link with screening inserts.

*Fixed houseboat* means, as defined in § 30.121(1), Wis. Stats., a structure not actually used for navigation which extends beyond the ordinary high water mark of a navigable waterway and is retained in place either by cables to the shoreland or by anchors or spudpoles attached to the bed of the waterway.

*Flag* means a piece of fabric of distinctive design (customarily rectangular) that is used as a symbol of a nation, state, city, agency, corporation, person, enterprise, business, or commercial activity as a signaling device.

*Flood* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by the overflow or rise of inland waters; the rapid accumulation or runoff of surface waters from any source; or the sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

*Flood frequency* means the probability of a flood occurrence. A flood frequency is generally determined from statistical analysis. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

*Flood hazard boundary map* means a map prepared by FEMA designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A zones and do not contain

floodway lines or regional flood elevations. Said map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program.

*Flood insurance study* means an examination, evaluation, and determination of flood hazards, and if appropriate, corresponding water surface elevations; or an examination, evaluation, and determination of mud slide or mud flow, and/or flood-related erosion hazards. Such studies shall result in the publication of a flood insurance rate map showing the intensity of flood hazards in either numbered or unnumbered A-zones.

*Floodlands*. For the purpose of this chapter, the floodlands are all lands contained in the "regional flood" or 100-year recurrence interval flood. For the purpose of this chapter, the floodlands are divided into the floodway overlay district and the floodplain fringe overlay district.

*Floodplain* means that land which has been or may be hereafter covered by floodwater during the regional flood. The floodplain includes the floodway, the floodfringe and general floodplain areas.

*Floodplain fringe* means those floodlands, outside the floodway, subject to inundation by the 100-year recurrence interval flood. For the purpose of this chapter, the floodplain fringe is included in the floodplain fringe overlay district.

*Flood profile* means a graph showing the relationship of the floodwater surface elevation of a flood event of a specified recurrence interval to the streambed and other significant natural and manmade features along a stream.

*Floodproofing* means any combination of structural provisions, changes, or adjustments to properties and structures, water and sanitary facilities, and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

*Flood protection elevation* means a point two feet above the surface elevation of the 100-year recurrence interval flood. This safety factor, also called "freeboard", is intended to compensate for the many unknown factors that contribute to flood heights greater than those computed. Such unknown factors may include ice jams, debris accumulation, wave action, and obstructions of bridge openings.

*Flood stage* means the elevation of the floodwater surface above the officially established datum plane, which is mean sea level, 1929 adjustment, on the supplementary floodland zoning map.

*Flood storage* means those floodplain areas where storage of floodwaters has been taken into account in reducing the regional flood discharge.

*Floodway* means a designated portion of the 100-year flood that will safely convey the regulatory flood discharge with small, upstream, and downstream increases, limited in Wisconsin to no greater than one one-hundredth foot unless special legal measures are provided. The floodway, which includes the channel, is that portion of the floodplain not suited for human habitation. All fill, structures, and other development that would impair floodwater conveyance by adversely increasing flood stages or velocities or would itself be subject to flood damage should be prohibited in the floodway.

*Foster family home* means the primary domicile of a foster parent with four or fewer foster children and which is licensed pursuant to § 48.62, Wis. Stats.

*Frontage, building* means, for the purposes of regulating signs, the width of any face of a building.

(a) *Dominant building frontage* means the width of the building where the building's main entrance is located.

(b) *Subordinate building frontage* means the width of any building frontage other than a dominant frontage.

*Garage, private* means a building primarily intended and used for the enclosed and roofed storage of the private motor vehicles of the families resident on the premises. Carports shall be considered garages within this definition.

*Garage, public or commercial* means any garages not falling within the definition of "private garage" as herein established.

*Grade, established* means the elevation of the finished street at the centerline or curb as fixed by the engineer or by such authority as shall be designated by law to determine such elevation.

*Green space* means open space maintained in a natural, undisturbed or revegetated condition.

*Group home* means any facility operated by a person required to be licensed pursuant to § 48.62, Wis. Stats. for the care and maintenance of five to eight foster children.

~~*Guest house* means a residential accommodation accessory to the principal residence and intended solely for the accommodation of guests, and not for lease or rent.~~

*Historic structure* means any structure that is:

(a) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or directly by the Secretary of the Interior in states without approved programs.

*Home occupation* means an occupation conducted for financial gain within a private dwelling unit, where such occupation is clearly incidental and subordinate to the residential use, which term shall exclude bed and breakfast establishments.

*Impervious surface* means a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes all surfaces such as compacted sand, limerock, or clay as well as most conventionally surfaced streets, roofs, sidewalks, driveways, parking lots or parking spaces, and other similar structures, including appurtenances and protrusions, such as, but not limited to, eaves, decks, balconies, stairways, porches, and bay windows; all either at grade level or above.

*Increase in regional flood height* means a calculated upward rise in the regional flood elevation, equal to or greater than one one-hundredth foot, resulting by a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

*Kennel, commercial* means an establishment where dogs or other animal pets not part of the actual household on the lot on which the facility is located are raised, bred, or boarded.

*Kiosk* means a small freestanding structure permanently fixed to the ground, requiring a building permit, which may have one or more surfaces used to display temporary advertising signs.

*Land-developing activity* means the construction of buildings, roads, parking lots, paved storage areas, and similar facilities.

*Land-disturbing construction activity* means any manmade change of land surface including removing vegetative cover, excavating, filling, and grading but not including agricultural land uses such as planting, growing, cultivating, and harvesting of crops; growing and tending of gardens, harvesting of trees; and landscaping modifications.

*Landmark tree* shall mean any tree so designated by the park commission or the tree board for its natural beauty, majestic stature, historical significance, location, memorial designation or other qualities deemed appropriate.

*Landowner* means any person holding title to or having an interest in land.

*Landscaped area.* The area of a site which is planted and continually maintained in vegetation, including grasses, flowers, herbs, garden plants, native or introduced groundcovers, shrubs, bushes, and trees. Landscaped area includes the area located within planted and continually maintained landscaped planters.

*Landscape surface ratio (LSR).* The percentage of the gross site area or lot area that is preserved as permanently protected landscaped area.

*Land user* means any person holding, operating, leasing, renting or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

*Legal nonconformity* means the status applied to a lot, structure, or the use thereof, which was lawful at the time of passage of this Ordinance, but does not currently conform to the regulations of the district in which it is located, which nonconformity is further defined as follows:

(a) *Nonconforming building or structure* means a building or structure which does not conform to the location, height, or size regulations for buildings and structures of the district in which it is located.

(b) *Nonconforming use of building or land* means a use carried on within any building or on any land which does not conform to the use regulations of the district in which it is located.

*Lot* means a parcel of contiguous land, with described boundaries and abutting a public street or other officially approved means of access but exclusive of any land lying in public or private street rights-of-way or easements, public streams, or public water bodies. Where a public right-of-way, public stream, or public water body divides a single described parcel into two or more parts, such severed parts shall be considered separate individual lots, except that such severed parcels do not individually meet the lot size regulations of this Ordinance and have been described as a single lot of record in order to permit building development, they shall continue to be treated as a single lot for regulatory purposes under this Ordinance.

*Lot area* means the area of land within the boundaries of the described lot exclusive of public streams or public water bodies or land provided for private or public streets as defined herein.

*Maximum lot area coverage (MLAC)* means the area of a lot that is covered by impervious surfaces as defined in all structures, including appurtenances and protrusions, such as, but not limited to, eaves, decks, balconies, stairways, porches, and bay windows; all either at grade level or above.

*Minimum landscape surface ratio (LSR).* The lowest permitted landscape surface ratio. See landscape surface ratio.

*Mobile home* means a residential structure constructed, assembled and inspected at the factory intended by its inherent design to be transportable from factory to site, either on its own wheels or on a truck, and from its original site to possible subsequent sites.

*Mobile home park* means a subdivision or other development of lots or defined sites for the location of mobile homes, and providing required services.

*Mural* means a painting or picture applied to and made a part of a wall, door, or window, which may be pictorial or abstract, and is characteristically visually set off from the background color or architectural environment.

*Navigable stream* means any stream with levels of flow sufficient to float any boat, skiff, or canoe, of the shallowest draft used for recreational purposes on an annually recurring basis.

*Offset* means the horizontal distance between any structure and a lot line other than a street line.

*Open space easement* means a legally enforceable covenant conveying the right of open space use to the public or to a designated group and prohibiting the future building development of the area for any other purpose. In effect it is a permanent restriction or conveying away of building development rights to the designated area. (See "Common open space")

*Open space.* As used in this Ordinance, open space refers to land preserved in an "open" character and for purposes of computation may not include structures or paved area not accessory to the open space use. Such space may include croplands, water bodies, and wetland areas.

*Ordinary high water mark* means the point on the bank or shore up to which the presence and action of surface water is so continuous so as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

*Outdoor recreational facilities* means land and structures, along with accessory equipment, designed and utilized for leisure-time activities of a predominantly "outdoor" nature and of more specific purpose than passive park-like open areas, and further classified as follows:

(a) *Public*. Facilities owned and operated by a government agency for limited or general public use.

(b) *Private commercial*. Facilities owned and operated by an individual or group for profit as a business whether or not open to general public use.

(c) *Private noncommercial group*. Facilities owned and operated by a group for the exclusive use of the members of such group and their guests and not for profit as a business.

(d) *Private residential*. Facilities privately owned and located on the same or adjoining lot to the residence of the owner, and intended solely for the use of his family and guests.

*Parapet* means a low wall or railing used to protect the edge of a roof, also called a parapet wall.

*Parking space* means a graded and surfaced area, not less than 162 square feet for a full-sized space and 128 square feet for a compact space, either enclosed or open, for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

*Pennant* means a small triangular or rectangular flag or multiples thereof, individually supported or attached to each other by means of a string, rope, or other material and which may be stretched across or fastened to a building or between buildings, or between poles and/or other structures.

*Pergola* means a structure usually consisting of parallel colonnades supporting an open roof of girders and cross rafters. Also known as an arbor, trellis or ramada.

*Permittee* means landowner, land user, designated agent, or applicant for a permit.

*Person* shall mean any individual or entity whose existence is recognized by law, including, but not limited to, any partnership, corporation (for profit, nonprofit or municipal and its agencies), firm, association or any combination of the foregoing.

*Preserved lands* means open space not necessarily owned in common, but otherwise meeting the definition of common open space, and claimed in addition to the actual described residential lots for credit toward meeting the density factor requirement.

*Primary floor area (PFA)* means the floor area of a building which, for purposes of determining required parking spaces, shall include only that area devoted to customer service, sales area, or actual operational area and which specifically shall not include storage, warehouse, utility, hallways, or other accessory use not generating parking demand.

*Private club or lodge* means a structure or grounds used for regular or periodic meetings or gatherings of a group of persons organized for a nonprofit [purpose], but not groups organized to render a service customarily carried on as a business.

*Professional office* means the office of a doctor, Christian Science practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, artist, musician, or other similar recognized profession.

*Quarrying* means the removal of rock, slate, gravel, or sand from the earth by excavating, stripping, leveling, or any other process.

*Regional flood* means a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur or be exceeded on a particular stream because of like physical characteristics, once in every 100 years.

*Roadside stand* means a temporary building or structure used or intended to be used solely for the sale of seasonal goods or services.

*Roof* means the cover of a building, including the eaves, and similar projections. Eyebrows, false roofs on storefronts, coverings on or over oriels, bay windows, canopies, and horizontally projecting surfaces other than marquees shall be considered roofs.

*Runoff* means the rainfall, snowmelt, or irrigation water flowing over the ground surface.

*Seasonal high water line* means the line of highest seasonal flooding based upon available records or physical evidence.

*Setback* means the horizontal distance between any structure and the street right-of-way line or front property line, whichever is closest to the structure, which establishes the minimum front yard depth of a lot.

*SEWRPC* means Southeastern Wisconsin Regional Planning Commission.

*SF* means square feet.

*Shorelands* means those lands lying within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream, or to the landward side of the floodplain, whichever distance is greater.

*Sign* The definition of a sign and definitions for types of signs are listed in section 18-254.

*Site* means the entire area included in the legal description of the land on which the land-disturbing or land-development activity is proposed in the permit application.

*Site clearance triangle.* See "Vision setback".

*Story* means that portion of a building included between the surface of a floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. A basement or cellar having one-half or more of its height above grade shall be deemed a story for purposes of height regulation.

*Street* means a public or private right-of-way or easement for vehicular access and service. An easement servicing no more than two properties will not be considered a street.

*Street, frontage* means a street contiguous and parallel to a traffic artery and affording direct vehicular access to abutting property.

*Street right-of-way* means a dividing line between a lot, tract, or parcel of land and a contiguous street.

*Structure* means anything other than natural terrain or plant growth constructed or erected to form a shelter, enclosure, retainer, container, support, or base.

*Structure, accessory* means a structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

*Structure, temporary* means a structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the structure was erected has ceased.

*Structural alterations* means any change in the integral supporting or framing members of a structure or any substantial change in the roof structure or in the exterior walls or enclosure.

*Topping* means the specific reduction in the overall size of a tree and/or the cutting back of branches or limbs to such a degree so as to remove the normal canopy and disfigure the tree.

*Tree* shall mean any woody plant with a main stem or multiple stems with branches protruding above the root flare.

*Tree canopy* shall mean the upper and outermost points of a tree created by the tree's crown.

*Tree diameter* means the diameter of a tree measured at a point on the tree four feet above grade. See "DBH."

*Tree island* means, in parking lot design, built-up structures, usually curbed, placed at the end of parking rows to be used for landscaping and also for guiding traffic, signing, and lighting.

*Unnecessary hardship* means [cases] where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing area setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

*Use, accessory* means a use incidental, customary to, or commonly associated with a permitted principal use of the property or buildings located upon the same lot as the principal use.

*Use, conditional* means uses, the nature, character, or circumstances of which are so unique, or so dependent upon the specific contemporary conditions, that predetermination of permissibility by right, or the detailing in the ordinance of the specific standards, regulations, or conditions

necessary or appropriate to such permissibility are not practical; but which may be permitted in the districts where listed subject to certain conditions and requirements as hereinafter specified. *Use, permitted* means principal uses, the permissibility of which is a predetermined right anywhere in the district in which located subject only to the regulations established governing such use.

*Use, principal* means the main or primary use of property or structures as permitted on such lot by the regulations of the district in which it is located.

*Use, temporary* means a use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

*Variance* means an authorization by the zoning board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with the dimensional standards of this chapter.

*Vegetation removal* means the elimination of living vegetation or the cutting or injuring of vegetation such that the vegetation dies.

*Vision setback* means a triangular space, at the street corner of a corner lot, for the purpose of maintaining clear vision for intersecting traffic.

*Wetlands* means those areas where water is at, near, or above the land surface long enough to support aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

*Wetland alteration* means any filling, flooding, draining, dredging, ditching, tiling, excavating, temporary water level stabilization measures, or dike and dam construction in a wetland area.

*Wisconsin Construction Site Best Management Practice Handbook* means the most recently published version with the appropriate updates as prepared by the Wisconsin Department of Natural Resources (DNR), Non-Point Source and Land Management Section, a copy of which is filed in the village clerk's office.

*Wisconsin final wetland inventory maps* means the Wisconsin wetland inventory maps stamped "Final" on January 31, 1986, as modified by the order of Patrick T. Currie, Hearing Examiner, State of Wisconsin, Division of Hearings and Appeals, dated September 10, 1987, Case No. IH8710.

(Ord. of 2-7-2000, § 18.0202; Ord. No. 08-05-02-1, § 1, 8-5-2002; Ord. No. 8-4-03-3, §§ 1, 2, 8-4-2003; Ord. No. 060605-01, § 2, 6-6-2005; Ord. No. 08-01-05-02, § I, 8-1-2005; Ord. No. 02-07-06-02, § 2, 2-7-2006; Ord. No. 02-07-06-04, § I, 2-7-2006; Ord. No. 04-03-06-06, § I, 4-3-2006)