

**AMENDING CHAPTER 298 OF THE GENERAL ORDINANCES  
FOR THE VILLAGE OF WEBSTER, BURNETT COUNTY, WISCONSIN  
ARTICLE II GENERAL PROVISIONS**

**Effective March 27, 2024, revise the following sections of the Code or Ordinances of the Village of Webster by amending Chapter 298 Ordinance §298-7 through Ordinance §298-14**

## § 298-7

### Jurisdiction.

The jurisdiction of this chapter shall include all lands and waters within the limits of the Village of Webster.

## § 298-8

### Compliance required.

No structure, land or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a zoning permit, except minor structures, and without full compliance with the provisions of this chapter and all other applicable local, county and state regulations.

## § 298-9

### Zoning permit.

A. The Village Board hereby designates the [Zoning Administrator](#) as the official to receive, process and, following approval by the Village Board, issue zoning permits. [amended 03/27/2024]

B. Cases when a zoning permit is required:

(1) Before any building or other structure which is the principal permitted use is erected, moved or structurally altered so as to change its use or increase its floor area.

(2) Before any land use is substantially altered.

(3) Before any building or structure is erected or substantially altered which would be a conditional use or require a variance, regardless of whether a principal or accessory use.

(4) Before building an accessory structure, even though not intended for human occupancy.

C. [amended 03/27/2024]The permit application shall be made to the [Zoning Administrator](#) on forms provided by the village. Applications shall be submitted in duplicate, except that when a site plan approval under § 298-10 is required, they shall be submitted in quadruplicate. The application shall include the following information:

(1) Names and addresses of the applicant, owner of the site, architect, professional engineer or contractor.

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

(3) Plat of survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; and existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation and use of any abutting lands and their structures within 40 feet of the subject site.

(4) Proposed sewage disposal plan. If village sewerage service is not available, this plan shall be reviewed by the Village Engineer, who shall

certify in writing that satisfactory, adequate and safe sewage disposal is possible on the site as proposed by the plan in accordance with applicable local, county and state health regulations.

(5) Proposed water supply plan if village water service is not available. This plan shall be reviewed by the Village Engineer, who shall certify in writing that an adequate and safe supply of water will be provided.

(6) Additional information as may be required by the Village Board, [Zoning Administrator](#), Plan Commission, Village Engineer, Director of Public Works and building, plumbing or health inspectors, including all information required for site plan approval under § 298-10 of this chapter.

(7) Fee receipt from the [Village](#) in the amount as established by the Village Board [and the fee schedule](#).

D. The [Zoning Administrator](#) shall review the application and, if the application is complete and contains all required information, shall refer it to the Village Board. [\[amended 03/27/2024\]](#)

E. Upon referral of the application, the Village Board shall schedule a public hearing thereon as soon as practical, and the Village Board shall notice said hearing as deemed appropriate.

F. Decision; issuance of permit.

(1) Following public hearing, necessary study and investigation and consideration by and recommendation from the Plan Commission, the Village Board shall render its decision in writing, and a copy shall be made a permanent part of the Board's minutes. Such decision shall include an accurate description of the zoning use permitted, of the property on which permitted and any and all conditions made applicable

thereto or, if disapproved, shall indicate the reasons for disapproval. The Village Board may impose any conditions or exemptions necessary to minimize any burden on any persons affected by granting the zoning permit.

[Amended 6-13-2001]

(2) A zoning permit shall be granted or denied in writing by the Village Board within 30 days or within 60 days of said date when site plan approval or a conditional use permit is required. The permit shall expire within 24 months unless substantial work has commenced. Any permit issued in conflict with the provisions of this chapter shall be null and void.[amended 03/27/2024]

G. When a zoning permit does not continue in conformity with the conditions of the original approval or where a change in the character of the surrounding area or of the use itself causes it to be no longer compatible with surrounding areas, or for similar cause based upon consideration for the public welfare, the zoning permit may be terminated by action of the Village Board following a public hearing thereon.[amended 03/27/2024]

H. Subsequent change or addition to the approved plans or use shall first be submitted for approval to the Village Board, and if in the opinion of the Village Board such change or addition constitutes a substantial alteration, a public hearing before the Board shall be required and notice thereof shall be given.

§ 298-10 [amended 03/27/2024]

Site plan approval.

A. Site plan approval. All applications for zoning permits for any construction, reconstruction, expansion or conversion, except for one- and two-family residences in the R-1 or R-2 Residential District or the Agricultural District, shall require site plan approval by the Village Board, [Plan Commission and Zoning Administrator](#) in accordance with the requirements of this section.

B. Application. An application for any such zoning permit shall be submitted to the [Zoning Administrator](#) in quadruplicate. The applicant shall also submit a site plan and sufficient plans and specifications of proposed buildings, machinery and operations to enable the Village Board or its expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this chapter.

C. Administration. The [Zoning Administrator](#) shall make a preliminary review of the application and plans and refer them, along with a report of his findings, to the Village Board within 10 days. The Village Board shall review the application and may refer the application and plans to one or more expert consultants selected by the Board to advise whether the application and plans meet all the requirements applicable thereto in this chapter. Within 45 days of its receipt of the application, and after review and recommendation from the Plan Commission, the Board shall authorize the [Zoning Administrator](#) to issue or refuse a zoning permit. The [Zoning Administrator](#) shall then act on the permit within five days, in accordance with the recommendation of the Board.

D. Requirements. In acting on any site plan, the Village Board and Plan Commission shall consider the following:

(1) The appropriateness of the site plan and buildings in relation to the physical character of the site and the usage of adjoining land areas.

(2) The layout of the site with regard to entrances and exits to public streets; the arrangement and improvement of interior roadways; and the location, adequacy and improvement of areas for parking and for loading and unloading and shall, in this connection, satisfy itself that the traffic pattern generated by the proposed construction or use shall be developed in a manner consistent with the safety of residents and the community, and the applicant shall so design the construction or use as to minimize any traffic hazard created thereby.

(3) The adequacy of the proposed water supply, drainage facilities and sanitary and waste disposal.

(4) The landscaping and appearance of the completed site. The Village Board may require that those portions of all front, rear and side yards not used for off-street parking shall be attractively planted with trees, shrubs, plants or grass lawns and that the site be effectively screened so as not to impair the value of adjacent properties nor impair the intent or purposes of this section.

E. Effect on municipal services. Before granting any site approval, the Village Board may, besides obtaining advice from consultants, secure such advice as may be deemed necessary from the Village Engineer or other municipal officials, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Village Board shall not issue final approval until it has entered into an agreement with the applicant regarding the development of such facilities.

F. Fee for site plan approval. A fee as established by the Village Board will be charged for the filing of an application for site plan approval. The applicant will

also be required to pay the cost of any consultant's reports which may be required by the Village Board under Subsection **C** above.

## § 298-11

### Site restrictions.

A. Site suitability. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Village Board by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community. The Village Board, and the Plan Commission, when making advisory recommendations to the Village Board, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability if he so desires. Thereafter, the Board may affirm, modify or withdraw its determination of unsuitability.

B. Street frontage. All lots shall abut upon a public street, and each lot shall have a minimum street frontage and area as set forth in this Code.

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

D. Principal structures. All principal structures shall be located on a lot, and only one principal structure shall be located, erected or moved onto a lot,



except for planned area developments in accordance with the provisions of this chapter.

E. Preservation of topography. In order to protect the property owner from possible damage due to change in the existing grade of adjoining lands and to aid in preserving and protecting the natural beauty and character of the landscape, no change in the existing topography of any land shall be made which would result in increasing any portion of the slope to a ratio greater than 11/2 horizontal to one vertical, within a distance of 20 feet from the property line, except with the written consent of the owner of the abutting property and with the approval of the Village Board, or which would alter the existing drainage or topography in any way as to adversely affect the adjoining property. In no case shall any slope exceed the normal angle of slippage of the material involved, and all slopes shall be protected against erosion.

F. Establishment of grades. Every building hereafter erected, structurally altered or relocated shall be at a grade approved by the Director of Public Works and [Zoning Administrator](#) as being in satisfactory relationship with the established street grades, or with the existing street grades where none are established, with particular consideration for proper drainage and safe vehicular access. [amended 03/27/2024]

G. Private sewer and water.

(1) In any district where public sewerage service is not available, the width and area of all lots shall be sufficient to permit the use of an on-site sewage disposal system, designed in accordance with Chapter H 65, Wisconsin Administrative Code.

(2) No principal building shall be erected, structurally altered or relocated on land which is not adequately drained at all times by reason of adverse soil conditions, steep slopes, shallow impermeable bedrock or periodic flooding or where the lowest floor level is less than four feet above the highest groundwater level.

(3) No principal building intended for human use or occupancy shall be erected, structurally altered or relocated on a lot unless provision is made for safe and adequate facilities for water supply and disposal of sewage in accordance with the regulations of the Burnett County Sanitary Code and the appropriate requirements of the Wisconsin Administrative Code.

(4) The village shall not hereafter authorize a building to be erected, structurally altered or relocated which has a private waste disposal system unless the plans for the system have been reviewed in accordance with the provisions of the Burnett County Sanitary Code and a sanitary permit has been issued. Private sewage disposal systems for dwelling units shall meet the location requirements of the Burnett County Sanitary Code and the applicable minimum standards of the Wisconsin Administrative Code.

(5) Where connection is not to be made to a public water system, no residential use shall be permitted unless provision is made for a safe and adequate supply of drinking water located on the premises, a permit for which has been obtained in accordance with the provisions of the Burnett County Sanitary Code.

(6) Planned unit developments shall be served by sewerage facilities which meet the requirements of the Burnett County Sanitary Code and the applicable minimum standards of the Wisconsin Administrative Code.

H. Airport safety zones. Except for field crops and fences under five feet high, the maximum height of any object located within 500 feet of either side of the centerline of a landing strip and extended to a distance of two miles from the end of the runway shall be no higher than 1/40 of the distance of the object to the landing strip. (repeal all of 298-11 H.)

## § 298-12

### Use restrictions.

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

B. Conditional uses. Conditional uses and their accessory uses are considered as special uses requiring review by the Plan Commission, a public hearing and approval by the Village Board pursuant to Article IV of this chapter. [amended 03/27/2024]

C. Unclassified or unspecified uses. Unclassified uses may be permitted by the Village Board, after the Plan Commission has made a review and recommendation, provided that such uses are similar in character to the principal uses permitted in the district.

D. Temporary uses. Temporary uses, such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Village Board.

E. Performance standards. Performance standards listed in Article IX shall be complied with by all uses in all districts.

F. Mobile homes. No mobile home shall be used for the purpose of habitation except within an approved mobile home park.<sup>[1]</sup>

[1]

*Editor's Note: See also Ch. 192, Mobile Homes.*

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

H. Animal yards. Animal feed yards, animal sales yards, commercial kennels for dogs or cats, riding academies and public stables shall be located no closer than 200 feet to any property line, shall provide automobile and truck egress and shall provide parking and loading spaces so designed as to minimize traffic hazard and congestion. Proponents shall show that odor, dust, noise and drainage shall not constitute a nuisance or a hazard to adjoining property or uses.

I. Salvage yards.

(1) Requirements. No salvage yard as defined herein shall be permitted in the village except in conformance with the standards, rules and regulations of Wisconsin Administrative Code Chapter NR 51 and the requirements herein specified.

(2) Application required. An application is required prior to issuance of a conditional use permit for a salvage yard. This application requesting village approval of a proposed salvage yard activity shall be accompanied by:

(a) A description of all phases of the contemplated operation, including types of machinery and equipment which will or might be necessary to carry on the operation.

(b) A legal description of the proposed site.

(c) A locational map showing all adjacent land use.

(3) Consideration of compatibility. In reviewing a proposal for a salvage yard, the village shall take into consideration:

(a) The effect of the proposed operation on existing adjacent land uses.

(b) The possibilities of noise, smoke, dust and other factors common to a salvage yard.

(c) The most suitable land use for the area.

(4) Conditions for approval. The village may set forth conditions regarding appropriate setback and other dimensional requirements, particularly with reference to avoiding a nuisance effect on surrounding residential uses.

(a) All salvage yards shall have minimum front, side and rear yards of 100 feet.

(b) Salvage yards shall be screened in accordance with this chapter.

§ 298-13

Accessory buildings.[amended 03/27/2024]

A. Time of construction. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

B. Percentage of required rear yard occupied. No detached accessory building or buildings shall occupy more than 30% of the area of the required rear yard. Any accessory building in a residential district shall not exceed 1200 square feet of floor area.

C. Height of accessory buildings in required rear and side yards. No detached accessory building located in a required rear or side yard shall exceed 25 feet in height.

D. Location in residential districts.

(1) No accessory building in a residential district shall be erected in any yard except a rear yard or side yard, and all accessory buildings shall be located not less than six feet from all lot lines and from any other building or structure on the same lot, except as provided in Subsections E and F.

(2) When an accessory building is a part of the main building or is substantially attached thereto or lies within 10 feet of an exterior wall of the main building, the side yard and rear yard requirements for the main building shall be applied to the accessory building.

E. Garages in embankments in front yards. Where the mean natural grade of a front yard is more than eight feet above the curb level, a private garage may be erected within the front yard, provided as follows:

(1) Such private garage shall be located not less than five feet from the front lot line;

(2) The floor level of such private garage shall be not more than one foot above the curb level; and

(3) At least 1/2 the height of such a private garage shall be below the mean grade of the front yard.

F. Commercial and industrial districts. In commercial and industrial districts, all accessory buildings shall be located no less than 10 feet from the rear lot line.

[Amended 6-13-2001]

## § 298-14

### Outside storage of firewood.

A. No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of 30 days from the date of its delivery.

B. Firewood should be neatly stacked and may be stacked not closer than two feet to any lot line and not higher than six feet from grade, except adjacent to a fence, where firewood can be stacked against the fence as high as the fence. "Fence" as used in this section shall not include hedges and other vegetation.

C. All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of and shall not be allowed to remain on the premises.

D. Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and wood piles that harbor or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of Chapter 204, Nuisances, of this Code.

E. Not more than 15% of the side or rear yard may be used for storage of firewood at any one time.



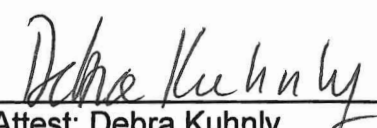
Motion by: President, Summer

Seconded by: Trustee, Hedman

Ayes: 7  
Absent: 0

Nays: 0  
Abstained: 0

  
Bill Summer, Village President

  
Attest: Debra Kuhnly,  
Clerk/Treasurer

Dated this 13<sup>th</sup> day March, 2024.