

## **SECTION 3. GENERAL PROVISIONS**

3.010 Scope of Regulation. No structure, or land shall hereafter be used or occupied, and no structure or part thereof shall hereafter be erected, converted, enlarged, constructed, moved or structurally altered, unless in conformity with all the regulations specified in this ordinance for the district in which it is located. All property covered under the jurisdiction of this ordinance shall be identified and given a zoning classification. Identification of property shall be made by: 1. Tax number; 2. Legal description, (when a tax number is not available); 3. Name of owner (as may be needed to clarify legal description). As far as is possible, zoning classification of individual parcels will follow the zoning maps established for The Menominee Tribal Zoning Ordinance by The Menominee Indian Tribe of Wisconsin.

3.020 Interpretation. In interpreting and applying the provisions of this ordinance, the provisions shall be held to be minimum requirements for the public health, safety, comfort, convenience and general welfare of the residents of the county.

3.030 Relations to Other Ordinances and Regulations. Where the provisions of this ordinance impose greater restrictions than those of any other state, county, or town ordinance, the provisions of this ordinance shall be controlling. Where the provisions of any other state, county, or town ordinance impose greater restrictions, those provisions shall be controlling.

3.040 Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a local, state, or federal court, the remainder of this ordinance, if severable therefrom, shall not be affected thereby.

3.050 Rules for Determining District Boundaries. Where uncertainty exists as to the boundaries of a district as shown on the zoning maps, the following shall apply:

- A. Boundaries indicated as approximately following the centerline of streets, highways, railroads, or lakes, streams and other water bodies, shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines, quarter section and quarter-quarter section lines, or municipal boundaries, shall be construed to follow such lines.
- C. Boundaries indicated as being parallel to or an extension of the features listed in 3.050(a) or 3.050(b) above shall be so construed.
- D. In situations not covered by 3.050(a) through 3.050(b) above, or when there is a dispute over a determination of district boundaries made by the Zoning Administrator, the Zoning Committee shall review the dispute and make a recommendation to the County Board. The decision of the County Board shall be controlling.

3.060 Lot Provisions.

- A. Except in the case of planned unit developments, not more than one (1) principal building or use and its accessory buildings or uses shall be located on the lot.
- B. All mechanical and utility support systems, including but not limited to, electrical service, wells, and septic systems shall be located on the lot they serve.

- C. Grandfather Clause. Any lot in existence at the time of adoption of this ordinance, and legally created, shall be considered a lot of record, and shall be considered legally buildable even though the lot may not meet the minimum lot area and lot width requirements, provided that the lot is in separate ownership from abutting land, and further provided that the lot is developed with a use that is permitted and at the setback requirements by the district in which it is located under this ordinance.
- D. No yard or other open space existing on the date this ordinance was adopted shall be reduced below the minimum required by this ordinance.
- E. Lots which are created through platting or certified survey procedures and which are under single contiguous ownership are to be considered as separate lots of record if they meet the dimensional requirements of the district in which they are located.
- F. All lots shall have a minimum frontage on a public road equivalent to the minimum width requirement of the district in which it lies, except for lots created through the planned unit development procedures.
- G. A plat of survey must be provided to the Zoning Administrator prior to the issuance of a zoning permit for a principal structure or an accessory structure over one hundred forty four (144) square feet.

3.090 Determination of Uses Not Listed. In any zoning district, whenever a use is neither specifically permitted or denied, the use shall be considered to be prohibited. In such a case the property owner may petition the Zoning Committee for a use determination, and the Zoning Committee will then recommend to the County Board that the use not listed in the ordinance be permitted or denied. The decision of the County Board is controlling.

3.100 Zoning Maps. Menominee County has official zoning maps that can be viewed in either the Land Information or Zoning Offices.