

**Town of Gardner
Building Code Ordinance Amendment
Ordinance No. 01-2011**

The Town Board of the Town of Gardner, Door County, Wisconsin, does ordain as follows:

Section 1 – Authority

This ordinance is adopted under authority granted by Wis. Stats. Section 60.22, 101.65 and 101.76.

Section 2 – Purpose

The purpose of this ordinance is to amend the existed Building Code Ordinance by adding provisions relating to aesthetic requirements for construction of one and two family dwellings in the Town of Gardner.

Section 3 – Rescission and Recreation

Building Code Ordinance Amendment No. 01-06 is hereby repealed and recreated as provided herein.

Section 4 – Aesthetic Requirements

All one and two family dwellings in the Town of Gardner shall comply with the following requirements:

- A. Be fastened or attached to a completely enclosed continuous foundation in accordance with subchapter III, IV, V, ILHR 21, Wisconsin Administrative Code, or set a comparable enclosed continuous foundation system approved by the Building Inspector, who may require a plan for such foundation to be certified by a registered architect or engineer to ensure proper support.
- B. Have a roof with a minimum pitch of 4' in height for 12' in width.
- C. Have eaves, overhang or gables on all sides of the structure projecting a minimum of 12" from the side wall of the structure outward.
- D. Have a minimum side wall height of 7'6" on all outside walls of the structure.
- E. Have a ratio of the dwelling's length to its width of no greater than 2.5:1. Any dwelling in a licensed mobile home park may use a ratio 5:1.
- F. Have exterior sides of all dwellings and attached structures covered with siding made of wood, masonry, concrete, stucco, masonite, vinyl, or metal lop extending to the top of the foundation, to include skirting on mobile homes.
- G. All dwellings and attached structure shall have a roof surface with wood shakes, asphalt, composition or wood shingles, clay, concrete or metal tiles, colored standing-seam metal roofing slate or built up gravel material.

- H. Wrecked, damaged or dilapidated residential building or mobile homes shall not be stored on any premises within the town.
- I. In areas where dwelling density is less than 40 linear feet frontage per lot on a public road, the property owner shall provide natural screening. The placement of arborvitae every 8 feet at a minimum height of 5 feet at the edge of road right-of-way will provide natural screen.

Section 5 – Variance

The Town Board shall have authority to grant requests for variance from the provisions of the Town of Gardner building code. The Town Board may, in their discretion, grant a variance to the aesthetic requirements of Section 4 of the ordinance which they determine are not contrary to the public interest and where a practical difficulty or unnecessary hardship exists in meeting the requirements of Section 4 herein. Requests for variance shall be in writing and filed with the town clerk. Such requests shall not be acted upon until the appropriate fee as established by the Town Board is paid by the applicant.

Section 6 – Inspection and Enforcement

No mobile home park license shall be issued or renewed until the Town Board or Building Inspector may inspect and review for compliance with this ordinance.

Section 7 – Penalty

Any person or entity in violation of this ordinance may be subject to a forfeiture of not less than \$20 nor more than \$200. Each day a violation continues shall be considered a separate violation. In addition, violation of this ordinance may be enjoined upon action filed by the Town of Gardner

Section 8 – Effective Date

This ordinance shall be effective the day after its publication.

Submitted by:

Paul DeWitt, Chairman

Board Members:
Robert Braunel
Gary Schaeffer
Michele Ploor
Glenn Dart

Certification:

I, Amy Sacotte, Clerk of the Town of Gardner, hereby certify that the above is a true and correct copy of an ordinance that was adopted on the Jan. 5, 2011 by the Board of Supervisors.

Amy Sacotte, clerk