



**Notice of Public Hearing
Village of Random Lake
Monday, May 6, 2024 at 5:30 p.m.
96 Russell Drive**

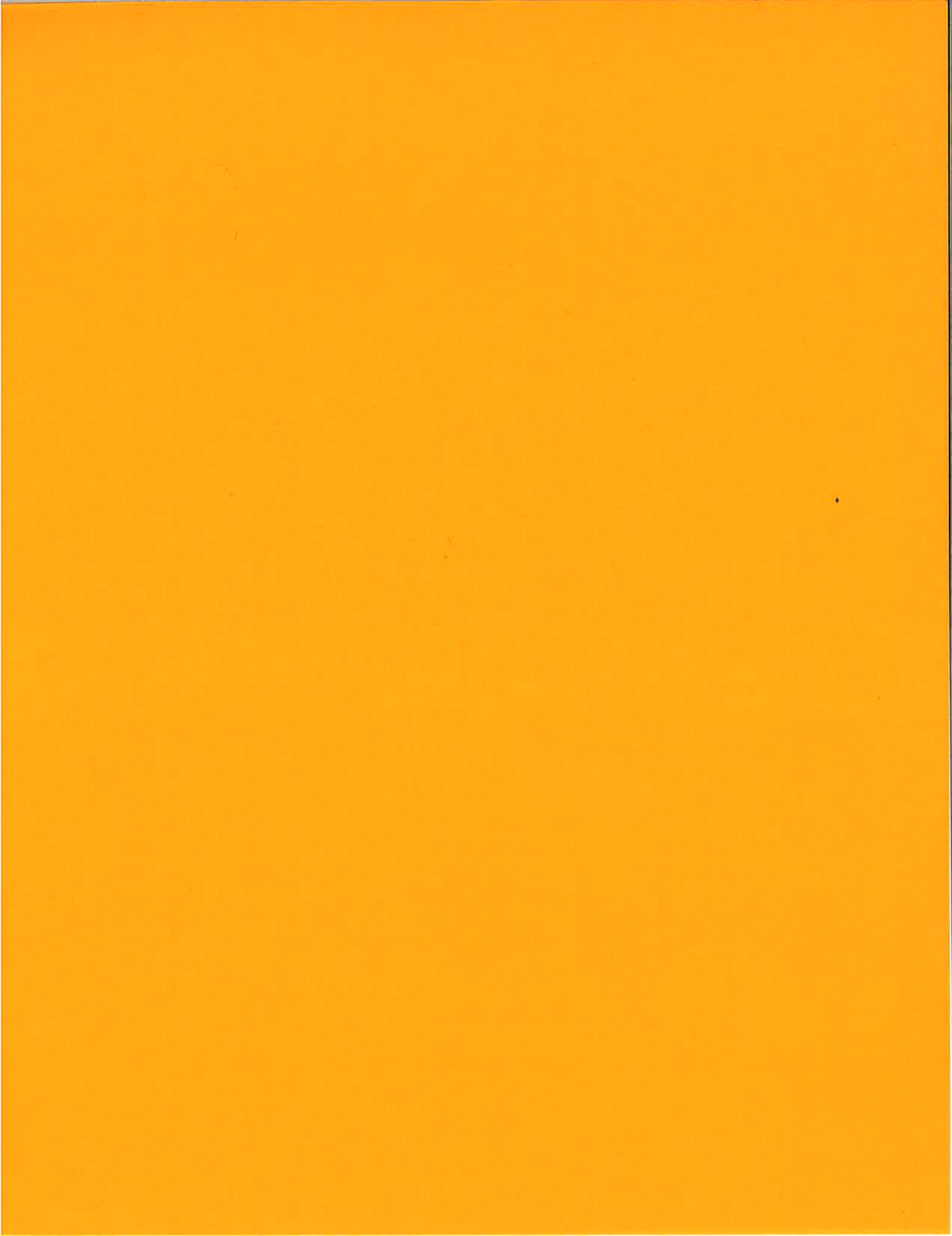
The Plan Commission of the Village of Random Lake will hold a Public Hearing on May 6, 2024, at 5:30 p.m. at the Village Hall to consider changes to the Height and area exceptions section 38-45, Fences and walls section 38-46, and M-1 Limited Industrial and Business Park District section 38-99 of the village zoning code. All interested parties are invited to attend the public hearing.

The Village Board meeting will follow at 6:30 p.m.

Stephanie Waala
Clerk/Treasurer
Village of Random Lake

Published April 18th & 25th.

**96 Russell Drive, P.O. Box 344, Random Lake, WI 53075
Telephone: (920) 994-4852 Facsimile: (920) 994-2390 Website: randomlakewi.com**





Plan Commission Meeting
Monday, April 15, 2024
5:30p.m.

LOCATION OF MEETING: 96 RUSSELL DRIVE

Meeting Minutes

- 1. Call to Order, Roll Call:** Chairman Mike San Felippo called the meeting to order at 5:30 pm. Commission members present included Randy Soerens, Peter Lederer, Mike San Felippo, Jeff Schultz Steven Masslich, and John Schluechtermann. Barbara Ruege attended virtually. Village employees present included Clerk/Treasurer Stephanie Waala. For additional attendees see attached sign in sheet.
- 2. Public Hearing regarding the following: (see the Public Hearing notice, which was published on March 28, 2024 & April 4, 2024)**

- **Changes to the Communication Towers and Antennae section of the village zoning ordinance.**

President San Felippo opened the public hearing at 5:31 pm and the hearing was closed at 5:32 pm as no public was present nor comments made.

- 3. Discussion and Possible Action to approve the April 8, 2024, meeting minutes.**

Member Soerens made a motion to approve as submitted, motion was seconded by Member Masslich. Motion carried 7-0.

- 4. Discussion and Possible Recommendation to the village board related to Ordinance 2024-02, Communication Towers and Antennae.**

Clerk Waala informed the board of the ordinance that was created in regard to the April 8th meeting discussions.

Member Schluechtermann made a motion to approve with the new item in section 1 to be labelled as f and not at the end because it goes better with the height limits, motion was seconded by Member Schultz. Motion carried 7-0.

- 5. Discussion related to Village Zoning Ordinances.**

Clerk Waala informed the board of the two options that are presented for review. One contains only the changes to M-1 and the other contains the changes to M-1 and the changes to the fence section as well.

Chairman San Felippo inquired as to if they adopt an ordinance, when is the effective date and when would it be available to the public. Clerk Waala informed the board that the effective date would be the date of the board approval. After that approval it is then posted on the board outside of village hall. The

update to the village website would need to be looked into about timeframes for those updates.

Chairman San Felippo expressed concern as to how would someone know of a change and if it affected them. Clerk Waala suggested that if the village were to move forward with the dumpster fence section, then the village should send notices to all potential properties informing them of this new change.

Chairman San Felippo inquired as to if a 6-month timeframe for the installation of the structure/fence is sufficient. Multiple members agreed it was sufficient and it was determined that if they were to adopt it at the public hearing then written notices would be sent to all businesses notifying them of this new requirement.

Member Schultz inquired as to whether the fence height is to be a minimum of 6 feet. Clerk Waala informed the board that was correct. The board requested a minimum of 6 feet be included, but according to the current village ordinance the maximum is 6 feet as well so did not think it needed to be listed for both and just listed in general. Chairman San Felippo suggested that a maximum of 8 feet be added just for this section and not related to all other fences within the village ordinances.

Member Masslich inquired as to in Option 2 Section 1, the 2 feet setback does not read correctly. It was determined that the word “not” needed to be removed so it read that the setback shall be located more than 2 feet from the property line.

Member Schultz inquired as to section 38-46(d)(10-11) and how it only lists commercial and should this also include manufacturing. Member Schluechtermann informed the board that sections 38-45 & 38-46 seem to overlap in some areas and would suggest moving 38-45(1)(c-d) be moved to section 48-46 to help clean up confusion.

Member Schluechtermann requested for future meetings the overall ordinance overview to see the changes better than the section breakdown as typed in the ordinance for approval. Clerk Waala informed the board she can send them the current draft to help with this.

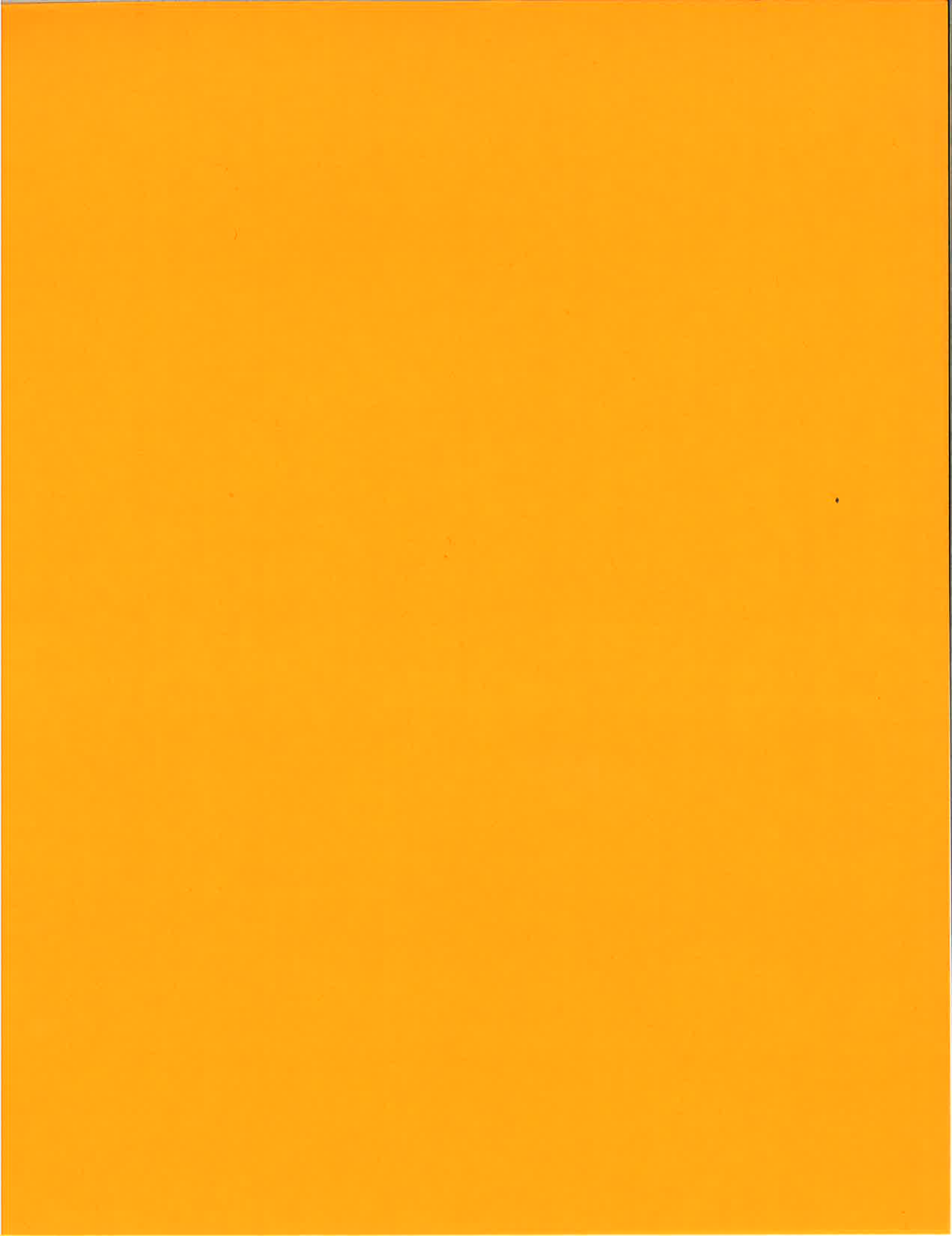
Chairman San Felippo inquired as to does section 48-45(3) need to be adjusted in any way. Member Schluechtermann informed the board that it is just an exception to enter the side yard and not the definition of a side yard.

Chairman San Felippo informed the board that at the May 20th meeting they have a conditional use permit, so they may not be able to continue the conversation about the other zoning ordinance sections. They will have time at the May 6th meeting though and could potentially start talking about commercial.

6. Adjourned at 6:23 pm.

Items on the Agenda may be taken out of order as listed. Created by Stephanie Waala on 04/18/24.

WI Open Meeting Law (Wis. Stat. 19.83(2) and 19.84(2)) In general, the open meetings law grants citizens the right to attend and observe open session meetings of governmental bodies but does not require a governmental body to allow members of the public to speak or actively participate in the body's meeting. A governmental body is free to determine for itself whether and to what extent it will allow citizen participation at its meetings.



Sec. 38-45. Height and area exceptions.

The regulations contained herein relating to the height of buildings and the size of yards and other open spaces shall be subject to the following exceptions:

- (1) *Chimneys, towers, lofts, etc.* Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, windmills, stacks, scenery lofts, tanks, water towers, ornamental towers, spires, wireless or broadcasting towers, masts or aerials and necessary mechanical appurtenances exceeding the height regulations of this article may be permitted as conditional uses by the plan commission.
- (2) *Street yard modifications.* The yard requirements stipulated elsewhere in this article may be modified as follows:
 - a. *Uncovered stair restrictions.* Uncovered stairs, landings and fire escapes may project into any yard, but not to exceed six feet and be no closer than three feet to any lot line.
 - b. *Cul-de-sac and curve restrictions.* Residential lot frontage on cul-de-sacs and curves and for single-family residences in the R-1 district may be less than 100 feet provided the width at the building setback line is at least 100 feet and the street frontage is not less than 45 feet. Residential lot frontage on cul-de-sacs and curves for two-family and multifamily residences in R-2 and R-3 districts may be less than 100 feet provided the width at the building setback line is at least 100 feet and the street frontage is not less than 55 feet.
 - ~~c. Residential fence restrictions. Residential fences (in R-1 through R-6 districts) are permitted only on the rear and side yards in the residential districts. On the side yards, the fence shall not project into the principal building required setback distance and shall be in compliance with required vision clearance. On corner lots, both yards shall be considered front yards, and any fences constructed shall not extend past the corners of the dwelling. Fences shall not be constructed of woven wire, barb wire or chain link material. For property abutting the village, no fence shall be erected within 25 feet of the meander line. A building permit is required for the construction of all fences. Moved to 38-46(d)(1)~~
 - ~~d. Security fence restrictions. Security fences are permitted in industrial and business districts with village board approval, but shall not be located more than two feet from the property line and shall not exceed ten feet in height and shall be an open type similar to woven wire or wrought iron fencing. A building permit is required. See chapter 8. Moved to 38-46(d)(2)~~
 - e. *Essential services exemptions.* Essential services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this article.
 - f. *Street yard restrictions.* With the approval of the plan commission, the required street yards may be decreased in any residential, business or industrial district to the average of the existing street yards of the abutting structures on each side, but in no case less than 15 feet in the residential districts and five feet in any business or industrial district.
 - g. *Grass seed or sod cover* shall be applied to all yards within one year of commencement of construction.
- (3) *Corner lots.* On corner lots the side yard facing the street shall not be less than 25 feet.
- (4) *Lots abutting different grades.* Where a lot abuts on two or more streets or alleys having different average established grades, the higher of such grades shall control only for a depth of 120 feet from the line of the higher average established grade plus 12 inches to the top of the basement wall.

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- (5) *Buildings on through lots.* The requirements for a rear yard for buildings on through lots and extending from street to street may be waived by furnishing an equivalent open space on the same lot in lieu of the required rear yard provided that the setback requirements on both streets be complied with.
 - (6) *Accessory buildings.* Accessory buildings which are not a part of the main building shall not occupy more than 30 percent of the area of the required rear yard, shall not be more than 15 feet high and shall not be nearer than five feet to any lot line nor five feet to any alley line, and shall not extend into a front yard beyond the required setback.
 - (7) *Unobstructed yards.* Every part of a required yard shall be open to the sky unobstructed except for accessory buildings in a rear yard.

(Ord. No. 1-04, § I, 3-1-2004)

ORDINANCE NO. 2024-03

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-45(2)(c-g) RELATED TO THE ZONING CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the Height and Area Exceptions as well as the Fences and Walls sections of the Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of structures and uses of properties within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-45 entitled “Height and area exceptions”, subsection c-g, is hereby repealed and recreated as follows:

- ~~e. Residential fence restrictions. Residential fences (in R-1 through R-6 districts) are permitted only on the rear and side yards in the residential districts. On the side yards, the fence shall not project into the principal building required setback distance and shall be in compliance with required vision clearance. On corner lots, both yards shall be considered front yards, and any fences constructed shall not extend past the corners of the dwelling. Fences shall not be constructed of woven wire, barb wire or chain link material. For property abutting the village, no fence shall be erected within 25 feet of the meander line. A building permit is required for the construction of all fences.~~
- ~~d. Security fence restrictions. Security fences are permitted in industrial and business districts with village board approval, but shall not be located more than two feet from the property line and shall not exceed ten feet in height and shall be an open type similar to woven wire or wrought iron fencing. A building permit is required. See chapter 8.~~
- e. c. Essential services exemptions. Essential services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this article.
- f. d. Street yard restrictions. With the approval of the plan commission, the required street yards may be decreased in any residential, business or industrial district to the average of the existing street yards of the abutting structures on each side, but in no case less than 15 feet in the residential districts and five feet in any business or industrial district.
- g. e. Grass seed or sod cover shall be applied to all yards within one year of commencement of construction.

SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 6th day of May 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

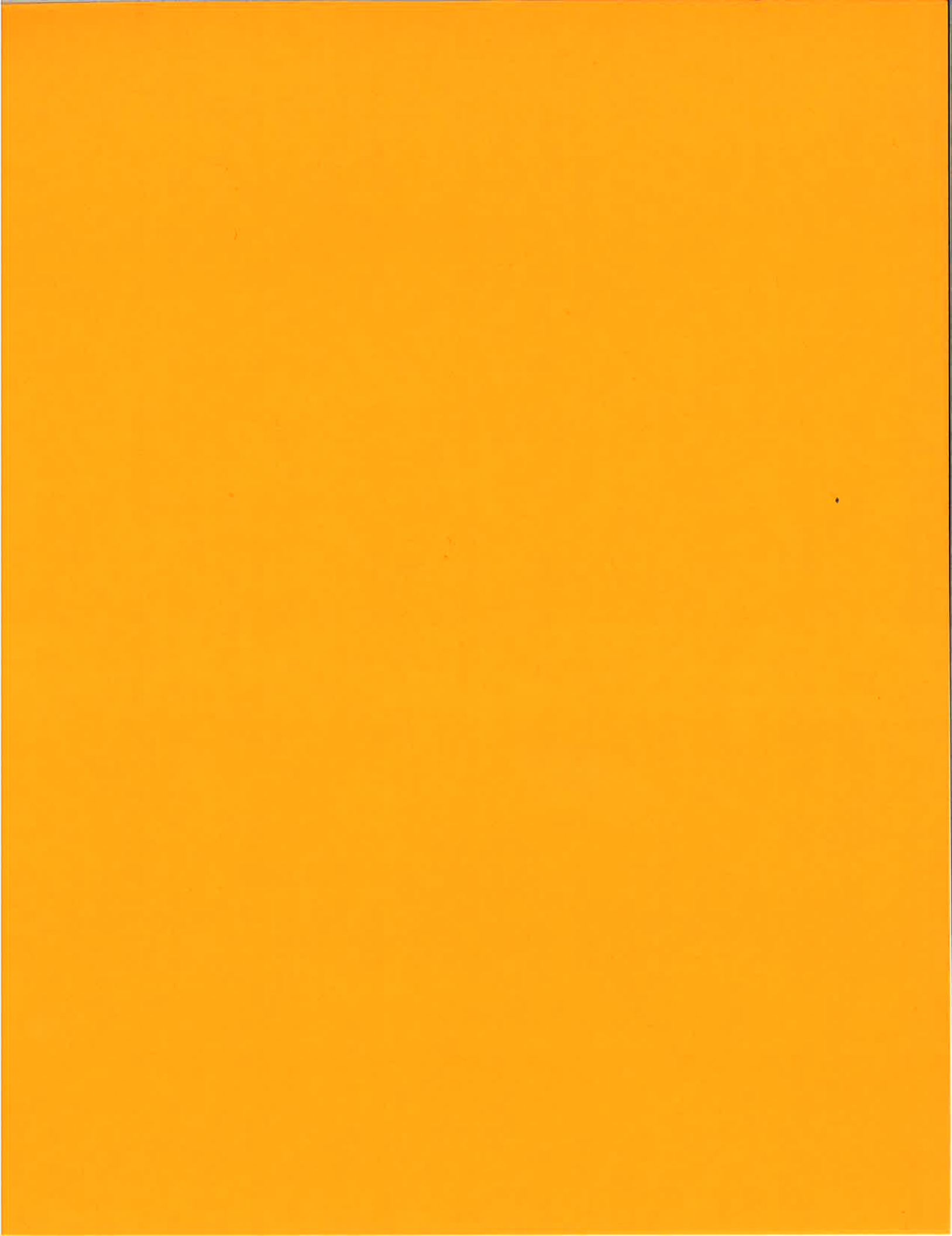
ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____



Sec. 38-46. Fences and walls.

- (a) *Permit required.* No person shall construct a fence or wall in the village without first obtaining approval of the architectural review board and a permit from the building inspector.
- (b) *Application; fee.* Application for a permit shall be filed with the building inspector on a form supplied by the inspector and the architectural review board, together with a sketch of the proposed fence, [survey of the property showing the location of the proposed fence](#), and the payment of the fee provided in the village fee schedule.
- (c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Fence* means a barrier constructed of wood, wire, boards or other materials intended to prevent the escape or intrusion or to mark a boundary.
 - (2) *Wire fences.* Wire fences are to be of a vinyl coated minimum wire gauge No. 16 with maximum opening of two inches by three inches.
 - (3) *Wood fences.* Redwood or cedar shall be preferred for durability. Other woods may be used provided they are suitable and maintained.
 - (4) *Barbed wire.* Fence consisting wholly or in part of wire with clusters of short, sharp spikes set at intervals.
 - (5) *Chainlink fence.* A fence of heavy steel wire woven to form a diamond-shaped mesh.
 - (6) *Woven wire fence.* A fence constructed by woven wire together, often containing barbed wire, designed to serve as a barrier to livestock, wildlife or people.
- (d) *Restrictions.*
- (1) *Residential fence restrictions.* Residential fences (in R-1 through R-6 districts) are permitted only on the rear and side yards in the residential districts. On the side yards, the fence shall not project into the principal building required setback distance and shall be in compliance with required vision clearance. On corner lots, the yard with the address facing side shall be considered the front yards, and any fences constructed shall not extend past the corners of the dwelling.
 - a. Fences shall not be constructed of woven wire, barb wire or chain link material.
 - b. For property abutting the village, no fence shall be erected within 25 feet of the meander line.
 - c. A building permit is required.
 - (2) *Security fence restrictions.* Security fences are permitted in industrial and business districts. No fence shall be placed closer than two feet from the property line and shall not exceed ten feet in height and shall be an open type similar to woven wire or wrought iron fencing.
 - a. A building permit is required.
- ~~(d)~~ (e) *General requirements.*
- (1) *For districts R-1—R-6 fences and walls in front and side yards.* On any corner lot, no fence, wall or shrub shall be within the vision triangle prescribed in this chapter. No wall or fence may be erected in any front or side yard, except that a decorative fence shall be no more than three feet in height extending no more than ten feet in length in any one direction or a total of 20 feet and shall be set back two feet from the lot line. [A wall or fence may be erected in the side yard with a setback five feet from the lot line.](#) All fences in the C-1, C-2, C-3 and M-1 districts must be reviewed and recommended by the architectural review board and approved by plan commission.

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- (2) *Fences in rear yards.* Fences having a height of six feet or less may be located within the required rear yards in residential districts.
 - (3) *Location.* The property owner shall be responsible for the proper placement and location of the fence. No fence shall be placed closer than two feet from the property line unless written consent is obtained from the abutting property owner and a variance granted by the board of zoning appeals.
 - (4) *Dog pens and runs.* Dog pens and runs shall be erected in the rear yard only and shall be located at least five feet from any property line.
 - (5) ~~*Wire fences.* Wire fences are to be of a vinyl coated minimum wire gauge No. 16 with maximum opening of two inches by three inches.~~ **Moved to 38-46(c)(2)**
 - (6) ~~*Wood fences.* Redwood or cedar shall be preferred for durability. Other woods may be used provided they are suitable and maintained.~~ **Moved to 38-46(c)(3)**
 - (7) ~~*Barbed wire.* No fence consisting wholly or in part of barbed wire shall be erected or maintained in the village except for farming purposes and except for approved security fences.~~ **Moved to 38-46(c)(4)**
 - (8) ~~*Security fences.* The plan commission, upon proper application, may approve security fences in nonresidential zones of such design and construction as it shall deem proper.~~ **deleted**
 - (9) (5) *Fence side.* Posts and framing shall face the property for which the fence permit application is being made.
 - (10) ~~*Chainlink fence.* A fence of heavy steel wire woven to form a diamond shaped mesh.~~ **Moved to 38-46(c)(5)**
 - (11) ~~*Woven wire fence.* A fence constructed by woven wire together, often containing barbed wire, designed to serve as a barrier to livestock, wildlife or people.~~ **Moved to 38-46(c)(6)**
 - ~~(12)~~(6) *Nonconforming fences.* Present fences may stand even though they do not conform to this section. However, nonconforming fences requiring 50 percent or more repairs or rebuilding shall be removed or rebuilt to conform with the requirements of this section.
 - ~~(13)~~(7) *Maintenance of fences required.* All fences shall be maintained in good physical condition.

~~(e)~~ (f) *Private swimming pool fences.*

- (1) *Required.* No person shall maintain, construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the village unless a fence is constructed in accordance with this section.
- (2) *Definition.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - Swimming pool* means any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 24 inches deep is contained and which is used primarily for the purpose of bathing or swimming.
- (3) *Fences.*
 - a. Except as provided in subsection (d)(4) of this section, all swimming pools not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall be five feet in height and so constructed as not to have voids, holes or openings larger than four inches in one dimension. Gates or doors shall be equipped with self-closing devices for keeping the gates or doors securely closed and locked at all times when not in actual use.

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- b. Aboveground pools with self-provided fencing to prevent unguarded entry shall be permitted without separate additional fencing, provided the self-provided fence is of the minimum height and design as herein specified.
 - c. Permanent access from grade to above-ground pools having stationary ladders, stairs or ramps shall have safeguard fencing and gates equivalent to those required herein, subject to all other applicable ordinances and subject to the following requirements:
 - 1. No fence shall be located, erected, constructed or maintained closer than three feet to a pool.
 - 2. The wall of the house or building facing a pool may be incorporated as a portion of such fence.
- (4) *Hot tubs.* All hot tubs which are not fenced, as provided in subsection (d)(3) of this section, shall be covered by a lid securely fastened at all times the hot tub is not in use.

(Ord. No. 1-04, § I, 3-1-2004)

(g) *Dumpster structures/fences.*

- (1) *Definition.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Structure means any manmade object with form, shape and utility, permanently or temporarily attached to, placed upon or set into the ground.
- (2) *Required.* No person shall maintain, construct, or install a dumpster not enclosed in a permanent building in the village unless a structure/fence is constructed in accordance with this section.
 - a. Shall be located more than 2 feet from the property line.
 - b. Shall be 6-8 feet in height.
 - c. A building permit is required.

ORDINANCE NO. 2024-04

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-46 RELATED TO THE ZONING CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the Height and Area Exceptions as well as the Fences and Walls sections of the Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of structures and uses of properties within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-46 entitled “Fences and walls”, is hereby repealed and recreated as follows:

- (a) *Permit required.* No person shall construct a fence or wall in the village without first obtaining approval ~~of the architectural review board and a permit~~ from the building inspector.
- (b) *Application; fee.* Application for a permit shall be filed with the building inspector on a form supplied by the inspector ~~and the architectural review board~~, together with a sketch of the proposed fence, *survey of the property showing the location of the proposed fence*, and the payment of the fee provided in the village fee schedule.
- (c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - (1) *Fence* means a barrier constructed of wood, wire, boards or other materials intended to prevent the escape or intrusion or to mark a boundary.
 - (2) *Wire fences.* Wire fences are to be of a vinyl coated minimum wire gauge No. 16 with maximum opening of two inches by three inches.
 - (3) *Wood fences.* Redwood or cedar shall be preferred for durability. Other woods may be used provided they are suitable and maintained.
 - (4) *Barbed wire.* Fence consisting wholly or in part of wire with clusters of short, sharp spikes set at intervals.
 - (5) *Chainlink fence.* A fence of heavy steel wire woven to form a diamond-shaped mesh.
 - (6) *Woven wire fence.* A fence constructed by woven wire together, often containing barbed wire, designed to serve as a barrier to livestock, wildlife or people.

(d) *Restrictions.*

- (1) *Residential fence restrictions.* Residential fences (in R-1 through R-6 districts) are permitted only on the rear and side yards in the residential districts. On the side yards, the fence shall not project into the principal building required setback distance and shall be in compliance with required vision clearance. On corner lots, the yard with the address facing side shall be considered the front yards, and any fences constructed shall not extend past the corners of the dwelling.
 - a. Fences shall not be constructed of woven wire, barb wire or chain link material.
 - b. For property abutting the village, no fence shall be erected within 25 feet of the meander line.
 - c. A building permit is required.
- (2) *Security fence restrictions.* Security fences are permitted in industrial and business districts. No fence shall be placed closer than two feet from the property line and shall not exceed ten feet in height and shall be an open type similar to woven wire or wrought iron fencing.
 - a. A building permit is required.

~~(d)~~ (e) *General requirements.*

- (1) *For districts R-1—R-6 fences and walls in front and side yards.* On any corner lot, no fence, wall or shrub shall be within the vision triangle prescribed in this chapter. No wall or fence may be erected in any front or side yard, except that a decorative fence shall be no more than three feet in height extending no more than ten feet in length in any one direction or a total of 20 feet and shall be set back two feet from the lot line. ~~A wall or fence may be erected in the side yard with a setback five feet from the lot line. All fences in the C-1, C-2, C-3 and M-1 districts must be reviewed and recommended by the architectural review board and approved by plan commission.~~
- (2) *Fences in rear yards.* Fences having a height of six feet or less may be located within the required rear yards in residential districts.
- (3) *Location.* The property owner shall be responsible for the proper placement and location of the fence. No fence shall be placed closer than two feet from the property line unless written consent is obtained from the abutting property owner and a variance granted by the board of zoning appeals.
- (4) *Dog pens and runs.* Dog pens and runs shall be erected in the rear yard only and shall be located at least five feet from any property line.
- ~~(5) *Wire fences.* Wire fences are to be of a vinyl coated minimum wire gauge No. 16 with maximum opening of two inches by three inches.~~
- ~~(6) *Wood fences.* Redwood or cedar shall be preferred for durability. Other woods may be used provided they are suitable and maintained.~~
- ~~(7) *Barbed wire.* No fence consisting wholly or in part of barbed wire shall be erected or maintained in the village except for farming purposes and except for approved security fences.~~

~~(8) Security fences. The plan commission, upon proper application, may approve security fences in nonresidential zones of such design and construction as it shall deem proper.~~

~~(9) (5) Fence side. Posts and framing shall face the property for which the fence permit application is being made.~~

~~(10) Chainlink fence. A fence of heavy steel wire woven to form a diamond-shaped mesh.~~

~~(11) Woven wire fence. A fence constructed by woven wire together, often containing barbed wire, designed to serve as a barrier to livestock, wildlife or people.~~

~~(12) (6) Nonconforming fences. Present fences may stand even though they do not conform to this section. However, nonconforming fences requiring 50 percent or more repairs or rebuilding shall be removed or rebuilt to conform with the requirements of this section.~~

~~(13) (7) Maintenance of fences required. All fences shall be maintained in good physical condition.~~

~~(e)~~ (f) *Private swimming pool fences.*

(1) *Required.* No person shall maintain, construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the village unless a fence is constructed in accordance with this section.

(2) *Definition.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Swimming pool means any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 24 inches deep is contained and which is used primarily for the purpose of bathing or swimming.

(3) *Fences.*

a. Except as provided in subsection (d)(4) of this section, all swimming pools not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall be five feet in height and so constructed as not to have voids, holes or openings larger than four inches in one dimension. Gates or doors shall be equipped with self-closing devices for keeping the gates or doors securely closed and locked at all times when not in actual use.

b. Aboveground pools with self-provided fencing to prevent unguarded entry shall be permitted without separate additional fencing, provided the self-provided fence is of the minimum height and design as herein specified.

c. Permanent access from grade to above-ground pools having stationary ladders, stairs or ramps shall have safeguard fencing and gates equivalent to those required herein, subject to all other applicable ordinances and subject to the following requirements:

1. No fence shall be located, erected, constructed or maintained closer than three feet to a pool.

2. The wall of the house or building facing a pool may be incorporated as a portion of such fence.
- (4) *Hot tubs.* All hot tubs which are not fenced, as provided in subsection (d)(3) of this section, shall be covered by a lid securely fastened at all times the hot tub is not in use.

(Ord. No. 1-04, § I, 3-1-2004)

(g) *Dumpster structures/fences.*

- (1) *Definition.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Structure means any manmade object with form, shape and utility, permanently or temporarily attached to, placed upon or set into the ground.

- (2) *Required.* No person shall maintain, construct, or install a dumpster not enclosed in a permanent building in the village unless a structure/fence is constructed in accordance with this section.
 - a. Shall be located more than 2 feet from the property line.
 - b. Shall be 6-8 feet in height.
 - c. A building permit is required.

SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 6th day of May 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

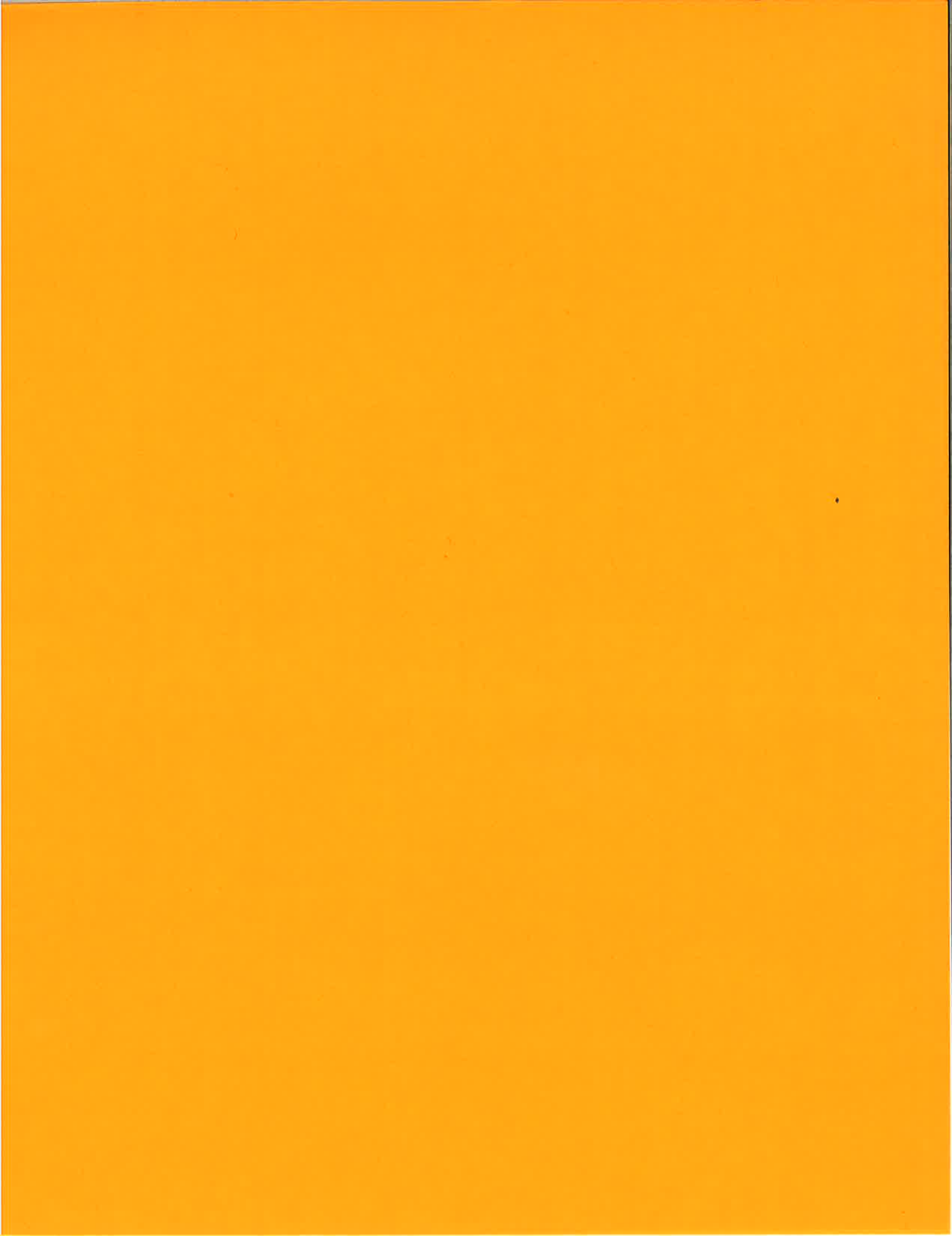
ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____



Sec. 38-99. M-1 Limited Industrial and Business Park District.

The M-1 district is intended to provide for manufacturing or industrial operation which, on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the village as a whole by reason of noise, dirt, dust, smoke, odor, traffic, physical appearance or other similar factors, and subject to such regulatory controls as will reasonably ensure compatibility in this respect. Outdoor storage of raw materials or finished products is not allowed.

(1) *Permitted uses.*

- a. Distribution centers.
- b. Blacksmithing, tinsmithing and sheet metal work.
- c. Bottling plants.
- d. Enameling and painting.
- e. Knitting mills and the manufacture of products from finished fabrics.
- f. Manufacture, fabrication, packing and packaging and assembly of products from furs, glass, leather (but not tanning of hides or manufacture of leather), metals, paper (but not the manufacture of paper or pulp), plaster, plastic (but not the manufacture of plastic), textiles and wood.
- g. Manufacture, fabrication, processing, packaging and packing of confections, cosmetics, electrical appliances, electronic devices, food (except meat rendering plants, slaughtering and first processing of meat and fowl, first processing of fish, cabbage processing and the vining of peas.
- h. Manufacture of furniture, home supplies and appliances, instruments, jewelry, office supplies, pharmaceuticals, sporting goods, tobacco products and toiletries.
- i. Laboratories.
- j. Warehousing.
- k. Welding shops.
- l. Wholesaling.

(2) *Conditional uses.*

- a. Storage and warehousing of fuel and materials, but not the storage of wrecked or dismantled vehicles and junk or the storage of explosives.
- b. Other uses similar in character to the permitted uses, giving due consideration to such items as noise, odor, pollution, traffic and parking, safety, hours and type of operation.
- c. Tower structure that is designed and constructed for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, microwave towers, common-carried towers, cellular telephone towers, alternative tower structures and the like.

(3) *Lot, yard and building requirements.*

- a. Lot frontage: minimum 100 feet.
- b. Lot area: minimum one acre.
- c. Front yard: minimum 40 feet.
- d. Parking lot setback: minimum 15 feet.

(4) *Side yards:*

- a. Principal building: minimum 20 feet.
 - b. Accessory building: minimum ~~five~~ 20 feet.
 - c. Rear yard: minimum 25 feet.
 - d. Building height: maximum 35 feet.
- (5) *Off-street parking and loading requirements.* See section 38-47.
- (6) *Performance standards.* See sec. 38-36.
- (7) *Driveways and driveway curb cuts.*
- a. All driveways must be hard surfaced, and constructed within one year of occupancy. The term "hard surfaced" shall be defined as concrete, asphalt or brick paving. Additionally, a driveway apron, consisting of the first five feet of driveway extending onto the property from a public roadway shall be constructed from concrete, shall be at least six inches thick and shall be constructed with tapered sides. Quantity of driveways to be recommended with site plan by the architectural review board and approved by the planning commission.
 - b. Plans for driveways and curb cuts shall be submitted as part of the plot plan for review by the architectural review board. Curb cuts shall be made prior to commencement of any construction. Curb cuts shall be saw cut or full replacement of curb shall be required. No mounding of dirt or gravel in the gutter or use of temporary planking shall be allowed to provide access to the construction site.
- (8) *Refuse areas.* All dumpsters and refuse areas shall be concealed by solid structures or fences. Installation of the structure/fences shall be done within 6 months of adoption of this ordinance or installation of dumpster. All installations of structures/fences shall abide by the Sec. 38-45 & 38-46 of the village ordinances.

ORDINANCE NO. 2024-05

AN ORDINANCE TO CREATE SECTION 38-99(2)(c), 38-99(8) RELATED TO M-1 LIMITED INDUSTRIAL AND BUSINESS PARK DISTRICT CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-99(4)(b) RELATED TO M-1 LIMITED INDUSTRIAL AND BUSINESS PARK DISTRICT CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the M-1 Limited Industrial and Business Park Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of structures and uses of properties within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 2 entitled “ Conditional Uses”, subsection c. is hereby created as follows:

- c. Tower structure that is designed and constructed for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, microwave towers, common-carried towers, cellular telephone towers, alternative tower structures and the like.

SECTION 2: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 8 is hereby created as follows:

- (8) *Refuse areas.* All dumpsters and refuse areas shall be concealed by solid structures or fences. Installation of the structures/fences shall be done within 6 months of adoption of this ordinance or installation of dumpster. All installations of structures /fences shall abide by the Sec. 38-45 & 38-46 of the village ordinances.

SECTION 3: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 4 entitled “Side yards” , subsection b. is hereby repealed and recreated as follows:

- b. Accessory building: minimum ~~five~~ 20 feet.

SECTION 4: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 6th day of May 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____