

**Town of Gardner**  
**Building Code Ordinance Amendment**  
**Ordinance No. 02-2006**

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Building Code Ordinance Amendment No. 01-06 is hereby repealed and recreated as provided herein.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 located outside of licensed mobile home parks 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.
- 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.
- 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

### **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 – 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 7 – Effective Date**

This ordinance shall be effective the day after its publication.

Submitted by:

Paul DeWitt, Chairman

Board Members:

Robert Braunel Aye

Gary Schaeffer Aye

Mark Stevenson Aye

Glenn Dart Aye

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 10<sup>th</sup> day of August, 2006, by the Board of Supervisors.

Amy Sacotte, clerk