



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-014

AN ORDINANCE AMENDING FIGURE 5.01 (1) OF THE VILLAGE ZONING ORDINANCE ENTITLED *RURAL, OPEN SPACE AND RESIDENTIAL DISTRICT LOT DIMENSION AND INTENSITY STANDARDS*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards to allow for a 40 acre AR parcel to be split in two; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on October 12, 2015, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Figure 5.01(1) of the Village of Weston Ordinances entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards* is hereby amended to provide as attached hereto as Exhibit A.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 21st day of March, 2016

WESTON VILLAGE BOARD

By: _____

Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

EXHIBIT A

Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (a)	Minimum Landscape Surface Ratio (LSR)
FP Farmland Preservation	20 acres	300	100	N/A	N/A	N/A
AR Agriculture and Residential	20 acres(f)(g)	300(f)	100	N/A	1,600	N/A
RR-2 Rural Residential 2 Acres	2.0 acres	150	80	20%	1,600	N/A
RR-5 Rural Residential 5 Acres	5.0 acres	200	80	20%	1,600	N/A
PR Parks and Recreation	N/A	N/A	N/A	10%	N/A	75%
SF-L Single Family – Large Lot	20,000 sf	100	50	30%	1,000	50%
SF-S Single Family – Small Lot	10,000 sf	80	40	40%	800	40%
2F Two Family Residential (c)	10,000 sf	80 (b)	40	40%	800	40%
MF Multi Family Residential (d)	3,000 sf/dwelling unit	100 (b)	40	40%	10% of Lot Area	30%
MH Manufactured Home	5,000 sf/home (e)	50	N/A	40%	350	30%

- (a) Maximum Accessory Structure floor area may be increased by site plan approval under Section 94.16.09 and per the standards in Section 94.4.09(2).
 - (b) For zero lot line structures, each separate lot must be at least 50 feet in width.
 - (c) Single-Family Detached Residences within the 2F district shall comply with the SF-S district requirements.
 - (d) Single-Family Detached Residences within the MF district shall comply with the SF-S district requirements. Two-family Residences within the MF District shall comply with 2F district requirements.
 - (e) Total area of each “Manufactured Home Community” shall be a minimum of 10 acres.
 - (f) Instead of a 20 acre minimum lot size, land in the AR district may be developed at a density of one residential lot per 20 acres and a minimum lot size of 2.0 acres and minimum lot width of 150 feet. See Section 94.5.08 for further description and method of calculation for regulating at a one residential lot per 20 acre density in the AR district.
 - (g) Parcel size in the AR district to be calculated based on gross acreage, including roads and navigable waters within the deeded parcel. Each such parcel meets the 20 acre minimum, even if net acreage is less than 20 acres following the removal of roads and navigable waters, if such removal does not reduce the gross acreage by greater than 15% for corner parcels or 10% for all other parcels. ~~May be considered a nominal 20 acres. A nominal 20 acre parcel shall not be reduced by more than 10% and/or a 20 acre parcel located on a corner or abutting a street on two sides not reduced by more than 15% due to road right of way and survey variations.~~
- [Amended via Ord. 15-022, 10/21/2015]