VILLAGE OF STETSONVILLE
COMPREHENSIVE ZONING CODE

THE VILLAGE BOARD OF THE VILLAGE OF STETSONVILLE DO ORDAIN AS FOLLOWS:

SECTION 1.0: PURPOSE AND INTERPRETATION

1.1 Purpose

The provisions of this code shall be held to be the minimum requirements adopted to:

1. To promote the public health, safety, morals, comfort convenience, prosperity, and general welfare of the Village and environs.
2. To secure safety from fire, explosion, noxious fumes, and other hazards.
3. To provide adequate light, air, privacy, and convenience of access to property.
4. To prevent the overcrowding of land.
5. To avoid undue concentration of population.
6. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
7. To conserve and enhance the taxable value of land and buildings.
8. To encourage the most appropriate use of land throughout the Village environs.
9. To preserve and increase the amenities of the Village and environs.
10. To protect residential, commercial, and manufacturing areas alike from harmful encroachments by incompatible uses.
11. To protect the character and maintain the stability of residential, commercial, and manufacturing areas within the Village and environs, and to promote the orderly and beneficial development of such areas.
12. To regulate and restrict the location and intensity of use of buildings, structures, and land for residential, commercial, manufacturing, and other uses, and to establish building or setback lines for such uses.
13. To segregate and control unavoidable nuisance producing uses.
14. To establish districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Code.
15. To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereinafter.
16. To provide for the elimination of those uses of land, buildings, and structures which are adversely affecting the character, development, and taxable value of property in each district.

17. To define the powers and duties of the administrative officers and bodies, as provided hereinafter.

1.2 **Interpretation**

In their interpretation and application, the provisions of this Code shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

This Code shall not repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to laws. However, wherever this Code imposes greater restrictions, the provisions of this code shall govern.

SECTION 2.0: DEFINITIONS

2.1 **General Terms**

For the purpose of this Code, the terms or words herein shall be interpreted or defined as follows:

Words used in the present tense included the future tense.

The singular includes the plural

The word "person" includes an individual, all partnerships, associations, and bodies of politic and corporate.

The word "lot" includes the words "plot" or "parcel".

The word "used" or "occupies", as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied".

The word "building" includes the word "structure".

The word "shall" is mandatory and not directory.

Any words not herein defined shall be construed as defined in the State and Village Building Codes.

2.2 **SPECIFICATIONS**

In this Code, the following terms are defined as follows:

1. Accessory Use of Structure means a use or Detached structure subordinate to the principal use of a structure, land or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure. If an accessory structure is permanently attached to the principal, both structures shall meet the principal structure yard requirements.

2. Alley means a street or thoroughfare less than 21 feet wide and affording only secondary access to abutting property.

3. Apartment House means a "Dwelling, Multi-Family".

4. Basement means a story partly underground which, shall be counted as a story for the purposes of height measurement.

5. Boarding House means a building other than a hotel where meals, or lodging and meals, are furnished for compensation for three (3) or more persons not members of a family.

6. Building means any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals or property. When a building is divided into separate parts by unpierced walls extending from the ground up, each part shall be deemed a separate building.

7. Building Height is measured from the peak of the roof to the foundation.

8. Conditional Uses means uses of a special nature as to make impractical their predetermination as a principal use in a district.

9. Dwelling, One-Family means a building designed or used exclusively as the living quarters for one family, including modular homes which meet the dimensional requirements.

10. Dwelling, Multi-Family means a dwelling or groups of dwellings on one plot containing separate living units for three (3) or more families, but which may have joint services or facilities for both.

11. Dwelling, Two-Family means a building designed or used exclusively as the living quarters for two families, including modular homes which meet the dimensional requirements.

12. Elderly housing, means a type of multi-family dwelling generally restricted to persons 62 years of age or older.

13. Essential Services means services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems, and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, hydrants, but not including buildings.

14. Family means one or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.

15. Farming, General means the production of field or truck crops, or the raising of livestock products for commercial gain.

16. Flood Plain means the land adjacent to a water course or other body of water subject to overflow therefrom during a regional flood as defined in the Taylor County Flood Plain Ordinance.

17. Frontage means all the property abutting on one side of a street between two (2) intersecting streets or all of the property abutting on one side of a street between an intersecting street and the dead end of a street.

18. Garage, Private means an accessory building or space for the storage of family owned vehicles.

19. Garage, Public means any building or promises, other than a private or a storage garage, where motor-driven vehicles are equipped, repaired, serviced, hired, sold or stored.

20. Garage, Storage means any building or premise used exclusively for the storage of motor-driven vehicles, pursuant to previous arrangements and where no equipment, parts, fuel, grease or oil is sold and vehicles are not equipped, serviced, repaired, hired or sold. No commercial motor vehicle exceeding two- (2) ton capacity shall be stored in any storage garage.

21. Ground Floor. 'Ground floor' means that floor that is normally located at ground level (a.k.a. first floor, ground floor) when referenced from the street that serves as the primary entrance to the building.

22. Home Occupation means a gainful occupation conducted by members of the family only, within their place of residence; provided that no article is sold or offered for sale on the premises except such as is produced by such occupation, that no stock in trade is kept or sold, that no mechanical equipment is used other than as is permissible for purely domestic purposes.

23. Hotel means a building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in any individual room or apartment.

24. Lodging House means a building other than a hotel where lodging only is provided for compensation for not more than three (3) persons not members of the family.

25. Lot means a parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by this Code.

26. Lot, Corner means a lot abutting on two (2) or more streets at their intersection, provided that the interior angle of such intersection is less than 135 degrees.

27. Lot, Irregular means a lot within a subdivision abutting a cul-de-sac or curved street which is approximately equal in area to other lots within the subdivision; however, having unusually short abutting frontage in comparison to the other lots.

28. Lot, Depth of means the mean horizontal distance between the front and rear lot lines.

29. Lot, Interior means a lot other than a corner lot.

30. Lot, Through means an interior lot having frontage on two (2) nonintersecting streets.

31. Lot, Width of means the mean width measured at right angles to its depth.

32. Lot Lines means any line dividing one lot from another.

33. Mean Street Elevation means the average height of the centerline of the public road for the length of the road that adjoins the property in question.

34. Mobile Home is any home constructed to a HUD standard and can be located in a mobile home park.

35. Modular homes. (a) " Modular home" means any structure or component thereof which is intended for use as a dwelling and 1) Is of closed construction and fabricated or assembled on-site or off-site in manufacturing facilities for installation, connection, or assembly and installation, at the building site; or 2. Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation, on the building site and for which certification is sought by the manufacturer. (b) " Modular home" does not mean any manufactured home under s. 101.91, Wisconsin Statutes or any building of open construction which is not subject to par. 2(am).

36. Navigable Water means all natural or other waters, which are navigable under the laws of this State.

37. Nonconforming Use means a building, structure, or use of land existing at the time of enactment of this Code, and which do not conform to the regulations of the district or zone in which it is situated.

38. Professional Office means the office of a doctor, practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, musician or other recognized profession.

39. Roadside Stand means a structure not permanently fixed to the ground that is readily removed in its entirety, covered or uncovered and wholly enclosed, and used solely for the sale of farm products produced on the premises. No such roadside stand shall be more than 300 square feet in ground area and there shall be not more than one roadside stand on any one premises.

40. Salvage Yard means a lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discarded; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition and for the sale of parts thereof.

41. Setback shall mean the distance between a structure's foundation and the property line.

42. Sign means any structure or natural object or part thereof or device attached or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as or which is in the nature of an announcement, direction, or advertisement.

43. Stable means a garage that houses one or more draft animals.

44. Story means that portion of a building including between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space between any floor and the ceiling next above it. A basement or cellar having one-half or more or its height above grade shall be deemed a story for purposes of height regulations.

45. Story, Half means the space under any roof except a flat roof which, if occupied for residential purposes shall be counted as a full story.

46. Street means all property dedicated or intended for public or private street purposes, or subject to public easements thereof, and 21 feet or more in width.

47. Street Line means a dividing line between a lot, tract or parcel of land and a contiguous street.

48. Structure means anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.

49. Structural Alterations means any change in the supporting members of a building or any substantial change in the roof structure or in the exterior walls.

50. Temporary Structure means a moveable structure not designed for human occupancy or for the protection of goods or chattels and not forming an enclosure.

51. Tourist Camp means a tract or parcel of land, with or without buildings or other equipment, on which one or more camp cabins are located, or where temporary accommodations are provided for two or more automobile trailers or house cars, open to the public free or for a fee.

52. Trailer means a portable vehicle designed and used for temporary living purposes.

53. Urbanized is a paved street that has curb and gutter.

54. Use means the specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

55. Vision Clearance means an unoccupied triangular space at the street corner of a corner lot which is bounded by the street lines and a setback line connecting points specified by measurement from the corner on each street line.

56. Yard means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

57. Yard, Front, means an open unoccupied space on the same lot with the building between the front line of the building and the front line of lot and extending the full width of the lot.

58. Yard, Rear, means an open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of the lot.

59. Yard, Side, means an open unoccupied space on the same lot with a building, situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a sideline.

60. Bed and Breakfast means a private residence, several rooms of which are set aside for overnight guests whose paid accommodations include breakfast.

SECTION 3: ZONING DISTRICT AND MAP

3.1 Establishment of Districts

For the purpose of this Code, The Village of Stetsonville is hereby divided into the following zoning districts:

1.	R-1	Single-Family District
2.	R-2	One- & Two-Family District
3.	R-3	Multi-Family Residential District
4.	C-1	Commercial District
5.	I-1	Industrial District
6.	G-1	Institutional District

3.2 Zoning Map and District Boundaries

1. The official zoning district map is an integral part of this Code. The single official copy of this map entitled "Village of Stetsonville Official Zoning Map", together with a copy of this Code, shall be available for public inspection during office hours. The map shall be certified by the village board and attested by the village clerk. Any changes in zoning district boundaries shall be recorded on the map. No such change shall be effective until so recorded and until a duly certified and attesting certificate describing the change is filed with the map.

2. For specific boundary lines contact Taylor County.

3. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the district boundary line.

4. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the map are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of the district.

5. On undivided property, the district boundary shown on the map shall be determined by use of the scale shown on such map.

3.3 R-1 Single Family Residential District

Land in this district shall be used only for the uses permitted by this subsection. This district provides for one-family year-round residential development protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas, which can be economically and readily served by utilities and municipal facilities.

1. Permitted Uses:

   a. Single family year-round dwellings

   b. Private garages and carports

   c. Essential services and utilities intended to serve the principal permitted use

   d. Signs subject to the provisions of Section 5.0

   e. Horticulture and gardening

   f. Customary accessory uses provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or private nuisance

   g. Up to two boarders or lodgers not members of the family.

2. Uses Authorized by Conditional Use Permit (See Section 8 for permit requirements):

   a. A conversion of part of the single-family dwelling to accommodate housekeeping facilities for elderly relatives age 62 or over or handicapped family members. This conditional use is for this specific purpose and not intended to provide a means of making a rental unit for the public.

   b. Public and semi-public uses including but not limited to the following: public and private schools, churches and public park and recreation areas, day care centers, and fire and police stations, and historic sites.

   c. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment housing and other necessary appurtenant equipment, structures water tower and

   d. Home occupations or professional offices. When established in a residential district, a home or professional office shall be incidental to the residential occupation. Only one unlighted nameplate, not exceeding two square feet in area, containing the name and profession of the occupant of the premises shall be exhibited. Not more than 25 percent of the floor area of only one story of a dwelling unit shall be occupied by such office or home occupation. A Home Occupation that involves an 'In Home Day Care' is exempt from the 25 percent limitation upon approval by the Plan Commission.

3. Dimensional Requirements:

   a. Maximum Building Height.
   Principal Buildings - 35 feet - Accessory Buildings - 20 feet

   b. Minimum Lot Area
   One-Family Dwellings - 10,000 sq. ft.

   c. Minimum Lot Width – 100 feet

d. Front Yard Setback - 20 feet

e. Rear Yard Setback
Principal Buildings - 25 feet - Accessory Buildings - 10 feet

f. Side Yards - Principal Buildings - 8 feet from foundation, (20 feet total), Accessory Buildings - 10 feet from foundation

g. Off-Street Parking. See Village of Stetsonville Off-Street Parking Area Specifications and Standards Code.

h. Minimum Separation of Structures
There shall be a minimum eight (8) feet of open space separating the principal structure from all accessory structures.

h. Street Front Window Requirement
All residential structures shall have an appearance on the street frontage compatible with the adjacent residential dwelling units. This will be interpreted to mean there will be at least one (1) window on the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this Section.

3.31 **R-2 One & Two Family Residential District**

Land shall be used only for uses permitted by this subsection. This district provides for one- and two- family year-round residential development protected from traffic hazards and intrusions of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas that can be economically and readily served by utilities and municipal facilities.

1. Permitted Uses:

a. Single-Family and Two-Family Dwellings

b. Private garages and carports

c. Essential services and utilities intended to serve the principal permitted uses

d. Signs subject to the provisions of Section 5.0

e. Horticulture and gardening

f. Customary accessory uses provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or private nuisance.

g. Up to two boarders or lodgers not members of the family.

2. Uses authorized by Conditional Use Permit (See Section 8 for permit requirements)

a. Three-family dwelling units.

b. Public and semi-public uses including but not limited to the following: public and private schools, churches and public parks and recreational areas, day care centers, community-based residential care facilities, and elderly housing, fire and police stations, and historic sites.

c. The following public and semi-public uses are not permitted: sewage disposal plants, garbage incinerators, warehouses, storage yards, repair shops, maintenance buildings, asylums and penal or correctional institutions.

d. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

e. Home occupations or professional offices. When established in a residential district, a home or professional office shall be incidental to the residential occupation. Only one unlighted nameplate, not exceeding two square feet in area, containing the name and profession of the occupant of the premises shall be exhibited. Not more than 25 percent of the floor area of only one story of a dwelling unit shall be occupied by such office or home occupation. A Home Occupation that involves an 'In Home Day Care' is exempt from the 25 percent limitation upon approval by the Plan Commission

f. Bed and Breakfast Establishments. Subject to any State or County regulations, up to six people not residents of the private residence, are allowed at any given time.

3. **Dimensional Requirements**:

a. Maximum Building Height
Principal Buildings - 35 feet
Accessory Buildings - 20 feet

b. Minimum Lot Area

One-family Dwellings -	10,000 sq. ft./unit
	7,500 sq. ft./unit for lots platted prior to December 14, 1982 only
2-3 family Dwellings -	5,000 sq. ft./each additional unit
	3750 sq. ft./unit for lots platted prior to December 14, 1982 only
Elderly Housing -	10,000 sq. ft./unit for the first unit, plus 1,000 sq. ft. per each additional unit
	1,000 sq. ft./unit for lots platted prior to December 14, 1982 only.

c. Minimum Lot Width
48’ for lots platted at 48 or 50 feet prior to December 14, 1982, 60 feet for all other lots.

d. Front Yard Setback - 20 feet

e. Rear Yard Setback
Principal Buildings - 25 feet
Accessory Buildings - 10 feet

f. Side Yards

Principal Buildings - 8 feet from foundation, 20 feet total
Accessory Buildings - 10 feet from foundation

g. Off-Street Parking
See Village of Stetsonville Off-Street Parking Area Specification & Standards Code.

h. Minimum Separation of Structures
There shall be a minimum of eight (8) feet of open space separating the principal structure from all accessory structures.

i. Street Front Window Requirement

All residential structures shall have an appearance on the street frontage compatible with the adjacent residential dwelling units. This will be interpreted to mean there will be at least one (1) window on the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this Section.

3.32 **R-3 Multi-Family Residential District**

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for multi-family year-round residential development in areas that are served by adequate utilities and municipal facilities.

1. Permitted Uses:

   a. Any use permitted in the R-2 District.

   b. Multi-Family year round dwellings.

2. Uses authorized by Conditional Use Permit (See Section 8 for permit requirements).

   a. Any use authorized by conditional use permit in the R-2 district

   b. Rooming and boarding homes, tourist homes, and motels

   c. Philanthropic and eleemosynary institutions

   d. Private clubs, fraternities and lodges, except those whose chief activity is customarily carried on as a business.

3. Dimensional Requirements:

a. Maximum Building Height:

Principal Buildings - 45 feet
Accessory Buildings - 20 feet

b. Minimum Lot Area:

All uses - 7500 sq. ft./family
Elderly Housing (4 Units or More) - 1000 sq. ft./unit

All other multi-family dwellings:

Category	Number of Units	Lot Area Required/Unit
1	Units 2-4	3750 each
2	Units 5-12	3000 sq. ft. for 3 or more bedroom units 2000 sq. ft. for 2 or more bedroom units 1000 sq. ft. for 1 bedroom or efficiency units
3	Units 13 Above	2250 sq. ft. for 3 or more bedroom units 1500 sq. ft. for 2 or more bedroom units 750 sq. ft. for 1 bedroom or efficiency units

In all cases, the minimum lot area shall be at least 7500 square feet. There shall be at least 3750 square feet for each of the first four units on the lot, regardless of the number of bedrooms or elderly housing qualification.
For the purpose of making the above calculations the total number of units of the building shall determine the category of minimum lot size that applies. Example, the multi-family unit building has 10 dwelling units, the minimum lot size will be determined by Category 2 area requirements.

c. Minimum Lot Width – 100 feet

d. Front Yard Setback - 20 feet

e. Rear Yard Setback:

Principal Buildings

(1) Two Stories or Less in Height - 25’

(2) Greater than Two Stories In Height - 3 Additional Feet/Additional Story of Fractional Story
Accessory Buildings – 10 feet

f. Side Yards:

Principal Buildings intended for One- or Two-family Residential Use - R-2 District Regulation shall apply.

Principal Buildings intended for Multi-family residential use:

Those 2 stories or less in height - 10’ from foundation - 25’ total

Those greater than 2 stories in height - 3 additional feet/ each additional story. Accessory Buildings – 10 feet on each side

g. Off-street parking regulations

See Village of Stetsonville Off-Street Parking Area Specifications & Standard Code.

h. Minimum Separation of Structures
There shall be a minimum of eight (8) feet of open space separating the principal structure from all accessory structures.

i. Street Front Window
All residential structures shall have an appearance on the street front compatible with the adjacent residential dwelling units. This will be interpreted to mean there will be at least one (1) window on the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this section.

3.4 **C-1 Commercial District**

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for the orderly and attractive grouping, at appropriate locations, of retail stores, shops, offices and similar commercial establishments. Other uses, similar in character, including the manufacture or treatment of product clearly incidental and customary to conduct of the principal use are allowed also.

In blocks of the commercial district which are already developed, setbacks, minimum lot widths, commercial parking and truck unloading areas for new or renovated buildings may correspond with existing setbacks provided the Plan Commission determines such action will be in keeping with the purposes of this Code.

1. Permitted Uses:

Facilities such as, but not limited to the following:

a. Retail stores and shops offering convenience goods and services

b. Business and professional offices and studios

c. Financial institutions

d. Public and semi-public buildings and institutions

e. Commercial entertainment facilities

f. Laundromats

g. Restaurants

h. Taverns

i. Medical and dental clinics

j. Auto service stations and maintenance facilities

k. Recreation service oriented facilities

l. Motels and tourist homes

m. Rooming and boarding houses

n. Funeral Homes

o. Private Clubs and Lodges

p. Rental apartments as a secondary use on a non-ground floor level and providing a minimum residential floor area of 400 square feet.

q. Hotels and Motels

r. Commercial parking facilities

s. Signs in conformance with provisions of Section 5.0

t. Public utility distribution lines, including, but not limited to, electric, gas, water, television, cable, and telephone distribution lines and other related accessories subject to approval by the Village Public Works Department.

2. Accessory Buildings or Uses:

a. Garage for storage of vehicles in conjunction with the operation of a business.

b. Any accessory structure or use.

3. Uses authorized by Conditional Use Permits. (See Section 8.0 for permit requirements).

a. Public and semi-public conditional uses as stated in the R-2 One- and Two-Family District

b. New and used car sales establishments

c. Wholesale establishments

d. Transportation terminals

e. Farm implement sales firms

f. Outdoor theaters

g. Miniature golf, go-karts, and amusement parks

h. Drive-in establishments offering in-car services to customers

i. One-family and Multi-family dwellings

j. Rental apartments on the ground floor level.

k. Lumber and building supplies.

l. General warehousing.

m. Experimental, testing and research laboratories.

n. Transmission lines, antennas and towers including, but not limited to, electric, gas, petroleum and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants.

o. The Plan Commission has site review authority to approve other uses in this district subject to the intent and purpose as described above.

When authorized by a Conditional Use Permit, the dimensional requirements of the R-1 or R-2 districts, respectively, shall apply.

4. Dimensional Requirements:

a. Maximum Building Height - 60'
Assessory Building – 40 feet

b. Minimum Lot Width - 100'

c. Front Yard Setback - 10'.

d. Rear Yard Setback:
Building 2 stories or less in height - 10'
Buildings greater than 2 stories in height - 3 additional feet/each additional or half story

d. Side Yards. Not required, but a minimum of 10' if provided

f. Off-Street Parking – Village of Stetsonville Off-Street Parking Area Specifications & Standards Code.

g. Truck loading/unloading areas
See Village of Stetsonville Off-Street Parking Area Specifications & Standards Code.

h. Setbacks on State Trunk Highways
All setbacks facing a State Trunk Highway shall be a minimum of 45 feet.

3.5 **I-1 Industrial District**

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for manufacturing and industrial operations which, on the basis of actual physical and operational characteristics, would not be detrimental to surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance or similar factors relating to public health, welfare and safely. Those industries requiring outdoor storage for raw materials and/or finished products may be required to provide a fence or screen in accordance with the provisions of Section 7.0.

Any use determined to be objectionable by the Plan Commission on the basis of pollution, noise, dust, smoke, vibration, odor, flashing lights or danger of explosion may be permitted only upon the issuance of a conditional use permit setting forth dimensional and site requirements, performance standards, aesthetic controls, and pollution standards for that particular use.

1. Permitted Uses are those such as, but not limited to, the following:

    a. A one-family dwelling provided that the dwelling is used solely by a watchman or caretaker employed on the premises and by members of his/her family. Dimensional requirements for R-1 Districts shall apply.

    b. Any use permitted or authorized by conditional use permit in the C-1 Commercial District.

    c. General warehousing

    d. Wholesale business.

    e. General manufacturing.

2. Uses authorized by Conditional Use Permit. See Section 8.0 for permit requirements.

    a. Other uses found to be compatible with the purpose of the district, subject to approval by the Plan Commission.
    b. The Plan Commission has site review authority to approve other uses in this district subject to the intent and purpose as described above.

3. Dimensional Requirements:

    a. Maximum Building Height - 65'; 5 stories

    b. Minimum Lot Width - 100'

    c. Front Yard Setback - 40'

    d. Rear Yard Setback:
    Buildings 2 stories or less in height - 20'
    Buildings greater than 2 stories in height - 3 additional feet per each story or fractional story

    e. Side Yards - Not required; but if provided a minimum of 10'

    f. Off-street Parking
    See Village of Stetsonville Off-street Parking Area Specifications & Standards Code.

    g. Truck Loading/Unloading Area
    See Village of Stetsonville Off-street Parking Area Specifications & Standards Code.

3.6 **G-1 Institutional District**

Land in this district shall be used only for the uses permitted by this subsection. This district is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas that are under public or private ownership and where the use is for a public purpose and is anticipated to be permanent.

1. Permitted Uses

   a. Churches

   b. Libraries, museums, and art galleries

   c. Municipal parking lots

   d Public administrative offices and public service buildings, including fire and police stations

   e. Public or private schools

   f. Utilities

   g. Water storage tanks, towers and wells

   h. Historic and monument sites

   i. Parks

   g. Animal shelters

2. Conditional Uses

   a. The Plan Commission has site review authority to approve other uses in this district subject to the intent and purpose as described above.

3. Dimensional Requirements

   a. Maximum Building Height
      Principal Buildings - 45 feet
      Accessory Buildings - 20 feet

   The Plan Commission has site review authority to approve other heights subject to the intent and purpose as described above.

   b. Minimum Lot Area – 10,000 sq. ft.

   The Plan Commission has site review authority to approve lot areas subject to the intent and purpose as described above.

   c. Minimum Lot Width - 100 feet

   The Plan Commission has site review authority to approve other minimum widths subject to the intent and purpose as described above.

d. Front Yard Setback

Principal Buildings - 20 feet
Accessory Buildings - 20 feet

The Plan Commission has site review authority to approve other setbacks, subject to the intent and purpose as described above.

e. Rear Yard Setback

Principal Buildings - 25 feet
Accessory Buildings - 10 feet

The Plan Commission has site review authority to approve other setbacks, subject to the intent and purpose as described above.

f. Side Yard

Principal Buildings	10 feet
Accessory Buildings	10 feet

The Plan Commission has site review authority to approve other setbacks, subject to the intent and purpose as described above.

4. Signs
Signs are allowed in this district, subject to the requirements of Section 5.0 of this Code.

5. Off-Street Parking. See Village of Stetsonville Off-Street Parking Area Specifications and Standards Code.

SECTION 4.0 GENERAL PROVISIONS

4.1 Application of Provisions

1. No new use of structure, land or water shall hereafter be commenced and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, or converted without a zoning permit as provided in Section 8, except minor structures specifically excepted from zoning permits, and without full compliance with the provisions of this code and all other applicable local, county, and state regulations. Repair or replacement operations are considered maintenance and shall not require a zoning permit.

2. No one- or two- family dwelling shall be constructed which does not conform to the Wisconsin Uniform Dwelling Code (including future amendments).

3. The Village Board shall designate a Building Inspector, who shall be aided by the Police Department, to investigate all complaints, give notice of violations, and to enforce the provisions of this Code. The Building Inspector and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection, and are authorized to obtain Special Inspection Warrants.

4.2 **Standard District Provisions**

1. Setback Requirements on Streets and Roads

All building setback lines shall meet minimum distance requirements listed in the district regulations except as provided in sections a. and b. below:

a. A setback equal to the average setback of existing principal buildings located with five hundred (500) feet of a proposed building site and on the same side of the street, shall be permitted where five (5) of these buildings do not conform with the appropriate setback line.

b. Minor readily removable structures such as open fences or signs permitted by this Code may be placed within setback lines. Public utility equipment without permanent foundations are also permitted. When deemed necessary by the Plan Commission in connection with development, such as highway improvement programs, property owners and public utilities may be required to remove, at their own expense and without right-of-compensation, any such structures erected within setback lines.

2. Visual Clearance at Intersections

In each quadrant of every street intersection there shall be a designated vision clearance triangle, bounded by the inner street lines and a line connecting them thirty-five (35) feet from their intersection. Within this triangle, no object shall be allowed above a height of two and one-half (2 ½) feet above the streets and below a height of twelve (12) feet above the streets if it obstructs the view across the triangle. Posts or open fences are excluded from this provision. Tree trunks shall be exempt where they are no branches to a height of ten (10) feet and located a minimum of thirty (30) feet apart.

3. Access Driveways

a. Residential Lots (R-1; R-2, R-3). Driveways on Residentially zoned lots shall:

1. Be limited to one driveway per lot.

2. Not exceed a maximum width of 24 feet for R1.

3. Not to exceed a maximum width of 36 feet for R2 and R3.

4. The apron shall be installed to a minimum depth of 10 feet (back of curb to furthest penetration).

5. The standard for construction is as follows:
   a) On roads where reconstruction is taking place, driveway aprons shall be concrete

b) On any urbanized street where an existing driveway apron is being replaced, a concrete apron shall be replaced with another concrete apron, or if the existing apron is asphalt or paving stone, the property owner can choose asphalt or concrete.

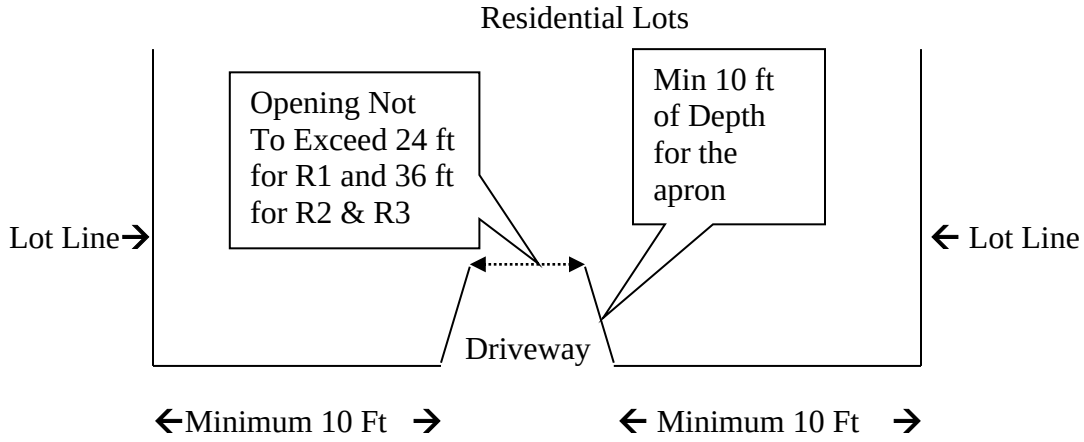
c) On any non-urbanized street where an existing paved (asphalt, concrete or paving block) driveway apron is being replaced, or a new apron is being installed, the owner may choose concrete or asphalt. Gravel type driveway aprons existing on the effective date of this revision, are allowed to remain gravel until street urbanization is undertaken

d) On all roads, paving blocks, or their equivalent, are not allowed in the area normally considered as an apron

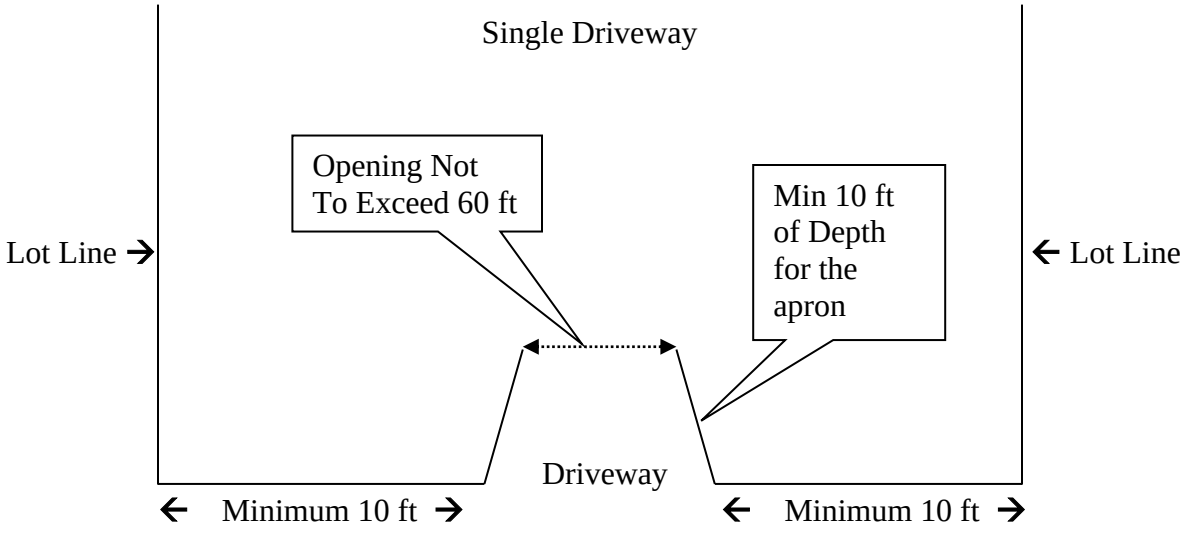
b. Commercial/Industrial Lots (C-1, and I-1,). Driveways on Commercial and/or Industrial zoned lots shall:

1. Not exceed a width of 60 feet.
2. Maintain a minimum distance of 10 feet from the lot line.
3. Maintain a minimum separation of 10 feet between driveways.
4. Be defined by the use of curb and gutter (roll back curbs are not allowed) on any urbanized street.
5. The apron shall be installed to a minimum depth of 10 feet.
6. Have driveway aprons and approaches constructed of concrete.

Section 4.2.3.a. - Access to Driveways
Residential Driveways
Figure 1

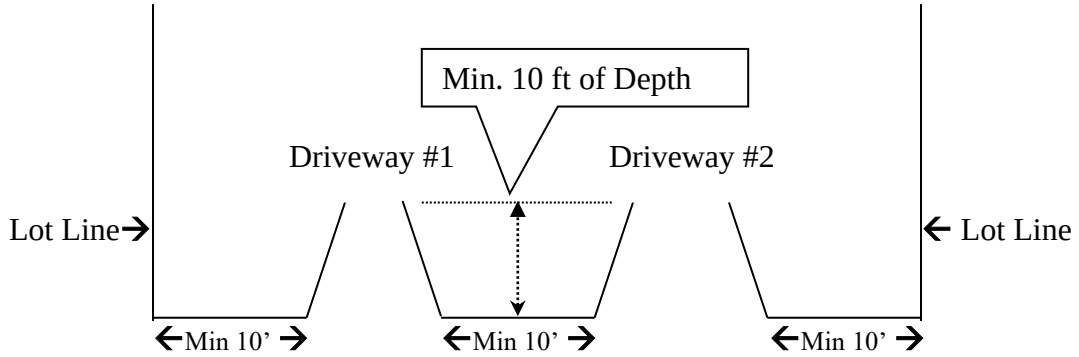


Section 4.2.3.b, Access to Driveways
Commercial and Industrial Lots
Figure 2



Section 4.2.3c., Access to Driveways
Commercial and Industrial Lots
Figure 3

Multiple Driveways on Lot



Total of Driveways Openings Can Not Exceed 60 Feet

4. Height Permitted:

   a. Height of the following structures may exceed Code limits for the district in which it is to be located with the approval of the Village of Stetsonville Plan Commission; cooling towers, penthouses, stacks, lookout towers, silos, windmills, water towers, spires, radio and television aerials, antennas and necessary mechanical appurtenance.

   b. Residences in the Residential Districts may be increased in height by not more than ten (10) feet.

   c. Churches, schools, hospitals, sanitariums and other public or quasi-public buildings may be erected to a height not exceeding sixty-five (65) feet nor five (5) stories, provided the front, side and rear yards required in the district.

5. Lot Size:

   a. After adoption of this Code, no lot area shall be so reduced that the dimensional and yard requirements required by this Code, cannot be met. Lots existing and of record prior to adoption of this Code, but of substandard size, may be devoted to uses permitted in the district in which located subject to the requirement of Section 9.5.

   b. If two or more substandard lots with continuous frontage have the same ownership as of the effective date of this Code, the lots involved shall be considered to be an individual parcel for the purpose of this Code.

   c. Lots created after adoption of this Code must be serviced by the Village of Stetsonville water and sewer as stated in Village Ordinance 241.

   d. All lots shall abut upon a public street with at least 48 feet of frontage unless a variance has been approved *or it is part of a planned development approved by the plan commission.* (Per Ordinance #280-10-2016)

   e. On corner lots less than 65 feet wide and of record at the time of passage of this Code, where double frontage exists, the front yard setback on the side street shall not be less than 50 percent of the required front yard setback of the adjacent lots on the side street; provided further that in no case shall the buildable width of such corner lot be reduced to less than 24 feet.

   f. When a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was on record as such at the time of the passage of this Code, the lot may be occupied by one family subject to requirements of Section 9.5.

6. Yard Requirements:

   a. Accessory buildings shall not be nearer than ten (10) feet to any lot line.

   b. Every part of a required yard shall be open to the sky unobstructed except for accessory buildings in a rear yard, and the ordinary projections

of sills, belt courses, cornices and ornamental features projecting not more than twelve (12) inches.

c.. Any side yard, rear yard or court abutting a district boundary line shall have a minimum width and depths in the less restricted district equal to the average of the required minimum widths and depths for such yards and courts in the two districts that abut the district boundary line.

e. Buildings on through lots and extending from street to street may waive the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard, provided that compliance with the setback requirements on both streets are met.

7. Principal and Accessory Uses and Structures:

a. Only one principal structure shall be located, erected, or moved onto any lot.

b. Any permanent, roofed structure serving as an accessory use, if attached for the principal building, shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building, it shall conform to the setback, and other dimensional requirements of the district within which it is located.

c. Accessory building shall not occupy more than twenty-five (25) percent of the combined rear yard and side yard area in the R-1 and R-2 residential districts.

8. Drainage, Sanitation and Water Supply:

a. Reference Taylor County Flood Plain Zoning Ordinance

b. No principal building shall be erected, structurally altered, or relocated on land which is not adequately drained at all times by reason of adverse soil conditions, steep slopes, shallow impermeable bedrock, periodic flooding, or where the lowest floor level is less than four feet (4') above the highest groundwater level.

c. No principal building intended for human use or occupancy shall be erected, structurally altered, or relocated on a lot unless provision is made for safe and adequate facilities for water supply and disposal of sewage. Private on-site water and sewer systems shall comply with the Taylor County Sanitary Code and appropriate State Administrative Code.

4.3 **Supplementary Regulations**

1. Off-Street Parking
See Village of Stetsonville Off-Street Parking Specifications & Standards Code.

SECTION 5.0 SIGNS

5.1 Permit Required

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a Zoning Permit, except those signs excepted in Section 5.2, and without being in conformity with the provisions of this Code. The sign shall also meet all the structural requirements of the Building Code.

5.2 Signs Permitted Without Zoning Permit

1. Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two feet (2') in height and ten feet (10') in length.

2. Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.

3. Name, occupation, and warning signs not to exceed two (2) square feet located on the premises.

4. Bulletin boards for public, charitable or religious institutions not to exceed eight (8) square feet in area located on the premises.

5. Memorial signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed from metal and affixed flat against a structure.

6. Official signs, such as traffic control, parking restrictions, information and notices.

7 Temporary signs or banners to nonprofit or service organizations and for-profit organizations for periods not exceeding thirty (30) days, for no more than four (4) banners at any one time, and with proper maintenance to be provided by the sponsoring organization.

5.3 Signs Permitted – Zoning Permit Required

1. The following signs are permitted in all commercial and industrial districts subject to the following restrictions, and they shall relate only to the activity conducted on the same premises:

    a. Wall signs placed against or painted on or applies to the exterior walls of buildings shall not extend more than six inches (6") outside of a building's wall surface, shall not exceed 500 square feet in area for any one premises, and shall not exceed 20 feet in height above the mean centerline street grade.

    b. Projecting signs fastened to, suspended from, or supported by structures shall not exceed 100 square feet in area for any one premises; shall not extend more than six feet (6') into right-of-way; shall not exceed a height of twenty feet (20') above the mean centerline street grade; and shall not be less than ten feet (10') above the sidewalk nor fifteen feet (15') above a driveway or an alley.

c. Ground Signs

I. Ground sign' structures shall not exceed twenty feet (20') in height above the mean centerline street grade, except for ground sign structures located on properties adjoining
State Highways 13, which may not exceed thirty (30) feet in height above the mean centerline street grade.

II. Ground sign' structures shall be limited to one (1) sign per premises except as allowed in sub III.

III. Ground sign' structures shall meet all yard requirements for the district in which it is located and shall not exceed 200 square feet in area for any one premises; except any premises adjoining State Highways 13 and County Road A shall be entitled to two (2) signs with not more than 350 square feet of total signage if on that premises there exist four (4) or more commercial business tenants/entities each occupying a minimum of 1,000 square feet and the premises has a minimum of 300 feet of Highway frontage. Premises adjoining State Highways 13 or County Road A that have four (4) or more commercial tenant/entity spaces but less than 300 feet of frontage shall be allowed a ground sign' structure with up to 350-feet of signage on a single structure.

IV. Ground signs' structures shall be placed such that no sign will be within 50 feet of another ground sign' structure.

V Ground sign structures shall be placed such that no sign shall be within 15 feet of the premise side or rear yard property line(s). The zoning district within which the sign is located determines front yard setbacks.

VI All ground signs orientated so that the front and back of the sign are visible from a public way, shall be double-faced or designed so that the back of the sign is screened from public view

d. Window signs shall be placed only on the inside of commercial buildings and shall not exceed twenty-five percent (25%) of the glass area of the pane upon which the sign is displayed.

e. Combinations of any of the above signs shall meet all the requirements for individual sign.

5.4 **Signs Permitted as a Conditional Use**

1. The following signs are permitted in all districts, but only as conditional use. (See Section 8.0 for conditional use permit requirements).

   a. Local information signs: These are the only signs permitted in Stetsonville which do not relate to the activity conducted on the same premises. They shall indicate the directions to local business, service, or industrial establishments.

5.5 **Facing**

No sign except those permitted in Section 5.2 shall be permitted to face the residential district within 100 feet of such district boundary.

5.6 **Traffic**

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall be erected, relocated or maintained so as to prevent free ingress to or

egress from any door, window, or fire escape; and no sign shall be attached to a standpipe or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility.

5.7 **Existing Signs**

Signs lawfully existing at the time at the time of the adoption, or amendment, of this Code may be continued although the use, size, or location does not conform with the provisions of this Code. However, each shall be deemed a nonconforming use or structure; and the provisions of Section 9.0 shall apply.

5.8 **Bonds**

Every applicant for a Zoning Permit for a sign wholly or partially within a public right-of-way shall, before the permit is granted, execute a surety bond in a sum to be fixed by the Building Inspector, but not to exceed $25,000; and it shall be of a form and type approved by the Village Attorney indemnifying the municipality against all loss, cost, damages or expenses incurred or sustained by or recovered against the municipality by reason of the erection, construction, or maintenance of such sign. A liability insurance policy issued by an insurance company authorized to a business in the State of Wisconsin, and conforming to the requirements of this section may be permitted by the Village Attorney in lieu of bond.

SECTION 6.0 REGULATION OF SPECIAL USES

6.1 **General Provisions**

Except as added to alter hereafter in this section, the procedures and requirements of Section 8.0 governing conditional uses shall apply.

6.2 **Salvage Yards**

No salvage yard shall be permitted in the Village of Stetsonville except in conformance with the standards, rules and regulations of Wisconsin Administrative Code, NR 51 and the requirements herein specified.

1. All salvage yards shall have a minimum front, side and rear yards of 100 feet.

2. Salvage yards shall be screened so that the salvage materials are not visible from other property in the vicinity, nor from a public right-of-way such as roads, streets, and highways and waterways.

6.3 **Garbage and Refusal Disposal Site**

1. No garbage or refuse disposal sites shall be permitted in the Village of Stetsonville except in conformance with the rules and regulations of NR 51 Wisconsin Administrative Code.

2. All such disposal sites shall have a minimum front, side and rear yards of 100 feet each.

3. Garbage and refuse disposal sites shall be screened so that the salvage materials are not visible from other property in the vicinity, nor from a public right-of-way such as roads, streets, highways and waterways.

6.4 **Mobile Home Parks**

No mobile homes intended for occupancy are allowed within the Village of Stetsonville, except in the existing mobile home park located at N. Lincoln Street and East Finch Ave.

6.5 **Major Recreational Equipment**

No such equipment shall be used for permanent living or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

SECTION 7.0 SCREENING & FENCING

7.1 **General Provisions**

Screening or fencing required by this Code shall be subject to the following provisions:

1. Approval Required: Any use or conditional use listed in this Code requiring screening or fencing shall be permitted only when authorized by the Village of Stetsonville Plan Commission and subject to its approval of a screening or fencing plan for that particular use.

2. Objective: Planting or other suitable screening including fences or free-standing walls shall be required where deemed necessary for screening or enclosure purposes by the Village of Stetsonville Plan Commission. Areas where screening may be required include areas such as around outdoor storage yards, industrial property lines, salvage yards, refuse disposal sites, and mobile home parks. Such provisions shall be required to the extent necessary for:

    a. Screening of objectionable views

    b. Providing adequate shade

    c. Enclosing storage materials

    d. Providing for Public health & safety

    e. Maintaining a measure of separation between industrial and residential districts.

3. Extent:

    a. Screen Planting: Adequate to screen objectionable views effectively within a reasonable time; in some cases temporary screening devices may be required until suitable screen planting can be achieved.

    b. Other Planting: For mobile home parks and other planting should be adequate in size, quantity and character to other improvements, to provide adequate privacy and pleasant outlook for living units, to minimize reflected glare and to afford summer shade.

    c. Existing Planting: Acceptable as required planting to the extent that is equivalent, suitable and preserved in good condition.

d. Fence and Wall: Appropriately designed for the function intended and shall be substantially constructed to withstand conditions of soil, weather and use.

e. Maintenance: All screening, fences and walls required by this Code shall be maintained so as not to prove an objectionable view by themselves as determined by the Plan Commission.

SECTION 8.0 CONDITIONAL USES

8.1 General Provisions

1. One of the Purposes of this Code is to divide the Village of Stetsonville into districts within which the use of land and buildings, and the bulk and location of buildings in relation to the land are mutually compatible and substantially uniform.

2. There are certain uses that may be entirely appropriate and not necessarily incompatible with the basic uses permitted in any district, but not at every or any location therein or without restrictions or conditions being imposed by reason of unique problems the use or its particular location presents from a zoning standpoint, including the impact of those uses upon neighboring land or public facilities, and the public need for the particular use at a particular location. Such uses may be necessary or desirable to be allowed in a particular district provided that due consideration is given to their location, development and operation. Such uses are hereby classified as conditional uses and are subject to the provisions specified herein.

3. Approval Required: Any conditional uses listed in this Code shall be permitted only when authorized by the Village of Stetsonville Planning Commission and subject to its approval. Upon such approval, issuance of a conditional Use Permit will be granted.

4. Basis of Approval: The Village of Stetsonville Plan Commission shall consider the effect of such grant on the health, general welfare, safety and economic prosperity of the Village and of the immediate area in which such use would be located, including such consideration as the effect on the established character and quality of the area, its physical attractiveness, existing topography, drainage features, erosion potential, vegetative cover, the prevention and control of water pollution, the location with respect to floodplains and floodways, the movement of traffic and the relationship to existing or proposed roads, the demand for related services, the possible hazardous, harmful, noxious, offensive or nuisance effects resulting from noise, dust, smoke or odor and other factors.

8.2 Procedures

1. Application: Application for a Conditional Use Permit shall be made to the Village of Stetsonville Building Inspector who shall promptly refer the application to the Village of Stetsonville Planning Commission. In addition to the information required under Section 11.0 for a Zoning Permit, the Village of Stetsonville Plan Commission may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.

2. Fees: The fee for filing of applications for Conditional Use Permits shall be established by the Village of Stetsonville Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.

3. Hearing: The Village of Stetsonville Commission shall schedule a Public Hearing on the application for its first meeting after it is filed as per Section 12.5.

4. Determination: The Village of Stetsonville Plan Commission shall report its decision within thirty-five (35) days after the filing of the application. Its decision shall include an accurate description of the use permitted, of the property on which it is permitted, and all conditions made applicable thereto.

5. Mapping & Recording: When a Conditional Use Permit is granted, an appropriate record shall be made of the land use and building permits, and such grant shall be applicable solely to the structures, use and property so described.

6. Termination: Where a permitted conditional use does not continue in conformity with the conditions of the original approval, the Conditional Use Permit shall be terminated by action of the Village of Stetsonville Plan Commission.

8.3 **Violation of Conditional Permit Prohibited**

No permit holder or successor shall violate any provisions of a Conditional Use Permit.

SECTION 9.0 NONCONFORMING USES

9.1 **Existing Nonconforming Uses**

Except as otherwise required by law, a structure, lot, or use legally established prior to the adoption date of this code may be maintained unchanged. The owner, occupant or user shall have the burden to show that the structure, lot or use was lawfully established.

9.2 **Discontinuance**

1. Vacancy. Any lot or structure, or portion thereof, occupied by a nonconforming use, which is or hereafter becomes vacant or remains unoccupied by a nonconforming use for a period of 12 months shall not thereafter be occupied, except by a use that conforms to this code.

2. Damage. If any nonconforming structure is, by any cause, damaged to the extent of 50 percent of its value as determined by the Zoning Administrator and/or Building Inspector, it shall not thereafter be reconstructed as such.

3. Records. A current file of all nonconforming uses should be maintained by the Building Inspector listing the following information: Owner’s name and address; Use of the structure; Land or water; and assessed value at the time of its becoming a nonconforming use.

9.3 **Enlargements and Modifications**

1. Maintenance, repair, renovation or remodeling. Maintenance, repairs, renovation, or remodeling and structural alterations shall be permitted to be made to nonconforming structures or to a building housing a nonconforming use with valid permits, except no addition shall be made to a non-conforming structure which shall increase the size of the non-conforming portion of the structure.

2. Changes of nonconforming use. A change of use of a non-conforming use of a structure or parcel of land shall only be to that of a conforming use. Where such change is made, the use shall not thereafter be changed back to a nonconforming use.

3. Additions. All additions to nonconforming structures shall conform to the requirements of this code. Additions to structures housing nonconforming uses that increase the area of a nonconforming use shall not be made.

   Accessory buildings may be added to a lot or parcel devoted to a lawful nonconforming use or containing a lawful nonconforming structure, provided that such accessory building meets all other requirements of this code.

4. Definitions

   a. Nonconforming Use means a building, structure, or use of land existing at the time of enactment of this code, and which do not conform to the regulations of the district or zone in which it is situated.

   b. Structure means anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.

   c. Structural Alterations mean any change in the supporting members of a building or any substantial change in the roof structure or in the exterior walls.

   d. Use means the specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

9.4 **Changes and Substitutions**

If no structural alterations are made, a nonconforming use may be changed to another nonconforming use of the same or a more restricted classification. Once a nonconforming use has been changed to a more restricted nonconforming use or to a conforming use, such use shall not be changed to a less restricted use.

9.5 **Substandard Lots**

1. In both R-1 and R-2 residential districts, only a one-family detached dwelling and its accessory structures may be erected on any legal lot or parcel of record in the County Register of Deeds Office before the effective date of this Code.

2. Such lot or parcel shall be in separate ownership from abutting lands. If abutting lands and the substandard lots, are owned by the same owner, the substandard shall not be sold or used without full compliance with the provisions of this Code. If in separate ownership, all district requirements shall be complied with insofar as practical but shall not be less than the following:

3. Dimensional Requirements

   a. Maximum Building Height
   Principal Buildings - 35 feet
   Accessory Buildings - 20 feet

   b. Minimum Lot Area
   One Family dwelling – 3,200 sq. ft.

   c. Minimum Lot Width - 40 feet

   d. Front Yard Setback
   Principal Buildings – Minimum 20 feet; the second front yard on corner lots shall not be less than 10’

   e. Rear Yard Setback
   Principal Buildings - 25 feet
   Accessory Buildings - 10 feet

   f. Side Yard
   Principal Buildings – Total of both yards, minimum of 16% of the frontage, but not less than 5 feet from the foundation on each side

   g. Off-Street Parking

   See Village of Stetsonville Off-Street Parking Area Specifications and Standards Code.

SECTION 10 BOARD OF ZONING APPEALS

10.1 Establishment

There is hereby established a Board of Zoning Appeals for the Village of Stetsonville for the purpose of hearing appeals and applications, and granting variance and exceptions to the provisions of this Zoning Code in harmony with the purpose and intent of the Zoning Code.

10.2 Membership

1. The Board of Zoning Appeals shall consist of five (5) members appointed and confirmed by the Village Board.

2. Terms shall be staggered three-year periods.

3. A Chairman shall be designated by the President.

4. An alternate member may be appointed by the Village President for a term of three-years and shall act only when a regular member is absent or refuses to vote because of interest.

5. Secretary shall be the Clerk/Treasurer.

6. Building Inspector shall attend meetings for the purpose of providing technical assistance when requested by the Board.

7. Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.

8. Vacancies shall be filled for the unexpired term in the same manner as appointments for a full- term.

9. All members shall serve without compensation other than expenses and shall be removable by the Village President, for cause upon written charges and after a public hearing.

10.3 Organization

1. The Board of Zoning Appeals shall organize and adopt rules of procedure for its own government in accordance with the provision of this Code.

2. Meetings shall be held at the call of the Chairman and shall be open to the public.

3. Minutes of the proceedings and a record of all actions shall be kept by the secretary, showing the vote of each member upon each question, the reasons for the Board's determination, and its finding of facts. These records shall be immediately filed in the office of the Board and shall be public record.

4. The concurring Vote of four (4) members of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a utility, temporary, unclassified, or substituted use.

5. The Village Attorney shall attend upon the Board approval and provide such legal advice and services as may be appropriate.

10.4 **Powers**

The Board of Zoning Appeals shall have the following powers:

1. Errors. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an officer, department, board, or bureau of the Village.

2. Variances. To hear appeals and grant such variances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in unnecessary hardship, so that the spirit and purposes of this Code shall be observed and the public safety, welfare and justice secured. Use variances shall not be granted.

3. Interpretations. To hear and grant applications for substitutions of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Village of Stetsonville Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.

4. Unclassified Uses. To hear and grant applications for unclassified and unspecified uses provided that such uses are similar in character to the principal uses permitted in the district and the Village of Stetsonville Plan Commission has made a review and recommendation.

5. Temporary Uses. To hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Village of Stetsonville Plan Commission has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the Board of Zoning Appeals, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Code shall be required.

6. Permits. The Board may reverse, affirm wholly or partly, modify the requirements appeal form, and may issue or direct the issuance of a permit.

7. Assistance. The Board may request assistance from other village officers, departments, commissions, and boards.

8. Oaths. The Chairman may administer oaths and compel the attendance of witnesses.

10.5 **Appeals & Applications**

1. Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by

filing with the officer from whom the appeal is taken with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed was taken from.

2. Such appeal shall be filed with the secretary within thirty (30) days after the date of written notice of the decision or order of the officer. Applications may be made by the owner or lessee of the structure, land, or water, to be affected at any time and shall be filed with the secretary. Such appeals and application shall include the following:
    a. Name & Address of appellant or applicant and all abutting and opposite property. Fee receipt from the Village Clerk/Treasurer. The fee for filing zoning appeals shall be established by the Village Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.

3. An appeal shall stay all legal proceedings in furtherance of the action appealed form, unless the officer from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate and stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a Court of Record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

10.6 **Hearings**

The Board of Zoning Appeals shall fix a reasonable time and place for the hearing, give public notice thereof at least ten (10) days prior, and shall give due notice to the parties of interest, the Village Planner, and the Village of Stetsonville Plan Commission. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

10.7 **Findings**

No variance to the provisions of this Code shall be granted by the Board unless all the following facts and conditions exist and so indicate in the minutes of its proceedings.

1. Exceptional Circumstances. There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed; and

2. Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity; and

3. Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Code or the public interest.

10.8 **Decision**

1. The Board of Zoning Appeals shall decide all appeals and applications within thirty (30) days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant, Building Inspector, and Village of Stetsonville Plan Commission.

2. In exercising the above mentioned powers, such Board may, in conformity with the provisions of such section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issuance of a permit.

3. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such Code and/or Ordinance, or to effect any variation in such Code and/or ordinance. The grounds of every such determination shall be stated.

4. Conditions may be placed upon the Zoning Permit ordered or authorized by this Board.

5. Variances, substitutions, or use permits granted by the Board shall expire within six (6) months unless substantial work has commenced pursuant to such grant.

10.9 **Review by Court of Record**

1. Any person or persons, jointly or severally aggrieved by any decision of the Board of Zoning Appeals, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to a Court of Record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the Office of the Board of Zoning Appeals.

2. Upon the presentation of such petition, the court may allow a Writ of Certiorari directed to the Board of Zoning Appeals in order to review such decision of the Board of Zoning Appeals, and shall prescribe therein the time within which a return thereto must be made and served upon the realtor's attorney, which shall not be less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board of Zoning Appeals, and on due cause shown, grant a restraining order.

3. The Board of Zoning Appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from, and shall be verified.

4. If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence, or appoint a referee to take such evidence as it may direct and to report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be

made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

5. Costs shall not be allowed against the Board unless it shall appear to the court that the Board acted with gross negligence or in bad faith, or with malice, in making the decision appealed from.

6. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

a. Filing Fee: The Village Board may by ordinance or resolution establishing reasonable fees for the filing of a petition for amendment of the Zoning Code or Official Map, or for filing and appeal to the Board of Zoning Appeals.

b. Enforcement & Remedies: The Village Board may provide by ordinance for the enforcement of this section and of any ordinance or regulation made thereunder. In case of a violation of this section or of such ordinance or regulation such Village Board may provide for the punishment by fine and by imprisonment for failure to pay such fine. It is also empowered to provide civil penalties for such violation.

SECTION 11.0 ENFORCEMENT & PENALTIES

11.1 **Zoning Permit**

1. Application for a Zoning Permit shall be made in duplicate to the Building Inspector on forms furnished by the Building Inspector and shall include the following where applicable:

a. Names and addresses of the applicant, owners of the site, architect, professional engineer and contractor.

b. Description of the subject site by lot, block, and recorded subdivision; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

c. Proposed Sewage Disposal Plan if municipal sewerage service is not available. This plan shall be approved by the Municipal Wastewater Operator who shall certify, in writing, that satisfactory, adequate, and safe sewage disposal is possible on the site as proposed by the plan in accordance with applicable local, county, and state board of health regulations.

d. Proposed Water Supply Plan if municipal water service is not available. This plan shall be approved by the Municipal Water Operator who shall certify in writing that an adequate and safe supply of water will be provided.

e. A plot plan, certified survey, and/or other additional information if requested by the Building Inspector to process a Zoning Permit. If requested in writing, the following types of information shall be shown on such plot plan or certified survey: the location, boundaries, dimensions, proposed structure; existing and proposed structures; existing and proposed easements; streets and other public ways; off-street parking, loading & unloading areas and driveways; existing highway access restriction; existing and proposed street, side and rear yards; and, the location and use of lands and structures within 40 feet of the subject site.

2. Zoning Permits shall be granted or denied in writing by the Building Inspector within 30 days. The permit shall expire within 6 months unless substantial work has commenced. Any permit issued in conflict with the provisions of this Code shall be null and void.

3. Applicants building a one or two-family dwelling shall also apply on the form prescribed by the Wisconsin Department of Commerce.

4. All residential remodeling, additions or alterations to structures within the Village of Stetsonville shall meet all minimum requirements included in the Wisconsin Uniform Dwelling Code.

11.2 **Violations**

It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Code. In case of any violation, the Village Attorney or any property owner who would be specifically damaged by such violations may institute appropriate action or proceedings to enjoin a violation of this Code.

11.3 **Penalties**

Any person, firm or corporation who fails to comply with the provisions of this Code shall, upon conviction thereof, forfeit not less than $25 nor more than $200 and costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. A separate offense occurs on each day a violation exists or continues.

11.4 **Inspection**

The Village of Stetsonville Building Inspector and his deputies and authorized agents may enter private lands to inspect work performed under a permit and to investigate violations of this Code. The permit shall contain a statement signed by the applicant, consenting to such entry and inspection.

11.5 **Fees**

The Zoning Permit fee will be set by the Village Board.

SECTION 12.0 CHANGES AND AMENDMENTS

12.1 **Authority**

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Village Board may, by ordinance, change the district boundaries or amend, change or supplement the regulations established by this Code or amendments thereto.

Such change or amendment shall be subject to the review and recommendation of the Stetsonville Plan Commission. All requests for rezoning must refer to the Stetsonville Plan Commission, if any, and indicate, in detail, how the rezoning will contribute to the development of the Village as proposed in the plan and the suitability of soils for the proposed use.

12.2 **Initiation**

A change or amendment may be initiated by the Village Board, Plan Commission, or by petition of one or more of the owners or lessees of property within the area proposed to be changed.

12.3 **Petition**

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk\Treasurer, describing the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

1. Plot plan drawn to a scale not smaller than one (1) inch equals one hundred feet (100') showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200' of the area proposed to be rezoned.

2. Owner's Names and Addresses of all property lying within 200' of the area proposed to be rezoned.

3. Additional information required by the Plan Commission or the Village Board.

4. Fee Receipt from the Village Clerk/Treasurer. The fee for filing of applications for amendments shall be established by the Village Board. A copy of the current fee schedule shall be kept on file in the office of the Village Clerk/Treasurer.

Petitioners shall use a standard petition form, on file in the Village Clerk/Treasurer's Office.
The Clerk shall promptly forward copies of any petition or other requested change or amendment to the Stetsonville Plan Commission and the Building Inspector.

12.4 **Review & Recommendation**

The Stetsonville Plan Commission shall hold a public hearing upon each proposal after providing the notices as required by Wisconsin Statutes 62.23(7)(d)(2). The Stetsonville Plan Commission shall review all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified or denied. The Plan Commission shall forward its recommendation and

any report to the Village Board within sixty (60) days of the day the proposed changes or amendments were submitted to the Plan Commission by the Clerk/Treasurer.

12.5 **Board Action**

Following the Plan Commission Public Hearing and after careful consideration of the Plan Commission recommendations, the Village Board shall vote on passage of the proposed change or amendment. The Plan Commission's recommendation may only be overruled by the favorable vote of ¾ of the full Board membership.

12.6 **Protest**

In the event of a protest against such district change or amendment to the regulations of this Code, duly signed and acknowledged by the owners of twenty percent (20%) or more either of the areas of the land included in such proposed change, or by the owners of twenty percent (20%) or more of the land immediately adjacent extending one hundred feet (100') therefrom, or by the owners of twenty percent (20%) or more of the land directly opposite thereto extending one hundred feet (100') from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of ¾ of the full Board membership.

SECTION 13.0 SEVERABILITY

The provisions of this Code are declared severable, and invalidation of any part of this Code by a Court shall not invalidate the rest of the Code.

SECTION 14.0 ANNEXATION

All territory annexed by the Village of Stetsonville shall be assigned a zoning district according to its use as provided by section 66.0217(a), Wisconsin Statutes, until Zoning District Maps can be amended as provided in Section 12.0. Such zoning classification shall be contained in the annexing ordinance.

Before the first meeting of the Plan Commission, notification shall be provided to all owners of property located in the Village of Stetsonville whose property is within 200 feet of the property to be annexed. The notification shall include the location of the annexed property, a legal description of the property, the requested zoning classification, and the date that the Plan Commission expects to address the annexation petition. The Village of Stetsonville Clerk, or designee, shall mail this notice to the last known address of the owner(s) of the adjoining property at the same time that notification is sent to the Town.

SECTION 15.0 CONFLICTING PROVISIONS REPEALED

All ordinances or parts of ordinances in conflict with any of the provisions of this Code are hereby repealed. Nothing in this Code shall repeal or alter any provision in the Floodplain Ordinance now in effect from Taylor County that includes this Village; the requirements and regulations of that Ordinance are in addition to those expressed in this Code.

SECTION 16.0 EFFECTIVE DATE

This Code shall take effect upon passage and publication of ordinance 270-15 adopting the same.

ADOPTED this 10th day of February, 2015

Signed: _____
Greg Brunner, Village President

Attest: _____
Shawn Sullivan, Village Clerk Treasurer

Reviewed by: _____
Kenneth Schmiege, Village Attorney