



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 20-013

**AN ORDINANCE TO AMEND FIGURE 5.02(2) AND SECTION 94.12.08(4) WITHIN
CHAPTER 94 OF THE MUNICIPAL CODE, AFFECTING HARD OR GRAVEL
SURFACE SETBACKS**

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 recreated Chapter 94 in March 2015 to serve as the Village's 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, the Village has determined that requiring an interior side and rear yard hard or gravel surface setback within industrial zoning districts, when inside of a fenced area in such districts, creates unnecessary labor in parts of the Village where the aesthetic, stormwater management, and other values of such setbacks are fewer; and

WHEREAS, the Joint Town and Village of Weston Extraterritorial Zoning Committee and the Village Plan Commission held a joint public hearing on this ordinance, on September 14, 2020, in compliance with Wis. Stat. § 62.23; and

WHEREAS, following such hearing, the Village Plan Commission has recommended enactment of the zoning ordinance amendments contained herein for applicability within the Village limits; and

WHEREAS, following such hearing, the Joint Town and Village of Weston Extraterritorial Zoning Committee has recommended enactment of the zoning ordinance amendments contained herein for applicability within the extraterritorial zoning area; and

WHEREAS, following such hearing the Village Board considered public comments and the recommendations of said Commission and Committee; and

WHEREAS, the Village Board finds the proposed amendments contained herein are reasonable, consistent with the Village Comprehensive Plan, and in the public interest.

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

SECTION 1: Figure 5.02(2): *Non-residential District Setback and Height Standards* the Village of Weston Municipal Code is hereby amended to provide as follows:

Figure 5.02(2): Non-residential District Setback and Height Standards

Zoning District	Minimum Setbacks (ft) (b)						Minimum Building Separation (ft)	Maximum Building Height (stories/ft, whichever is greater)	
	Principal Building to Front and Street Side Lot Lines (a)	Principal Building to Interior Side Lot Line	Principal Building to Rear Lot Line	Accessory Building to Interior Side/Rear Lot Line (a) (d)	Hard or Gravel Surface (c)			Principal Buildings	Accessory Buildings
					Front or Street Side	Interior Side or Rear			
INT Institutional	20	8	20	3	15	10	10	3/45	1/20
B-1 Neighborhood Business	10	6	10	3	10	5	10	3/45	1/20
B-2 Highway Business	30	12	20	6	15	10	10	3/45	1/20
B-3 General Business	30	12	20	6	15	10	10	3/45	1/20
BP Business Park	30	12	20	10	15	10	10	4/60	1/20
LI Light Industrial	30	12	20	10	10	5	10	2/30	1/20
GI General Industrial	40	15	30	10	10	5	10	4/60	2/35
RM Rural Mix	50	30	20	40	15	10	10	3/45	2.5/35

- (a) See Section 94.4.09(1) for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory structures, and other standards associated with detached accessory structures.
- (b) Additional setbacks may be required along zoning district boundaries for bufferyards, if required for a particular land use in Article 4 or Section 94.11.02(3)(d).
- (c) Includes all gravel and hard surfaces as defined in Section 94.17.04. This setback does not apply to intrusions for driveway and pedestrian way entrances from streets; driveways, pedestrian ways, and parking lots that are shared or provide cross-access between lots; or any land inside of an opaque fenced yard area within the non-residential districts.
- (d) Front and street side yard setbacks for accessory structures as the same as the minimum front and street side setback for the principal structure.

SECTION 2: Section 94.12.08(4) of the Village of Weston Municipal Code is hereby amended to provide as follows:

(4) **Distance from Property Line.** The distance from an access drive or parking lot to the property line shall not be less than the minimum associated setback for hard or gravel surface areas in Figures 5.01(2) and 5.02(2), except for approved shared driveways, shared parking lots, cross-access ways, or as otherwise exempted in such figures.

SECTION 3: The amendments 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 4: 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 5: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 21st day of September, 2020

WESTON VILLAGE BOARD

By: _____
Mark Maloney, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on September 21, 2020, Ordinance No. 20-013: An ordinance to amend Figure 5.02(2) and Section 94.12.08(4) within Chapter 94 of the Municipal Code, affecting hard or gravel surface setbacks.

The full text of Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 24th day of September 2020
Sherry Weinkauff, Village Clerk

Published: 9/25/2020

CONFIRMATION



435 E. Walnut
Green Bay, WI 54301
(888)774-7744

VILLAGE OF WESTON
5500 SCHOFIELD AVE
WESTON WI 54476-4333

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
GWM-1081606	0004392541	\$11.67	\$0.00	\$11.67	Credit Card	\$0.00	\$11.67

Sales Rep: sbeaton

Order Taker: sbeaton

Order Created 09/24/2020

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
GWM-WDH-Wausau Daily Herald	1	09/25/2020	09/25/2020
GWM-WDHW-Wausau Daily Herald Digital	28	09/25/2020	10/22/2020

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 09/24/2020

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Dated this 24th day of September 2020
Sherry Weinkauff, Village Clerk
Run: September 25, 2020 WNAXLP