

CHAPTER 14 - ZONING ORDINANCE

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#### 14.01 INTRODUCTION

#### 14.02 AUTHORITY

These regulations are adopted under the authority granted by Sections 61.35 and 62.23 of the Wisconsin Statutes. Therefore, the Village Board of Ridgeway, Wisconsin, does ordain as follows:

#### 14.03 PURPOSE

The purpose of this Ordinance is to promote the health, safety, morals, prosperity, aesthetics, and general welfare of this community.

#### 14.04 INTENT

It is the general intent of this Ordinance to regulate and restrict the use of all structures, lands, and waters; regulate and restrict lot coverage, population distribution and density, and the size and location of all structures so as to: lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic, and other dangers; provide adequate light, air, sanitation, and drainage; facilitate the adequate provision of public facilities and utilities; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; and implement the community's comprehensive plan or plan components. It is further intended to provide for the administration and enforcement of this Ordinance and to provide penalties for its violation.

#### 14.05 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to 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 Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

#### 14.06 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance 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.

#### 14.07 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.

14.08        REPEAL

All other ordinances or parts of ordinances of the Village inconsistent or conflicting with this ordinance, to the extent of the inconsistency only are hereby repealed.

14.09        TITLE

This Ordinance shall be known as, referred to, or cited as the "ZONING ORDINANCE, VILLAGE OF RIDGEWAY, WISCONSIN."

14.10        EFFECTIVE DATE

This Ordinance shall be effective after a public hearing, adoption by the Village Board of Trustees, and publication or posting as provided by law.

Date of Publication: May 15, 1990

14.11        GENERAL PROVISIONS

14.11.01    JURISDICTION

The jurisdiction of this Ordinance shall include all lands and waters within the corporate limits of the Village of Ridgeway.

14.11.02    VILIAGE PLAN COMMISSION DESIGNATED

A Village Plan Commission is hereby created to carry out the intent of the Village of Ridgeway Comprehensive Plan and Zoning Ordinance. The makeup of the commission and its powers and duties shall be prescribed by Chapter 62.23 of the Wisconsin Statutes.

14.11.03    ZONING ADMINISTRATOR DESIGNATED

The office of Zoning Administrator is hereby created as the administrative and enforcement officer for the provisions of this Ordinance. The duties of the Zoning Administrator shall be to interpret and administer this Ordinance and to issue, after on-site inspection, all approvals required by this Ordinance. The Zoning Administrator shall investigate all complaints, give notice of violations, issue order to comply with the zoning ordinance, and assist the Village Attorney in the prosecution of ordinance violators. The Zoning Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection.

14.11.04    COMPLIANCE

No structure, land, or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit, and without full compliance with the provisions of this Ordinance and all other applicable Village, County, and State regulations.

14.12 ZONING APPROVALS

Zoning approval shall be required for all new structures, exterior renovation, interior alterations, demolition, placement of signs, and changes in land use unless specifically accepted by this Ordinance. Applications for zoning approval shall be made to the Zoning Administrator and shall include the following where appropriate:

- Name and Addresses of the applicant, owner of the site, architect, professional engineer, or contractor.
- Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure, existing and proposed operation or use of the structure or site; number of employees; the zoning district within which the subject site lies.
- Site Plan showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas, and driveways; existing highway access restrictions; existing and proposed street, side, and rear yards. In addition, the site plan shall show the location, elevation, and use of any abutting lands and their structures with 40 feet of the subject site.
- Water Supply/Sewage Disposal all new residential, commercial, and industrial structures shall be served by public water and sewer systems.
- Additional Information as may be required by the Village Plan Commission or the Village Zoning Administrator.

Zoning Approval shall be granted or denied in writing by the Zoning Administrator within 30 days. The approval shall expire within 6 months unless substantial work has commenced. Any approval given in conflict with the provisions of this Ordinance shall be null and void.

14.12.01 FEE RECEIPT

From the Village Treasurer, the fee to be computed in accordance with Village resolution.

14.12.02 USES NOT REQUIRING ZONING APPROVAL

- Any small, movable accessory or erection or construction such as bird houses, pet houses, play equipment, arbors; said minor structures shall be limited to 16 square feet in floor space.
- Walls and fences under 3 feet in height; however, no fences or walls under 3 feet in height shall be located within 6 inches of a street right-of-way
- Private sidewalks and driveways, poured or formed patios, decks, and walkways

that do not exceed 6 inches in height above ground level.

#### 14.13      SITE RESTRICTIONS

No land shall be used or structure erected where the land is held unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of this community. The Zoning Administrator, in applying the provisions of this section, shall in writing recite the particular facts upon which he/she bases their conclusions that the land is not suitable for certain uses. The applicant shall have an opportunity to appeal a finding of such unsuitability to the Board of Zoning Appeals if they so desire. Thereafter, the Zoning Administrator may affirm, modify, or withdraw the determination of unsuitability.

All Lots shall abut upon a public street, and each lot shall have an absolute minimum frontage of 50 feet.

All Principal Structures shall be located on a lot; and only one principal structure shall be located, erected, or moved onto a lot.

No Zoning Approval shall be granted for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

Solar Access shall be protected in the following manner: No structure, whether Principal Use or Accessory Use; and no plant materials, whether trees, shrubs, or other; and no permanently -fixed equipment shall be of such a height that it would cast a shadow during daylight between 9 a.m. and 3 p.m. of the winter solstice on any portion of another building or the buildable area of a parcel if no building exists. Compliance with this standard must be graphically shown in application for zoning approval.

#### 14.14      USE RESTRICTIONS

The following use restrictions and regulations shall apply:

Principal Uses: Only those principal uses specified for a district, their essential services, and the following uses shall be permitted in a designated district.

Accessory Uses and structures are permitted in any district but not until their principal structure is present or under construction. Residential accessory uses shall not involve the conduct of any business, trade, or industry. Accessory uses include incidental repairs; storage; parking facilities; gardening; servant's, owner's, itinerant agricultural laborer's, and watchman's quarters not for rent; private swimming pools; and private

emergency shelters.

Conditional Uses and their accessory uses are considered as special uses requiring review, public hearing, and approval by the Village Plan Commission in accordance with Section 4.0 of this Ordinance.

Unclassified or Unspecified Uses may be permitted by the Village Plan Commission provided that such uses are similar in character to the principal uses permitted in the district.

Temporary Uses such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Plan Commission.

#### 14.15 MOBILE HOMES

No mobile homes, other than non-conforming structures, shall be permitted to be used as permanent residences within the Village unless they are located in a mobile home park. (See also Sections 3.5 and 8.0.)

#### 14.16 REDUCTION OR JOINT USE

No lot, yard, parking area, building area, or other space shall be reduced in area or dimension so as not to meet the provisions of this Ordinance. No part of any lot, yard, parking area, or other space required for structure or use shall be used for any other structure or use.

#### 14.17 VIOLATIONS

It shall be unlawful to construct or use any structure, land, or water in violation of any of the provisions of this Ordinance. In case of any violation, the Board of Trustees, the Zoning Administrator, the Village Plan Commission, or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Ordinance.

#### 14.18 PENALTIES

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than \$10 dollars nor more than \$200 and costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.



14.19.01 ZONING DISTRICTS

14.19.02 ESTABLISHMENT

For the purpose of this Ordinance, the Village of Ridgeway is hereby divided into the following zoning districts. In addition, one overlay district is also established, as well as a Planned Unit Development District.

- R-1 Residential District (3.03)
- R-2 Residential District (3.04)
- R-3 Mobile Home Residential District (3.05)
- B-1 Retail Business District (3.06)
- B-2 Highway Business District (3.07)
- M-1 Industrial District (3.08)
- A-P Agricultural Preservation District (3.09)
- A-H Agricultural Holding District (3.10)
- A-T Agricultural Transition Area (3.11)
- C-1 Conservancy District (3.12)
- PUD Planned Unit Development District (3.13)

Boundaries of These Districts are hereby established as shown on maps entitled "Zoning Map, Village of Ridgeway, Wisconsin" which accompany and are part of this Ordinance. Such boundaries shall be construed to follow: corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements, and railroad rights-of-way or such lines extended; unless otherwise noted on the zoning map.

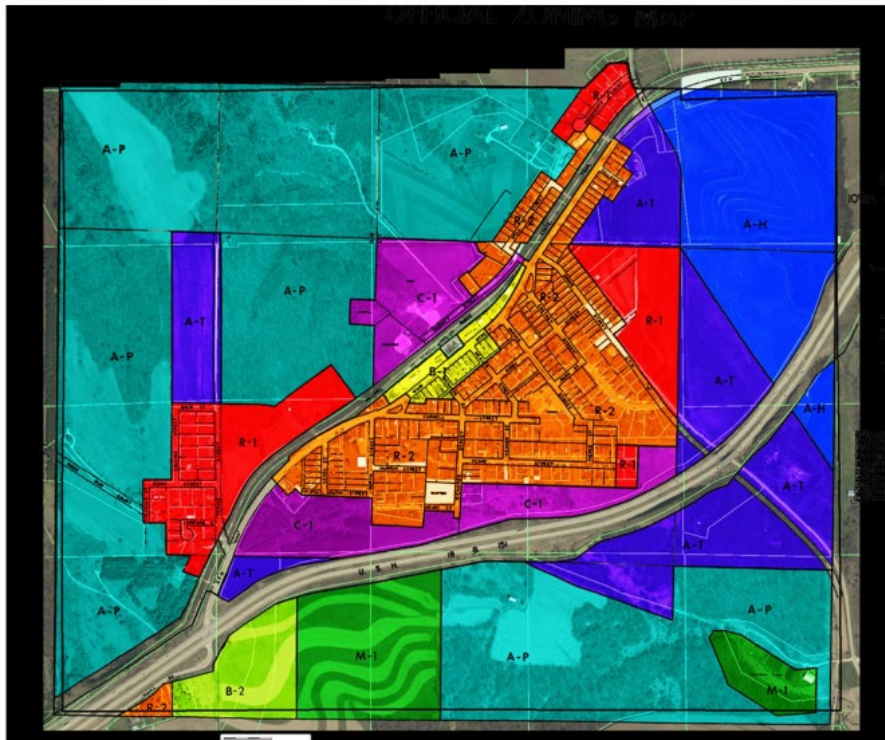
Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

Annexations to or consolidations with the Village subsequent to the effective date of this Ordinance shall be placed in the A-T Agricultural Transition District unless the annexation ordinance places the land in another district. Within 90 days, the Village Plan Commission shall evaluate and recommend a permanent district classification to the Village Board.

14.19.03 ZONING MAP

A certified copy of the zoning map shall be adopted and approved with the text as part of this Ordinance and shall bear upon its face the attestation of the Village Clerk and shall be available to the public in the office of the Village Clerk.

Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.



**VILLAGE OF RIDGEWAY**

**ZONING MAP**

- IOWA COUNTY, WISCONSIN -

**KEY:**

- R-1 = Residential District
- R-2 = Residential District
- R-3 = Mobile Home Residential District
- B-1 = Retail Business District
- B-2 = Highway Business District
- M-1 = Industrial District
- A-P = Agricultural Preservation District
- A-H = Agricultural Holding District
- A-T = Agricultural Transition District
- C-1 = Conservancy District

14.19.04 R-1 RESIDENTIAL DISTRICT

The R-1 Residential District is to provide for low density, detached single-family homes. In addition, the R-1. District allows two-family units with a conditional use permit.

Permitted Uses: Single family detached residences; horticulture and gardening, but not including commercial greenhouses; essential facilities and services; accessory uses such as private garages and carports and paved parking areas when located on the same lot and not including the conduct of business, except as permitted household occupation or conditional use, provided that no such garage shall be erected prior to the execution of the principal building to which it is accessory.

Conditional Uses: Two-family units; elementary and secondary schools; churches, farm buildings on an existing farm, provided farm buildings shall be kept at least 200 feet from the nearest residence on a non-farm lot; accessory uses; and permitted home occupations and professional offices when incidental to the principal residential use, situated on the same property, and carried on by the residential occupant, subject to the following conditions:

- Such use shall not occupy more than 25 percent of the classified floor area of the principal building in which it is located.
- Such use shall not employ more than one person not a resident on the premises.
- Any off-street parking area shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.
- Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil, or peat moss for commercial purposes.
- Such use shall not include the operation of any machinery, tools, or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding residential area.

Within the R-1 District, the following standards shall apply:

- Minimum Front Yard Setback from edge of Highway or Street Right of Way:
  - 30 feet
  - Note: More restrictive standards may be imposed by state and county regulations in certain circumstances where lots abut on state or county highways.
- Minimum Rear Yard Setback:
  - Principal Buildings: 25 feet
  - Accessory Buildings: 6 feet
    - Accessory buildings shall not occupy more than 30% of the required rear yard area, and shall not be more than 12 feet high.
- Minimum Side Yard Setback:
  - Principal Buildings: 10 feet on each side
  - Accessory Buildings: 10 feet on each side

- Minimum Lot Width:
  - 80 feet
- Minimum Lot Area:
  - 9,000 square feet for single-family unit; 15,000 square feet for two-family unit.
- Percent of Lot Coverage:
  - Maximum 30%
- Minimum Livable Floor Area for Single-Family Residences:
  - 864 square feet (single story);
  - 1440 square feet (two story)
- Minimum Floor Area per Family Unit for Duplexes:
  - 800 square feet/unit
- Maximum Building Height:
  - 35 feet, and no more than 2 1/2 stories

### 14.19.05 R-2 RESIDENTIAL DISTRICT

The R-2 Residential District allows single-family residences as a permitted use, and two-family residences or apartment housing with a conditional use permit.

Permitted Uses: Single family residences, horticulture, but not including commercial greenhouses; charitable or non-profit institutions and facilities; accessory uses; permitted uses in the R-1 District.

Conditional Uses: Two-family units; multi-family units; rooming and boarding houses, public buildings, except sewage plants, garbage incinerators, warehouses, shops, and storage yards; clubs, lodges, and meeting places of a non-commercial nature; rest homes, nursing homes, and other group home facilities; historic sites; day care facilities; libraries, museums, and art galleries; hospitals and clinics; funeral homes; cemeteries; uses customarily incidental to any of the above uses provided that no such use generates traffic or noise that would create a public or private nuisance; home occupations and professional offices, subject to conditions set forth under Section 3.03; and all conditional uses in the R-1 District.

Within the R-2 District, the following standards shall apply:

- Minimum Front Yard Setback:
  - 30 feet from the edge of the street right of way line for all structures.
- Minimum Rear Yard Setback:
  - Principal Buildings
    - 25 feet
  - Accessory Buildings
    - 5 feet
    - Accessory buildings shall not occupy more than 30 percent of the required rear yard area, and shall not be more than 12 feet high.
- Minimum Side Yard Setback:
  - Single or Two-Family Building:
    - 20 feet total; 8 feet minimum on each side
  - Multi-Family Building (three or more units):
    - 15 feet on each side
  - Accessory Buildings:
    - 5 feet on each side
- Minimum Lot Width:
  - 65 feet
- Minimum Lot Area for Single-Family Unit:
  - 7,500 square feet
- Minimum Lot Area for Two-Family Units:
  - 15,000 square feet
- Minimum Lot Area for Multi-Family Units: (3-family or more)

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- Minimum of 15,000 square feet with 3,500 square feet for each efficiency, and 4,000 square feet for each one-, two-, and three-bedroom unit.
- Percent of Lot Coverage: Maximum 30%
- Minimum Livable Floor Area for Single Family Home:
  - 960 square feet (single story)
  - 1,440 square feet (two-story)
- Minimum Floor Area per Family Unit for Duplexes:
  - 800 square feet/unit
- Minimum Floor Area per Unit for Multi-Family Structure:
  - 600 square feet/unit
- Maximum Building Height:
  - 40 feet or 3 stories

14.19.06                      R-3 MOBILE HOME RESIDENTIAL DISTRICT

The R-3 Mobile Home Residential District is intended to provide areas for planned mobile home parks within the Village of Ridgeway.

Permitted Uses: Mobile home parks which are developed exclusively for mobile home usage with the exception of community buildings, laundry facilities, or other common use buildings which are ancillary to the residential use of the development.

Conditional Uses: None

Regulations and Standards: For regulations and standards which apply to the R-3 Mobile Home District, refer to [Section 14.24](#) which lists the mobile home park requirements.

**14.19.07 B-1 RETAIL BUSINESS DISTRICT**

The purpose of this district is to encourage the grouping of compatible businesses that will aid in further developing the downtown area as a retail service center.

Permitted Uses: Art and school supply stores; automotive servicing repairs and sales; antique shops; hotels and motels; appliance stores; barber shops and beauty parlors; banks and other financial institutions; business and professional; candy and ice cream stores; caterers; clothing repair shops; clinics; clubs; cocktail lounges; confectionaries; delicatessens; department stores; drug stores; electrical supply; food stores; furniture stores; jewelry stores; medical clinics; newspaper offices; opticians and optical stores; paint stores, retail only ; parking facilities, photographic studios; professional offices; small animal hospitals, taverns, with permit by City or Village Board, tourist information and hospitality centers; funeral homes; upholsterer's shops; government and cultural uses; utilities; churches; variety stores, and any other similar retail uses not specifically listed above which are compatible with established uses on adjoining properties. Also dwelling units above the ground floor.

Conditional Uses: None

Within the B-1 District, the following standards shall apply:

- Maximum Building Height:
  - 3 stories or 40 feet
- Minimum Side Yard Setback:
  - Fireproof construction: None
  - Non-Fire proof construction: 11 feet
- Minimum Front Yard Setback:
  - None
- Minimum Rear Yard Setback:
  - 25 feet
- Minimum Lot Width:
  - Fireproof construction: 25 feet
  - Non-fireproof construction: 45 feet
- Minimum Lot Area:
  - 8500 square feet



14.19.08 B-2 HIGHWAY BUSINESS DISTRICT

The purpose of this district is to provide for principally motor vehicle oriented or dependent commercial activities that cater to the traveling public, and require larger land areas than can normally be found in the downtown business district. Lot dimensional requirements are established to provide for the orderly grouping of commercial uses and for adequate off-street parking.

Permitted Uses: Service stations and automobile repair places; motels; restaurants and drive-in establishments serving food or beverages; tourist information and hospitality centers; and convenience stores.

Conditional Uses: Any other highway commercial activities similar to above that cater to the traveling public; vehicle sales; car washing and upholstery shops; bowling alleys; small motor sales and/or service; farm machinery and equipment sales and service; food locker plants; wholesaling and warehousing; lumber yards; and veterinary clinics.

Within the B-2 District, the following standards shall apply:

- Maximum Building Height:
  - 3 stories or 50 feet
- Minimum Side Yard Setback:
  - 20 feet
- Minimum Front Yard Setback:
  - 50 feet
- Minimum Rear Yard Setback:
  - 40 feet
- Minimum Lot Area:
  - 12,000 square feet
- Minimum Lot Width:
  - 80 feet

14.19.09 M-1 INDUSTRIAL DISTRICT

The purpose of this district is to provide appropriate areas within the Village limits for manufacturing and related activities that strengthen the Village's economic base and that are not incompatible with other land uses in the Village.

Permitted Uses: Manufacture, fabrication, packing, packaging, and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textile, and wood; manufacture, fabrication, processing, packaging and packing of confections, cosmetics, electrical appliances, electronic devices, food (except cabbage, fish, and pea vining), instruments, jewelry, pharmaceuticals, tobacco, and toiletries; freight yards, freight terminals, and trans-shipment depots; inside storage; and any similar uses not specifically listed.

Conditional Uses: Disposal areas, incinerators and sewage disposal plants; manufacturing establishments that require outside storage areas that may be objectionable to surrounding land uses. The Village Board may require solid fencing or evergreen plantings to screen objectionable outside storage areas from other properties or from the public right-of-way.

Prohibited Uses: Residential, education, or institutional uses except a dwelling for a watchman employed on the premises and members of his family; uses in conflict with village or state ordinances governing nuisances; abattoirs, except for slaughter of poultry; acid manufacture; cement, lime, gypsum, or plaster of paris manufacture; distillation of bones; explosives manufacture or storage; fat rendering; fertilizer manufacture; dead animal reduction or dumping; glue manufacture; junk yards; petroleum refining.

Within the M-1 District, the following standards shall apply:

- Minimum Lot Area and Width:
  - 20,000 square feet, 100 feet width
- Minimum Yards:
  - Principal building
    - front 30 feet
    - side 20 feet
    - rear 25 feet
  - Accessory building
    - side 10 feet
    - rear 25 feet
- Maximum Building Height:
  - 2 stories or 50 feet
- Maximum Building Coverage:
  - 50 percent
- Required Buffer Strips:
  - Where the M-1 Industrial District abuts or adjoins along a street line

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opposite a residential district, a buffer strip of not less than 15 feet shall be provided. Plant materials at least 6 feet in height of such variety and growth habits as to provide a year-round effective visual screen when viewed from the residential district shall be planted within the buffer strip.

14.19.10 A-P AGRICULTURAL PRESERVATION DISTRICT

The purpose of this district is to preserve those agricultural lands, woodlands, and wetlands where it has been determined that their highest and best uses are in long-term agriculture or wildlife habitat, and to prevent uneconomical scattering of residential, commercial, and industrial development in such areas.

Permitted Uses: Beekeeping, dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, paddocks, equestrian trails, nature trails, stables, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, gazing, greenhouses, viticulture, and similar agricultural uses. Two single family dwelling unit for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted or approved conditional use.

Conditional Uses: Fish and fur farms, commercial livestock and poultry operations, livestock sales facilities, veterinary services for farm animals, sale and service of machinery used in agricultural production, utility uses except transmission corridors, airplane landing strips, alcohol fuel stills, and similar agriculturally related business uses. The storage and sale of seed, feed, fertilizer, and other products essential to farm production.

Housing for seasonal farm laborers More than two single-family dwelling units for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted or approved conditional use.

Placement of a mobile home for use as farm- related housing.

Lot Area Requirements:

- Farm Units
  - Minimum 35 acres
- Additional Farm-Related Housing:
  - Minimum 20,000 square feet
  - Maximum 80,00 square feet
- Agriculturally-Related Business Uses:
  - Minimum 1 acre

Minimum Yards: Additional farm-related housing shall comply with the provisions of the R-1 Residential District.

Farm Buildings:

- Side Yard: Minimum 50 feet
- Rear Yard: Minimum 50 feet
- Highway Yard: Minimum 50 feet

Maximum Building Height: Two times their distance from adjacent lot lines.

Pre-existing Residences in the Agricultural Preservation District that do not conform to district standards may be continued in residential use and shall not be subject to any limitations imposed by Section 9.0 nonconforming uses.

Any Lot or Parcel of Less Than 35 acres that is recorded under separate ownership in the Office of the Register of Deeds at the time of adoption of the Zoning Ordinance may be used as a single residential building site provided that it can comply with the standards of the R-1 Residential District.

Farm Related Structures Remaining After Farm Consolidation may be divided from the farm provided that it can comply with the provisions of the R-1 Residential District.

Standards for Rezoning: Decisions on petitions for rezoning land from the Agricultural Preservation District shall be based on findings resulting from a comprehensive update to the Village Comprehensive Development Plan. Individual landowner requests for rezoning shall be held until the approving authorities have determined that such a Master Plan update is needed. Following the outcome of a plan update, if land is rezoned from the A-P Agricultural Preservation District, the Department of Agriculture Trade and Consumer Protection shall be notified.

**14.19.11 A-H AGRICULTURAL HOLDING DISTRICT**

The purpose of this district is to preserve those agricultural lands and woodlands identified in the Village Comprehensive Development Plan as being potentially necessary for urban expansions within a 10-20 year period.

Permitted Uses: (Same as those established for the A-P Agricultural Preservation District.) Beekeeping, dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, paddocks, equestrian trails, nature trails, stables, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, gazing, greenhouses, viticulture, and similar agricultural uses.

Conditional Uses: Non-farm residential use of unsewered lots recorded at the time of adoption of the Zoning Ordinance; plus those listed in the Agricultural Preservation District: Fish and fur farms, commercial livestock and poultry operations, livestock sales facilities, veterinary services for farm animals, sale and service of machinery used in agricultural production, utility uses except transmission corridors, airplane landing strips, alcohol fuel stills, and similar agriculturally related business uses. The storage and sale of seed, feed, fertilizer, and other products essential to farm production.

Lot Area: (Standards are the same as those for the Agricultural Preservation District.)

- Farm Units: Minimum 35 acres
- Additional Farm-Related Housing:
  - Minimum 20,000 square feet
  - Maximum 80,00 square feet
- Agriculturally-Related Business Uses:
  - Minimum 1 acre

Minimum Yards: (Standards are the same as those for the Agricultural Preservation District.) Additional farm-related housing shall comply with the provisions of the R-1 Residential District.

- Farm Buildings:
  - Side Yard: Minimum 50 feet
  - Rear Yard: Minimum 50 feet
- Highway Yard: Minimum 50 feet

Maximum Building Heights: (Standards are the same as those for the Agricultural Preservation District.)

Two times their distance from adjacent lot lines.

Other Use Standards: (Standards are the same as those for the Agricultural Preservation District.)

Standards for Rezoning: Decisions on petitions for rezoning land from the Agricultural Holding District to the Agricultural Transition District shall conform to the Village Comprehensive Development Plan.

14.19.12 A-T AGRICULTURAL TRANSITION DISTRICT

The purpose of this district is to permit agricultural use of farmland that has been identified in the Village Comprehensive Development Plan as desirable for urban expansion within a 0-10 year period.

Permitted Uses: (The use and standards for this district are the same as those established for the A-H Agricultural Holding District and A-P Agricultural Preservation District.) Beekeeping, dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, paddocks, equestrian trails, nature trails, stables, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, gazing, greenhouses, viticulture, and similar agricultural uses.

Conditional Uses: The use and standards for this district are the same as those established for the A-H Agricultural Holding District: Non-farm residential use of unsewered lots recorded at the time of adoption of the Zoning Ordinance; plus, those listed in the Agricultural Preservation District:  
Fish and fur farms, commercial livestock and poultry operations, livestock sales facilities, veterinary services for farm animals, sale and service of machinery used in agricultural production, utility uses except transmission corridors, airplane landing strips, alcohol fuel stills, and similar agriculturally related business uses. The storage and sale of seed, feed, fertilizer, and other products essential to farm production.

Lot Area: (Standards for this district are the same as those established for the A-H Agricultural Holding District and those for the Agricultural Preservation District.)

- Farm Units: Minimum 35 acres
- Additional Farm-Related Housing:
  - Minimum 20,000 square feet
  - Maximum 80,00 square feet
- Agriculturally-Related Business Uses:
  - Minimum 1 acre

Minimum Yards: (Standards for this district are the same as those established for the A-H Agricultural Holding District/those for the Agricultural Preservation District.)

Additional farm-related housing shall comply with the provisions of the R-1 Residential District.

- Farm Buildings:
  - Side Yard: Minimum 50 feet
  - Rear Yard: Minimum 50 feet
- Highway Yard: Minimum 50 feet

Maximum Building Heights: (Standards are the same as those for the A-H Agricultural Holding District/Agricultural Preservation District)

- Two times their distance from adjacent lot lines.

Other Use Standards: (Same as those established for the A-H Agricultural Holding District/Agricultural Preservation District.)

Standards for Rezoning: Decisions on petitions for rezoning land from the Agricultural Transition District shall be based on findings that consider the following:

- Adequate public facilities to serve the development are present or will be provided.
- The land is suitable for development.
- The development is designed to minimize the potential for conflict with remaining agricultural uses in the area.
- The development is consistent with the Village Comprehensive Development Plan.



14.19.13 C-1 CONSERVANCY DISTRICT

This district is intended to preserve the natural state of scenic areas in the Village and to prevent the uncontrolled, uneconomical spread of residential or other development, and to help to discourage intensive development of marginal lands, particularly flood plain lands and steep slopes, as to prevent hazards to public and private property.

Permitted Uses: Flood mitigation facilities; forestry and the management of woodlands; wildlife preserves; the management of wildlife, including waterfowl, fish, and other similar lowland animals, and non-residential buildings used solely in conjunction with such activities; hunting, fishing, and trapping; park and recreation areas ; hiking trails and bridle paths; preservation of areas of scenic, historic, or scientific value; uses similar and customarily incidental to any of the above uses; essential services and facilities.

Conditional Uses: None

There are no setback, lot size, and other dimensional standards applicable in the conservancy district.

14.19.14 PUD PLANNED UNIT DEVELOPMENT DISTRICT

The Planned Unit Development District is established to promote improved environmental design and innovative uses of land in the Village of Ridgeway. To this intent this District allows variation in the relationship of uses, structures, and open spaces in developments conceived and implemented as cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public services, energy efficiency, and community appearance consistent with the overall intent of this Ordinance and the Comprehensive Plan of the Village of Ridgeway.

Permitted Use: Any permitted or conditional use in any of the other Districts in this Ordinance may be permitted subject to the criteria listed below, but such conditions or requirements as are made a part of an approved development plan shall be construed to be and enforced as a part of this Ordinance.

Lot, Building, Yard, and Parking Requirements: In the Planned Unit Development District, there shall be no specific lot area, lot width, yard, height, parking and open space requirements, but such requirements as are made a part of an approved development plan shall be construed to be and enforced as a part of this Ordinance.

Criteria for Approval: As a basis for determining the acceptability of application for zoning to the Planned Unit Development District, the following criteria shall be applied to the proposed development plan:

- The proposed development shall be compatible with the physical nature of the site with particular concern for preserving natural features, existing vegetation, and topography.
- The proposed development shall be an asset to the community aesthetically. The buildings and uses shall blend in with the surrounding neighborhood.
- The proposed development shall not create a traffic or parking demand incompatible with existing or proposed facilities. The width and location of streets, other paving, and lighting should be appropriate to the uses proposed. In no case shall standards be less than those necessary to ensure public safety as determined by the Village.
- The proposed development shall not place avoidable stress on the Village's water supply, sanitary sewer, and storm water drainage system
- The proposed development shall make adequate provisions for the permanent preservation and maintenance of open space.

Procedure

Step 1: Procedure for Rezoning

The procedure for rezoning to the Planned Unit Development District shall be the same as for any other Zoning District change ([Section 14.26](#)), except that in addition a general

development plan shall be submitted to the Village Plan Commission. The general development plan of the proposed project shall be presented at a scale of 1" = 100' and shall show at least the following information:

- The pattern of public and private roads, driveways, and parking facilities.
- A description of land uses and building types, size, and arrangements.
- A utility feasibility analysis.
- The location of recreational and open space areas reserved or dedicated to the public.
- General landscape treatment.
- The plan for phasing the development.
- Any other data required by the Village Plan Commission or Board.

Upon final approval and adoption of the zoning change to the Planned Unit Development District, all plans submitted as well as other commitments, restrictions, and other factors pertinent to assuring that the project will be carried out as presented, shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans.

#### Step 2: Specific Implementation Plan Approval

Detailed plans are not required to be completed at the time the zoning is approved; however, the review process may be made faster by doing so. Before any building permit is issued, the Plan Commission shall review and approve a Specific Implementation Plan.

The applicant shall file the following with the Plan Commission:

- A final plat of the entire development area showing detailed lot layout, intended uses of each parcel, public dedication, public and private streets, driveways, walkways, and parking facilities.
- The location and treatment of open space areas.
- The arrangement of building groups other than single family residences and all final landscape plans.
- Architectural drawings and sketches illustrating the design of proposed structures.
- A utility plan locating all utility installations.
- A storm water drainage and erosion control plan.
- Agreements, by-laws, provisions, or covenants which govern the organizational structure, use, maintenance, and continued protection of the Planned Unit Development.

At a regular meeting, the Plan Commission shall approve or require changes consistent with the approved general development plan. Upon final approval of the specific implementation plans, they shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans. All covenants, restriction, or contractual agreements with the Village shall be recorded with

the Register of Deeds before final issuance of building permits.

Modifications

Any subsequent change of use of any parcel of land or addition or modification of any approved development plans shall be submitted to the Plan Commission for approval. Minor changes can be granted administratively by the Plan Commission. Major changes shall require a public hearing preceded by a Class 1 Notice.

## 14.20 CONDITIONAL USES

### 14.20.01 PERMITS

The Village Plan Commission may require the Zoning Administrator to issue a conditional use permit for conditional uses after review and a public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this ordinance and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.

### 14.20.02 APPLICATION

Application for zoning permits for conditional uses shall be made to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the following:

Name and Addresses of the applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure proposed operation or use of the structure or site, number of employees, and the zoning district within which the subject site is located.

Site Plan showing all the information required under Section 2.5

Additional Information as may be required by the Village Plan Commission or Zoning Administrator

### 14.20.03 HEARINGS

The Village Plan Commission shall hold a public hearing upon each conditional use application giving Class 2 Notice thereof and written notice shall be given to all abutting and opposite property owners of record.

### 14.20.04 REVIEW AND APPROVAL

The Village Plan Commission shall use the following standards when reviewing applications for conditional use:

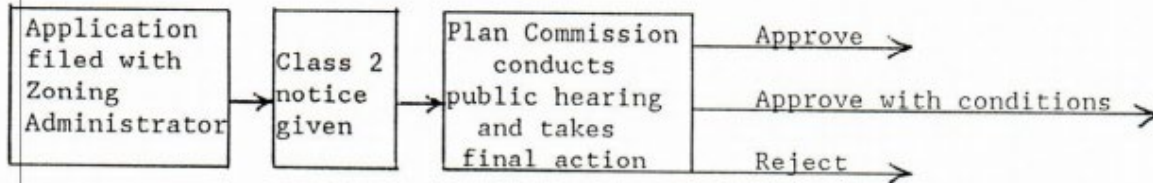
- That the establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or reduce the values of other property
- That the adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided;
- that the conditional use conforms to all applicable regulations of the district in which it is located;
- That the conditional use conforms to the purpose and intent of the village land use plans.

Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Village Plan commission upon its finding that these are necessary to fulfill the

purpose and intent of the ordinance.

Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses. Variances shall only be granted as provided in Section 9.0.

Steps in Application for Conditional Use in Village:



Approval: Following the public hearing and review of the conditional use application, the plan commission shall approve, disapprove, or further conditionally approve the application. A simple majority approval by the plan commission constitute final approval of the conditional use. No further action by the Village Board is required.

Record Keeping: Records of all Village Plan Commission actions approving conditional uses shall be maintained by the Zoning Administrator and shall be referred to in regard to enforcement and modification of conditional use approvals.

14.21 PARKING, TRAFFIC, AND ACCESS

14.21.01 PARKING REQUIREMENTS

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to a public street shall be provided for each parking space, and driveways shall be at least 10 feet wide for parking areas for less than 10 vehicles and 20 feet for parking lots for 10 or more vehicles.

Size of each parking space shall be not less than 180 square feet exclusive of the space required for ingress and egress.

Location to be on the same lot as the principal use or not over 400 feet from the principal use. No parking stall or driveway, except in residential districts, shall be closer than 25 feet to a residential district lot line or a street line opposite a residential district, and no residential driveway shall be closer than 8 feet from any lot line except on cul-de-sacs.

Lighting: Any lighting used to illuminate an off-street parking area shall be shaded or diffused in order to direct the light away from adjoining properties and adjoining streets.

Number of Parking Stalls Required for New Construction:

- Single-family dwellings: two stalls for each dwelling unit
- Multi-family dwellings: (housing for elderly exempted) two stalls for each dwelling unit
- Hotels, motels; lodging and boarding houses: one stall for each guest room plus one stall for each three employees
- Rest and nursing homes: one stall for each five beds plus one stall for each three employees

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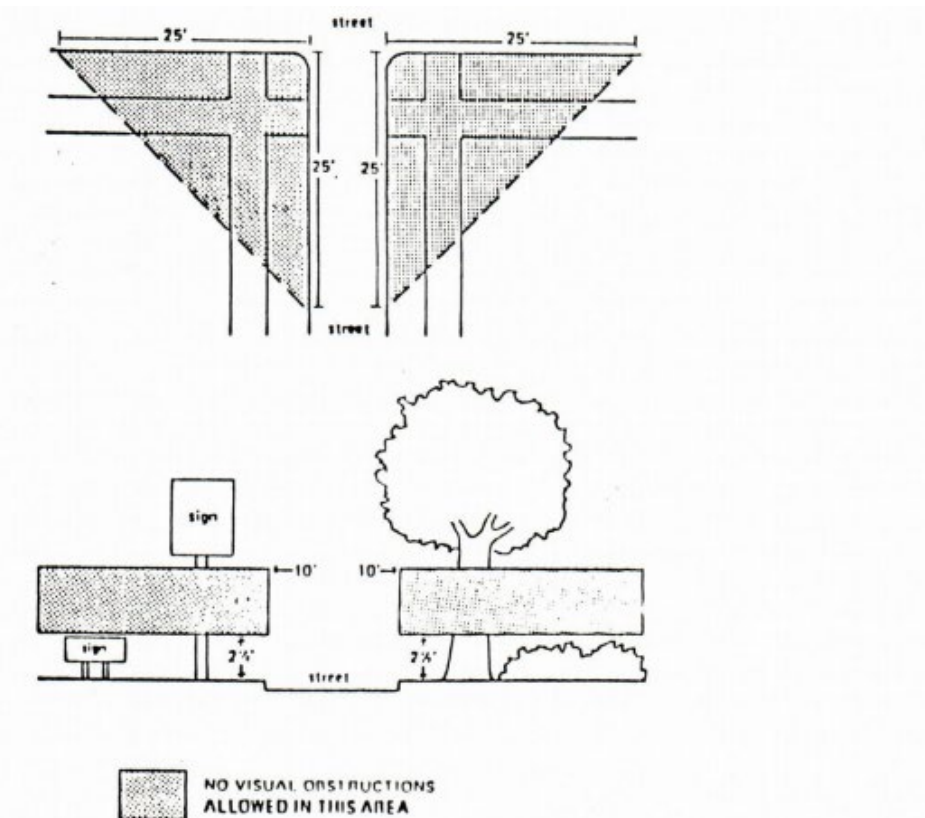
- Medical and dental clinics: three stalls for each doctor
- Churches, auditoriums, community centers, vocational and night schools and other places of public assembly: one stall for each five seats
- Restaurants, bars, places of entertainment, repair shops, retails and service stores: one stall for each 100 square feet of floor area
- Manufacturing and processing plants, laboratories, and warehouses: one stall for each three employees
- Financial institutions, business, governmental, and professional offices: one stall for each 20 square feet of floor area plus one stall per two employees
- Funeral homes: one stall for each four seats plus one stall for each vehicle used in the business
- Bowling alleys: five stalls for each alley

Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use.

Uses Not Listed: In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.

14.21.02 TRAFFIC VISIBILITY

Diagram:



No obstructions, such as structures, parking, or vegetation, shall be permitted in any

district between the heights of 2.5 feet and 10 feet above the plane through the mean curb grades within the triangular space formed by any two existing or proposed intersecting street or alley right of way lines and a line joining points on such lines located a minimum of 25 feet from their intersection. (Refer to diagram)

In the case of Arterial Streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to 50 feet.

#### 14.21.03      LOADING REQUIREMENTS

In all districts, adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way.

#### 14.21.04      DRIVEWAYS

All driveways, installed altered changed, replaced, or extended after the effective date of this chapter shall meet the following requirements:

- Islands between driveway openings in business and industrial areas shall be provided with a minimum of 12 feet between all driveways and six feet at all lot lines
- Openings for vehicular ingress and egress shall not exceed 24 feet at the street line and 30 feet at the roadway.

### 14.22 MODIFICATIONS

#### 14.22.01      HEIGHT

The district height limitations stipulated elsewhere in this ordinance may be exceeded, but such modifications shall be in accord with the following:

Architectural Projections, such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys, are exempt from the height limitations of this ordinance

Special Structures such as gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, substations, smoke stacks and solar collectors, are exempt from the height limitations of this ordinance.

Essential Services, utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this ordinance.

Communication Structures such as radio and television transmissions and relay towers, aerials, and observation towers, shall not exceed in height three times their distance from the nearest lot line.

Agricultural Structures such as barns, silos, and windmills, shall not exceed in height twice their distance from the nearest lot line.

Public or Semipublic Facilities such as schools and churches may be erected to a height of 60 feet provided all required yards are increased not less than one foot for each foot the structure exceeds the district's maximum height requirement.

#### 14.22.02      YARDS



(Amended July 16, 2017)

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

Uncovered Stairs, landings and fire escapes may project into any yard but not to exceed 6 feet and not closer than 3 feet to any lot line.

Architectural Projections, such as chimneys, flues, sills, eaves, belt courses, ornaments, and solar collectors may project into any required yard.

Accessory Uses and detached accessory structures, except garages, are permitted in the rear yard only.

Essential Services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.

Landscaping and vegetation are exempt from the yard requirements of this Ordinance, providing the required vision corners at street intersections can be met.

#### 14.22.03 ADDITIONS

Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.

#### 14.22.04 AVERAGE STREET YARDS

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side. Where the established setback in any residential or business districts is greater than the minimum required, no structure shall be permitted to extend in front of the established building setback line.

On a reversed corner lot each yard abutting a street shall be governed by the front yard requirements.

#### 14.23 SIGNS

##### 14.23.01 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 7.2 and without being in conformity with the provisions of this ordinance. The sign shall also meet all the structural requirements of the building code.

14.23.02 SIGNS ACCEPTED IN RESIDENTIAL AND AGRICULTURAL DISTRICTS

All signs are prohibited in all residential and agricultural districts except the following: 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 in height and ten feet in length.

Real Estate Signs not to exceed eight square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.

Name, Home, Occupations, Professional office, and Warning Signs not to exceed two square feet located on the premises.

Farm Signs giving the name of the farm, farm owner, or commodities produced shall not exceed 15 square feet in total area.

Bulletin Boards for public, charitable, or religious institutions not to exceed eight square feet in area located on the premises.

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

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

Temporary Signs or banners when authorized by the Plan Commission.

14.23.03 SIGNS PERMITTED IN BUSINESS AND MANUFACTURING DISTRICTS

Signs are permitted in all business and manufacturing districts subject to the following restrictions:

Wall Signs placed against the exterior walls of buildings shall not extend more than six inches outside of a building's wall surface, shall not exceed 400 square feet in area for any one premises, and shall not exceed twenty feet in height above the mean centerline street grade.

Projecting Signs fastened to, suspended from, or supported by structures shall not exceed 10 square feet in area for any one premises, shall not extend more than six feet into any required yard, shall not extend more than three feet into any public right of way, shall not be less than ten feet from all side lot lines, shall not exceed a height of two feet above the sidewalk nor fifteen feet above a driveway or alley.

Ground Signs shall not exceed 20 feet in height above the main centerline street grade, shall meet all yard requirements for the district in which it is located, shall not exceed 100 square feet in total advertising area.

Roof Signs shall not exceed ten feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located, and shall not exceed 300 square feet on all sides for any one premises.

Window Signs shall be placed only on the inside of commercial buildings and shall not exceed 25 percent of the glass area of the pane upon which the sign is displayed.

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

14.23.04 TRAFFIC

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of traffic signs. Signs shall not obstruct or interfere with the effectiveness of traffic signs. 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 signs shall be placed so as to obstruct or interfere with traffic visibility.

#### 14.23.05 EXISTING SIGNS

Signs lawfully existing at the time of the adoption or amendment of this ordinance may be continued although the use, size, or location does not conform with the provisions of this ordinance. However, it shall be deemed a nonconforming use or structure, and the provisions of [Section 14.25](#) shall apply.

#### 14.23.06 SIGN REMOVAL

At the termination of an advertised use, all signs advertising that use shall be removed from public view within 30 days. Responsibility for violations shall be with the property owner according to the latest tax roll listing.

#### 14.23.07 SIGNS GENERAL

No flashing, moving, or apparent moving signs shall be permitted except for time and temperature and changeable copy displays. Lighted signs shall be shielded to prevent glare onto adjoining properties or onto the public street. No sign shall be placed on a tree.

### 14.24 MOBILE HOME PARK REQUIREMENTS

#### 14.24.01 SITE PLAN

At the time of application for a rezoning to the R-3 Mobile Home District and application for a mobile home park license under the Village's separate mobile home ordinance, the applicant shall submit a site plan to the Zoning Administrator containing the following:

- The name and address of all owners and developers of the proposed mobile home park.
- The legal description and lot size, in acres, of the proposed mobile home park.
- The location and size of all mobile home spaces, storage areas, recreation areas and facilities, landscaping, existing tree growth, water areas, roadways, sidewalks, and parking sites.
- Detailed landscaping plans and specifications
- Plans for sanitary sewage disposal, surface drainage, water system, electrical service, gas service, street lighting, and topography diagrams
- Location and size of all public roadways abutting the mobile home park and all street and sidewalk accesses from such street and sidewalk to the mobile home park.
- Preliminary road construction plans, specifications, and elevations.
- Preliminary floor plans and elevation for all structures.
- Description and method of disposing of garbage and refuse.
- Detailed description of proposed maintenance procedure and grounds supervision.
- Staging and timing of construction program whether or not the entire area will be developed at one time or in stages.

- Such other reasonable information as shall be required by the Zoning Administrator

#### 14.24.02 MOBILE HOME SPACE

Each mobile home space shall have at least 5,000 square feet of land area for the exclusive use of the residents of the mobile home located on the space with a minimum width of 50 feet and a minimum depth of 100 feet. The frontage on the approved roadway and the corner of each space shall be marked and each lot shall be numbered.

#### 14.24.03 YARD REQUIREMENTS

No mobile home shall be parked closer than 10 feet to the side lot lines, 25 feet to the front lot line, nor 25 feet to the rear lot line. There shall be an open space of at least 20 feet between the sides of adjacent mobile homes.

#### 14.24.04 PARKING REQUIREMENTS

The following are minimum parking requirements for mobile home parks:

- Each mobile home space shall have off-street parking space for two automobiles
- Each mobile home park shall maintain a hard-surfaced off-street parking lot for guests of occupants of a size equivalent to one space for each five mobile home spaces.
- Access drives off roads to all parking spaces and mobile home spaces shall be hard surfaced in bituminous concrete or Portland cement concrete designed to accommodate normal traffic.
- Automobiles shall not be parked nearer than five feet from any side lot line unless combined with a contiguous parking area.

#### 14.24.05 UTILITIES

The following minimum requirements for utilities shall be maintained:

- There shall be no obstructions impeding the inspection of plumbing, electrical facilities, utilities or other related equipment.
- Garbage, waste, and trash disposal plans must be approved by the Zoning Administrator and must conform to all state and local health and pollution control regulations.
- The owner of a mobile home park shall pay all required sewer and utility connection fees to the Clerk-Treasurer.

#### 14.24.06 INTERNAL STREETS, SIDEWALKS AND LIGHTING

All internal streets, sidewalks, and lighting shall meet the following requirements:

- Streets shall be hard surfaced with bituminous concrete or Portland cement concrete to accommodate the structural requirements in the village streets as approved by the Village Board.

- All streets shall be developed with a roadbed of not less than 30 feet and a street surface of not less than 18 feet. Ancillary parking on one side may be allowed except at parking area entrances if the street is at least 28 feet wide
- A 30-inch Portland cement concrete sidewalk shall be built and maintained by the owner providing access to all recreational area, common use buildings and storage areas, and to the public street access.
- Artificial lights shall be maintained during all hours of darkness in all buildings provided for common facilities for occupants' use. The mobile home park grounds, street and pedestrian areas shall be lighted from sunset to sunrise in accordance with a lighting plan approved by the Village Board.

14.24.07 RECREATION AREAS

All mobile home parks shall have one or more recreational areas which shall be easily accessible to all park residents. Recreational areas shall be so located as to be free of traffic hazards and shall, where the topography permits, be centrally located. The size of such recreational areas shall be a minimum of 10 percent of the land area of the mobile home park. All equipment installed in such areas shall be owned and maintained by the owner or operator of the mobile home park at their expense.

14.24.08 LANDSCAPING

The following minimum landscaping requirements shall be maintained in all mobile home parks:

- Each space shall be properly landscaped with at least one tree. All yards shall be sodded or planted in grass. There shall be a minimum of 20 trees per gross acre in all areas of a mobile home park. Tree, grass, and landscape materials shall be properly maintained and replaced to conform to the approved landscape plans and specifications.
- A visual screen consisting of a compact hedge, redwood fence, coniferous trees or other approved landscape materials or a screen fencing approved by the Zoning Administrator shall be installed and maintained around the periphery of the mobile home park to substantially inhibit the eye level vision from the exterior when adjacent to any R-1 or R-2 District and shall be maintained free of rubbish, debris, weeds, and paper.
- All areas shall be landscaped and the landscape plan shall be approved by the Zoning Administrator.

14.24.09 MOBILE HOME STANDS REQUIRED

All mobile homes shall be placed and leveled on stands consisting of a 16-inch by 16-inch by 4-inch deep square solid base, minimum, with a double tier of alternately crossed 8-inch block ascending; no I-beam or any portion of the mobile home frame shall rest directly on the concrete block. Wood shimming shall be used. No second or medium grade of concrete block may be used and all block must be installed with the hollow core in a vertical position. These stands shall be placed with a minimum spacing

of eight feet.

**14.24.10 TIE DOWNS, ANCHORS, SKIRTING, AND STORAGE BUILDINGS**

Tie downs and anchors are required on all mobile homes. Straps and anchoring equipment shall be capable of resisting an allowable working load of not less than 3,150 pounds and capable of withstanding a 50 percent overload (4,750 pounds) without failure. (Example: Type 1 Finish B, Grade 1 steel strapping, 1 ¼ inch wide and 0.035 inch thick conforming with Federal specifications. Q-QS781-H is recommended to meet the above load requirements.) Tie downs and anchors shall be installed as follows:

Mobile Home Size	Number of Over-the-Roof Ties Required	Number of Frame Ties Required		
		2' pier	3' pier	4' pier
44x12	2	4	5	5
52x12	2	5	5	6
54x12	2	5	6	7
60x12	2	5	6	7
65x12	2	6	7	8
70x12	2	6	7	9
74x12	2	6	8	9
54x14	2	4	5	6
60x14	2	5	5	6
65x14	2	5	6	7
70x14	2	6	7	8
76x14	2	6	7	8
80x14	2	7	7	8

All mobile home units have skirts around the entire mobile home made of plastic, fiberglass, or other comparable noncombustible material approved by the Zoning Administrator and shall be of a permanent color or painted to match the appropriate mobile home so as to enhance the general appearance thereof.

Any storage building in a mobile home park shall be anchored.

**14.24.11 REGISTER OF OCCUPANTS AND INSPECTION**

The owner of a mobile home park shall keep a registration list available to the village or its agents for inspection at reasonable times. All mobile homes shall comply with State and Village fire, health and building regulations. Before a mobile home unit may be occupied, the owner must secure the inspection and approval of the Zoning Administrator regarding compliance with such regulations.

**14.25 NONCONFORMING USES, STRUCTURES, AND LOTS**

**14.25.01 EXISTING NONCONFORMING USES**

The lawful nonconforming use of a structure, land, or water existing at the time of the

adoption or amendment of this ordinance may be continued although the use does not conform with the provisions of this ordinance.

Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order so as to comply with the provisions of this ordinance.

Total lifetime structural repairs or alterations shall not exceed 50 percent of the Village's current equalized assessed value of the structure unless it is permanently changed to conform to the use provisions of this ordinance.

Changes of use may be permitted by the Zoning Board of Appeals if such changes will reduce the incompatibility of the nonconforming use with the neighboring uses.

#### 14.25.02 ABOLISHMENT OR REPLACEMENT

If such nonconforming use is discontinued or terminated for a period of 12 months, any future use of the structure, land, or water shall conform to the provisions of this ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than 50 percent of its current equalized assessed value, it shall not be restored except so as to comply with the use provisions of this ordinance.

#### 14.25.03 EXISTING NONCONFORMING STRUCTURES

The lawful nonconforming structure existing at the time of the adoption or amendment of this ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this ordinance, however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered except when required to do so by law or order so as to comply with the provisions of this ordinance.

#### 14.25.04 CHANGES AND SUBSTITUTIONS

Once a nonconforming use or structure has been changed to conform it shall not revert back to a nonconforming use or structure.

#### 14.25.05 SUBSTANDARD LOTS

A lot which does not contain sufficient area to conform to the dimensional requirements of the ordinance but which is at least 50 feet wide and 5,000 square feet in area, may be used as a single-family building site provided that the use is permitted in the zoning district and providing the lot is on record in the county Register of Deeds office prior to the effective date or amendment of this ordinance. If two or more substandard lots with continuous frontage have the same ownership as of the effective date of this ordinance, the lots involved shall be considered to be an individual parcel for the purposes of this ordinance.

### 14.26 BOARD OF ZONING APPEALS

#### 14.26.01 ESTABLISHMENT

There is hereby established a Board of Zoning Appeals for the Village of Ridgeway for

the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this ordinance in harmony with the purpose and intent of the zoning ordinance.

14.26.02 MEMBERSHIP

The Board of Zoning Appeals shall consist of five members appointed by the Village President and confirmed by the Village Board.

Terms shall be for staggered three-year periods

Chair shall be designated by the Village President.

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 conflict of interest.

Village Clerk

Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board.

Official Oaths shall be taken by all members in accordance with Section 19.1 of the Wisconsin Statutes within 10 days of receiving notice of this appointment.

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

14.26.03 ORGANIZATION

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

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

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 a public record.

The Concurring Vote of four 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.

14.26.04 POWERS

The Board of Zoning Appeals shall have the following powers:

Errors: to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official or body in the course of enforcing this Ordinance.

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

Substitutions: to hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Village Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not



thereafter be changed without application.

#### 14.26.05 APPEALS AND APPLICATIONS

Appeals may be made by any person aggrieved or by an officer, department, board, or commission of the Village. Such appeals shall be filed with the secretary within 30 days after the date of written notice of the decision or order of the Zoning Administrator.

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 Clerk. Such appeals and application shall include the following:

Name and Address of the appellant or applicant and all abutting and opposite property owners of record.

Site Plan showing all of the information required under Section 2.03 for a zoning permit.

Additional Information required by the Village Plan Commission, Village Engineer, Board of Zoning Appeals, or Zoning Administrator.

#### 14.26.06 HEARINGS

The Board of Zoning Appeals shall fix as reasonable time and place for the hearing, give class 2 notice thereof, and give written notice to all abutting and opposite property owners of record. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

#### 14.26.07 FINDINGS

No variance to the provisions of this ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates in the minutes of its proceedings.

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 ordinance should be changed.

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 vicinity.

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 ordinance or the public interest.

#### 14.26.08 DECISION

The Board of Zoning Appeals shall decide all appeals and applications within 30 days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or application, Zoning Administrator, and Village Plan Commission.

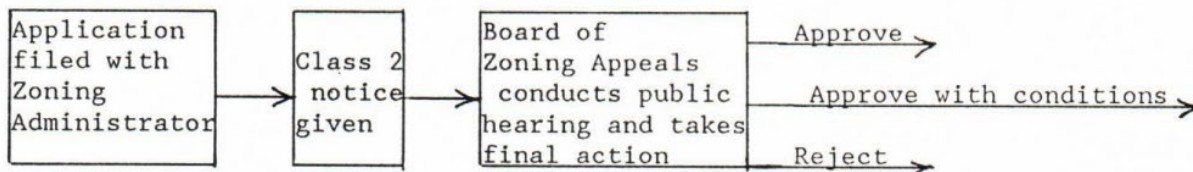
Conditions may be placed upon any zoning permit ordered or authorized by this board. Approvals granted by the board shall expire within 6 months unless substantial work has commenced pursuant to such grant.

#### 14.26.09 REVIEW BY COURT OF RECORD

Any person or persons aggrieved by any decisions of the Board of Zoning Appeals may present to the court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the Board of Zoning Appeals.

Steps for Appeals to Board of Zoning Appeals:

STEPS FOR APPEALS TO BOARD OF ZONING APPEALS:



14.27 CHANGES AND AMENDMENTS

14.27.01 AUTHORITY

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

Such change or amendment shall be subject to the review and recommendation of the Village Plan Commission.

14.27.02 INITIATION

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

14.27.03 PETITIONS

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk, describe the premises to be rezoned or the regulations shall be filed with the Village Clerk, describe 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:

Plat Plan drawn to a scale of 1-inch equals 100 feet showing the area proposed to be rezoned, its locations, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within 200 feet of the area proposed to be rezoned.

Additional Information required by the Village Plan Commission or Village Board

14.27.04 RECOMMENDATIONS

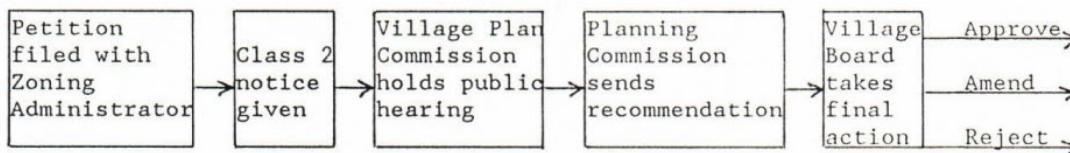
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The Village Plan commission shall review all proposed changes and amendments within the corporate limits, conduct a public hearing (with class 2 notice), and shall recommend that the petition be granted as requested, modified, or denied.

**14.27.05 VILLAGE BOARD'S ACTIONS**

Following such hearing and after careful consideration of the Village Plan Commission's recommendations, the Village Board shall vote on the passage of the proposed change or amendment.

STEPS FOR ZONING AMENDMENT WITHIN VILLAGE LIMITS:



**14.27.06 PROTEST**

In the event of a protest against such district change or amendment to the regulations of this ordinance duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed change or by the owners of 20% or more of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three-fourths of the full Village Board of Trustees.

**14.28 DEFINITIONS**

For the purpose of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory, the word "should" is advisory and the word "may" is permissive. Any words not defined in this section shall be presumed to have the customary dictionary definitions.

Accessory Use or Structure: 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.

Alley: A special public right of way affording only secondary access to abutting properties

Animal Unit: One animal unit shall be defined as being the equivalent of 1 cow, 1 -1, 000 lb. steer or bull, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse or pony.

Arterial Street: A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways and parkways.

Basement: That portion of any structure located partly below the average adjoining lot grade.

Building: Any structure having a roof supported by columns or walls used or intended to

be used for the shelter or enclosure of persons, animals, equipment, machinery, or materials.

**Building Height:** The vertical distance measured from the mean elevation of the finished lot grade along the street yard face of the structure to the highest point of flat roofs, to the mean height level between the eaves and ridges of gable, gambrel, hip, and pitch roofs; or to the deck line of mansard roofs.

**Classes of Notice:** References in this Ordinance to Class 1 and Class 2 notices refer to Chapter 985 of the Wisconsin Statutes.

**Clothing Repair Shops:** Shops where clothing is repaired such as shoe repair shops, seamstress, tailor shops, shoe shine shops, clothes pressing shops, but none employing over five persons.

**Clothing Stores:** Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress, hosiery, and millinery shops.

**Commercial Livestock Operation:** An animal confinement facility used or designed for the feeding or holding of more than 400 animal units for 30 days or more.

**Commercial Poultry Operation:** A confinement facility used or designed for the raising of more than 150 animal units for egg or meat production.

**Conditional Uses:** Uses of a special nature as to make impractical their predetermination as a principal use in a district.

**Dwelling:** A detached building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

**Efficiency:** A dwelling unit consisting of one principal room with no separate sleeping room.

**Essential Services:** 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, and hydrants.

**Family:** Any number of persons related by blood, adoption, or marriage, or not to exceed 4 persons not so related, living together in one dwelling as a single housekeeping entity.

**Floor Area:** The total living area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways, and unfinished attics.

**Garage:** Structure whose primary purpose is the storing of personal vehicles.

**Government Uses:** Includes all public uses and facilities including parks.

**Frontage:** The smallest dimension of a lot abutting a public street measured along the street line.

**Dwelling, Multiple Family:** A residential building designed for or occupied by two or more families, with the number of families in residence not to exceed the number of dwelling units provided.

**Household Occupation:** Any occupation for gain or support conducted entirely within

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buildings by resident occupants which is customarily incidental to the principal use of the premises and does not exceed 25 percent of the area any floor. A household occupation includes uses such as millinery, dressmaking, canning, laundering, crafts, etc. Household occupations shall not cause any objectionable odors, noise, traffic, or unsightly storage. No activity from any household occupation shall be visible from the street or adjacent properties.

Joint Extraterritorial Zoning Committee: Any zoning committee established in accordance with Section 62. 23 (7a) of the Wisconsin Statutes.

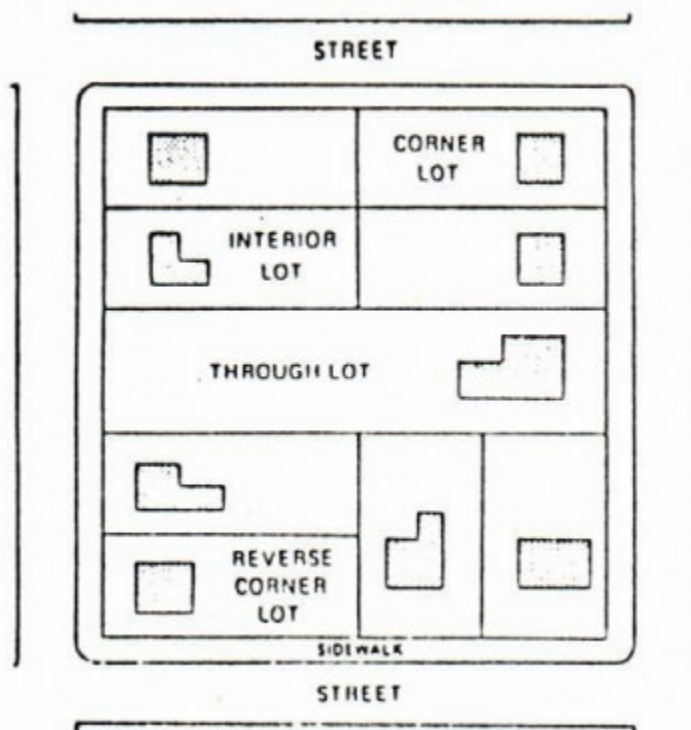
Loading Area: A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

Lot: A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this ordinance.

Lot Lines and Area: The peripheral boundaries of a parcel of land and the total area lying within such boundaries.

Lot Width: The width of a parcel of land measured at the rear of the specified street yard.

Lot Types:



Machine Shops: Shops where lathes, presses, grinders, shapers, and other wood and metal working are used, such as blacksmith, tinsmith, welding, and sheet metal shops, plumbing, heating, and electrical repair and overhaul shops.

**Minor Structures:** Any small, movable accessory erection or construction such as birdhouses, tool houses, pet houses, play equipment, arbors, and walls and fences under four feet in height.

**Mobile Homes:** A vehicle designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid non-collapsible construction. Any mobile home fitting the definition of a mobile home as set out above shall be designated a mobile home regardless of whether the plans for the mobile home include a concrete foundation, a basement, utility hookup, attachments, additions, annexes, foundations, and appurtenances.

**Mobile Home Park:** Any lot on which two or more mobile homes are parked for the purpose of temporary or permanent habitation.

**Motel:** A series of attached, semi-attached, or detached sleeping units for the accommodation of transient guests.

**Nonconforming Uses or Structures:** Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this ordinance or amendment thereto which does not conform to the regulations of this ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

**Parking Lot:** A structure or premises containing ten or more parking spaces open to the public for rent or a fee.

**Parking Space:** A graded and surfaced area of not less than 180 square feet in area either enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

**Parties in Interest:** Includes all abutting property owners, all property owners within 100 feet, and all property owners of opposite frontage.

**Professional Home Offices:** Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, or other recognized professions used to conduct their professions where the office does not exceed one-half of the area of only one floor of the residence and only one non-resident person is employed.

**Rear Yard:** A yard extending across the full width of the lot, and depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

**Renovation:** A general upgrading of the building's interior and exterior appearance. Exterior improvements can include cleaning and painting, and will often involve a substantial change to shop front and design. Interior rehabilitation can include the upgrading of electrical, mechanical, or structural elements and new interior design.

**Restoration:** The reinstatement of original architectural integrity of structural form to quality buildings of the past, but does not necessarily extend to a reinstatement of the past use of the building.

**Side Yard:** A yard extending from the street yard to the rear yard of the lot, the width of

which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.

Signs: Any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, or product and which is visible from any public street or highway.

Small Livestock and Poultry: For purposes of this Ordinance, small livestock shall be limited to animals weighing less than 20 pounds.

Street Yard: A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure.

Corner lots shall have two such yards.

Street: A public right-of-way not less than 50 feet wide providing primary access to abutting properties.

Structure: Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, machinery, and equipment.

Structural Alterations: Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams, or girders.

Utilities: Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone and telephone exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, and storage yards.

Yard: An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.