

ORDINANCE 3-2013

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Warner Structure Setback Ordinance. The purpose of this ordinance is to create uniformity and safety in the siting of structures within the Town of Warner.

SECTION II - AUTHORITY

The Town Board of the Town of Warner, Clark County, Wisconsin, has the general authority under its village powers under s.60.22, Wis. stats., to adopt this ordinance for the general safety and health of the Town residents.

SECTION III - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation of setbacks state, county, and town roads, also setbacks from side and rear boundaries.

SECTION IV - SUBDIVISION AND NUMBERING OF THIS ORDINANCE

This ordinance is divided into sections designated by uppercase Roman numerals. Sections may be divided into subsections designated by uppercase letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lowercase letters. Subdivisions may be divided into subdivision paragraphs designated by lowercase Roman numerals. Reference to a "section," "subsection," "paragraph," or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

SECTION V-PUBLIC HEALTH OR SAFETY

All structures, including temporary structures, are included in this ordinance. Setback distances include those from all roads, side, and rear property boundaries.

A. From roads:

1. The minimum setback shall be 85(eighty-five) feet from Town road centerline.
2. The minimum setback shall be 85(eighty-five) feet from County and State road centerline.

B. From side boundaries:

1. The minimum side boundary setback shall be 30(thirty) feet for the principal structure.

2. The minimum side boundary setback shall be 30(thirty) feet for an accessory structure.
3. The minimum side boundary setback shall be 500(five hundred) feet for animal housing or a business.
4. The minimum side boundary setback shall be 500(five hundred) feet from a residence and 500 (five hundred) feet from a property line for manure storage facilities.
- 5, When an accessory structure is attached to the principal structure, it shall be considered as part of the principal structure.

SECTION VI-EXCEPTIONS

A setback less than that required under SECTION V may be permitted by the Town Board, but not limited to:

A. An existing principal structure or accessory structures having less than the required right-of-way setback exist on an adjoining property within 200(hundred) feet of the property requesting a reduced setback.

1. In such case, the reduced setback shall be the average of the setback of the existing principal structure or accessory structure and the required right of-way setback, or
 2. When the existing principal or accessory structure exist on either side of the property requesting the reduced setback, meeting the condition of SECTION V the reduced setback shall be the average of the 2(two) existing principal or accessory structures.
 3. The reduced setback for the proposed principal structure shall be determined by using the setback of the adjoining existing principal structures. The reduced setback for the accessory structure shall be determined by using the setback of the adjoining existing accessory structures.
- B. Existing principal structure or accessory structures that need to be reconstructed due to damage or loss.

SECTION VII- PENALTIES

Structures built or sited that de not comply with this ordinance will need to be moved to comply with this ordinance.

SECTION VIII - EFFECTIVE DATE

This ordinance is effective on publication or posting. The town clerk shall properly post or publish this ordinance as required under s.60.80, Wis. Stats.

Adopted this 12th day of March 2013.

Chairperson

Supervisor #1

Supervisor #2

Attest: _____
Clerk