

## A-3 Agricultural District

Zoning district for transitioning agricultural land near urban developing areas

CH. 10-Zoning, Section 10.127

### **Permitted Uses 10.127(2)**

- Agricultural uses
- Sale of unprocessed agricultural products produced on the farm
- Road side stands
- Agricultural entertainment activities up to 45 days per year
- Residences lawfully existing as of February 20, 2010
- Rental of existing secondary residences
- Home occupations
- Day care for not more than 8 children
- Utility services
- Farm related exhibitions, sales, and events

### **Conditional Uses 10.127(3)**

- Farm family businesses for horse boarding stables, riding stables, hay and sleigh rides
- Farm family business for retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility
- Agricultural entertainment activities more than 45 days per year
- Sale of agricultural and dairy products not produced on the premises
- Seasonal storage of recreational equipment and motor vehicles
- Limited family businesses
- Residence for the farm owner and operator
- Secondary farm residences
- Dependency living arrangements
- Governmental uses
- Religious uses
- Schools
- Non-metallic mineral extraction
- Asphalt plants and ready-mix concrete plants, with conditions
- Small scale electric generating stations

### **Setbacks and Height requirements for structures 10.127; 10.16; 10.17**

Front setback for all structures from Highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

#### Maximum Height:

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirements

Side yard for residences: 25 feet total, with no single side less than 10 feet minimum

Rear yard for residences: 50 feet minimum

For uncovered decks/porches: 38 feet minimum

Setbacks for accessory buildings not housing livestock: Minimum 10-foot side and rear yards

Setbacks for agricultural buildings with livestock:

On parcels 35 acres or less: Minimum 50-foot side & rear yards

On parcels more than 35 acres: Minimum 10-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

### **Reduced Side yard setbacks for principal buildings on Substandard Lots 10.16(5)**

Lots between 50 and 60 feet wide: Total of 15 feet, not less than 5 feet minimum on smaller side

Lots less than 50 feet wide: 5 feet minimum on each side

### **Minimum Lot Width & Area 10.127(5), (9); 10.05(4)**

Agricultural Uses: Minimum 35 acres

Sub-standard Residential lots:

Public Sewer: 100 feet at building line and 15,000 sq.ft.

Septic System: 100 feet at building line and 20,000 sq.ft.

### **Maximum Lot Coverage All buildings and structures**

On parcels between 2 and 35 acres: 10%

Parcels less than 2 acres: 30% maximum or 35% for corner lots

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### **Accessory Buildings 10.04(1); 10.12(4); 10.16(6); 12.06(1)**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- One agricultural accessory building may be constructed on property without a principal residence.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted through a conditional use permit for specific agricultural accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on small lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

NOTE: A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock 10.127**

- Livestock is not permitted on parcels less than 5 acres.
- On parcels greater than 5 acres there is no limit to the number of animal units permitted.

### **Existing Residences in A-1EX Exclusive Agriculture District 10.127**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Notwithstanding the provisions of Sections 10.21 and 10.23 regarding nonconforming uses, such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided all of the following criteria are met:
  - The use remains residential.
  - The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  - For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100-foot limitation must be approved by the town board and county zoning committee.