

**SECTION 1
INTRODUCTION**

1.1 TITLE.

This Ordinance shall be known as and referred to as the "TOWN OF CLYMAN ZONING ORDINANCE" (hereinafter the "Ordinance").

1.2 AUTHORITY.

The provisions, regulations, requirements and limitations contained in this Ordinance are adopted under the authority granted by Section 60.62, Wisconsin Statutes, which grants Towns authorized to exercise Village Powers the ability to adopt zoning ordinances under Section 61.35, Wisconsin Statutes, which in turn grants the same powers and duties that apply to Cities under Section 62.23 upon Villages and towns with Village powers; and finally, Section 62.23(7), Wisconsin Statutes, and amendments thereto, which grants Cities, Villages, and Towns with Village powers the ability to adopt zoning ordinances and create a Plan Commission and Board of Zoning Appeals each with specific functions and responsibilities.

Therefore, the Town Board of the Town of Clyman, Dodge County, Wisconsin ordains as follows:

1.3 PURPOSE AND INTENT.

The purpose of this Ordinance is to protect and promote the health, safety, welfare, morals, aesthetics, prosperity, and overall quality of life for all residents and property owners in the Town and is intended to:

- (1) guide future growth and development in the Town in accordance with the Town's Master Plan, or parts thereof, including the goals, objectives, and development policies contained in the Land Use Plan and reflected on the Land Use Plan Map;
- (2) regulate the use, size, shape, location, amount and timing of development upon all lots and parcels of land so as to prevent overcrowding of the land and undue congestion of population and provide for safe, efficient, and adequate light, air, sanitation, drainage, roads, schools, fire, flood and medical protection, and other public services and facilities;
- (3) regulate the amount or density of population and the distribution of people living and working within the town so as to avoid unnecessary sprawl and undue concentrations of such population, and, to allow for and require the provision of adequate, safe, efficient, and cost effective public facilities and services;
- (4) regulate vehicle parking, loading, access and promote and protect the safe use, efficient function, and cost-effective provision of streets, roads and highways in the Town;
- (5) encourage the protection, preservation, conservation, and wise use of the Town's natural resources including soils, steep slopes, wetlands, floodlands, shorelands, water resources, and woodlands in order to preserve the rural character, integrity, stability, and natural beauty of the Town and the value of the land therein;
- (6) encourage compatibility between different land uses through the separation of land uses into districts and the use of adequate and appropriate buffering between and within such districts in order to protect and stabilize the value of all property in the Town from the encroachment and impact of incompatible land uses and development;

- (7) avoid the premature, excessive, or incomplete development of land by permitting development in the locations and quantities necessary to accommodate uses of land for which market demand currently exists, that are consistent with the Town's Land Use Plan and overall Master Plan, or parts thereof, and are in the public interest;
- (8) establish minimum and reasonable standards for the design, layout and appearance of non-agricultural development and the procedures for necessary to review, approve and permit such development in order to achieve the orderly layout and development of land;
- (9) provide for reasonable application and review procedures, enforcement procedures, variance procedures, and appropriate penalties for violations of this Ordinance.

1.4 ADOPTION AND EFFECTIVE DATE.

- (1) Public Hearings.
The Town Board of the Town of Clyman held public hearings on the "TOWN OF CLYMAN ZONING ORDINANCE", pursuant to the requirements of Sections 60.62, 61.35, and 6723(7) of the Wisconsin Statutes on July 14 and August 4, 1999.
- (2) PLAN COMMISSION RECOMMENDATION.
A seven-member Plan Commission comprised of residents, property owners, and Town Board Supervisors made a recommendation to the Town Board to adopt the "TOWN OF CLYMAN ZONING ORDINANCE" at a public meeting held on August 4, 1999.
- (3) Town Meeting Approval.
At a special Town Meeting held on August 4, 1999, and by a vote of 63 Aye's and 40 Nay's, the resident electors of the Town of Clyman approved Resolution No. 1999-01 granting the Town Board of the Town of Clyman the general and continuing authority required under Section 60.10(h) to adopt the proposed land use plan and zoning ordinance subject of the July 14 and August 4, 1999, public hearings, subject to a requirement that the land use plan and zoning ordinance be reviewed on at least an annual basis and that any proposed revisions, additions, and/or deletions to said land use plan and zoning ordinance be considered for approval at the next available Town Meeting.
- (4) TOWN BOARD APPROVAL.
At the direction of the Town Meeting and in concurrence with the Town Plan Commission recommendation, the Town Board of the Town of Clyman adopted the "TOWN OF CLYMAN ZONING ORDINANCE", at a meeting held on September 13, 1999.
- (5) EFFECTIVE DATE.
This Ordinance shall take effect upon passage and adoption by the Town Board and the filing of proof of posting or publication in the Office of the Town Clerk.

Effective Date: March 20, 2000.

Town Board, Town of Clyman, Dodge County, Wisconsin.

Town Chairman

Supervisor #1

Supervisor #2