

7.0 SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

7.01 Purpose

This district is created to provide for attractive, quality residential development, to identify areas that have previously been developed for single family residences, and to protect residences from incompatible uses. This district is intended to cluster residences in order to make it more reasonable and economical to provide public services.

7.02 Permitted Uses

- 1) Single-family dwellings
- 2) Home occupations, professional home offices
- 3) Accessory structures including, but not limited to, private garages, carports and boathouses, clearly incidental to the residential use of the property and provided that:
 - a) No accessory structure may be used as a separate dwelling unit or constructed on a site without a primary residential structure.
 - b) For the purpose of protecting viewing corridors any accessory building greater than 24 feet by 30 feet in area or greater than 14 feet in height shall not be permitted within 1,000 feet of Lake Wisconsin.
 - c) Any accessory structure that is not immediately and contiguously incorporated into the footprint of the principal structure, if not completely detached from the principal structure, shall only be attached to the principal structure by an all-weather enclosed connection that is no less than 4 feet in width, cannot exceed 25 feet in length, and no more than 14' in height. The enclosed connection shall include a finished floor, side walls, and a roof.
- 4) Household pets, including animals or fowl ordinarily permitted in the house or kept for pleasure, such as dogs, cats, canaries, rabbits and the like.
- 5) Animals and fowl other than household pets shall be permitted with the following limitations:
 - a) Keeping of chickens on lots that are a minimum of 1.15 acres up to no more than 4.99 acres may be permitted with the following limitations:
 - 1) Keeping of roosters is prohibited.
 - 2) A maximum of 20 chickens may be kept on any property.
 - 3) Coop and run required.
 - a) Chickens shall be provided with a coop (i.e. a covered roosting area) and an adjacent run (i.e. enclosed area in which chickens are allowed to walk and run

about).

- b) The coop shall not exceed 100 square feet in area or 12 feet in height.
- c) The coop and run shall be located in the rear yard at least 25 feet from all property lines and at least 10 feet from the principal structure.
- d) The coop and run shall be set back a minimum of 75 feet from any ordinary high water mark, wetland, floodplain, and perennial or intermittent drainage way (as depicted on USGS 7.5-minute quadrangle maps).
- e) The run shall be surrounded by a fence that is between 36 and 96 inches in height.
- f) Chickens shall not be permitted in any other structure on the lot, including garages, basements, and attics, nor outside of the coop or run.
- g) The sale of live chickens, meat, eggs, or other by-products is prohibited without the approval of the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
- h) The property owner shall register with the Wisconsin Department of Agriculture, Trade, and Consumer Protection in accordance with WI Administrative Code DATCP 17.02.

4. A permitted use to keep chickens may be suspended or revoked by the Zoning Administrator where there is a risk to public health or safety, or for any violation of or failure to comply with any of the provisions of this ordinance, including encroachments onto other properties, or with the provisions of any other applicable ordinance or law. The property owner may appeal the Administrator's decision to the Town Board of Appeals.

b) Lots or parcels on which such animals or fowl (described in Subsection 5), above) are maintained shall contain a minimum of 5 acres. In addition:

- 1. Any building housing such animals or fowl shall be not less than 100 feet from any lot line; and,
- 2. Appropriate confinement must be provided.

6) Signs – only those meeting the standards of this Ordinance.

7) Fenced swimming pools shall comply with all State codes.

7.03 Conditional Uses

1) Two-family dwellings

2) Churches

3) Schools

4) Tennis courts and other similar recreational facilities developed in conjunction with and intended for the sole use of the residents of an individual development.

- 5) Parks and playgrounds.
- 6) Institutional Residential Developments:
 - a) No individual lots are required, although the development shall contain a minimum of 800 square feet of gross site area for each occupant of the development.
 - b) Shall be located with primary vehicular access onto a State Highway, County Highway, or Town Road with a right-of-way no less than 66' feet.
 - b) All Parking, loading, and unloading areas shall be off-street.
- 7) Any accessory building not subject to Town of Merrimac Ordinance 7.01 (3) (b) and great than 24 feet by 30 feet in area or greater than 14 feet in height shall require a conditional use permit.

7.04 Standards

- 1) Dimensional Rules and Standards for All Uses in this District
 - a) Lot area: All lots or parcels shall be sufficient in size and shape to satisfy highway setbacks, water setback, rear and side yard setbacks, off-street parking and sanitary requirements, and all lots or parcels shall meet the following minimum area and width requirements:
 - 1) Those lots provided with public sewer shall have a minimum area of 10,000 square feet and a minimum width of 100 feet.
 - 2) Those lots not provided with public sewer shall have a minimum lot area of 20,000 square feet and a minimum width in accordance with Department of Safety and Professional Services provisions for a Private Onsite Wastewater Treatment System.
 - b) Side yard: Nothing shall be built within 10 feet of any side lot line.
 - c) Rear yard: Nothing shall be built within 10 feet of any rear lot line.
 - d) Height: No building shall exceed 35 feet in height above grade.
 - e) Floor area: No residence shall contain less than 1,000 square feet of living area with and a building footprint with a minimum width of 20 feet. The total building footprint of all structures, including accessory structures and any enclosed connections, on a single lot shall not exceed 5,000 sq. ft. unless authorized by a conditional use permit.
 - f) Home occupation and professional home offices shall be incidental to the principal

residential use, situated in the same building, carried on by the residential occupant, and subject to the following conditions:

- 1) Such use shall not occupy more than 20 percent of the floor area of the residence in which it is located.
 - 2) Such use shall not employ on the premises more than 2 full-time people not residents of the premises.
 - 3) Any off-street parking area provided shall be paved, maintained and adequately screened from adjoining residential properties.
 - 4) Such use shall not include the outside storage of materials or other operational activity which would create a nuisance or be otherwise incompatible with the surrounding residential uses.
- g) Signs: Only those signs listed below shall be permitted and all signs shall meet the standards of this Ordinance governing signs in addition to those below:
- 1) Signs to advertise a home occupation or professional home office, provided that such sign shall not exceed 6 square feet in gross area.
 - 2) Temporary signs to advertise the sale, rent, lease or trade of the property on which the sign is placed, provided that such sign shall not exceed 6 square feet in area, except in subdivisions or unplatted lands newly opened for sale, such sign shall not exceed 32 square feet in area.
- h) Setbacks: Refer to the requirements set forth in Section 2.19.
- i) All lots shall have a limit of one dwelling unit per lot, except as permitted through a Planned Area Development (PAD).
- 2) Dimensional rules and Standards for Conditional Uses
- a) Conditional uses must be determined:
- 1) Not to cause unusual public service needs
 - 2) Not to produce traffic which results in a major slowing of highway traffic, i.e. volume, ingress, egress
 - 3) To be compatible with residential use in this district
 - 4) Not to adversely affect property values in the area
 - 5) Not to cause population densities which would unreasonably overburden the land or required public services
 - 6) Not to endanger public health or safety or create a public nuisance

Effective January 19, 1993
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