

OR-2017-03-02

AN ORDINANCE AMENDING CHAPTER 93 TREES, CHAPTER 151 ZONING,
SECTION 151.015 DEFINITIONS AND SECTION 151.080(B) PERMITTED USES

WHEREAS, this amendment was heard by the Village of Marvin, Village Council in a public meeting on March 30, 2017.

NOW, THEREFORE, BE IT ORDAINED by the Village Council for the Village of Marvin that:

SECTION 1. The Code of Ordinance, Chapter 93 Trees is amended as follows:

SUBDIVISION, LARGE TRACT.

(1) ~~A residential subdivision that is~~ **A use with the clear principal purpose to provide single-family dwelling units**, located on a tract that is greater than ten acres in area prior to the subdivision taking place. **A large tract subdivision is not considered a permissible use in order to construct incidental structures, accessories or other land improvements which are incidental to the provision of single-family dwelling units.** Any **LARGE TRACT SUBDIVISION** shall be considered a major subdivision per the village subdivision regulations. For purposes of this chapter, tract areas that existed at the time of adoption of this definition (October 19, 2004) shall be used in determining the area of the tract, irrespective of any subsequent changes to the lot area. Thus, if a tract were 50 acres in area and was subsequently subdivided into five ten-acre tracts, each of those ten-acre tracts would need to be developed to large tract subdivision standards.

SUBDIVISION, SMALL TRACT. ~~A residential subdivision that is~~ **A use with the clear principal purpose to provide single-family dwelling units**, located on a tract that is ten acres or less in area prior to the subdivision taking place. **A small tract subdivision is not considered a permissible use in order to construct incidental structures, accessories or other land improvements which are incidental to the provision of single-family dwelling units.** For purposes of this chapter, tract areas that existed at the time of adoption of this definition (October 19, 2004) shall be used in determining the area of the tract, irrespective of any subsequent changes to the lot area. Thus, if a tract were 50 acres in area and was subsequently subdivided into five ten-acre tracts, each of those ten-acre tracts would need to be developed to large tract subdivision standards. Tracts that were ten acres or less on (October 19, 2004) can either developed as a small tract or large tract subdivision.

SECTION 2. The Code of Ordinance, Chapter 151 Zoning, Section 151.015 Interpretation of Terms and Words is amended as follows:

SUBDIVISION, LARGE TRACT RESIDENTIAL. ~~A residential subdivision that is~~ **A use with the clear principal purpose to provide single-family dwelling units**, ~~located on a tract that is~~ greater than ten acres in area prior to the subdivision taking place. **A large tract subdivision is not considered a permissible use in order to construct incidental structures, accessories or other land improvements which are incidental to the provision of single-family dwelling units.** Any **LARGE TRACT SUBDIVISION** shall be considered a major subdivision per the subdivision regulations in Chapter 150. For purposes of this chapter, tract areas that existed at the time of adoption of this definition (October 19, 2004) shall be used in determining the area of the tract, irrespective of any subsequent changes to the lot area. Thus, if a tract were 50 acres in area at the time of adoption of this definition, and was subsequently subdivided into five ten-acre tracts, each of those ten-acre tracts would need to be developed to large tract subdivision standards.

SUBDIVISION, SMALL TRACT RESIDENTIAL. A use with the clear principal purpose to provide single-family dwelling units, located on a tract that is ten acres or less in area prior to the subdivision taking place. A small tract subdivision is not considered a permissible use in order to construct incidental structures, accessories or other land improvements which are incidental to the provision of single-family dwelling units. For purposes of this chapter, tract areas that existed at the time of adoption of this definition (October 19, 2004) shall be used in determining the area of the tract, irrespective of any subsequent changes to the lot area. Thus, if a tract were 50 acres in area at the time of adoption of this definition, and was subsequently subdivided into five ten-acre tracts, each of those ten-acre tracts would need to be developed to large tract subdivision standards. Tracts that were ten acres or less on (October 19, 2004) can either be developed as a small tract or large tract subdivision.


RESIDENTIAL DEVELOPMENT. Development that contains single-family dwelling unit(s) and uses expressly permitted in the R-Marvin District, on a single lot or on multiple lots as the principal permitted use. The construction of any other type of structure, accessory use or improvement on land located in the R-Marvin District does not, in and of itself, constitute residential development.

SECTION 3. The Code of Ordinance, Chapter 151, Section 151.080(B) Permitted Uses is amended as follows:

(B) **Permitted Uses.**

- (1) Single-family dwellings;
- (2) Mobile homes, classes A and B;
- (3) Agricultural uses. A Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line;
- (4) Family care home for up to six clients, provided the home is not located within one-half mile radius from an existing family care home;
- (5) Essential services, class 1;
- (6) Customary home occupations in accordance with § 151.045;
- (7) Horse stables; and riding academy ies;
- (8) Day care centers, small group;
- (9) Village government buildings; and government facility ies;
- (10) Non-school functions as defined in this chapter;
- (11) Post offices;
- (12) Large tract subdivisions;
- (13) Small tract subdivisions; and
- (14) Yard sales.

Adopted this the 25th day of April 2017.


Joseph E. Pollino Jr., Mayor

ATTEST:


Melody A. Graham Clerk

