

ORDINANCE NO. 03-02-15-01

**AN ORDINANCE AMENDING ACCESSORY
STRUCTURE SETBACK REQUIREMENTS**

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin do ordain as follows:

SECTION 1.

Section 18-52(2) shall be repealed and recreated to read as follows:

- (2) *Accessory uses and structures.* Accessory uses and structures shall comply with the regulations and requirements of this chapter as well as the following listed regulations:
- a. No accessory structure or use shall be constructed on any lot prior to the establishment of an allowable principal use, unless otherwise stated in this chapter.
 - b. Accessory structures are permitted in the rear and side yards of all lots, and in the street yards of waterfront lots, flag lots, through lots, corner lots, and lots of one acre or more in size. When located in the side yard and the street yard, they shall not be closer than the minimum required side yard, rear yard and street yard setbacks. Only boathouses, boat hoists, and piers shall be permitted in the shoreyard.
 - c. With the exception of an in-home suite (see subsection 18-64(e), or accessory dwelling units (see subsection 18-64(f)), in no instance shall an accessory structure, cellar, basement, tent, or recreational trailer be used as a residence.
 - d. In all zoning districts the requirement that accessory structures comply with principle structure setback requirements for accessory structures 600 square feet or more in size shall not apply to properties abutting along the relevant and affected sideyard for at least 100 feet on either the Institutional (IN) District or any property in any zoning district which is otherwise restricted against development by private or public covenant or nonconforming status so as to render such property unbuildable.

SECTION 2.

Section 18-28(m), Figure 18-28, Accessory Structure Requirements, Accessory Interior

Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 3.

Section 18-29(m), Figure 18-29, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 4.

Section 18-30(m), Figure 18-30, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 5.

Section 18-31(m), Figure 18-31, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 6.

Section 18-32(m), Figure 18-32, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 7.

Section 18-33(m), Figure 18-33, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 8.

Section 18-34(m), Figure 18-34, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 9.

Section 18-35(m), Figure 18-35, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 10.

Section 18-36(m), Figure 18-36, Accessory Structure Requirements, Accessory Interior Side and Rear Setback, shall be repealed and recreated to read as follows:

“5 feet (less than 200 square foot structure); 10 feet (at least 200 but less than 600 square foot structure); and for accessory structures 600 square feet or more, said accessory structure shall comply with principle structure setback requirements.”

SECTION 11. EFFECTIVE DATE

This Ordinance shall be in full force and effect upon and from its passage, approval, and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Lake Geneva, Walworth County, Wisconsin, this ___ day of _____, 2015.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By: _____
Arvid Petersen, Village President

Attest: _____
Theresa Linneman, Village Clerk