

ORDINANCE NO. 2015-04

A ZONING ORDINANCE TO AMEND SECTION 118-848 AND 118-989 OF THE ZONING CODE PERTAINING TO ACCESSORY USES AND STRUCTURES IN THE VILLAGE OF UNION GROVE, RACINE COUNTY, WISCONSIN

The Village Board of the Village of Union Grove, Racine County, Wisconsin, do ordain as follows:

1. That the recommendation of the Plan Commission to approve the proposed ordinance was given on October 5, 2015; and,
2. That a public hearing, proceeded by a Class-2 notice, having been held by the Village Board on October 26, 2015; and,
3. That at least ten days' notification of the proposed ordinance having been given to all neighboring municipalities within 1,000 feet; therefore,
4. That Section 118-848 of the Code of Ordinances for the Village of Union Grove be, and hereby is, amended to read as follows:

“Sec. 118-848. Accessory uses and structures.

Accessory uses and structures are permitted in any zoning district, but not until their principal structure is present or under construction and if they meet the requirements of Sec. 118-989. Residential accessory uses shall not involve the conduct of any business, trade or industry. Accessory uses include the following:

- (1) Incidental repairs;
- (2) Incidental storage;
- (3) Parking facilities;
- (4) Gardening;
- (5) Private swimming pools; and
- (6) Private emergency shelters.”

5. That Section 118-989 of the Code of Ordinances for the Village of Union Grove be, and hereby is, amended to read as follows:

“Sec. 118-989. Accessory uses and structures.

- a. Requirements. Accessory uses and detached accessory structures in residential zoning districts are permitted in the rear and side yards and must comply with the following:

1. Accessory uses and detached accessory structures shall only

- be located in a rear yard or a side yard;
2. Accessory uses and detached accessory structures shall not be closer than ten feet to the principal structure;
 3. Accessory uses and detached accessory structures shall not exceed 16 feet in building height, without approval by the plan commission. The plan commission may authorize a higher height depending on site conditions such as screening, topography and landscaping upon application as provided under subsection (e) below);
 4. Accessory uses and detached accessory structures shall not exceed 1500 square feet (footprint), without the approval of the plan commission. The plan commission may authorize up to 3000 square feet (footprint) upon application as provided under subsection (e) below; and
 5. Accessory uses and detached accessory structures shall not occupy, in total, more than 30 percent of the rear yard area, and shall comply with the following setbacks to any rear or side yard lot line, or within any easement area:
 - (a) <1200 sq. ft. (footprint) shall require a minimum of 5 foot setback;
 - (b) Between 1200 sq. ft. and <1500 sq. ft. (footprint) shall require a minimum of 10 foot setback;
 - (c) Between 1500 sq. ft. and ≤3000 sq. ft. (footprint) shall require a site plan review by the plan commission to determine whether a minimum of 10 foot setback or greater should apply depending on site conditions, such as screening, landscaping and topography.
- b. Low Profile Accessory Structures. Attached accessory structures less than six inches high shall be setback no less than five feet from the nearest lot line.
- c. No Residential Living Space; Deed Restriction. Detached accessory structures shall not be utilized for residential living space. A permanent deed restriction shall be recorded with the Racine County Register of Deeds at the property owner's cost reflecting this requirement prior to issuance of building and zoning permits for accessory structures that receive a special approval by the plan commission under this Section.
- d. Types. An accessory structure with a roof shall constitute an accessory building. Accessory buildings with footprints equal to or greater than 240 square feet shall constitute detached garages.

Accessory buildings with footprints less than 240 square feet shall constitute a shed. Subject to the 30 percent limitation and regardless of the other requirements in sub. a, no lot may have more than two detached garages and one shed.

- e. Application to the Plan Commission; Approval. In addition to requirements under Section 118-136, any application to the plan commission for a special approval under this section shall be accompanied by a site plan drawn to scale and the names and addresses of record of all abutting and adjacent property owners. The Clerk shall provide at least 10 days written notice to the abutting property owners prior to a meeting at which the plan commission will consider any special approvals under this section. The plan commission may impose conditions upon any special approval under this section to address the site, including but not limited to topography, screening and landscaping.”

6. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Union Grove, Racine County, Wisconsin, this 26th day of October, 2015.

VILLAGE OF UNION GROVE

By: Michael Aimone
Michael Aimone, Village President

Attest: Jill M Kopp
Jill Kopp, Village Clerk

3345.100 (10-26-15)