



**ORDINANCE 561  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**

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**RESTORING ZONING ORDINANCE SECTION 16.27-PYRAMIDING  
AFFECTING LOTS NEAR THE LAKESHORE AND RENUMBER SECTION  
16.27 TO 16.28**

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**WHEREAS**, The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

That pursuant to the Municipal Code of the Village of Elkhart Lake, Section 16.27, and after considering the recommendation of the Planning Commission, and after hearing the public's comments at a legally noticed public hearing held on November 21<sup>st</sup>, 2011, the zoning ordinance affecting sections 16.27 & 16.28, dealing with pyramiding affecting lots near the lakeshore is hereby restored and section 16.27 is re-numbered 16.28 as follows:

**16.27 PYRAMIDING AFFECTING LOTS NEAR THE LAKESHORE**

**(1) Single Use.** No lot abutting or having frontage on the shoreline of any lake within the Village of Elkhart Lake shall by deed, covenant, easement, or other device or agreement provide for the permitted uses, or for the right of access to the lake, by other than the owner or legal resident occupant of the premises and guests, except in the case of a public park or way, public utility easement, or patrons of a commercial use, or of a specifically permitted organizational use.

**(2) Uses restricted.** No pyramiding, as hereinafter defined, shall be permitted on any lands fronting on any lake except as may be specifically permitted accessory to a marina or resort and which may be allowed under the terms of a conditional use permit covering said lands. Pyramiding is defined as follows: the act of obtaining or providing access to public bodies of water across private lots or lands in a manner which increases the number of families which have access to that water to a degree greater than what would occur with individual riparian owners having individual lots fronting on the water. The effect of pyramiding is to funnel back lot development from offshore lots or residences via a narrow parcel of land to provide access to the water. Publicly owned access points shall not fall within this definition.

**(3) Application.** The provisions of Section 16.27 shall apply to all property abutting any lake within the Village of Elkhart Lake, regardless of zoning designation or district, unless otherwise specified.

**16.28 CHANGES AND AMENDMENTS TO THE ZONING CODE**

(1) Authority. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Village Board may, by ordinance, change the district boundaries established by this chapter and the Zoning Map incorporated herein or amend, change or supplement the text of the regulations established by this Chapter or amendments thereto. Such change or amendment shall be subject to the review and recommendation of the Planning Commission.

**BE IT RESOLVED**, that this ordinance will become effective upon its publication and posting.

Attest:  
Approved and Adopted this  
21<sup>st</sup> of November, 2011

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Michael Wolf, Trustee