



ORDINANCE 562
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

REVISING LANGUAGE IN CHAPTER 16-ZONING ORDINANCE SECTIONS
16.30 THROUGH 16.63 CLARIFYING SIDE YARD SETBACKS

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 21st, 2011, the zoning ordinance affecting Sections 16.30 through 16.63 dealing with side and rear yard setbacks is revised as follows:

16.30 SINGLE FAMILY RESIDENCIAL DISTRICT (R-1)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - Up to one (1) story – minimum, each side, twelve (12) feet.
 - Over one (1) story – minimum, each side, sixteen (16) feet.
- (d) Side & Rear Yards Accessory Building on lots with widths less than (<) seventy (70) feet.
 - Minimum each side three (3) feet.
 - Side & Rear Yards Accessory Building on lots with widths greater than or equal to (≥) seventy (70) feet.
 - Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.
 - Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.31 SINGLE FAMILY/TWO FAMILY RESIDENTIAL DISTRICT (R-2)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - Up to one (1) story – minimum, each side, twelve (12) feet.
 - Over one (1) story – minimum, each side, sixteen (16) feet.

- (d) Side & Rear Yards Accessory Building on lots with widths less than ($<$) seventy (70) feet.
Minimum each side three (3) feet.
Side & Rear Yards Accessory Building on lots with widths greater than or equal to (\geq) seventy (70) feet.
Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.
Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.32 MULTI FAMILY RESIDENTIAL DISTRICT (R-3)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
Up to one (1) story – minimum, each side, twelve (12) feet.
Over one (1) story – minimum, each side, sixteen (16) feet.
- (d) Side & Rear Yards Accessory Building on lots with widths less than ($<$) seventy (70) feet.
Minimum each side three (3) feet.
Side & Rear Yards Accessory Building on lots with widths greater than or equal to (\geq) seventy (70) feet.
Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.
Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.40 GENERAL COMMERCIAL DISTRICT (C-1)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building - Minimum, each side, ten (10) feet.
- (d) Side & Rear Yards Accessory Building - Minimum each side six (6) feet.

16.41 RESORT COMMERCIAL DISTRICT (C-2)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front] plus five (5) feet for each additional story above two.
- (b) Rear. Minimum Fifteen (15) feet from rear lot line.

- (c) Side Yards Principal Building – minimum, each side, ten (10) feet.
If Hotel ----- minimum, each side, twenty (20) feet.
- (d) Side Yards Accessory Building -- minimum, each side ten (10) feet.
- (e) Setback from Elkhart Lake --- Fifty (50) feet for each ten (10) feet of building height. (ie - A 45 foot high building would need to be 225 feet away from the lake.)

16.42 DOWNTOWN COMMERCIAL DISTRICT (C-3)

(7) Yards

- (a) Front. Minimum twenty-five (25) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards - No minimum side yard is required between a structure and the lot line or between adjacent structures; however, where a side yard exists, it shall be not less than ten (10) feet in width.

16.43 HIGHWAY COMMERCIAL DISTRICT (C-4)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty (20) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.50 LIMITED MANUFACTURING DISTRICT (M-1)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum Twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.51 GENERAL MANUFACTURING DISTRICT (M-2)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.

- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.52 INDUSTRIAL PARK DISTRICT (M-3)

(7) Yards

- (a) Front. Minimum - Sixty-five (65) feet.
- (b) Rear. Minimum - Forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, thirty (30) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.60 PUBLIC SERVICE AND INSTITUTIONAL DISTRICT (PS/I)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

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

Attest:

Approved and Adopted this
21st of November, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Michael Wolf, Trustee