

**TOWN OF CEDARBURG  
ORDINANCE NO. 2012-15**

**An Ordinance amending § 320 Zoning, of the Town of Cedarburg Code of Ordinances, particularly with respect to allow for a maximum of 1,000 square feet of detached accessory building space in the R-1 and R-3 single-family residential districts.**

- WHEREAS,** The Town of Cedarburg is a body corporate and politic; and
- WHEREAS,** the Town Board exercises village powers by Ch. 61, Wis. Stats.; and
- WHEREAS,** previously, detached accessory buildings in the R-1 and R-3 districts could not be constructed in a size greater than 600 square feet for one acre lots, and for lots in the R-1 and R-3 districts that consist of more than one acre of land, then a detached accessory building may be constructed up to an additional size of 100 square feet for each additional ¼ acre of land up to a maximum of 1,000 square feet total for the detached accessory building; and,
- WHEREAS,** the Town would like to allow for a maximum of 1,000 square feet of detached accessory building space in the R-1 and R-3 single-family residential districts for any size lot meeting minimum lot size requirements to allow for greater use of one's property so long as the detached outbuildings meet established setbacks; and
- WHEREAS,** the Plan Commission has reviewed this ordinance and has made a favorable recommendation to the Town Board for its adoption; and
- WHEREAS,** the Town Board held a public hearing regarding this proposed amendment, a notice of which was published twice, once at least ten days prior to the date of the hearing,

**NOW, THEREFORE, BE IT ORDAINED** by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Chapter 320 Zoning of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).  
(The text modified with an underline shall be added).**

**ARTICLE XI. ACCESSORY USES AND STRUCTURES, FENCES AND HEDGES**

**§ 320-109. PLACEMENT RESTRICTIONS IN RESIDENTIAL DISTRICTS.**

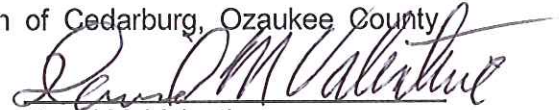
- A. Location. Accessory uses and detached accessory buildings are permitted in the rear and side yard only.
- (2) Except as otherwise provided in this section, detached accessory buildings shall not be constructed in a size greater than 600 square feet in ~~the R-1, R-3, TR Residential Zoning Districts~~ and CR-A Countryside Residential Zoning Districts. For lots in said districts that consist of more than one acre of land, then a detached accessory building may be constructed up to an additional size of 100 square feet for each additional ¼ acre of land up to a maximum of 1,000 square feet total for the detached accessory building. Lots zoned R-1, R-2, and R-3 single-family residential are allowed a maximum of 1,000 square

feet of detached accessory building space regardless of lot size (so long as they meet minimum lot size requirements). In the CR-B Countryside Residential Zoning District, detached accessory buildings shall not be constructed in a size greater than 1,500 square feet on any lot less than 10 acres in size. For CR-B lots greater than 10 acres in size, the detached accessory building may be constructed up to an additional 1,000 square feet per acre. ~~The Plan Commission and Town Board may grant an exception to the limit of 600 square feet, up to a maximum of 1,000 square feet in total size, for those properties in the R-1 and R-3 Zoning Districts without attached garages. Property owners within 200 feet shall be notified of the date when the application is reviewed by the Plan Commission.~~ The sizes of accessory structures in the TR, CR-A and CR-B Zoning Districts may be increased by conditional use permit if the accessory buildings existed at the time the lot was platted and if buildings have been deemed by the Landmarks Commission and Plan Commission to be of historic or preservative value as determined by § 320-63 of this chapter.

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

**PASSED AND ADOPTED** by the Town Board of the Town of Cedarburg, Ozaukee County Wisconsin, this 1<sup>st</sup> day of August, 2012.

  
Debra Otto  
Town Clerk

  
David M. Valentine  
Town Chairman