

**TOWN OF CEDARBURG
ORDINANCE NO. 2014-10**

An Ordinance to Amend Chapter 320 Zoning, of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin, relating to accessory structures.

- 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,** the Plan Commission has reviewed Chapter 320 regarding accessory structures in residential districts, 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 the proposed amendments, 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).**

§ 320-32. TR Transitional Residential District.

C. Accessory uses.

- (1) Detached accessory structures in this zoning district shall not exceed a total of 1,000 square feet for the first acre plus 100 square feet for each additional ¼ acre up to 1,500 square feet total, except that existing agricultural buildings exceeding 600 square feet may be permitted by a conditional use permit only. Detached accessory structures shall not exceed 15 feet in height for a single story residence. Detached accessory structures shall not exceed 25 feet in height for a 1.5 story or two story residence. All detached accessory structures shall not exceed the height of the principle structure. See § 320-108 for further detail.

I. Building height: maximum 42 feet. ~~The height of accessory structures shall not exceed 15 feet.~~

§ 320-33. TR-2 Transitional Residential 2 District.

C. Accessory dwellings.

- (1) Detached accessory structures in this zoning district shall not exceed a total of 1,000 square feet for the first acre plus 100 square feet for each additional ¼ acre up to 1,500 square feet total, except that existing agricultural buildings exceeding 600 square feet may be permitted by a conditional use permit only. Detached accessory structures shall not exceed 15 feet in height for a single story residence. Detached accessory structures shall not exceed 25 feet in height for a 1.5 story or two story residence. All detached accessory structures shall not exceed the height of the principle structure. Reference § 320-108 for further detail.

I. Building height: maximum 42 feet. ~~The height of accessory structures shall not exceed 15 feet.~~

§ 320-109. Placement restrictions in residential districts.

(2) 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 for the minimum lot size plus 100 square feet for each additional ¼ acre up to 1,500 square feet total ~~regardless of lot size (so long as they meet minimum lot size requirements).~~ 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.

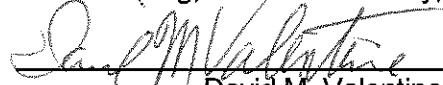
(3) Detached accessory structures in R-1, R-2, and R-3 and TR Residential Zoning Districts shall not exceed 15 feet in height for a single story residence. Detached accessory structures shall not exceed 25 feet in height for a 1.5 story or two story residence. All detached accessory structures shall not exceed the height of the principle structure, except where the intent is to match the pitch of the principal structure. Where the intent is to match the pitch of the principal structure, detached accessory structures shall not exceed 25 feet in height (for storage purposes only) and shall not exceed the height of the principal structure in R-1, R-2, R-3 and TR Zoning Districts and 25 feet in CR-A and CR-B Zoning Districts. Outbuildings in the E-1 Estate District shall not exceed a height of 35 feet.

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

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 2nd day of July, 2014.


Bonnie Erickson
Deputy Town Clerk


David M. Valentine
Town Chairman