

**TOWN OF CEDARBURG  
ORDINANCE NO. 2013-15**

**An Ordinance to amend Chapter 320: Zoning of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin, regarding principal structure setback for accessory structures in 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,** the Zoning Board of Appeals requested the Town Board consider reducing the required principal structure setback for accessory structures in residential districts; and
- WHEREAS,** the Plan Commission has reviewed this ordinance and has made a favorable recommendation to the Town Board for its adoption;
- 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).**

**Chapter 320. ZONING**

**§ 320-109. Placement restrictions in residential districts.**

An accessory use or building may be established subject to the following regulations:

A. Location. Accessory uses and detached accessory buildings are permitted in the rear and side yard only.

- (1) Accessory buildings shall not be closer than 20 ~~10~~ feet to a principal structure, ~~except that in a residential district a minor storage building may be located within 10 feet of a garage wall.~~
- (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 TR Residential 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 1/4 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 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.

**(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 4<sup>th</sup> day of December, 2013.

  
Debra Otto  
Town Clerk

  
David M. Valentine  
Town Chairman