

Ordinance No. 2021-16

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(11) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO ACCESSORY STRUCTURES UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(11) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(11) **Accessory Structures.**

- a. **Residential Districts; Other Districts as Specified.** Accessory buildings such as detached garages, gazebos, garden or utility sheds shall be subject to the following regulations.

1. **Size.**

- (a) Parcels Less than 5 Acres. The area of an accessory structure shall not exceed 1,500 square feet

- (b) Parcels 5 Acres or greater. The area of an accessory structure shall not exceed 3% of the acreage of the parcel

2. **Aggregate Total Footprint Area for All Accessory Buildings**

The following is the maximum square footage allowed for all accessory buildings for a stated lot size, exclusive of road right-of-way:

< 10,000 square-foot lot = 1,050 square feet

≥ 10,000 square-foot to 20,000 square-foot lot = 1,500 square feet

≥ 20,000 square-foot to < 1 acre lot = 2,000 square feet

1 acre to < 2-acre lot = 4,000 square feet

2 acres to < 3-acre lot = 5,000 square feet

3 acres to < 4-acre lot = 6,000 square feet

4 acres to < 5-acre lot = 7,500 square feet

5 acres to < 10-acre lot = 4% of lot area

≥ 10-acre = 5% of lot area

3. **Height.**

- a) Parcels less than 5 Acres. Buildings shall not exceed seventeen (17) feet in height.

- b) Parcels 5 Acres or Greater. Buildings shall not exceed in height twice their distance from the nearest lot line.

4. **Location.** Detached structures are permitted in the rear and side yards and shall not be closer than ten (10) feet to a principal structure

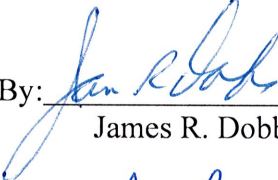
- or five (5) feet to a side or rear lot line. Structures greater than 1,500 square feet shall not be closer than ten (10) to a side or rear lot line. When the street yard setback of a principal structure exceeds the required setback for the particular district in question, a detached accessory structure may be permitted in the street yard provided the street yard setback of the accessory structure is not less than the required setback for the district or the average street yard setback of principal structures on abutting parcels, if any, whichever is greater.
5. **Patios.** Patios constructed at or below yard grade, may be installed in the rear or side yard adjacent to the principal structure without the issuance of a building permit; and shall not be located closer than five (5) feet to a lot line.
 6. **Decks.** Decks located adjacent to or attached to a principal structure can project into the required side and rear setback for a principal structure for the district in which they are located by six (6) feet. Freestanding decks surrounding private swimming pools shall be located at least ten (10) feet from the principal structure and shall be located at least five (5) feet from a side or rear lot line. All decks shall require the issuance of a building permit.
 7. **Residential Air Conditioning Condensers / Power Generators.** Units under this subsection may be located adjacent to a residence in the rear yard and side yard, provided that all condensers and generators shall be located at least five (5) feet from a side or rear lot line. Residential air conditioning condensers and power generators shall not be located in the street yard.
 8. **Private Swimming Pools.** Pools are permitted as accessory uses in the rear yard in any district; except the C-1 Resource Conservation District; however, the swimming pool shall be located at least eight (8) feet from the principal structure, be located at least three (3) feet from any side or rear lot line, and be installed in accordance with the City building, plumbing, and electrical codes, including the issuance of all required permits.
 9. **Private Tennis Courts / Basketball Courts.** These courts are permitted as accessory uses in the rear yard in any district, except the C-1 Resource Conservation District. A building permit is required for all tennis/basketball courts and:
 - a. All tennis courts shall be surrounded by a fence not less than ten (10) feet in height.
 - b. No lighting installed around a tennis court or basketball court shall project onto adjacent properties; and
 - c. No private tennis court or basketball court shall be located closer than five (5) feet to a lot line.
 10. **Residential Ground Solar Power Arrays.** Solar power arrays shall be located in the side or rear yard in all residential districts; located a minimum of ten (10) feet from the principal structure and; five (5)

feet from a side or rear lot line. Solar power arrays are prohibited in the street yard.

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.
3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 20 day of December, 2021.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs, Village President

Attest: 
Joslyn Hoeffert, Village Clerk