

CHAPTER 5
General Provisions

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SEC. 16-5-1 USES REGULATED.

- (a) **Uses Restricted.**
- (1) No structure or land shall be used and no structure shall be hereafter erected, structurally altered, or relocated except for a use as permitted and in compliance with the regulations hereinafter established for the district in which it is located.
- (b) **Uses Classified.**
- (1) For the purpose of this Title all uses shall be classified according to the following categories:
- a. Permitted Uses by Right: Principal uses the permissibility of which is a predetermined right anywhere in the district which located subject only to the regulations established governing such use.
 - b. Permitted Accessory Uses: Uses incidental, customary to, and commonly associated with a permitted principal use.
 - c. Permitted Uses by Conditional Use Permit: Uses, the nature, character, or circumstances of which are so unique, or so dependent upon the specific contemporary conditions, that predetermination of permissibility by right, or the detailing of the specific standards, regulations, or conditions necessary or appropriate to such permissibility are not practical; but which may be permitted in the districts where listed subject to certain conditions and requirements as hereinafter specified.
- (c) **Unclassified Uses.**
- (1) Any use not specifically listed as a permitted use shall be considered to be prohibited except as may be otherwise specifically provided hereinafter. In case of questions as to the classification of a use, the question shall be submitted to the Plan Commission for determination.

SEC. 16-5-2 BUILDING LOCATION.

- (a) **Location Restricted.**
- (1) No building or structure shall be hereafter erected, structurally altered or relocated on a lot except in conformity with the following locational regulations as hereinafter specified for the district in which it is located.

(b) **Setbacks.**

- (1) All lot area requirements are measured exclusive of any highway right-of-way and all street yard setbacks are measured from the outer limit of the highway right-of-way or private road easement.
- (2) Building projections into street yards: Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.
- (3) Street yard setback increase: The street yard must be increased in any residential or business district to the average of the existing street yards of the abutting structures on each side. In no case may the street yard be decreased to less than the district minimum setback. Only principal structures on abutting lots within one hundred (100) straight-line feet of the proposed structure may be used for averaging. Any existing uncovered and/or unenclosed portion of a principal structure, such as deck or covered porch, can only be used for averaging with a similar uncovered and/or unenclosed portion of a proposed structure. If an abutting lot is vacant or the existing principal structure is greater than one hundred (100) feet from the proposed structure, the minimum required setback for the district may be used when said abutting lot is a substandard lot. This requirement can be waived if written approval is granted by adjacent property owners.
- (4) Pergolas and otherwise uncovered decks, stairs, landings and fire escapes may project into any yard, but not to exceed six (6) feet and not closer than three (3) feet to any lot line and no closer than ten (10) feet from any street right-of-way.
- (5) Architectural projections, such as chimneys, flues, sills, eaves, belt courses, ornaments, decorative projections, lighting fixtures, balconies, and bay/bow windows, may project into any required yard; but such projection shall not exceed two (2) feet and bay/bow windows must be less than or equal to eight (8) feet wide.
- (6) The only structures permitted within such setback area shall be necessary highway and traffic signs, public utility lines and poles, walls and fences, as regulated by this Code, rural mailboxes, signs as permitted under the individual district regulations, or as permitted by this Code, structures other than buildings as regulated by this Code.
- (7) Maintenance and Use of Setback and Offset Areas: Any such required setback or offset area shall be landscaped and kept clean and free from the accumulation of debris or refuse, and shall not be used for storage or display of equipment, products, vehicles, or any other material except as may be specifically otherwise permitted under this ordinance.

(c) **ADA Accommodations.**

- (1) The Zoning Administrator shall be authorized to review and issue a Building Permit to allow a nonconforming building addition projection, such as a wheelchair ramp, that is needed to allow the minimum required reasonable accommodation that is necessary to allow ingress/egress by a handicapped or disabled person to the following:
 - a. A residential structure utilized by such person that lives on the property or such person employed in a home occupation on the property. Any such addition shall be removed within thirty (30) days from the time that the

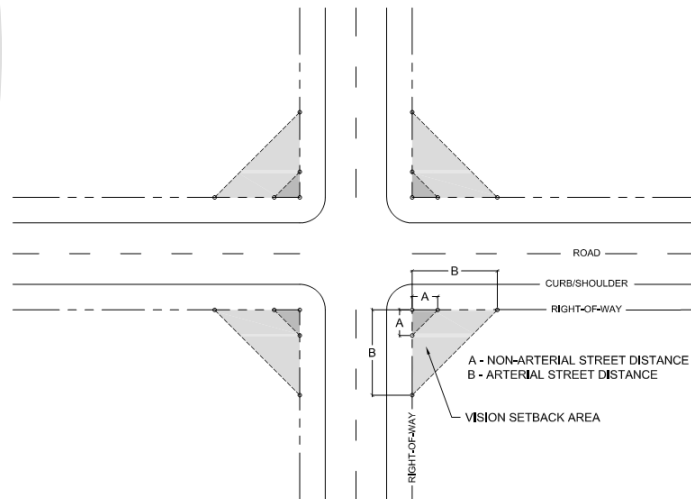
structure is no longer serving the aforementioned handicapped or disabled person.

- b. A commercial facility or any other structure that provides public accommodations.
- c. Any such projection should be designed to be at least three (3) feet from any lot line and have a minimal intrusion into a floodplain, wetland, environmental corridor, or required shore yard setback.

(d) **Vision Setbacks.**

(1) Vision setbacks at the intersections of public streets exist and no obstructions, such as structures, parking or vegetation, shall be permitted in any zoning district above the height of two and one half (2½) feet. Vision setback areas are hereby established as follows:

- a. The triangular space formed by any two (2) existing or proposed intersecting street right-of-way lines and a line joining points on such lines located a minimum fifteen (15) feet from their intersection.
- b. In the case of arterial streets intersecting with another arterial street, or railways, the corner cutoff distances shall increase to fifty (50) feet.



SEC. 16-5-3 BUILDING HEIGHT.

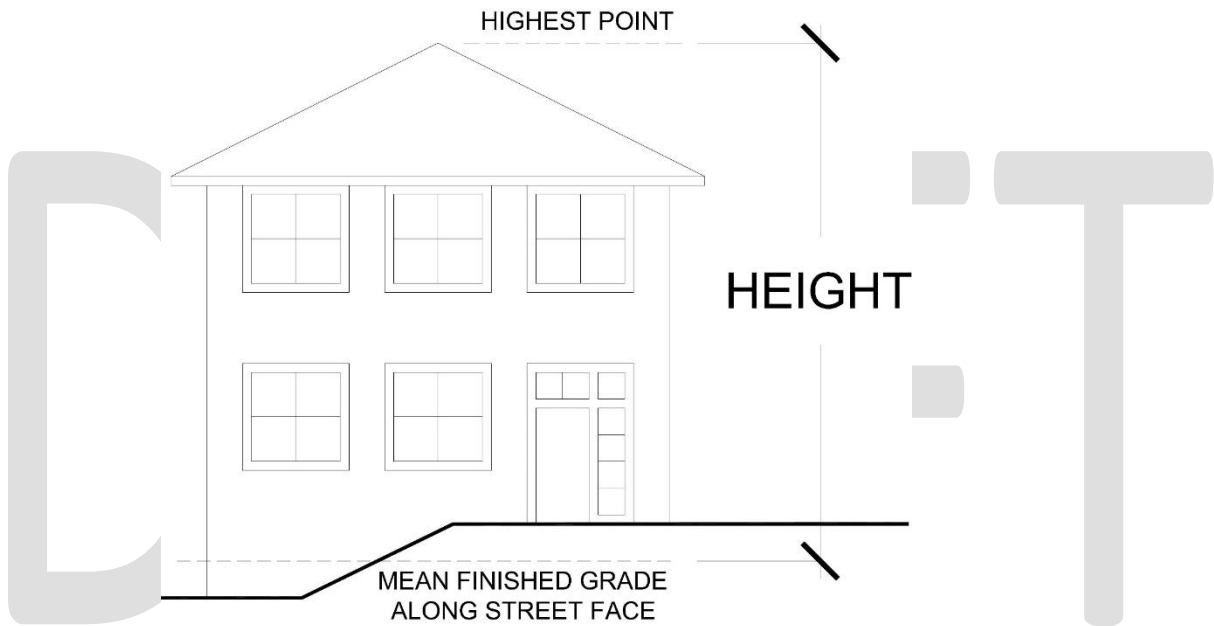
(a) **Maximum Height Restricted.**

- (1) In any district, no building or structure shall be hereafter erected or structurally altered to a height in excess of that hereinafter specified by the regulations for that district, except as may be modified by this Code.
- (2) **Exceptions.** The following shall be exempt from the height regulations of all districts:
 - a. Architectural projections, such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys.

- b. Special structures, such as elevator penthouses, gas tanks, grain elevators, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations and smoke stacks.
- c. Essential services, utilities, water towers, electric power and communication transmission lines.

(3) **How Measured.**

The height of any other structure shall be defined as the total height of the structure measured with a line from the mean finished lot grade along the street yard face of the structure to the highest point of a roof.



SEC. 16-5-4 BUILDING SIZE.

- (a) **Residence Area Requirements - Single Family.** No building permit shall be issued for the construction of a single-family residence shall have an area of less than the following:
 - (1) If constructed with a basement:
 - a. Nine hundred (900) square feet for a two (2) bedroom home.
 - b. One thousand (1,000) square feet for a three (3) bedroom home.
 - c. One thousand two hundred (1,200) square feet for a four (4) bedroom home.
 - (2) If constructed without a basement:
 - a. One thousand (1,000) square feet for a two (2) bedroom home.
 - b. One thousand one hundred (1,100) square feet for a three (3) bedroom home.
 - c. One thousand three hundred (1,300) square feet for a four (4) bedroom home.
- (b) **Residence Area Requirements -- Two Story.** Two (2) story residences and residences with expandable second floors shall have a minimum of eight hundred (800) square feet on

the first floor. The building area shall be computed on the basis of the outside dimensions of the building on each floor, but exclusive of nonliving areas, such as garages, breezeways, porches, attics and basements or any portions with less than five (5) feet of head room.

SEC. 16-5-5 LOT AREA AND WIDTH.

(a) **Minimums Required.**

No building shall be erected on a lot of less area or of minimum average width less than hereinafter specified by the regulations of the district in which such building is located, except where said lot is an existing lot of record which was previously divided.

(b) **Lot Area; How Measured.**

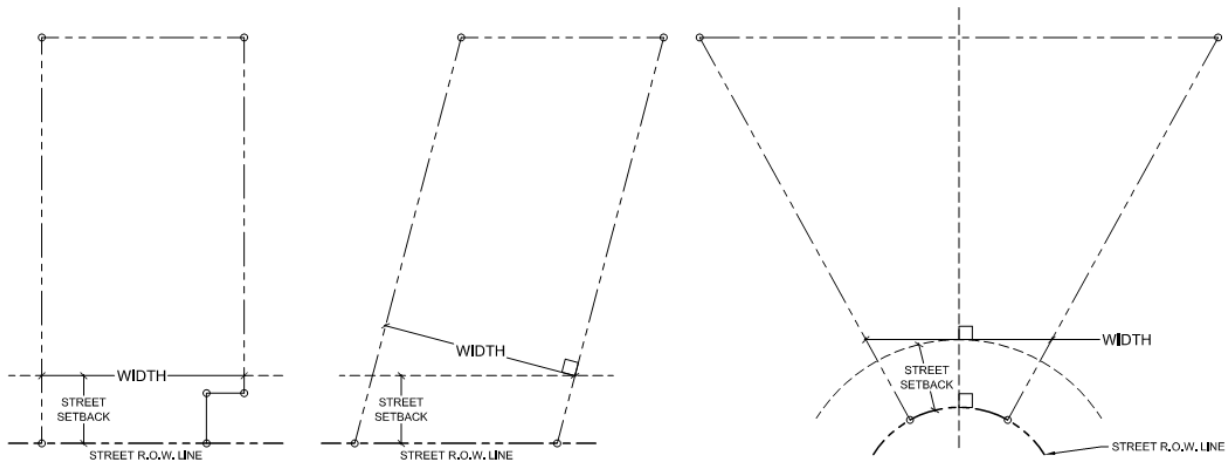
All lot area requirements are measured exclusive of any highway right-of-way and all street yard setbacks are measured from the outer limit of the highway right-of-way or private road easement.

(c) **Width; How Measured.**

Lot width shall mean the width of a parcel of land measured at the rear of the specified street yard. On all parcels where parallel side lot lines are not perpendicular to the street right-of-way line, such lot width shall be determined by measuring along a line which is perpendicular to the side lot lines and begins at a point on the side lot line that is at the specified street yard setback distance. For parcels with non-parallel side lot lines, lot width shall be measured at the street yard setback distance along a line that is perpendicular to a line which begins at the center of the lot at a point on the street right-of-way line and is perpendicular to such right-of-way line or perpendicular to the tangent at such point in the case of a curved right-of-way.

(d) **Reduction.**

No lot area shall be reduced by any means so as to create a lot of less than the required size or so that the existing offsets, setbacks, open space or lot area would be reduced below that required by the regulations for the district in which such lot is located.



SEC. 16-5-6 SEWER AND WATER SERVICE REQUIRED.

(a) **Definitions.**

- (1) **District.** Caledonia Sewer Utility District No. 1, and/or Caledonia Water Utility District No. 1.
- (2) **Urban Service Area.** The boundaries of the Sanitary Sewer Service Area for the City of Racine and Environs as set forth by the Southeast Wisconsin Regional Planning Commission in the most recent edition of Community Assistance Planning Report No. 147, and approved or requested amendments thereto,
- (b) **Municipal Sewer and Water Service Required.** All new buildings for proposed uses within the District's Urban Service Area shall be served by sewer and water facilities owned and operated by the District.
- (c) **Modifications or Waivers.** Any request for modification or waiver of the above provisions shall be made and considered in accordance with Section 14-3-1(k) of the Village's Code of Ordinances. In considering a modification or waiver request, the Plan Commission and Village Board shall also consider the criteria set forth by Resolution of the Village Board.

SEC. 16-5-7 SITE RESTRICTIONS.

- (a) Parcels of land abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yards on the less restrictive district shall be modified for a distance of not more than 60 feet from the district boundary line so as to equal the average of the street yards required in both districts.
- (b) A buffer yard shall be created and maintained around all business and manufacturing districts which abut upon residential districts and which are adjacent to freeways and limited access arterial streets and highways which abut upon residential districts. The Plan Commission may also require a buffer yard around business and industrial districts abutting park and institutional districts. Buffer yards shall be a minimum of 20 feet in width; shall be in addition to the required street yards, side yards, and rear yards; and shall screen business or manufacturing uses from adjoining lands in such a manner that:
 - (1) If the buffer yard is composed entirely of plant materials, it shall be of sufficient initial depth and height and of such varieties as to provide adequate visual screening within no more than two years and during all seasons of the year.
 - (2) Where architectural walls or fences are used, sufficient landscaping shall be used in conjunction with such wall or fence to create an attractive view from the residential side, and all walls and fences shall be maintained in a structurally sound and attractive condition. Any wall or fence shall be not less than four (4) feet nor more than six (6) feet in height.
 - (3) All landscaping shall be maintained by the owner or operator to the satisfaction of the Zoning Administrator or a designee.

(4) Where the land adjacent to the buffer yard is a parking lot, the buffer yard shall be sufficiently opaque to prevent the penetration of headlight glare. Overhead lighting installed in or adjacent to a buffer yard shall not throw any rays onto adjacent residential properties.

(5) No signs shall be permitted on or in any part of the buffer yard.

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