

ORDINANCE NO. 2018-26

An Ordinance Declaring Existing Homes in the RS-5 and RS-6 Residential Districts that are Non-Conforming due to Insufficient Front Yard, Side Yard or Rear Yard Setbacks to be Conforming

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Section 13-1-46(g) - Rs-5 Single-Family Residential District of the Zoning Code of the City of Cedarburg is hereby amended as follows:

SEC. 13-1-46 RS-5 SINGLE-FAMILY RESIDENTIAL DISTRICT.

(g) Setback and Yards

- (1) There shall be a minimum building setback of twenty-five (25) feet from the right-of-way of the street.
- (2) There shall be a side yard on each side of all principal buildings not less than four (4) feet in width.
- (3) There shall be a rear yard of not less than twenty-five (25) feet.
- (4) Buildings that existed prior to the adoption of this Ordinance that do not conform to the setback requirements listed above shall be classified as legal conforming buildings and therefore the front, side and rear yard requirement shall be based on the existing building location. If the existing building is damaged or destroyed by fire, explosion, wind, flood or other calamity the building will be restored to, or replaced at, location it had immediately before the destruction occurred.

SECTION 2. Section 13-1-47(g) - Rs-6 Single-Family/Two-Family Residential District of the Zoning Code of the City of Cedarburg is hereby amended as follows:

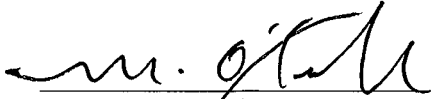
SEC. 13-1-47 RS-6 SINGLE-FAMILY/ TWO-FAMILY RESIDENTIAL DISTRICT.

(g) Setback and Yards

- (1) There shall be a minimum building setback of twenty-five (25) feet from the right-of-way of the street.
- (2) There shall be a side yard on each side of all principal buildings not less than four (4) feet in width.
- (3) There shall be a rear yard of not less than twenty-five (25) feet.
- (4) Buildings that existed prior to the adoption of this Ordinance that do not conform to the setback requirements listed above shall be classified as legal conforming buildings and therefore the front, side and rear yard requirement shall be based on the existing building location. If the existing building is damaged or destroyed by fire, explosion, wind, flood or other calamity the building will be restored to, or replaced at, location it had immediately before the destruction occurred.

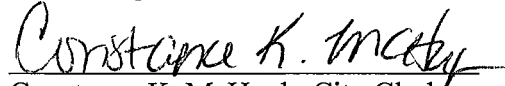
SECTION 3. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 10th day of December, 2018.



Michael O'Keefe, Mayor

Countersigned:



Constance K. McHugh, City Clerk

Approved as to form:



Michael P. Herbrand, City Attorney