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4 ORDINANCE BY THE RACINE COUNTY ECONOMIC DEVELOPMENT AND LAND USE  
5 PLANNING COMMITTEE AMENDING SECTION 20-1115 ACCESSORY REGULATIONS,  
6 OF CHAPTER 20, ZONING, RACINE COUNTY CODE OF ORDINANCES  
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8 The Racine County Board of Supervisors ordains as follows:  
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10 AN ORDINANCE TO AMEND that Certain Ordinance Entitled RACINE COUNTY  
11 ZONING ORDINANCE adopted December 2, 1969, found on pages 185 to  
12 232 of the OFFICIAL PROCEEDINGS OF THE RACINE COUNTY BOARD OF  
13 SUPERVISORS FOR THE YEAR 1969 as recodified May 28, 1991, by  
14 Ordinance 91-196.  
15

16  
17 AMEND Sec.20-1115. ACCESSORY REGULATIONS as follows:  
18

19 (a) Except for signs and towers for broadcast facilities  
20 and/or wind energy, which are regulated separately, any detached  
21 accessory structure less than thirty-six (36) square feet in area  
22 is exempt from the requirement for obtaining a zoning permit. In  
23 addition, any temporary, seasonal outdoor above-ground swimming  
24 pool, hot tub, or whirlpool bath that does not remain erected on  
25 the same lot for more than one hundred twenty (120) consecutive  
26 days is exempt from the requirement for obtaining a zoning permit.  
27

28 (b) Detached accessory structures shall not be closer than  
29 ten (10) feet to the principal structure; not closer than three (3)  
30 feet to a side or rear lot line if  $\leq$  seven hundred twenty (720)  
31 square feet in footprint area or five (5) feet to a side or rear  
32 lot line if  $>$  720 square feet in footprint area; not closer than  
33 five (5) feet to an alley line; shall not exceed seventeen (17)  
34 feet in building height; and are permitted in the rear and side  
35 yards only, except as follows:  
36

37 (1) Within the shoreland area, accessory structures are permitted  
38 in the street yard portion of waterfront lots provided that  
39 they are not placed within the required minimum street yard  
40 setback.  
41

42 (2) For lots with multiple street yards and no defined rear yard  
43 area, accessory structures are permitted in the street yard  
44 portion of the secondary or non-access street provided that  
45 they are not placed within the minimum required street yard  
46 setback .

- 4 (3) Accessory structures may be placed in the street yard portion  
5 of a lot if the street yard setback of a principal structure  
6 exceeds the required setback for the particular district in  
7 question, provided that the street yard setback of the  
8 accessory structure is not less than the required setback for  
9 the district or the average street yard setback of principal  
10 structures on abutting parcels, if any, whichever is greater.  
11 On vacant parcels, the minimum setback may be used for  
12 averaging.
- 13
- 14 (4) Accessory structures placed in the street yard portion of a  
15 lot pursuant to (1), (2), or (3) above that are less than one  
16 hundred (100) feet from a road right-of-way line must have  
17 exterior building materials that are the same as or in harmony  
18 with the principal structure on the lot, unless the principal  
19 and accessory structure's street yard setbacks are within  
20 seventy-five (75) feet of each other.
- 21
- 22 (5) Accessory structures located in the R-1 district and other  
23 non-"R" districts are limited in height to that listed for the  
24 principal structures in those districts. A greater height may  
25 be approved through a site plan review process and as allowed  
26 in Sec. 20-1111. The minimum setback from a lot line shall be  
27 one-half (1/2) of the building height or that required by Sec.  
28 20-1115(b), whichever is greater.
- 29
- 30 (6) Any portion of an accessory structure placed or constructed in  
31 a side yard area of a nonconforming principal structure shall  
32 not encroach into the minimum required street and/or shore  
33 yard setback.
- 34
- 35 (7) Tower broadcast facilities and wind energy facilities  
36 restrictions may be found in Art. X and XI, respectively.

4 (c) The aggregate total footprint area for all accessory  
5 structures shall not exceed the following square footage for the  
6 stated lot size, exclusive of road right-of-way:  
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<u>Lot Size / Accessory Structure(s)</u>	<u>Maximum Aggregate Total</u>
<u>Footprint Area</u>	
< 20,000 square feet lot	= 1000 square feet
≥ 20,000 square feet to < 1 acre lot	= 1,300 square feet
1 acre to < 2 acre lot	= 2,650 square feet
2 acre to < 3 acre lot	= 3,900 square feet
3 acre to < 4 acre lot	= 5,200 square feet
4 acre to < 5 acre lot	= 6,500 square feet
5 acre to < 10 acre lot	= four (4) percent of lot area
≥ 10 acre lot	= five (5) percent of lot area

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19 Note: A greater amount of square footage per lot size may be  
20 allowed if approved as part of a conditional use permit or  
21 site plan review when needed as an integral part of the plan  
22 of operation and where said structure(s) is used solely  
23 accessory to the permitted principal or conditional use on  
24 said lot.  
25

26 (d) Where an accessory structure is permanently attached to  
27 the principal structure by a roof or wall-to-wall, such accessory  
28 structure shall be considered as a part of the principal structure.  
29 Decks, stairs and landings that abut a principal structure, whether  
30 or not physically attached, and outdoor swimming pools, hot tubs or  
31 whirlpools on top of, within, or immediately abutting such shall be  
32 considered to be part of the principal structure and principal  
33 structure setbacks would apply for required setbacks except where  
34 Sec. 20-1113, 20-1118, and 20-1120 setbacks apply. Items such as a  
35 fence, trellis, retaining wall, and sidewalk, driveway or patio  
36 less than six (6) inches from grade are not considered an  
37 attachment, and are exempt from setbacks except where regulated by  
38 shoreland, floodplain or traffic visibility regulations.

4 The Racine County Clerk is directed to transmit duplicate copies of  
5 this ordinance by registered mail to all affected Town Clerks  
6 within seven (7) days after this ordinance is adopted.

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8 Respectfully submitted,  
9 ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

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14 Robert D. Grove, Chair

Mark M. Gleason, Vice Chair

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18 Daniel F. Sharkozy, Secretary

Q. A. Shakoor, II

19  
20  
21  
22 Kenneth Hall

John A. Wisch

23  
24  
25  
26 Thomas Pringle

27  
28  
29 VOTE REQUIRED: MAJORITY

BOARD ACTION:

30  
31 1st Reading \_\_\_\_\_

Adopted \_\_\_\_\_

For \_\_\_\_\_

32  
33 2nd Reading \_\_\_\_\_

Against \_\_\_\_\_

Absent \_\_\_\_\_

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35  
36  
37 The Certificate of Publication, in compliance with State Statutes,  
38 is available at Racine County Planning.

39  
40 FISCAL NOTE - NOT APPLICABLE