

ORDINANCE 2019-15

**AN ORDINANCE TO AMEND THE ZONING CODE REGARDING DEFINITIONS
RELATED TO YARDS AND THE MODIFICATION OF YARD SETBACK
REQUIREMENTS IN THE R-1B (SINGLE FAMILY RESIDENCE DISTRICT)
IN THE VILLAGE OF MCFARLAND**

Purpose: To amend the Zoning Code to revise certain definitions related to yards and to modify the side and street yard setbacks in the R-1B Single Family Residence District.

Sponsor: Village Administrator Schuenke

Recommended Referral: Plan Commission (Required)

Public Hearing: Required; Preceded by Class 2 Notice

WHEREAS, the Zoning Code has definitions for certain types of yards and some of the definitions are duplicative and can be clearer, specifically as it relates to side yards and street yards; and

WHEREAS, the R-1B Single Family Residence District encompasses areas in the Village that are near Lake Waubesa and include lots that are smaller in area than other residential districts and lots that are part of older developments; and

WHEREAS, the current Zoning Code provides yard setback requirements for street yards on corner lots that may, under certain circumstances, be inconsistent with the purpose of the Code and the use of these lots; and

WHEREAS, the Village Board finds that amending the Zoning Code with respect to certain definitions related to yards and the setback requirements for corner lots in the R-1B District is in the public interest;

NOW, THEREFORE, the Village Board of the Village of McFarland, does ordain as follows:

1. Section 62-4 – Definitions, of the McFarland Municipal Code is amended to reflect the following changes:

-Paragraph (137) *Side yard*, is deleted.

-Paragraph (142) *Street yard*, is amended to read:

A yard facing a street and extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing street or highway right-

of-way line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two or more street yards.

-Paragraph (159) *Yard, rear*, is amended to read:

A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the principal building.

-Paragraph (160) *Yard, side*, is amended to read:

A yard extending from the front yard to the rear yard, lying between the main building and a side lot line. The width of a side yard shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure. A side yard does not include any yard that is a street yard.

All other definitions in Section 62-4 not modified by these changes remain in effect.

2. Section 62-70 – Bulk Standards – Residential Districts, of the McFarland Municipal Code is amended to reflect the following changes:

-Footnote 11 is created for Front yard under Bulk Standards to read:

⁽¹¹⁾ All street yards are subject to the requirements for front yards, unless otherwise provided.

-Footnote 6 under Front yard standards for R-1B is amended to read:

⁽⁶⁾ Corner lots have at least two street yards, one of which is the front yard. In the R-1B District, the front yard is subject to the 20-foot yard requirement, and additional street yards are subject to the 7-foot yard requirement.

-The side yard setback for Reversed corner is amended to 7 feet.

-The Front yard setback for R-1B is amended to provide a 20-foot setback for front yards and a 7-foot setback for other street yards.

These amendments will be shown under Section 62-70 as follows:

RESIDENTIAL DISTRICT BULK STANDARDS

Bulk Standards	A-1	R-1	R-1A ⁽⁹⁾	R-1B ⁽⁹⁾	R-2 ⁽³⁾	R-3 ⁽³⁾	R-MH	R-E	RH-1
Yards ⁽⁷⁾⁽¹⁰⁾									
Front yard (ft.) ⁽¹¹⁾	-	25	25	20/7 ⁽⁶⁾	25	25 or 35 ⁽⁴⁾	25	25	40
Side yard (ft.)									

Reversed corner	25	25	25	7	25	25 or 30 ⁽⁸⁾	15	25	40
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⁽⁶⁾ Corner lots have at least two street yards, one of which is the front yard. In the R-1B District, the front yard is subject to the 20-foot yard requirement, and additional street yards are subject to the 7-foot yard requirement.

⁽¹¹⁾ All street yards are subject to the requirements for front yards, unless otherwise provided.

All other provisions in Section 62-70 not modified by these changes remain in effect.

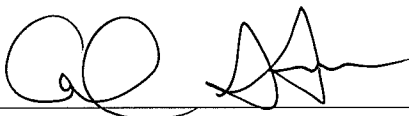
The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the 26th day of August, 2019.

APPROVED:



 Brad Czebotar, Village President

ATTEST:



 Cassandra Suettinger, Village Clerk-
 Treasurer

ORDINANCE 2019 –	
MOTION	SECOND
Czebotar	Kolk
ACTION	DATE
Adopted	08/26/2019
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian-aye	Kryzenske-ae
Brassington-aye	Lytle-aye
Czebotar	Utter-nay
Kolk-aye	
VOTING RESULTS	
Motion Carried	6-1
Motion Defeated:	