

ORDINANCE NO. 2025-06

**ORDINANCE TO AMEND SECTION 40.419(e)(1) OF THE MUNICIPAL CODE OF
THE VILLAGE OF PEWAUKEE REVISING OFFSETS FOR ACCESSORY
STRUCTURES**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Section 40.419(e)(1) of the Municipal Code of the Village of Pewaukee is hereby amended to read as follows:

- (1) No building shall be erected, structurally altered or relocated so that any roofed or enclosed portion thereof is closer to any lot line than the offset distance specified by the regulations for the district in which it is located except as follows:
 - a. For accessory structures 200 sq. ft. or less, the offset from a side and/or lot line may be reduced to 5 feet. Accessory structure more than 200 sq. ft. shall comply with requirements of the underlying zoning district. Additionally, structures 120 sq. ft. or less shall only require a zoning permit. Accessory structures greater than 120 sq. ft. shall require a building permit.
 - b. In the case of any lot of record which has a minimum average width less than that required by the district in which it is located, the offset from a side lot line may be reduced proportionally to the ratio of the actual minimum average width and the required minimum average width (i.e., actual width/required width) provided, however, that no offset shall in any case be less than five feet.
 - c. Where a lot abuts a district boundary line, the offset from such line in the district of less restrictive use shall not be less than that required for the district of more restrictive use.
 - d. The required offset area on one property may be reduced if the offset area on the adjoining property is increased by deed restriction to include the required offset area plus the equivalent amount of offset area resulting from the adjacent reduction.
 - e. In the case of attached single-family, row, multifamily, commercial or industrial use structures, two or more buildings on adjoining lots may be erected with common or directly adjoining walls provided the requirements of the State of Wisconsin industrial code relative to such construction are complied with and provided that at both ends of such row type buildings the applicable offset requirements shall be complied with.

- f. For any single-family residential principal dwelling structure (and including any attached appurtenance thereto such as, for instance, decks, porches, balconies, [etc.]) with frontage on Pewaukee Lake, which property has neighboring existing principal residential structures on each of the adjoining parcels and which adjoining principal residential structures are both within 200 feet of the proposed new or modified principal residential structure, the minimum required offset from the ordinary high water mark (OHWM) of the lake to such new or modified principal residential dwelling structure may be reduced to the average of the lake offsets of the two adjoining principal residential dwelling structures but in no case shall the lake offset be less than 35 feet.

SECTION II

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed;

SECTION III

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

SECTION IV

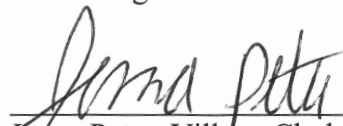
This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

Passed and adopted this 3rd day of June, 2025, by the Village Board of the Village of Pewaukee.

APPROVED


Jeff Knutson, Village President

Countersigned:


Jenna Peter, Village Clerk