

**Village of Chenequa ORDINANCE
NO. 2023-08-14-01**

**AN ORDINANCE AMENDING SECTION 6.5(4)(c)
REGARDING SETBACKS FROM ADJOINING LOTS**

WHEREAS, the Village Board desires to amend Section 6.5(4)(c) of the Village Code to clarify that setback restrictions relative to single family structures on adjoining lots only apply where the adjoining lot is located within the Village of Chenequa and not other municipalities; and

WHEREAS, the foregoing revisions to the Zoning Code do not change the allowable use of any property within the Village.

NOW, THEREFORE, BE IT ORDAINED, that Section 6.5(4)(c) of the Zoning Code is amended to read as follows:

SECTION 1

Section 6.5(4)(c) of the Village Code shall be deleted in its entirety and replaced with the following:

6.5 “(4)(c) Side Yard Setback.

- (i) A side yard of six (6) inches in width for each foot in height of a structure, with a minimum of ten (10) feet shall be provided on each side of every structure. No single family structure shall be erected, modified or moved within fifty (50) feet of an existing single family structure on an adjoining lot located within the Village, and no accessory building or recreational facility shall be erected, modified or moved within one hundred (100) feet of an existing single family structure on an adjoining lot located within the Village. Existing recreational facilities shall not prohibit the owner of a single family structure on an adjoining lot from erecting, modifying or remodeling inside the one hundred (100) foot setback for a recreational facility.
- (ii) For structures abutting a lake which exceed thirteen thousand (13,000) square feet of living area the minimum side yard and minimum distance from other existing single family structures on adjoining lots located within the Village shall be determined as follows:

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| <u>Living Area</u> | <u>Side Yard</u> | <u>Distance from Other Single Family Structure</u> |
|--|--|--|
| 13,000 but less than 15,000 square feet | 9" in width per foot of height | 75 feet |
| | <ul style="list-style-type: none"> • 30' in height requires a 22.5' side yard setback • 35' in height requires a 26.25' side yard setback • 40' in height requires a 37.5' side yard setback • 45' in height requires a 48.75' side yard setback | |
| 15,000 but less than 17,000 square feet | 12" in width per foot of height | 100 feet |
| | <ul style="list-style-type: none"> • 30' in height requires a 30' side yard setback • 35' in height requires a 35' side yard setback • 40' in height requires a 47.5' side yard setback • 45' in height requires a 60' side yard setback | |
| 17,000 or greater square feet | 15" in width per foot of height | 125 feet |
| | <ul style="list-style-type: none"> • 30' in height requires a 37.5' side yard setback • 35' in height requires a 43.75' side yard setback • 40' in height requires a 57.5' side yard setback • 45' in height requires a 71.25' side yard setback | |

SECTION 2. SEVERABILITY

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.


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SECTION 3. EFFECTIVE DATE

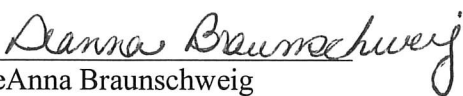
This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Adopted this 14th day of August, 2023.

VILLAGE OF CHENEQUA

By: 
Jo Ann Villavicencio
Village President

ATTEST:


DeAnna Braunschweig
Village Clerk – Treasurer

Date Adopted: August 14, 2023
Date Published: August 15, 2023
Effective Date: August 15, 2023