

Ordinance No. 110121-01

An Ordinance Creating Section 18-65(j), Temporary Storage Racks for Non-Motorized Watercraft, of the Municipal Code of the Village of Fontana-on-Geneva Lake.

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

SECTION 1. Section 18-65(j), Temporary Storage Racks for Non-Motorized Watercraft, of the Municipal Code of the Village of Fontana-on-Geneva Lake is hereby created, to read as follows:

Section 18-65(j). Temporary Storage Racks for Non-Motorized Watercraft.

- (j) Placement of one or more temporary outdoor storage rack(s) for non-motorized watercraft on property owned in common as part of a subdivision or condominium association, subject to the following limits and requirements:
 - (1) No more than six (6) months of said placement and use in a calendar year; and
 - (2) Storage capacity for each storage rack limited to not more than 12 non-motorized watercraft and not more than eight (8) foot in height; and
 - (3) Use limited to non-motorized watercraft owned by residents of the subdivision or condominium association, with rack storage not available for rent or third-party use; and
 - (4) The placement of said rack(s) shall comply with all zoning setbacks for the zoning district in which located; provided, however, that for a riparian association property, the shoreyard setback may be reduced to 25 feet for only one rack.

SECTION 2. Section 18-110(d)(3) of the Municipal Code of the Village of Fontana-on-Geneva Lake is hereby amended to read as follows:

- (3) *Shoreyard setback.* All structures except temporary storage racks as defined and regulated by Section 18-65(j), piers, boat hoists, wharves, patios, bridges, dams, walkways, and stairways which are necessary to provide pedestrian access to the shoreline and such other exceptions as may be set forth in this subsection (d) shall be set back 75 feet from the ordinary high-water mark of Geneva Lake and 50 feet from the ordinary high-water mark of other navigable waters, unless an existing pattern of development exists which is less than the 75-foot requirement, in which case the average of the existing principal structure shore setback on either side of the principal structure within a distance of 100 feet may be used to compute the setback for the principal building only, but shall not be reduced to less than 40 feet. The method of computation shall be as follows:
 - a. If there is a building which is nonconforming with respect to shoreyard setback with a similar use as the proposed building located on an adjacent parcel on one side of the proposed building or within 100 feet of the proposed building, the average of the shoreyard setback of that building of similar usage and the required minimum shoreyard setback shall apply.


- b. If there are two buildings which are nonconforming with respect to shoreyard setback with similar uses as the proposed building located on adjacent parcels on each side of said building or within 100 feet of the proposed building, the average of the shoreyard setbacks of those buildings of similar usage shall apply.
- c. In the case of a proposed addition to an existing building which has less than the required shoreyard setback, the shoreyard setback of such existing building may be used to determine the required shoreyard setback for the proposed building addition, as set forth above.

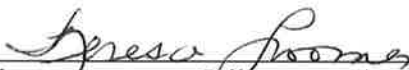
SECTION 3. Effective Date.

This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Lake Geneva, Walworth County, Wisconsin, this 1st day of November, 2021.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By:  _____
Patrick Kenny, Village President

Attest:  _____
Theresa Loomer, Village Clerk