



Meeting: Plan Commission
Meeting Date: 01/20/14
Agenda Item: # 8-9

PLAN COMMISSION STAFF REPORT

REPORT TO: Burt R. McIntyre, President, and Plan Commission members
REPORT FROM: Dave Wiese, Executive Director of Community Development
ACTION REQUESTED: Ordinance Resolution Motion Receive/File

AGENDA ITEM: Review and take action on Ordinance 2014-01

A public hearing at 5:35 p.m. on January 20, 2014 in the Village of Howard Board room, 2456 Glendale Avenue concerning a request from the Village of Howard to amend Section 50-864 Private Swimming Pools to change the rear yard setback for a swimming pool from a minimum setback of 10 feet to 5 feet

BACKGROUND

Staff met with a resident to discuss the setbacks for swimming pools. The resident is requesting the Plan Commission review the current setbacks to see if it makes sense to change from the required 10-foot setback to property lines. Staff did some quick research of the other communities in the area and found that 10 feet is pretty common. The City of Sun Prairie has a setback of 5 feet to the rear lot line. Accessory buildings (5 feet) and homes (8 feet) can be closer to lot lines.

RECOMMENDATION

Staff would recommend we leave the side yard setbacks at 10 feet but change the rear yard setbacks for pools to 5 feet.

ATTACHMENT

- I. Proposed Ordinance 2014-01

ORDINANCE NO. 2014 - 01

AN ORDINANCE AMENDING SECTION Sec. 50-864 for the Rear Yard Setbacks of Private Swimming Pools from “10 feet to 5 feet”

WHEREAS the Village Clerk published a notice of public hearing regarding such proposed amendment to the Zoning Ordinance and a public hearing was held at the Village Hall on January 20, at 5:35 P.M., whereupon the Plan Commission heard all interested persons and/or their agents and attorneys; and

WHEREAS the Village Board of the Village of Howard has received a written recommendation and findings of the Village Plan Commission regarding such proposed amendment to the Zoning Ordinance;

NOW THEREFORE the Village Board of the Village of Howard, Brown County, Wisconsin, does hereby ordain that the Zoning Ordinance be amended as follows:

Section 50-864 The rear yard setback for private swimming pool set forth in Section 50-1220 is hereby repealed and recreated to read as follows:

Except as specifically permitted for hot tubs, spas, whirlpools and similar equipment in [section 40-310](#), building code, no private swimming pool shall be located in front of or closer to a street right-of-way than the principal building or use served and the water line of such private swimming pool shall not be located closer than ten feet to a side ~~or rear~~ property line or to any other building **and five feet to a rear property line**. See [chapter 40](#), building code, for additional regulations regarding private swimming pools. For the purposes of this chapter, private swimming pools may be permitted in residential zoning districts in addition to the accessory buildings allowed in [section 50-859](#)

SECTION 2 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3 This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 27th day of January, 2014.

Burt McIntyre, Village President

ATTEST:

Christopher A. Haltom, Village Clerk

DATE OF PUBLICATION: 1/31/2014