

ORDINANCE #24-03  
Existing Nonconforming Structures

AN ORDINANCE TO REPEAL AND RECREATE SECTION § 560-47 OF THE VILLAGE OF  
FREMONT MUNICIPAL CODE

The Village Board of the Village of Fremont, WI hereby ordains as follows:

SECTION 1:

Any lawful nonconforming structures existing at the time of the adoption or amendment of this chapter may be continued, although its size or location does not conform with the lot width, lot area, yard height, parking and loading, and access provisions of this chapter. However, it shall not be extended, enlarged, reconstructed, moved or structurally altered except when required to do so by law or order or so as to comply with the provisions of this chapter.

- (a) **Purpose.** Within the Zoning Districts established by this chapter, there may exist uses, buildings, structures and lots that do not conform to the applicable provisions of this chapter, the purpose of this section is to specify those circumstances and conditions under which these nonconforming uses, buildings, structures, and lots may be allowed to continue.
- (b) **Continuance of nonconforming principal or accessory buildings or structures.** A nonconforming principal or accessory building or structure existing on the effective date of this chapter or subsequent amendments to this chapter may continue to exist. However, said nonconforming principal or accessory building or structure shall be subject to the following requirements:
  - (1) **Principal building or structure alterations.** Alterations within the existing footprint of a nonconforming principal building or structure may be allowed provided that the alteration does not increase the degree of the existing nonconformity(ies) of the nonconforming principal building or structure.
  - (2) **Principal building or structure additions or expansions.** Additions or expansions made to nonconforming principal buildings may be permissible in the front, side and rear yards provided all of the following requirements of this subsection are complied with:
    - a. **Side yard setback.** The addition or expansion shall not encroach into the required principal building or structure side yard setback and required and/or structure separation setback of the applicable zoning district in which it is located, unless otherwise stated in this chapter;
    - b. **Front and rear yard setback.** The addition or expansion shall not further encroach beyond the existing nonconforming front or rear yard setbacks of the existing nonconforming principal or structure, unless otherwise stated in this chapter;
    - c. **Other requirements.** The addition or expansion shall conform with all other requirements of the applicable zoning district in which it is located and all other applicable provisions of this chapter, unless otherwise stated in this chapter.

SECTION 3: This ordinance shall take effect upon passage and posting as required by law.

Adopted: *June 11, 2024*

Posted: *June 12, 2024*

Attest:



Megan Wunderlich  
Clerk/Treasurer



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Bobbi Marks  
Village President