

VILLAGE OF FREDONIA

ORDINANCE \_\_\_2023-7\_\_\_\_\_

**ELIMINATING THE ARCHITECTURAL CONTROL BOARD  
AND PROVIDING ITS AUTHORITY TO THE PLANNING COMMISSION  
AND ALTERING FENCE PERMIT PROCESS**

**WHEREAS**, the Village of Fredonia has established an “Architectural Control Board” with the stated purpose of “promot[ing] compatible development aesthetics and stability of property values and to prevent impairment or depreciation of existing developments;” and

**WHEREAS**, the Village of Fredonia has a Planning Commission with the powers and duties set forth by Wisconsin Statute and Village Code; and

**WHEREAS**, the stated purpose of the Architectural Control Board overlaps with the powers and duties of the Planning Commission; and

**WHEREAS**, many area municipalities use their Planning Commission for site plan and architectural review purposes;

**THEREFORE**, the Village Board of the Village of Fredonia do ordain as follows:

**1. That Section 19-13(D) of the Village Code of Ordinances is created to read as follows:**

D. Site plan and architectural review.

For the purpose of promoting compatible development, stability of property values, fostering the attractiveness and functional utility of the community as a place to live and work, preserving the character and quality of the built environment by maintaining the integrity of those areas which have a discernible character or are of a special historic significance, protecting certain public investments in the area, and raising the level of community expectations for the quality of its environment, the Planning Commission is empowered to hear applications for permission to erect, move, reconstruct, extend, alter or change the exterior of any structure; to deny or conditionally approve such application; and take any other necessary action in furtherance of such duties.

**2. That all references to “Architectural Control Board” in the following sections of the Code shall be struck and replaced with “Planning Commission”:**

200-3(C)(5), 200-14(D), 575-16(C), 575-16(E), 575-17(E), 575-18(E), 575-19(C), 575-19(E), 575-20(E), 575-21(E), 575-22(E), 575-23(F), 575-27(F), 575-28(F), 575-29(G), 575-30(F), 575-31(F), 575-32(C).

**3. That Section 575-109(F)(2)(a) be amended by deleting the language struck through:**

- (a) Site plan and architectural review. The Planning Commission considers applications and approves, denies or conditionally approves the proposal. Following Planning Commission action, the Village Board is informed of the Planning Commission decision. ~~Once Planning Commission approval is achieved, the item requires Architectural Control Board review and approval.~~

**4. That existing Section 575-109(6) of the Code, entitled "Appeals," be renumbered to 575-109(7), and that a new section 575-109(6) be created as follows:**

- (6) Procedure. Building plans requiring architectural review shall be reviewed at a public meeting. The Planning Commission shall schedule a reasonable time and place for the meeting and cause notice to be mailed to the applicant, the Zoning Administrator, the Building Inspector, and any other parties in interest at least five days prior to the meeting. The applicant may appear in person, by agent, or by attorney. The Planning Commission shall not approve any application unless it finds by a preponderance of the evidence that the proposal comports with the standards set forth in sub. (4). The findings of the Planning Commission shall be indicated in the minutes of its proceedings.

**5. That Section 575-109(3) of the Code be amended to add the language shown in underlining:**

[23] A description of all proposed materials to be used.

**6. That Section 575-110 of the Code be repealed and recreated as follows:**

§ 575-110 Permit or Planning Commission review required.

No structure shall be erected, moved, reconstructed, extended, enlarged, or have its exterior altered or changed without either (a) a permit issued by the Building Inspector or Zoning Administrator or (b) the review and approval of the Planning Commission as set forth in section 575-109(3)-(7).

**7. That Article V of Section 19 of the Code of Ordinances, "Architectural Control Board," is hereby repealed in its entirety.**

**8. That Section 575-86(H) concerning fence permits be repealed and recreated as follows:**

H. Permits required; process for approval.

1. No person shall construct or maintain any fence without first obtaining a fence permit from the Building Inspector. Application for such a permit shall be made on the form prescribed for that purpose, which shall require the applicant to

- provide a site plan showing property lines, fence location, any structures on the property, and details of fence construction including materials and color.
2. If the Building Inspector is satisfied the proposed fence conforms with this section, the Building Inspector shall issue the fence permit. If the Building Inspector is not so satisfied, the Building Inspector shall refer the permit application to the Planning Commission, which shall decide whether the permit may be issued. The Clerk shall make any necessary notifications to the applicant.


PASSED AND ADOPTED by the Village Board of the Village of Fredonia,  
Ozaukee County, Wisconsin, this 7th day of September, 2023.



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Daniel Gehrke, Village President

ATTEST:



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Michelle Johnson, Village Clerk

