

ORDINANCE 2015 - 1

AN ORDINANCE AMENDING PARAGRAPHS 400.04(5), 402.03, 402.04, 403.03, 403.04, 404.03, 404.04, 405.03, 405.04, 406.03 AND 406.04 OF THE CITY ZONING ORDINANCE RELATING TO REGULATING GARAGES AND OTHER ACCESSORY BUILDINGS IN RESIDENTIAL ZONING DISTRICTS

The Common Council of the City of Richland Center, Wisconsin, does ordain as follows:

SECTION 1:

Paragraph 400.04 (5) of the Code of Ordinances is amended to read:

400.04 (5) Accessory Buildings including Private Garages: Limitations.

(a) No private garage, accessory building or other structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory, except a temporary construction structure or a structure for which a conditional use permit has been issued which specifically permits construction of the structure prior to construction of the principal building. In no event shall a temporary construction structure or conditionally permitted structure be allowed to exist for more than 1 year prior to completion of construction of the principal building.

(a) Only one private garage and only one other accessory building shall be permitted on a lot in an "R" District, except by conditional use permit. No building permit shall be required for construction of an accessory building smaller than 120 square feet. [Amended by Ord 1997-11]

(b) In all "R" Districts no private garage shall exceed seven hundred sixty-eight (768) square feet of floor area and no other accessory building shall exceed one hundred twenty (120) square feet of floor area except by conditional use permit.

(c) No accessory building shall exceed the height of the principal building. In no case shall any private garage or other accessory building exceed fifteen (15) feet in height in an "R" District except by conditional use permit.

(d) No portion of any private garage or other accessory building shall be located nearer the front lot line than the principal building on that lot.

(e) No accessory building or structure other than an attached garage attached to the principal building shall be erected, altered or moved to within five (5) feet of the principal building on the lot.

(f) No accessory building or structure, unless an integral part of the principal building, shall be erected, altered or moved to within three (3) feet of any lot line.

(g) No accessory building or structure, unless an integral part of the principal building, shall be erected, altered or moved to within to within ten (10) feet of any building on an adjoining lot. Any

variance from said required 10 foot distance from a building on an adjoining lot shall include as a condition of the variance that all walls or portions of walls allowed by the variance to be within said 10 feet and the ceiling of the building shall be of unpierced construction (i.e. no doors or windows) and shall be lined with a double layer of X rated sheet rock to constitute a fire wall.

(h) Subparagraphs (e), (f) and (g) shall not be deemed to supersede any greater required distances applicable to accessory buildings in specific zoning districts.

(i) All accessory buildings on through lots located in "R" Districts shall require a conditional use permit.

(j) No cellar, basement, tent, trailer, or accessory building shall at any time be used as an occupied dwelling except an attached private garage with living area above the ground floor of the garage for which a conditional use permit has been granted.

SECTION 2:

Section 402.03 is amended to read:

402.03 PERMITTED ACCESSORY USES IN AN "R-1" DISTRICT. No accessory structure or use of land shall be permitted in an "R-1" District except for one or more of the following:

- (1) Unenclosed parking spaces and carports for passenger cars.
- (2) One private garage not exceeding 768 square feet in area or 15 feet in height.
- (3) One accessory building other than a private garage which does not exceed 120 square feet in area.
- (4) Decorative landscape features.

(5) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.

(6) Private swimming pools, tennis courts or similar recreational activity intended for the primary use of the dwelling located on the same site as such recreational use, and not for hire or held open to the public.

SECTION 3:

Paragraphs 402.04 (9) through (13) of the Code of Ordinances are adopted to read:

- (9) Any private garage or other accessory building in excess of one of each on a lot.
- (10) Private garage exceeding 768 square feet of floor area.
- (11) Accessory building other than a private garage which exceeds 120 square feet of floor area.
- (12) A private garage with a living area above the ground floor.

- (13) Private garage or other accessory building which exceeds a height of 15 feet above ground level.

SECTION 4:

Section 403.03 is amended to read:

403.03 PERMITTED ACCESSORY USES IN AN "R-2" DISTRICT. No accessory structure or use of land shall be permitted in an "R-2" District except for one or more of the following:

- (1) Unenclosed parking spaces and carports for passenger cars.
- (2) One private garage not exceeding 768 square feet in area or 15 feet in height.
- (3) One accessory building other than a private garage which does not exceed 120 square feet in area.
- (4) Decorative landscape features.
- (5) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.
- (6) Private swimming pools, tennis courts or similar recreational activity intended for the primary use of the dwelling located on the same site as such recreational use, and not for hire or held open to the public.

SECTION 5:

Paragraphs 403.04 (8) through (12) of the Code of Ordinances are adopted to read:

- (8) Any private garage or other accessory building in excess of one of each on a lot.
- (9) Private garage exceeding 768 square feet of floor area.
- (10) Accessory building other than a private garage which exceeds 120 square feet of floor area.
- (11) A private garage with a living area above the ground floor.
- (12) Private garage or other accessory building which exceeds a height of 15 feet above ground level.

SECTION 6:

Section 404.03 is amended to read:

404.03 PERMITTED ACCESSORY USES IN AN "R-3/4" DISTRICT. No accessory structure or use of land shall be permitted in an "R-3/4" District except for one or more of the following:

- (1) Unenclosed parking spaces and carports for passenger cars.

- (2) One private garage not exceeding 768 square feet in area or 15 feet in height.
- (3) One accessory building other than a private garage which does not exceed 120 square feet in area.
- (4) Decorative landscape features.
- (5) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.
- (6) Private swimming pools, tennis courts or similar recreational activity intended for the primary use of the dwelling located on the same site as such recreational use, and not for hire or held open to the public.

SECTION 7:

Paragraphs 404.04 (12) through (16) of the Code of Ordinances are adopted to read:

- (12) Any private garage or other accessory building in excess of one of each on a lot.
- (13) Private garage exceeding 768 square feet of floor area.
- (14) Accessory building other than a private garage which exceeds 120 square feet of floor area.
- (15) A private garage with a living area above the ground floor.
- (16) Private garage or other accessory building which exceeds a height of 15 feet above ground level.

SECTION 8:

Section 405.03 is amended to read:

405.03 PERMITTED ACCESSORY USES IN AN "R-5" DISTRICT. No accessory structure or use of land shall be permitted in an "R-5" District except for one or more of the following:

- (1) Unenclosed parking spaces and carports for passenger cars.
- (2) One private garage not exceeding 768 square feet in area or 15 feet in height.
- (3) One accessory building other than a private garage which does not exceed 120 square feet in area.
- (4) Decorative landscape features.
- (5) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.
- (6) Private swimming pools, tennis courts or similar recreational activity intended for the primary use of the dwelling located on the same site as such recreational use, and not for hire or held open to the public.

SECTION 9:

Paragraphs 405.04 (13) through (17) of the Code of Ordinances are adopted to read:

- (13) Any private garage or other accessory building in excess of one of each on a lot.
- (14) Private garage exceeding 768 square feet of floor area.
- (15) Accessory building other than a private garage which exceeds 120 square feet of floor area.
- (16) A private garage with a living area above the ground floor.
- (17) Private garage or other accessory building which exceeds a height of 15 feet above ground level.

SECTION 10:

Section 406.03 is amended to read:

406.03 PERMITTED ACCESSORY USES IN AN "R-O" DISTRICT. No accessory structure or use of land shall be permitted in an "R-O" District except for one or more of the following:

- (1) Unenclosed parking spaces and carports for passenger cars.
- (2) One private garage not exceeding 768 square feet in area or 15 feet in height.
- (3) One accessory building other than a private garage which does not exceed 120 square feet in area.
- (4) Decorative landscape features.
- (5) On-premises signs as regulated by this Zoning Ordinance and by any other ordinance or Chapter dealing with the regulation of signs.
- (6) Private swimming pools, tennis courts or similar recreational activity intended for the primary use of the dwelling located on the same site as such recreational use, and not for hire or held open to the public.

SECTION 11:

Paragraphs 406.04 (17) through (21) of the Code of Ordinances are adopted to read:

- (17) Any private garage or other accessory building in excess of one of each on a lot.
- (18) Private garage exceeding 768 square feet of floor area.
- (19) Accessory building other than a private garage which exceeds 120 square feet of floor area.
- (20) A private garage with a living area above the ground floor.

(21) Private garage or other accessory building which exceeds a height of 15 feet above ground level.

SECTION 12: EFFECTIVE DATE.

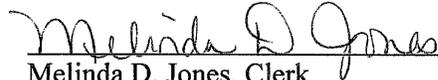
This ordinance shall be in full force and effect from and after its passage and publication.

Enacted the 6th day of January, 2015

ATTEST:



Paul F. Corcoran, Mayor



Melinda D. Jones, Clerk