

# ZONING ORDINANCE FOR THE CITY OF RICHLAND CENTER

## CHAPTER 403

### SPECIFIC REGULATIONS AFFECTING LANDS IN AN "R-2" ONE AND TWO FAMILY RESIDENTIAL DISTRICT

**403.01 APPLICABILITY OF CHAPTER 400 TO AN "R-2" ONE AND TWO FAMILY RESIDENTIAL DISTRICT.** All of the provisions of Chapter 400 of the Zoning Ordinance of the City of Richland Center apply to lands in an "R-2" District except where the provisions of this Chapter are inconsistent with the provisions of Chapter 400, in which case the provisions of this Chapter shall be deemed controlling.

**403.02 PERMITTED USES IN AN "R-2" ONE AND TWO FAMILY RESIDENTIAL DISTRICT.** The following uses are permitted uses in an "R-2" District:

- (1) Single family dwellings. [Amended by Ord 1993-15]
- (2) Duplex dwellings. [Amended by Ord 1993-15]
- (3) Public parks and playgrounds.
- (4) Home occupations as defined and regulated by this Zoning Ordinance.
- (5) The renting of rooms or the furnishing of table board in a dwelling occupied as a private residence providing there are not more than three (3) boarders or lodgers not members of the family.
- (6) Family day care homes.
- (7) Bed and Breakfast having not more than two (2) guest rooms.

**403.03 PERMITTED ACCESSORY USES IN AN "R-2" DISTRICT.** [Amended by Ord 2015-1] 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. A shipping container shall not be used as an accessory building in an R-2 zoning district nor shall a shipping container be placed for any other purpose on a lot in an R-2 zoning district. **[Amended by Ord 2017-5]**

(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.

(7) A parking canopy may not be used as an accessory building nor shall a parking canopy be placed for any other purpose on a lot in an R-2 zoning district. **[Added by Ord 2017-5]**

(8) A portable garage may not be used as an accessory building nor shall a portable garage be placed for any other purpose on a lot in an R-2 zoning district. **[Added by Ord 2017-5]**

**403.04 CONDITIONAL USES IN AN "R-2" DISTRICT.** None of the following uses shall be permitted in an "R-2" District except with a Conditional Use Permit:

(1) Churches, including those related structures located on the same site which are an integral part of the church proper, and parsonages, rectories, convents or homes for persons performing a religious function on the same site.

(2) Public schools, parochial schools, colleges and universities.

(3) Public libraries, public museums and art galleries.

(4) Municipal buildings, excepting the following: sewage disposal plants, garbage incinerators, public warehouses, public garages, public shops and storage yards, and penal or correctional institutions and asylums.

(5) Buildings used exclusively for governmental purposes whether city, county, state or federal, provided that no vehicle or equipment storage or repair shall be permitted in or abutting any such building, and also excepting the following: sewage disposal plants, garbage incinerators, public warehouses, public garages, public shops and storage yards, and penal or correctional institutions and asylums.

(6) Professional offices, provided that when permitted in this district, a professional office

shall be incidental to a primary residential occupancy of the building; not more than forty per cent (40%) of the floor area of not more than one story of one building on the lot shall be occupied by such office; and only one (1) name plate not exceeding one (1) square foot in area, stating the name and profession of the occupant of the premises, may be exhibited.

(7) Attached garages and breeze ways (with open or closed sides) located in the rear yard of a property with a rear yard setback of less than 25 feet. The total of the front and rear yard setbacks shall be at least 32 feet with the minimum rear setback being 12 feet.. The structure shall meet the side yard setback requirements or be in line with the existing house. If living area accessible from the interior of the house is built above the garage the height of the garage shall not exceed the height of the house. If no living area is built above the garage the maximum height shall be 16 feet. **[Amended by Ord 2002-11]**

(8) Any private garage or other accessory building in excess of one of each on a lot. **[Added by Ord 2015-1]**

(9) Private garage exceeding 768 square feet of floor area. **[Added by Ord 2015-1]**

(10) Accessory building other than a private garage which exceeds 120 square feet of floor area. **[Added by Ord 2015-1]**

(11) A private garage with a living area above the ground floor. **[Added by Ord 2015-1]**

(12) Private garage or other accessory building which exceeds a height of 15 feet above ground level. **[Added by Ord 2015-1]**

(13) Mobile service facilities and mobile service support structures. [R-2 District] **[Added by Ord 2017-5]**

#### **403.05 LOT AREA, FLOOR AREA, BUILDING HEIGHT, LOT WIDTH AND OTHER YARD REQUIREMENTS IN AN "R-2" DISTRICT.**

**(1) BUILDING HEIGHT:** No structure or building shall exceed a height of forty-five (45) feet or three stories in height, whichever is less, except as provided in paragraph 400.09 (2) of this Zoning Ordinance.

**(2) SIDE YARD:** A side yard abutting a street shall not be less than twenty (20) feet in width. There shall be an aggregate of side yards for every building used for human habitation of not less than twenty (20) feet and no single side yard shall be less than eight (8) feet.

**(3) SET BACK FROM STREET:** The nearest point of any structure to any street right-of-way line shall be set back not less than twenty (20) feet from the right-of-way line of any public

street.

**(4) TRAFFIC VISIBILITY TRIANGLE:** No fences, structures, trees, bushes, other plantings or other objects other than lawn grass, sidewalks or city utility system components or street signs, traffic signs or other signs installed by the city shall be permitted, placed or maintained within any area of a lot or boulevard abutting intersecting streets within the triangular area described as follows:

A triangle, the sides of which are determined by measuring to points 33 feet along the curb lines of each of the two intersecting streets from the point of intersection of the lines of the two curbs, and the base of which is a line connecting such two points. The measurement of a curb line shall be made at the top edge of the curb where the back of the concrete curb meets the boulevard. For purposes of such measurement, where the area of the curb intersection is rounded or set back to enable handicapped access to the sidewalks, the curb lines shall be extended to the point where the extended lines intersect. Where there is no curb installed, the measurement shall be made along the edge or edges of the paved street roadway(s) closest to the lot line of the abutting property. **[From 400.04 (7)(a)]**

In the case of any lot or subdivision abutting a state trunk highway, the setback and traffic visibility requirements set forth in the Wisconsin Statutes and/or Wisconsin Administrative Code shall apply, provided that such requirements require a traffic visibility triangle not smaller than required above.

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**(5) REAR YARD:** There shall be a rear yard having a minimum depth of twenty-five (25) feet.

**(6) LOT AREA PER DWELLING UNIT:** Every structure hereafter erected or structurally altered for human habitation which contains one dwelling unit shall provide a lot area of not less than 8,000 square feet and no such lot shall be less than sixty (60) feet in width. Any structure erected or structurally altered to contain two dwelling units shall provide a lot area of not less than 4,000 square feet per dwelling unit and no such lot shall be less than sixty (60) feet in width.

**(7) FLOOR AREA PER DWELLING UNIT:** Every dwelling unit erected or created by structural alteration for human habitation shall provide minimum living area of eight hundred and fifty (850) square feet.

**(8) DISTANCE OF DETACHED ACCESSORY BUILDINGS FROM LOT LINES:** No

detached accessory structure shall be located closer than the following distances from the indicated lot lines of the lot or parcel upon which it is erected:

(a) No portion of the foundation or wall shall be located less than three feet (3') from the rear lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than one and one-half (1.5) feet from the rear lot line.

(b) Where the entire accessory building is located within a rear yard, no portion of the foundation or wall shall be located less than three feet (3') from the side lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than one and one-half (1.5) feet from the side lot line.

(c) Where any portion of such accessory building is located in a side yard, no portion of the foundation or wall shall be located less than eight feet (8') from the side lot line, and no portion of the building (including any part of the roof, eaves or eaves trough) shall be located less than six and one-half (6.5) feet from the side lot line.

(d) Notwithstanding the foregoing, where such side or rear lot line abuts a street, the accessory building shall be subject to the same setback requirements from such street as apply to a primary structure.

(e) Additional limitations on detached accessory buildings set forth in sec. 400.04 (5) are applicable in this district.

#### **403.06 PERFORMANCE STANDARDS APPLICABLE TO AN R-2 DISTRICT.**

**(1) Exterior Storage in Residential Districts.** All materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties or from any public street, except for the following:

(a) Laundry being dried.

(b) Recreational equipment, other than boats, canoes, snowmobiles and trailers.

(c) Boats, canoes, snowmobiles, trailers and unoccupied recreational-type campers and trailers, less than twenty (20) feet in length, if stored in the rear yard and more than five (5) feet from any property line.

(d) Construction and landscaping materials and equipment currently being used on the premises for improvements to the premises, which may be stored for a period not more than forty-five (45) days, while work is actually in progress.

(e) Off-street parking of an aggregate of not more than three (3) passenger automobiles and pick-up trucks owned by residents of the premises, all of which shall be in condition to be legally operated upon the highways of the state and shall display current registration.

(f) Heating wood intended for use on the premises, but not heating wood being held for sale. Any quantity of heating wood in excess of four (4) cords shall be presumed to be held for sale. All heating wood shall be stored in the rear yard and more than five (5) feet from any property line.

**(2)** In addition to (1) above, all of the performance standards set forth in sec. 400.07 which are applicable to all zoning districts apply to lands in the R-2 District.