

ORDINANCE NO: 2059

AN ORDINANCE REGARDING STREET SIDE YARD PATIOS IN ZONING SETBACK

WHEREAS, the Village Board approved the proposed ordinance and held a public hearing on February 16, 2016; and

WHEREAS, the Plan Commission discussed allowing patios in the street side yard setback at a meeting on September 22, 2015 and recommended approval to the Village Board at a meeting on October 27, 2015; and

WHEREAS, the Village of Shorewood Zoning Code Section 535-9 allows patios in the front yards as an exception to the zoning setbacks; and

WHEREAS, zoning rear yard setbacks for residential lots located within the interior of a neighborhood block reasonably accommodate patio installations; and

WHEREAS, the Village of Shorewood, having traditional dense neighborhoods, recognizes corner residential lots may not have backyard space to accommodate a patio;

NOW, THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County Wisconsin held on the 16th day of February, 2016, a quorum being present and a majority of the Board voting therefore said Board does ordain as follows:

SECTION 1

That Section 535-6 Definitions and word usage of Article II, Definitions of Chapter 535, Zoning of the General Ordinances of the Village of Shorewood may be amended and add the following definitions:

SETBACK

The minimum horizontal distance between a lot line and the nearest wall of a building or side of a structure facing such lot line.

YARD

An open space that lies between a building or structure and the nearest lot line.

YARD, FRONT

A space extending across the entire width of a lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest wall of the principal structure. Refer to graph 6.1

YARD, REAR

A space extending across the entire width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest wall of the principal structure. Refer to graph 6.1

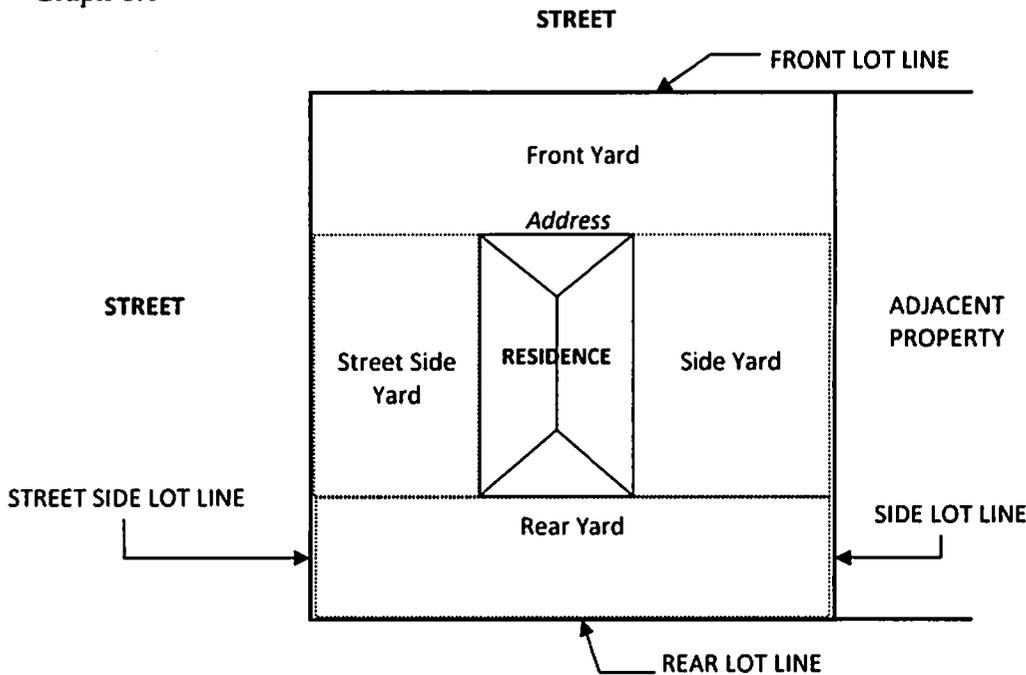
YARD, SIDE

A space extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest wall of the principal structure. Refer to graph 6.1

YARD, STREET SIDE

A space extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the street side lot line to the nearest wall of the principal structure. Refer to graph 6.1

Graph 6.1



SECTION 2

That Section 535-6 Definitions and word usage of Article II, Definitions of Chapter 535, Zoning of the General Ordinances of the Village of Shorewood may be amended to repeal the following definitions:

SIDE SETBACK

The minimum horizontal distance between the side lot line and the nearest point of a building or structure on said lot, excluding the roof overhang unless it exceeds 18 inches

SIDE YARD

The area between the lot line which is perpendicular to the front lot line and the nearest wall of the principal or accessory structure, provided that the roof overhang does not exceed 18 inches.

STREET SIDE YARD

The area extending the full length of the lot between the lot line perpendicular to the front lot line and adjacent and parallel to a side street and the nearest wall of the principal or accessory structure.

[Added 2-25-2008 by Ord. No. 1935]

STREET YARD

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the property line parallel and nearest to the existing or proposed street and a line parallel thereto through the nearest point of the principal or accessory structure, excluding the roof overhang unless it exceeds 18 inches.

- A. For houses on a corner lot, the street yard shall include the aforementioned dimensions, as well as the area extending the full length of the lot between the lot line perpendicular to the

front lot line and parallel and nearest to the side street and the nearest wall of the principal or accessory structure.

B. Areas defined as street yards will also be defined as front, side, or rear yards. In such areas, the definition of "street yard" shall take precedence; its restrictions and allowances shall supersede those of the other defined yard areas.

SECTION 3

That Section 535-9F Decks, patios and driveways of Section 535-9 Site restrictions of Article III, General Provisions of Chapter 535, Zoning of the General Ordinances of the Village of Shorewood may be amended such that:

Section 535-9(F)(3) is created to read as follows:

(3) Patios may be located in the front yard or street side yard only when constructed within the following parameters:

- (a) No more than 30% of any front yard or street side yard may be covered by a patio.
- (b) One entire side of a patio must be directly adjacent to the principal structure of the lot.
- (c) Front yard patios and street side yard patios shall not be more than three (3) feet from the property front yard and street side yard lot line.
- (d) A scale drawing of the proposed layout of a new front yard or street side yard patio must be completed, along with a list of proposed materials to be used in construction, all of which shall be submitted to the Design Review Board for review and approval. All materials must be of high quality, such as cut stone, Lannon or blue stone, or decorative concrete. In addition the stone surface shall be screened from public view by natural vegetation. No fences shall serve as the primary screening materials.

SECTION 4

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

SECTION 5

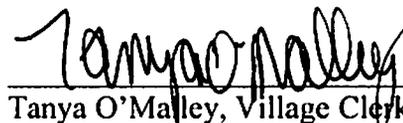
That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 16th day of February, 2016.



Guy Johnson, Village President

Countersigned:



Tanya O'Malley, Village Clerk WCPC