

ORDINANCE NO: 3002

AN ORDINANCE AMENDING ZONING REQUIREMENTS TO ALLOW FOR FRONT PORCHES AND COVERED ENTRYWAYS IN REQUIRED FRONT AND SIDE YARDS.

WHEREAS, the Wisconsin legislature has granted zoning powers to municipalities to promote the health, safety, morals and general welfare of the community within Wis. Stat. § 62.23(7);

WHEREAS, the Village of Shorewood, has codified zoning regulations, including site restrictions, within Chapter 535 Zoning of its municipal code;

WHEREAS, per Article XI Changes and Amendments of Chapter 535 Zoning, amendments to the Chapter 535 Zoning require recommendation from the Plan Commission and a public hearing prior to consideration;

WHEREAS, the Plan Commission has discussed amending modifications to porch requirements at their meetings on September 22, 2015, October 27, 2015, May 23, 2017, July 25, 2017, March 26, 2019 and April 30, 2019 and has subsequently recommended on May 28, 2019 that the Village Board amend its current ordinance pertaining to the definitions, required setbacks, design requirements, prohibitions and notice standards to allow porches and covered entryways in required front and side yards; and,

WHEREAS, a public hearing has been scheduled in front of the Village Board to take place on July 1, 2019 to solicit public comment regarding the proposal.

NOW, THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County Wisconsin held on the 1st of July, 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 use" be amended to include:

COVERED ENTRYWAY

A covered entrance over a doorway without support structures extending to the ground or floor.

SECTION 2

That the Subsection 535-9F of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be amended to read as follows:

F. Decks, patios, porches and driveways.

No deck, patio, porch or driveway shall be constructed unless a Village building permit is applied for and issued by the Village, in accordance with the requirements of the Village Code.

SECTION 3

That the Paragraph 535-9F(1) of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be amended to read as follows:

(1) Decks.

- (a) Decks shall not be located in the front yard or street side yard, or the side setback or rear setback of a lot.

SECTION 4

That the Paragraph 535-9F(2) of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be amended to read as follows:

(2) Patios.

- (a) Patios may be located in the front yard or street side yard, only when constructed within the following parameters:
 - [1] No more than 30% of any front yard or street side yard may be covered by a patio.
 - [2] One entire side of a patio must be directly adjacent to the principal structure of the lot.
 - [3] Front yard patios and street side yard patios shall not be located closer than three feet to the front lot line or street side lot line.
 - [4] A scaled drawing of the proposed layout of the 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.
 - [5] Patios may not exceed six inches above grade in the front yard or street side yard.
- (b) Patios shall not be located in the side setback or rear setback of a lot, with the exception of on-grade patios in the R-5 and R-6 residence districts.

SECTION 5

That the Paragraph 535-9F(3) of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be amended to read as follows:

- (3) Porches and covered entryways.
In order for buildings to have various features that provide variety, articulation and unique character, standards are established to allow certain elements of modest size to be placed in setback areas.
- (a) Required setbacks.
- [1] Porches may project up to 8 feet from the front façade of the house into the front yard and covered entryways may project up to 4 feet into the front yard; however, in no instance may such projection encroach closer than 10 feet to the front lot line.
 - [2] Porches and covered entryways shall not be located beyond the interior side setback.
 - [3] Covered entryways may project up to 4 feet into the street side yard; however, in no instance may such projection encroach closer than 6 feet to the side lot line.
 - [4] Porch and covered entryway land area coverage shall count within the allowable area for principal structures, per respective zoning districts.
- (b) Design requirements.
- [1] The maximum depth of a porch shall be no more than 10 feet.
 - [2] The floor height of any porch or covered entryway shall be at or within 8 inches of the front entry height.
 - [3] Porch and covered entryway roof height shall be a maximum of one-story. A second floor deck with railing may be allowed, subject to design approval.
 - [4] At least 50% of the exterior wall area shall be open; mesh screened areas, glazing and guardrails shall be considered enclosed.
 - [5] A covered entryway shall be centered over the doorway, including sidelights, and shall not extend greater than 3 feet in either direction.
- (c) Prohibitions.
- [1] Unfinished pressure-treated materials are prohibited.

- [2] Porches may not be used for living purposes, three/four-season rooms, greenhouses, sunrooms, solariums (glass roof) or other like structures.

SECTION 6

That the Paragraph 535-9F(4) of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be amended to read as follows:

(4) Driveways.

- (a) Driveways shall not be constructed unless they lead to a garage, except that circular driveways may be located in the front yard, provided that there is a garage or a garage is being constructed on the lot contemporaneously and provided that:

- [1] An applicant for a permit to construct a circular driveway must submit a sketch of the proposed layout and landscape screening in addition to any other information that the Building Inspector or the Design Review Board may reasonably require in order to comply with this section;
- [2] The design and materials used are aesthetically compatible with the surrounding neighborhood;
- [3] The width of the lot at the front property line is at least 60 feet to allow for an adequate turning radius;
- [4] There is landscaping necessary to adequately screen it from street view that does not impair the vision triangle; and
- [5] The plans, including the landscaping, have been reviewed and approved by the Design Review Board.

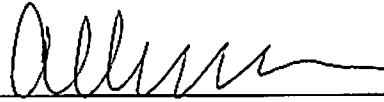
- (b) Newly constructed or reconstructed driveways shall have a minimum width of 8 feet. In cases of reconstruction of driveways the Building Inspector may waive the minimum width where it is not practically possible to reconstruct an existing driveway to that width, but the reconstructed driveway may not be narrower than it was prior to reconstruction.

SECTION 7

That the Paragraph 535-9F(5) of Article III General Provisions, of Chapter 535 Zoning, of the General Ordinances of the Village of Shorewood be deleted.

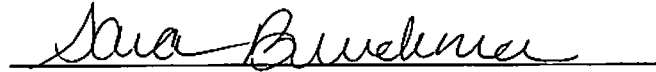
SECTION 8

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 1st day of July, 2019.



Allison Rozek, Village President

Countersigned:



Sara Bruckman, CMC, WCMC, Village Clerk