

ORDINANCE NO. 02-2018

AN ORDINANCE AMENDING CHAPTER 17 (ZONING CODE)
OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY,
WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That Section 17.41 (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(1) SIZE AND NUMBER LIMITATIONS.

- (a) In the single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), each residential dwelling shall be constructed to include an attached garage and/or a detached garage (i.e. detached accessory building). Where a dwelling contains a single attached garage, subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no specific size (area) limit for an attached garage. A dwelling within the Rs-1 or Rs-2 District may include a second attached garage provided that such garage complies with the area standards in (b), ~~and, obtains site plan approval from the Plan Commission.~~
- (b) The maximum size of a second attached garage and the maximum size and number of detached accessory buildings allowed per lot or parcel in each residential zoning district shall be as set forth in Table 1 below.

SECTION 2. That Table 1 under Section 17.41(1)(b) (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

TABLE 1.

Zoning District	Attached Garages		Detached Accessory Building		
	Max. Number	Max. Floor Area ⁽⁵⁾ (sqft)	Max. Number	Maximum Floor Area ⁽⁵⁾ (sqft) (cumulative total for all accessory buildings)	
				Attached Garage Included	Attached Garage NOT Included
Rs-1	2; Second requires <u>Zoning Permit Site Plan</u> approval	No limit on First; Second may not exceed <u>2.4%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>2.4%</u> of lot area or 192 sqft ⁽²⁾	<u>2.4%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-2	2; Second requires <u>Zoning Permit Site Plan</u> approval	No limit on First; Second may not exceed <u>1.75 4%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>1.75 4%</u> of lot area or 192 sqft ⁽²⁾	<u>1.75 4%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-3	1	No limit ⁽¹⁾	1	<u>1.5 4%</u> of lot area or 192 sqft ⁽²⁾	<u>1.5 4%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-4	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-5	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-6	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-7	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rd-2	2	No limit ⁽¹⁾	2	1% of lot area or 192 sqft ⁽²⁾⁽³⁾	1% of lot area or 864 sqft ⁽⁴⁾

Notes:

1. Subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no maximum size (area) for an attached garage.
2. If an existing dwelling unit includes an attached garage, then the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) up to the percentage noted ~~is 1%~~ of the net lot or parcel area (in square feet) or 192 square feet, whichever is greater.
3. The 1 percent maximum floor area allowance applies to each dwelling unit on a lot or parcel in the Rd-2 2-family zoning district.
4. Many residential lots in the older established areas of the Village do not have (or may not be capable of having) an attached garage due to lot width, building setback, septic system location, or other limitations associated with substandard lots. In these cases, the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) is 1% of the net lot or parcel area (in square feet) or 864 square feet, whichever is greater.
5. The calculation of "maximum floor area" for detached accessory building shall include:

- a. All floor area (including second or higher floors) where the ceiling height above the floor is 6 feet or higher; and
- b. If in the Rs-1 or Rs-2 District, any additional area under cover by an overhang that is greater than 2 feet from the exterior wall on three sides of a building, plus the area under cover by an overhang that is greater than 6 feet on the remaining side(s).

SECTION 3. That Section 17.41(2a) (ARCHITECTURAL APPEARANCE AND MATERIALS) is created as follows:

17.41(2a) ARCHITECTURAL APPEARANCE AND MATERIALS.

In single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), accessory buildings which exceed 160 square feet in area shall be of a similar architectural appearance and exterior material as the dwelling on the property. For accessory buildings greater than 160 square feet in area, the Plan Commission may, in circumstances which it deems appropriate, grant a variance to this requirement and approve different architecture and/or exterior materials with a Zoning Permit. See also Section 17.49 (ARCHITECTURAL CONTROL).

SECTION 4. That Section 17.49 (ARCHITECTURAL CONTROL) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.49(3) PRINCIPLES.

- (e) See Section 17.41(2a). ~~Accessory structures for single-family and 2-family buildings, which exceed 200 square feet in footprint shall be of a similar architectural appearance and material as the primary building on the property. For those buildings greater than 200 square feet the Plan Commission may, in circumstances which it deems appropriate, grant a variance to the requirements to structures up to 400 square feet in size.~~

SECTION 6. That Section 17.50 (MODIFICATIONS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.50(2) YARDS.

- (b) ~~Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than 10 feet to the principal structure; and shall not exceed 15 feet in height.~~

SECTION 7. That Section 17.41(7) (TEMPORARY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

- (a) For purposes of this section, a “temporary storage structure” is defined as a detached building or other enclosed and/or covered structure intended for the shelter, storage and/or conveyance of vehicles, equipment, building materials, household or personal items, junk and trash, etc. on a short-term basis (less than 180 days). Examples of “temporary storage structures” include, but are not limited to, portable storage containers sold or rented under the business name “UNITS” and “PODS” and all other similar structures, freight-type shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, “hoop” buildings, and dumpsters.
- (b) Temporary storage structures intended for may be permitted in any Single-family or Two-family Zoning District (including the Rs-1 through Rs-7 and Rd-2 Districts), provided that:
1. temporary storage structures may be installed on a property for a period not to exceed thirty (30) consecutive or cumulative days without a permit or approval from the Village if said structure is used for storing or moving vehicles, equipment, building materials, household or personal items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator. Temporary storage structures allowed under this provision may be located in a front, side or rear yard of a property with a minimum setback of ten (10) feet from property lines;
 2. temporary storage structures installed on a property for a period greater than thirty (30) but less than ninety (90) consecutive or cumulative days may be allowed with a “Temporary Storage Structure-Zoning Permit” issued by the Village. Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property with a minimum setback of ten (10) feet from property lines;
 3. temporary storage structures installed on a property for a period greater than ninety (90) but less than (180) consecutive or cumulative days may be allowed as a “temporary use” subject to the Temporary Use Permit requirements under Section 17.07(2a). Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property and meet all applicable building setback requirements;
 4. Property owners/tenants who want to install a temporary storage structure on a property for a period greater than (180) consecutive or cumulative days can only do so if more than one Temporary Use Permit is issued by the Village pursuant to section 3. above.

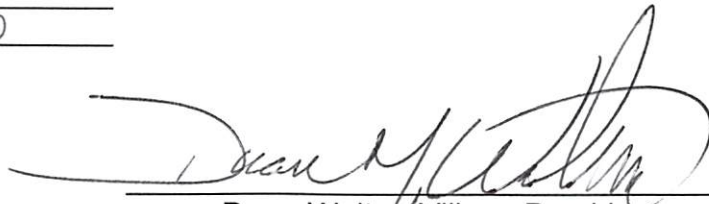
SECTION 8. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee:

Introduced by Trustee: T. Baum

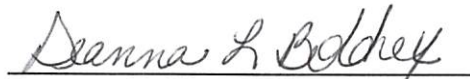
Adopted: January 15, 2018

Vote: Ayes: 8
Nays: 0



Dean Wolter, Village President

ATTEST:



Deanna Boldrey, Village Clerk

APPROVED AS TO FORM:



Brian Sajdak, Attorney

Published: