
ORDINANCE NO. 2015-14**ORDINANCE TO AMEND SECTIONS 40.163, 40.173, 40.183, 40.193, AND 40.203 TO AMEND REQUIREMENTS FOR DETACHED GARAGE STRUCTURES IN THE R-1 THROUGH R-5 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

WITNESSETH

WHEREAS, the R-1 through R-5 zoning districts serve as single family residential zoning and allow for garages and there is a desire to clarify the language regarding when detached garages are allowed; and

WHEREAS, the proposed amendment to the Land Development Code was reviewed by the Plan Commission of the Village and was recommended to the Village Board for approval; and

WHEREAS, notice of this proposed Code amendment was given through the publication of a legal notice in the official newspaper for the Village as required pursuant to Article 2 Division 2 of Chapter 40 of the Municipal Code of the Village of Pewaukee as well as Wisconsin Statute Section 62.23(7).

WHEREAS, the matter was the subject of a public hearing held before the Village Board on December 15, 2015.

NOW THEREFORE, the Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION ONE:

ARTICLE VI, DIVISION 3, Section 40.163 and ARTICLE VI, DIVISION 4, Section 40.173 and ARTICLE VI, DIVISION 5, Section 40.183 and ARTICLE VI, DIVISION 6, Section 40.193 and ARTICLE VI, DIVISION 7, 40.203 and ARTICLE VI, DIVISION 7, Subdivision II, Section 40.210.3 to be repealed and recreated as follows:

- (1) Private garages, carports and paved parking areas shall be allowed provided that no such garage *or carport* shall be erected prior to the erection of the principal building to which it is accessory. Garages and/or storage structures shall conform to the following:

- a. All new residential home construction shall include at least one, but not more than one. No more than one attached garage structure shall be allowed for new residential home construction. Detached garages shall be allowed for replacements of legal existing detached garages or for construction of detached garages for to serve homes constructed prior to the effective date of the ordinance from which this chapter is derived (i.e. May 4, 1999), which homes do not presently have a garage. In either case, the garage structure shall not exceed 900 square feet in size.

Properties with an existing residence and existing attached garage (whether attached or detached) and a lot area greater than 2.5 acres, are permitted a second detached garage structure not to exceed 900 square feet. If a garage greater than 900 square feet shall be sought for a property with an existing residence and existing attached garage (whether attached or detached) and a lot area greater than 2.5 acres, approval by the Planning Commission as Conditional Use shall be required.

- b. An accessory storage structure shall be permitted in addition to the principal any permitted garage structure(s). The accessory storage structure shall not exceed 192 square feet in size and shall be offset a minimum of ten feet from a side or rear lot line. Non-storage related accessory structures may be permitted provided they are offset no less than five feet from a side or rear lot line.

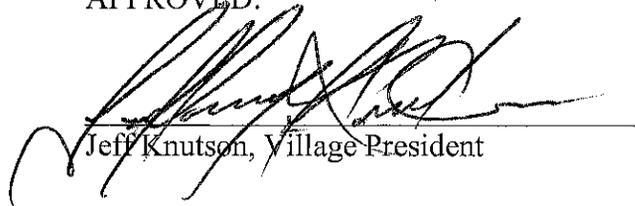
SECTION TWO: All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION THREE: The several sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

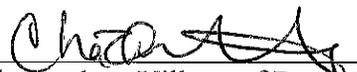
SECTION FOUR: This ordinance shall take effect immediately upon passage and publication as required by law.

Passed and adopted this 15th day of December, 2015, by the Village Board of the Village of Pewaukee.

APPROVED:


Jeff Knutson, Village President

Countersigned:


Chaz Schumacher, Village of Pewaukee Interim Clerk