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VILLAGE OF PEWAUKEE

DIVISION 18.5 – RESIDENTIAL INFILL-REDEVELOPMENT OVERLAY DISTRICT

Sec. 40.001. - Purpose; authority; control.

1) The Residential Infill-Redevelopment *overlay* district is intended to permit single-family residential infill and/or redevelopment projects at a slightly higher density (smaller minimum lot size) than the Village's *standard* Single-Family Residential Zoning Districts and which also permits limited shared/common building walls among residences. Target locations for this overlay district to be applied may include sites where current or previously existing, often times non-single-family-residential type, land uses may be/been situated on properties that are closely comingled within existing single-family residential use neighborhoods and where a resumption, modification or intensification of the prior or current non-single-family-use(s) is no longer necessarily desired based upon potential land use incompatibility issues, concerns about impact on available public services and facilities,...and similar. These prospective infill-redevelopment sites/uses might now be phasing out of their former uses and into development/redevelopment opportunities where the Village believes it would be beneficial to incentivize use conversion to single-family residential type use by offering this slightly higher density residential development opportunity in order to promote this option in pursuit of better synergy among land uses.

This Residential Infill-Redevelopment overlay district offers greater flexibility of overall development design with the benefits from such design flexibility intended to be derived by both the developer and the community by encouraging greater consistency/compatibility among land uses within the immediately surrounding area.

Sec. 40.002. – Permitted Uses.

1) Any permitted use listed in the underlying base zoning district and subject to all of the zoning requirements setforth in that underlying district.

2) Single-Family Residential Dwellings (i.e. 1 dwelling unit per building) subject to all of the zoning regulations setforth in this Residential Infill-Redevelopment overlay district.

Sec. 40.003. – Minimum Project Size/Area.

Not less than five contiguous, developable, project acres shall be required before the Residential Infill-Redevelopment overlay district may be applied to any project/property.

Sec. 40.004. – Permitted Accessory Uses/Structures.

1) Private garages and paved parking areas as accessory uses/structures shall be allowed provided that no such garage may be erected prior to the erection of the principal building to which it is accessory.

Garages shall conform to the following:

a. Each new single-family residential dwelling unit shall have at least one enclosed garage structure not less than 240 square feet in area (i.e. a one-stall garage) and not greater than 740 square feet (i.e. a three-stall garage). No detached garage structure may exceed 500 square feet in area. There shall be no more than one detached garage structure on any property. The

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combined maximum total enclosed garage square footage on any lot shall not exceed 740 square feet.

All garages shall have direct and paved driveway access (not less than 8 feet in width) extending to each overhead vehicle access door(s) of the garage from a designated adjacent public or private road or alleyway. All paved parking and/or drive surfaces shall be offset from the side and rear lot lines by not less than 3 feet. Garages are not to be used for any dwelling, home office, home occupation, or business use of any sort. Driveway paving shall be completed within 12 months of the garage construction being completed.

Every lot shall have/have access to not less than 2 paved, off-street vehicle parking spaces, at least one of which must be enclosed (ref Sec. 40.004. 1) above. The other(s) may be located either onsite or within 100 feet of the lot.

- 2) Accessory fences shall also be permitted in this District subject to the following conditions:
 - a. Open-type(i.e. at least 50% open) ornamental fences (excluding chain link type fencing) 4 feet in height or less are permitted in the front yard of the home but shall be setback not less than 7 feet from any public right-of-way and not less than zero feet from side lot lines.
 - b. Open-type (i.e. at least 50% open) ornamental fences (excluding chain link type fencing) 4 feet in height or less are permitted up to the lot lines in the side and rear yards.
 - c. Privacy fences 4 feet in height or less (excluding chain link type fencing) are permitted in the rear yard only and subject to an offset of not less than 5 feet from side and rear lot lines.
 - d. Fencing on all lots within a proposed Residential Infill-Redevelopment overlay district development shall be uniform as to design type, materials and color.
- 3) Home occupations and professional offices which are clearly incidental to the principal residential use and subject to the following conditions:
 - a. The home occupation shall be carried on wholly within the principal residential building and only by residents occupying the premises.
 - b. No article or service shall be sold or offered for sale on the premises.
 - c. The home occupation shall not generate customer or client traffic to the residential premises.
 - d. Any off-street parking area shall be paved and adequately screened from adjoining residential properties.
 - e. The home occupation shall not include the conducting of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes.
 - f. The home occupation shall not include outside parking/placement/storage of materials, equipment, vehicles or supplies or any other operational activity resulting in offensive noise, vibration, smoke, dust, odors, heat, glare, visual obstruction/unsightliness or similar adverse impacts which may create a nuisance or be otherwise incompatible with the surrounding residential area.
- 4) Nonstorage related accessory structures normally accessory to a residential use (i.e., gazebo, garden arbor, swingset, jungle gym, trellis', game court and similar...), shall be

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permitted in the rearyard only and shall be offset from the side and rear lot lines no less than 5 feet.

- 5) Accessory storage structures are not permitted in this Residential Infill-Redevelopment overlay district, *except* in lieu of a detached garage on the property in which case an accessory storage structure may be permitted in the rear yard, up to 192 square feet in area and offset from the side and rear lot lines not less than 5 feet. Accessory storage structures are not required to have driveways.

Sec. 40.004. – Permitted Conditional Uses.

Projects which include a mixing of multiple principal uses provided the proposed uses are among those listed, either as permitted or as conditional uses, in the underlying base zoning district and this Residential Infill-Redevelopment overlay district.

Sec. 40.005. – Single-Family Residential Density Limits.

The minimum required average lot area* per single-family residence shall be 8,500 square feet.

The Village may permit an average lot area* as low as 7,500 square feet per single-family residence for redevelopment projects. In this instance, redevelopment projects are defined as development projects where all or at least a substantial percentage (as determined by the Village) of the existing improvements value of a property is razed and removed and replaced with new construction. Village approval of the 7,500 square foot average lot size as described above shall not be viewed as a vested right and shall be determined based on a case-by-case assessment of each development proposal and the public interest served by the proposal.

In no case shall any lot be permitted that is less than 7,000 square feet in area.

**(i.e. Average lot area means the total square footage of the underlying buildable project area, net of all public or private roads/ the total number of lots proposed)*

Sec. 40.006. - Lot width.

Individual lot widths in this District shall be flexible and subject to the Village's review/approval within the context of the overall project plan.

Sec. 40.007. - Setbacks and yards.

Setbacks and yards in the Residential Infill-Redevelopment overlay district shall be as follows:

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Setback: All structures shall be setback not less than ~~30~~ 25 feet from any public right-of-way except open-type (at least 50% open) decorative fences 4 feet in height or less which shall be setback not less than 7 feet from any public right-of-way.

Sideyard: The principal residence structure, including any attached garage elements, and detached garages, shall be offset from the side lot lines by not less than 10 feet on one side and not less than zero feet on the other side. Principal residence structures, including any attached garage elements, may adjoin (share a common wall) along one side in accordance with this sideyard offset schedule provided such buildings are properly designed and approved by the Building Inspector as to all applicable building and/or fire safety code standards.

Any detached principal residence structure that does not share a common wall with an adjoining principal building shall maintain not less than ~~7.5~~ 5 foot sideyard offsets.

Detached garage structures sharing a common wall with an adjoining detached garage structure shall be offset from the side lot lines by not less than 5 feet on one side and not less than zero feet on the other side.

Any detached garage structure that does not share a common wall with an adjoining detached garage structure shall maintain not less than 5 foot sideyard offset on each side.

Rearyard: All buildings shall be offset from the rear lot line by not less than 20 feet.

Sec. 40.008. – Minimum Open Space Ratio.

The minimum required open space area shall be 20 % for all lots.

Sec. 40.009. – Maximum Building Coverage Ratio.

The combined total first floor area coverage of all buildings on a lot shall not exceed 35%.

Sec. 40.010. – Building Height.

- 1) The height of any dwelling unit in the Residential Infill-Redevelopment overlay district shall not exceed 42 feet.
- 2) The height of accessory structures shall not exceed 15 feet or the width of the structure, whichever is less.

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Sec. 40.011. – Dwelling Standards.

Single-family dwellings within the Residential Infill-Redevelopment overlay district shall have a 1100 square foot minimum living area measured from the outside of exterior walls (and excluding basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes). Minimum area on the first floor is 900 square feet.

Sec. 40.012. - Procedure.

1) Procedure for Residential Infill-Redevelopment overlay district processing/approval shall in accordance with Chapter 40, Article X. of the Village of Pewaukee Code and also:

a. *Pre-application conference.* Prior to official submittal of an application for approval of Residential Infill-Redevelopment overlay district project plan, the owner or his agent making such application shall meet with the Village of Pewaukee staff to review/discuss the general concepts of the contemplated development plan.

b. *The application.* Following the pre-application conference, the owner or his agent may file an application with the Planning Commission for review and approval of a Residential Infill-Redevelopment overlay district project plan including, among other things as may be required:

1. A legal description of the boundaries of lands included in the proposed Residential Infill-Redevelopment overlay district project plan.
2. The location of public and private roads, driveways and parking facilities.
3. The size, arrangement and location of all individual building sites and an approximate planned building footprint, paving and parking plan for each individual lot.
4. The location of any areas proposed to be reserved or dedicated for public uses such as parks and stormwater management areas.
5. The type, size and location of all proposed structures.
6. General landscaping treatment.
7. Architectural plans, elevations and perspective drawings and sketches illustrating the exterior design and character of proposed structures.
8. The existing and proposed location of public sanitary sewer, storm sewer, and water supply facilities as well as other utilities such as gas, electric, fiber optic, ... and similar.
9. The existing and proposed location of all easements.
10. Characteristics of soils related to contemplated specific uses.
11. A topography topographic map of the site with contours at no greater than two foot intervals based upon National Geodetic Vertical Elevation.
12. Anticipated and existing uses of adjoining lands.

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13. If the development is to be staged, a staging plan.

14. Environmental areas (i.e., wetlands, floodplains, environmentally sensitive/conservancy areas,... and similar).

15. The Village Planning Commission and Village Board may permit waiver or modification of the ordinarily required public and private improvements such as, but not necessarily limited to, street cross-section standards including sidewalk and terrace requirements, street lighting and street tree requirements, and similar... as part of a proposed redevelopment project plan provided the Village shall find that in doing so, the public health, safety and welfare is not diminished as a result and further provided that the Village shall have determined that, as a practical matter, the redevelopment project may not be viable without such waiver or modification.

2) Procedures for Conditional Uses under this Residential Infill-Redevelopment overlay district and/or uses permitted in the underlying zoning district shall be in accordance with the requirements set forth in Chapter 40, Article V of the Village Code and/or the underlying base zoning district requirements respectively.

Sec. 40.013. - Land divisions.

Any proposed land division which is part of the proposed Residential Infill-Redevelopment overlay district project plan shall be subject to the requirements of article X of this chapter.