1. Call to order.
2. Roll call.
3. Approval of meeting minutes.
5. Village Attorney to review plan commissioners duties and obligations.
6. Public Hearing: Consideration of conditional use application for installation of satellite dishes for television and news programming at property 1100 E. Capitol Drive, applicant WITI Television.
7. Discussion and possible recommendation of staff proposal to exclude paver patios from residential zoning setback requirements.
8. Discussion and possible recommendation of staff proposal to allow porches within the front yard zoning setbacks in residential districts.
9. Schedule next meeting.
10. Future agenda items.
11. Adjournment.

Dated at Shorewood, Wisconsin, this 18th day of May, 2017

Village of Shorewood

Tanya O’Malley, Village Clerk WCPC

PLEASE BE ADVISED THAT A REPRESENTATIVE OF THE APPLICANT FOR THE AGENDA ITEM MUST BE PRESENT AT THIS MEETING.

Should you have any questions or comments regarding any item on this agenda, please contact Ericka Lang, Planning Director, Planning & Development Department, at (414) 847-2640.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.
1. **Call to order.**

   The meeting was called to order at 6:30 p.m.

2. **Roll call.**

   Acting Chair Tr. Mike Maher    Aye
   Tr. Guy Johnson       Nay
   Tim Hansmann        Aye
   Eric Couto          Aye
   Chris Gallagher    Aye
   Barbara Kiely Miller Aye
   Nate Piotrowski    Aye
   Leah Blankenship   Aye

3. **Approval of October 25, 2016 meeting minutes.**

   Mr. Gallagher moved to approve the minutes, seconded by Mr. Couto.

   Ms. Kiely Miller asked to include in the roll call members who were not present.

   Under Item #6 Ms. Kiely Miller added the following explanation explaining that items 5c and 5d were removed from the consent agenda due to a concern regarding snow and water runoff off the panels onto neighboring properties.

   Mr. Gallagher moved to approve the minutes with the amendments, seconded by Ms. Kiely Miller. Vote 6-0 to approve.

4. **Statement of Public Notice.**

   Planning Director Ericka Lang stated the meeting was posted and published according to local and state regulations.

   Mr. Piotrowski arrived at 6:38 p.m.

5. **Consent Agenda and Public Hearing:**

   Acting Chair Maher opened the public hearing at 6:39 p.m. to see if anyone wanted to be heard on these items. None noted and the public hearing was closed at 6:39 p.m.

   a. **Consideration of conditional use application for installation of solar panels at residential property 4478 N. Cramer Street.**

   The proposal is for the installation of 6 solar modules. The location of the modules was not provided.
b. Consideration of conditional use application for installation of solar panels at residential property 4322 N. Alpine Avenue.
The proposal is for the installation of 10 solar modules on the back, southeast roof elevation.

c. Consideration of conditional use application for installation of solar panels at residential property 3535 N. Hackett Street.
The proposal is for the installation of 13 modules on the south roof elevation.

d. Consideration of conditional use application for installation of solar panels at residential property 4240 N. Ardmore Avenue.
The proposal is for the installation of 8 solar modules. The location of the modules was not provided.

Ms. Kiely Miller asked to remove item 5a from the consent agenda. Acting Chair Maher asked to remove item 5d from the consent agenda.

Mr. Gallager moved to approve items 5b and 5c under the consent agenda, seconded by Mr. Hansmann. Members voted 7-0 to approve items 5b and 5c.

6. Items removed from consent agenda.

Items 5a and 5d were removed from the consent agenda to verify the location of where the panels would be installed at each address.

Mr. Mike Cornell, Arch Electric, was present.

Ms. Kiely Miller asked where the panels will be mounted at 4478 N. Cramer Street (Item 5a). Mr. Cornell explained that there will be six panels and they will be mounted on the eastern corner of the south roof elevation.

Mr. Couto moved to approve consent agenda item 5a, seconded by Mr. Gallagher. Vote to approve 7-0.

Tr. Maher asked where the panels will be mounted at 4240 N. Ardmore Avenue (Item 5d). Mr. Cornell explained that there will be eight panels and they will be mounted on the south roof elevation. Mr. Hansmann asked if a skylight was in the middle of the panels. Mr. Cornell stated yes and that the panels would be mounted around the skylight.

Mr. Couto moved to approve consent agenda item 5d, seconded by Ms. Kiely Miller. Vote to approve 7-0.

7. Consideration of conditional use application for installation of multiple telecommunication antennae at multifamily structure 1700 E. River Park Court.
Ms. Lang introduced the item explaining that an application was received from LCC Telecom Services on behalf of T-Mobile to install six new telecommunication antennas on the roof of the multifamily building at 1700 E. River Park Court. Commissioners were
given all materials provided by the applicant. The antennas will be installed at three locations/corners of the roof: the southwest, southeast and northwest corners. The building has a four-foot parapet wall and the antennas would extend four-feet above the wall. The materials also detail a chain linked fence that appears to be within the penthouse and not visible from the street.

Mr. Mike Bieniek, LCC Telcom Services, was present representing T-Mobile. He stated that all the equipment and the fence is housed within the penthouse and not visible from the street level. The fencing around the equipment is locked but accessible to both the property owner and the mobile company. Mr. Bieniek also explained that when doing any type of roof mount/installation there is specific engineering that is required for this type of equipment to withstand wind etc.

Mr. Maher asked if the antennas were replacements or new. Mr. Bieniek stated the towers are new to accommodate the data usage that is taxing the system.

Ms. Kiely Miller moved to approve the conditional use application for the installation of six telecommunication antennae at multifamily structure 1700 E. River Park Court. Seconded by Mr. Piotrowski. Vote to approve 7-0.

8. Consideration of recommendation to amend the zoning of River Park parcels to P-3 Park Preservation at 3505 N. Oakland Avenue, located within the parking lot.

Ms. Lang introduced the item beginning with some background and history. In 1972, 3.25 acres containing the current baseball diamond and the northeast parking lot, just south of Harry's bar and restaurant, were acquired with Federal Land and Water Conservation Act Funds and became River Park. Exhibit A shows the land that was previously occupied by the Transport Company. In exchange for the federal money, a restrictive covenant was placed on the land for park purposes only and as an open space site. During that time the Village discussed the potential of not being able to develop the parcel and decided to take the federal money with the restrictions. Per the committee meeting notes, the grant restrictions only allow 10% of the area to be occupied by a structure. It appears from the 1992 Village Park Plan that the two east parking lots in River Park were built to support the anticipated needs of the users of the Park and met the covenant restrictions.

The River Park apartment project was approved in 1974 and the land was zoned Planned Development District for three buildings; however, only two were built. The two buildings that were built each have 214 apartments for elderly residents. With this change, a new Certified Survey Map was recorded and of the land needed for the third building was retained in Village ownership, but the zoning was not changed from PDD.

In 2006 a Central District Master Plan was adopted and the zoning code and map thereafter amended. With that amendment, the two parking lots along Oakland Avenue in River Park were changed to B-1 Commercial Use District. During public meetings and hearings for the Central District Master Plan update in 2014, the community opposed development along Oakland Avenue where the two parking lots are. The village manager and some village trustees recommend zoning amendments for the two Oakland Avenue B-1 parcels and the PDD zoned parcel addressed as 3500 on the zoning maps. The three
parcels are owned by the Village and would be changed to P-3 Parks Preservation District.

Some members commented that the proposal would give up development potential. The parcel portions along Oakland Avenue is part of the business district and the southern parking lots on those spaces are not the highest best use for the space. With the spaces being parking lots now, there could be ways to create a development with parking that has more to offer the village.

The Central District Master Plan was developed to promote success in the Central Business District and that leaving the southern parcel open for potential development is a positive.

Some members commented that two years ago during the Central District Master Plan meetings residents expressed that they did not want buildings in front of the park and that the need to keep the parking that was present to support park activities.

Mr. Couto moved to recommend amending the zoning of parcels 3500 (River Park Parcel) 3511 Oakland Avenue and 3505 Oakland Avenue to P-3 Park Preservation. Seconded by Ms. Kiely Miller. Vote failed 3 to 4 with commissioners Piotrowski, Blankenship, Hansmann and Gallagher voting no.

Village Attorney Nathan Bayer explained to the commission that alternative motions for a different recommendation to the village board can be done.

Mr. Piotrowski moved to recommend amending the zoning of parcel 3500 and the portion of parcel 3511 that is deed restricted by the federal government to P-3 Park Preservation. Seconded by Ms. Blankenship. Vote to approve 6-1 with commissioner Couto voting no.

Mr. Maher moved to recommend the rezoning of the 3505 parcel and the non-deed restricted portion of the 3511 parcel to P-3 Park Preservation. Seconded by Mr. Couto. Vote failed 3 to 4 with commissioners Piotrowski, Blankenship, Hansmann and Gallagher voting no.

9. **Discuss outside storage zoning regulations in the business districts.**

Ms. Lang introduced the item and asked for the commissions guidance on the code. There are businesses that currently are storing items outside. Some items are consumer goods other items are supplies to support the business. The zoning code does not allow any business to have outside storage. There is an inconsistency with gas stations having outdoor storage but other businesses not. Enforcement of zoning and sign codes is done by the planning director. Typical enforcement items usually involve signage and blocking the public sidewalk. Recent proactive inspections were done for all Shorewood gasoline stations prompted by an increased use of temporary signs including feather banner signs, which are prohibited. While inspecting these properties, most had goods permanently stored outside. Per zoning §535-21B(2)[c], goods cannot be stored outside of buildings.

Mr. Gallagher stated that selling products on a public sidewalk has nothing to do with zoning and more to do with legal rights within a public right of way. Items being stored
on a private property has more to do with zoning because it is on their property and if they have the right to do it. A challenge in the village is the size of the parcels and businesses having less space to work with.

The issue is mainly with convenience/gas service stations and private property.

Mr. Piotrowski suggested that possibly issuing special privilege or conditional use permits to regulate it and placing parameters on each location. He stated that an outright ban on outdoor storage is a little tough on businesses but was not opposed to enforcing the code and leaving it unchanged. Ms. Lang stated businesses could appeal the correction notice to the Board of Appeals.

Mr. Gallagher agreed with enforcing the code but possibly compromising on things such as hazardous materials (propane tanks) etc.

Mr. Couto asked if there was a staff preference on the issue. Ms. Lang explained that enforcement should be consistent.

Mr. Maher stated that businesses can go to the Board of Appeals and that the Board of Appeals may refer to the Plan Commission for guidance.

The commission agreed that the enforcement should be uniformly and consistently enforced and that no change should be made to the code. The exception would be having propane tanks inside businesses. Attorney Bayer added that the regulations on fire materials/propane tanks should be researched for clarification on where they can be stored.

10. **Schedule next meeting.**
   Staff has not received any applications for a December meeting.

11. **Adjournment.**
   Mr. Piotrowski moved to adjourn the meeting at 8:06 p.m., seconded by Mr. Couto. Vote 7-0.

Recorded by,

Crystal Kopydlowski
A conditional use application was received from WITI Television to install two satellite earth dishes for television and news programming. Satellite earth dishes are antenna. As the materials show, the satellites will be located just south of the WITI tower located in Estabrook Park, along the Oak Leaf Trail.

Per building code 225-10C(1)[a], satellite earth stations require a conditional use permit. The enclosed code section exempts satellite earth station dishes if they are under two meters in diameter. Each of the proposed satellite dishes are 3.8 meters in diameter. Refer to the letter from the applicant dated April 28, 2017 for further information about the satellites.

Per 225-10H(1) There shall be no more than one antenna installed or erected on a lot without the express approval of the Shorewood Village Plan Commission.

Section 225-10I places additional requirements for satellite dishes if they are in certain zoning districts, which does not include the P-3 Parks District that these satellites would be located in.

The conditional use criteria from zoning section 535-25C apply instead of 535-30C that is used for wireless telecommunications and mobile wireless facilities.
APPLICATION FOR
CONDITIONAL USE PERMIT

Village of Shorewood
Planning & Development Department
3930 N. Murray Avenue
Shorewood, WI 53211
Phone: (414) 847-2640
Facsimile: (414) 847-2648
www.villageofshorewood.org
PAD@villageofshorewood.org

CONDITIONAL USE APPLICATIONS ARE CONSIDERED BY THE PLAN COMMISSION. MEETINGS ARE THE 4TH TUESDAY EACH MONTH, AS NEEDED. APPLICATIONS ARE DUE 4 WEEKS BEFORE SCHEDULED MEETINGS AND ADDITIONAL MATERIALS AS IDENTIFIED BY THE PLANNING & DEVELOPMENT DEPARTMENT.

PROPERTY ADDRESS: 1100 E. Capitol Dr. - WITI Tower & Transmitter site

PROPERTY OWNER
Owner Name: WITI Television
Phone Number: 414-586-2302
Email: john.workman@fox6now.com
Owner Address: 9001 N. Green Bay rd
Milwaukee, WI 53209

APPLICANT/BUSINESS
Name: WITI Television-John Workman, VP Engineering
Phone Number: 414-586-2302
Email: john.workman@fox6now.com
Address: 9001 N. Green Bay rd
Milwaukee, WI 53209

Check if prefer to receive Meeting Agenda by EMAIL:
PROPERTY OWNER
APPLICANT

BUSINESS INFORMATION

Name of Business: WITI Television
Max # Employees On-site: 0 - not manned

Is a survey attached? (if required) NA
Is a parking plan attached? (if required) NA
*Provide copy of business plan

What do you wish to do that will require a Conditional Use Permit?
Install (2) 3.8 Meter satellite dishes needed for television & news programming delivery to both ION & WITI Transmitters. Critical use in serving public safety, news & programming.

Signature:

Date: 4/28/17

2/2016
ION Television is planning to relocate their transmission facility to the WITI Tower and transmitter building located at 1100 E. Capitol Dr in Shorewood by end of June 2017.

This change in broadcast operations for both stations is being driven by an act of congress that is designed to repurpose spectrum for new uses in Broadband. The FCC handles the reduction of channels for broadcasters which both ION & WITI are required to comply.

As result of this relocation, ION TV needs to relocate an existing satellite dish from another site to the WITI site and WITI also needs to install a satellite dish.

These satellite dishes are critical in providing communication link to both ION & WITI source for programming, news content and use for public safety in event of serious or major weather, power outages, loss of station facility operation or other natural or man-made disasters that broadcasters are required to provide & transmit critical public safety information. Broadcaster personnel are identified with Wisconsin Dept. of Justice as essential personnel to assist state & local emergency in communicating emergency information to the public.

I understand from the building department this requires a Conditional Use Permit to install and setup these two satellite dishes on the site.
ION TV is relocating an existing dish & WITI is installing a new dish.

Each of the dishes are 3.8 meter (12.5 ft.) diameter and mounted in the ground using manufacturer specified foundation recommendations per attached specifications and drawings.

WITI & ION propose to install these dishes close to the WITI transmission line bridge & supports that run from the transmitter building to the tower.
The existing transmission line bridge is 14 ft. high with the bottom at 10ft off the ground. The support poles are 10 ft. apart.

I have attached a mock-up of how these dishes would look and being placed close to our transmission bridge will not be higher than the existing bridge and blend in with bridge hardware as well as the ground rise behind dishes.

Thank you for your review and consideration in this critical operational important request,

John Workman
V.P. Engineering
WITI Fox 6
Chapter 535. Zoning

Article V. Conditional Uses

§ 535-25. Review and approval.

The Village Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Conditions, such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the Village Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this chapter.

B. Compliance with all other provisions of this chapter, such as lot width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required of all conditional uses. Variances shall only be granted as provided in Article X.

C. No conditional use permit shall be authorized by the Plan Commission unless such Commission shall find that:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair property values within the neighborhood.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district or have a negative impact on the diversity of the type of businesses located in the district. [Amended 3-18-1991 by Ord. No. 1599]

4. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Trustees pursuant to the recommendations of the Plan Commission.

7. The conditional use is in accordance with and subject to all other applicable laws and regulations.

D. In addition to the foregoing provisions of this section, special and specific criteria and requirements as set forth in this chapter shall be considered before a conditional use permit is issued. The provisions of § 535-22 and the provisions of §§ 535-26 through 535-28 of this article, when they specifically create the basis upon which a conditional use may be granted, shall supersede and take precedence over the provisions of §§ 535-23 through 535-25 of this article in case of conflict or duplication.
Chapter 225. Building Construction

Article II. Supplemental Building Regulations

§ 225-10. Antennas.


A. Purpose and applicability.

(1) Purpose. The purpose of this section is to:

(a) Establish general guidelines for the construction, maintenance and siting of antennas.

(b) Permit the siting of electronic equipment and still protect the public health and safety of the Village and its residents in a manner that reflects the minimum practical regulation necessary to accomplish that objective; and

(c) Reasonably accommodate users to consider and incorporate in design, construction and siting, the potential impact upon safety and aesthetics to the extent permitted.

(2) Applicability. Except as hereinafter noted:

(a) This section is intended to apply to antennas installed, constructed and modified after the enactment of this section.

(b) The standards and requirements are not to be applicable to an antenna for which a permit has been previously issued prior to the effective date of this section.

(c) Regardless of whether a permit is required, antennas installed, constructed or modified after enactment must comply with the applicable regulations of this section.

(3) Mobile tower and mobile service facilities excluded.

(a) Mobile towers, equipment and mobile service facilities as defined in § 66.0404, Wis. Stats., and Shorewood Code § 535-30C are excluded from the application of this section.

B. Definitions. As used in this section, the following terms shall have the meanings indicated. Other references hereinafter referred to when defined in Chapter 535, Zoning, of the Village Code shall be governed by said definitions, otherwise by common usage.

ANTENNA

An exterior device designed and intended to transmit or receive electromagnetic waves, digital signals, analog signals, television transmissions, radio transmissions. It includes all mounting and stabilizing structures and devices, including towers, poles, brackets, guy wires, hardware, connection equipment and related items, whether ground mounted on any lot or attached to the exterior of a building or structure. It does not include antennas or antenna-like devices located wholly within a building.

COMMERCIAL EARTH STATION

A satellite earth station antenna that has a diameter of two meters or less (measured diagonally).

RADIO BROADCAST SERVICES

The regular provision of a commercial or noncommercial service involving the transmission, emission, or reception of radio waves for the transmission of sound or images in which the transmissions are intended for direct reception by the general public.

RADIO BROADCAST SERVICES FACILITIES

Commercial or noncommercial facilities, including antennas and antenna support structures, intended for the provision of radio broadcast services.

RADIO OR TELEVISION ANTENNA

An antenna for receiving television or radio transmissions, including UHF and VHF television signals and AM, FM, ham or shortwave radio waves.
SATELLITE EARTH STATION

A dish-shaped antenna designed and intended to receive microwave signals from earth-orbiting communication satellites and includes satellite receivers and direct broadcast satellite antennas.

C. Permits required.
   (1) Except as hereinafter noted, it shall be unlawful for any person, firm or corporation to place, erect, construct or relocate within the Village of Shorewood an antenna without first applying for and obtaining:
      (a) A conditional use permit granted under Article V of Chapter 535, Zoning, and this section.
      (b) A building permit and electrical permit for the construction of the antenna and supporting or accessory structures.
   (2) Exceptions. No permit shall be required for:
      (a) Radio or television antennas which are 12 feet or less in height above the roofline of the building exterior.
      (b) Satellite earth station dishes which have a diameter of 1.0 meter or less (measured diagonally) and which are used only to receive television or radio broadcast signals.
      (c) Commercial satellite earth station dishes which have a diameter of 2.0 meters or less (measured diagonally).
      (d) An antenna that is owned and operated by a federally licensed amateur radio station operator and which meets the following conditions:
         [1] No more than one support structure for licensed amateur radio operator is allowed on a parcel.
         [2] Sufficient anti-climbing measures have been incorporated into the facility, as needed, to reduce potential for trespass and injury.
      (e) Publicly owned and operated telecommunications facilities required in the public interest to provide for and maintain a radio frequency telecommunication system, including digital, analog, wireless or electromagnetic waves, for police, fire and other municipal services.

D. Application for permits. Application for permits hereunder shall be made on the forms provided by the Planning and Development Department and shall contain or have attached thereto the following:
   (1) Name, address and telephone number of applicant and the contact individual for the applicant.
   (2) Description of the property where the antenna is to be located, including a site plan showing the proposed antenna relative to existing streets and lot lines and including proposed and existing buildings and structures.
   (3) Description of the antenna with mounting plans, specifications for installation and operation, finish color and proposed adjacent structures and vegetation.
   (4) Name, address and telephone number of person, firm or corporation erecting the antenna.
   (5) Written consent of the owner of the property, if other than the applicant, where the antenna is to be erected.
   (6) Any electrical permit required and issued by the Village for such antenna.
   (7) Such other information as the Building Inspector or Electrical Inspector may require to show full compliance with all federal, state and local regulations.
   (8) A description of compliance with general requirements under Subsections H and I as applicable to the antenna for which the permit is sought.
   (9) Evidence of compliance with applicable federal rules and standards, including Federal Communication Commission (FCC) radio frequency emission rules.

E. Permit fees. The applicant shall pay the fee as enumerated within the Village Fee Schedule.

F. The Village Plan Commission shall review the application and consider a conditional use under the following conditions:
   (1) Within 60 days of submitting the application for conditional use permit under Subsection D, it shall be submitted to the Plan Commission for consideration and hearing.
   (2) The Plan Commission shall give public notice of the time and place of the hearing and due notice to the applicant. The applicant may appear in person or by agent or attorney.
   (3) Applications for conditional uses under this section shall be subject to the procedures, requirements and criteria contained within Article V of Chapter 535, Zoning, except as modified by this section.
   (4) In granting a conditional use permit, the Plan Commission may impose conditions consistent with the purpose of this section when the Commission concludes such conditions may be necessary.
   (5) The Village Plan Commission may consider the criteria for the grant of a conditional use permit as contained within § 535-25C(1) through (7).
G. Denials.
   (1) A denial of a request for a conditional use permit under this section shall be in writing and supported by evidence as contained within the record of proceedings.
   (2) A denial of an application by any person or entity to place, construct, or modify radio broadcast service facilities may be based only on the public health or safety concerns. Such denial shall be in writing and provide the applicant with substantial written evidence which supports the reasons for the action.

H. General requirements for all antennas.
   (1) There shall be no more than one antenna installed or erected on a lot without the express approval of the Shorewood Village Plan Commission.
   (2) The location of any antenna shall not violate the setback or lot coverage regulations of the zoning district where located; provided, however, that on corner lots, if a roof or rear yard installation is not possible, such installations may be made in the side yard, if said yard is not adjacent to a street, subject to the side setback and lot coverage regulations for the district where located.
   (3) Placement. If reasonable reception of signals is possible, the signal receiving antenna shall first be located in the following descending order:
      (a) In either the rear yard or on the rear of the home or on the rear of its roof.
      (b) In either the side yard or on the side of the home or on the side of its roof.
      (c) In either the front yard or on the front of the home or on the front of its roof, but only upon certification to the satisfaction of the Plan Commission that reasonable reception is not possible at any other location.
   (4) Building codes; safety standards. To ensure structural integrity, the owner of an antenna shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for antennas that are published by the Electronic Industries Association, as amended from time to time.
   (5) Height. No antenna shall exceed a maximum height of 15 feet above the principal structure on which it is located or, if freestanding, 60 feet above the ground measured from grade level at the base of the supporting structure.
   (6) An antenna shall be permanently grounded in accordance with the manufacturer's specifications for installation. All installations shall meet the minimum wind load design velocity of 80 miles per hour.
   (7) No form of advertising or identification shall be allowed on an antenna other than the customary manufacturer's identification plates.
   (8) Portable or trailer-mounted antennas shall be prohibited; provided, however, that temporary installations for on-site testing and demonstration purposes may be allowed for reasonable periods.
   (9) State or federal requirements. All antennas shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owner of an antenna governed by this section shall bring such antenna into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring antennas into compliance with such revised standards and regulations shall constitute grounds for the removal under Subsection K.
   (10) Electrical installations in connection with an antenna, including grounding the system, shall be in accordance with the National Electrical Code, Wisconsin State Electrical Code and instructions of the manufacturer; in cases of conflict, the stricter requirements shall govern.
   (11) All cable used to conduct current or signals shall be installed underground, unless adequately screened from public view. The location of all such underground lines, cables and conduits shall be shown on the documents supporting the application for permit.
   (12) Antennas shall be filtered or shielded to prevent the emission or reflection of any radio frequency emissions or radiation that would cause interference with practical communication transmissions or broadcast reception on adjacent properties.
   (13) Aesthetic considerations. Antennas shall be located and designed to reasonably reduce visual impact upon surrounding properties at street level. The Plan Commission may require appropriate screening and landscaping that does not interfere with reception.
   (14) Lighting. Antennas shall not be artificially illuminated unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
   (15) The equipment cabinet or structure used in association with antennas shall comply with the following:
      (a) If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than 10% of the roof.
(b) Equipment storage buildings or cabinets shall comply with all applicable building codes.

(c) Buildings or cabinets located on the ground must be screened from view by vegetation or landscaping.

I. Requirements for satellite earth station antennas. In addition to the general requirements for all antennas under Subsection H or as Subsection H may be modified by these following requirements, satellite earth station antennas and commercial earth station antennas shall comply with these additional requirements:

1. Satellite earth stations which exceed one meter in diameter (measured diagonally) when located in the R-T through R-8 Village residential zoning districts shall be subject to the following regulations:

(a) They shall not exceed eight feet in diameter or 11 feet in height above the existing grade of the adjacent property.

(b) They shall be of mesh construction so as to be seen through.

(c) They shall be permanently ground mounted. They shall not be attached to the wall or roof of any principal or accessory structure, unless adequately screened from public view.

(d) They shall be totally screened all year round from any adjacent lot or street or other public way by a building, structure, plantings, earth berm, fence or wall in accordance with applicable Village Code requirements; provided, however, that such screening shall not operate to impose unreasonable limitations on or prevent reception of satellite-delivered signals by receive-only antennas or impose costs on the users of such antennas that are excessive in light of the purchase and installation cost of the equipment.

2. Satellite earth stations which exceed one meter in diameter (measured diagonally) when located in the R-9 and R-10 Districts, the B-1, B-2, B-3, B-4 and B-5 Districts, and P-1 District shall be subject to the following regulations:

(a) They may be erected on the roof of the principal building located on a lot or in the rear yard of a lot, subject to the setback requirements of the zoning district where located. When roof mounted, they must be checked by a registered engineer or architect for proper installation which meets safety standards as established by the National Electrical Code, Wisconsin State Electrical Code and instructions of the manufacturer; in cases of conflict, the stricter requirements shall govern. When roof mounted, they shall not exceed eight feet in diameter nor 11 feet in height from the roof surface and need not be of mesh construction unless visible from ground level.

J. Waiver. The Plan Commission may, in its discretion, waive compliance with provisions within this section where the applicant provides specific engineering and technical data showing that the code requirements would:

1. Unreasonably delay or prevent installation, maintenance or use;

2. Adversely impair reception such that the signal is not of an acceptable quality; or

3. Unreasonably increase the cost of installation, maintenance or use.

K. Failure to maintain or repair antenna.

1. The Building Inspector may inspect, at any time, any antenna located in the Village of Shorewood in order to ascertain whether or not the same is of a safe construction and condition and has been installed in a workmanlike manner in accordance with good engineering practices.

2. In case any condition is found which might result in danger to life or property, or if the antenna is unsightly or in need of maintenance and repair, the Village Building Inspector or Electrical Inspector is authorized to give written notice to the owner or user of such antenna at their last known address, citing such condition and requiring corrective action within five days from the date of such notice.

3. If such conditions are not corrected within such time, the maintenance of any such unsafe or unsightly installation by the owner or user thereof shall be considered unlawful, and the owner or user shall be subject to the penalty hereinafter prescribed.

4. If, in the opinion of the Building Inspector or the Electrical Inspector, such condition is so dangerous to life and property that immediate removal is required, the Village Building Inspector or Electrical Inspector shall remove or cause to be removed said antenna without further notice to the owner or user thereof and at the owner’s expense.

5. Any antenna that is not operated or used for a continuous twelve-month period shall be considered abandoned, and the owner of such an abandoned antenna shall remove the same within 90 days thereafter or upon notice from the Building Inspector that the antenna is considered abandoned. Failure to remove the abandoned antenna within 30 days of notice shall be grounds to have the antenna removed at the owner’s expense.

6. The cost of removing an antenna under this Subsection K shall be chargeable to the owner of the property upon which it is located and shall be certified in the proper manner to have said costs levied as special charges against such property, and the proper officers of the Village are authorized and directed to enter such charges on the tax roll.

L. Appeals.

1. Board of Appeals.
(a) Any person aggrieved by a determination of the Planning and Development Department may appeal to the Board of Appeals in accordance with the provisions of §§ 535-56 and 535-57 of the Village Code.

(b) Decisions of the Village Plan Commission in granting, denying, amending, suspending, or revoking a permit under this section may be appealed to the Board of Appeals in accordance with the provisions of §§ 535-56 and 535-57 of the Village Code. The Board of Appeals, after a hearing, may affirm, reverse or remand with recommendations any order, requirement, decision or determination of the Village Plan Commission made under this section.

(c) The Board of Appeals shall decide all appeals under this section within 30 days after final hearing and shall transmit a signed copy of the Board's decision to the appellant and to the Planning and Development Department.

(2) Review by court of record. Any person or persons aggrieved by any decision of the Board of Appeals under this section may present to a court of record a verified petition specifying the contents of the decision appealed and the grounds upon which the decision is challenged, appealed or charged to be illegal. Such petition shall be presented to the court within 30 days after the filing of the decision by the Board of Appeals in the office of the Secretary.

(3) Unless otherwise directed, no order, forfeiture, penalty or cost shall accrue or be enforced during the pendency of an appeal.1

[1] Editor's Note: Original § 9-207, which immediately followed this section, was repealed 10-6-1997 by Ord. No. 1762.
Challenger 3.8M Prime Focus Ku-Band Antenna

No Reviews yet

- Multi-feed Systems Available
- Powder Coated Reflector
- Easy installation without field alignment
- Comes in Dual Axis Motorized or Az-EI Fixed Mounts

Please log in to see price, request a quote, or purchase this item.
3.8m Prime Focus Antenna System
Ku-Band and C-Band Options

Features

- Multi-Feed Systems Available (up to 4)
- Available in Dual Axis Motorized and Az-El Fixed Pipe Head Mounts
- 125 Mph Wind Survival
- High Accuracy Antenna, Low Transportation Cost
- Complete Turnkey Systems Available

Description

The Challenger 3.8 Meter Prime Focus antenna is manufactured in the United States and is the symbol of quality in the antenna industry.

This antenna features an aluminum reflector which is powder coated for superior protection against the elements. Challenger offers a variety of mounting options and stainless steel hardware is standard.

The contoured petals with matched radial beams and hub assembly ensure easy installation without field alignment.

### RF Specifications

<table>
<thead>
<tr>
<th></th>
<th>Ku-Band</th>
<th>C-Band</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receive Frequency (GHz)</td>
<td>10.95 - 12.75</td>
<td>3.625 - 4.2</td>
</tr>
<tr>
<td>Midband Gain</td>
<td>50.3 dBi</td>
<td>41.5 dBi</td>
</tr>
<tr>
<td>Noise Temperature</td>
<td>55 K @ 10°</td>
<td>50 K @ 10°</td>
</tr>
<tr>
<td>Ports/Polarization</td>
<td>1 or 2 port liner</td>
<td>1 or 2 port circular/1 or 2 port linear</td>
</tr>
<tr>
<td>Polarization Rotation</td>
<td>360° Continuous</td>
<td></td>
</tr>
<tr>
<td>Polarization Isolation</td>
<td>30 dB LP</td>
<td>30 dB LP</td>
</tr>
<tr>
<td>VSWR</td>
<td>Rx: 1.41</td>
<td>Rx: 1.41</td>
</tr>
<tr>
<td>Feed Flanges</td>
<td>Rx WR75</td>
<td>Rx CPR 229G</td>
</tr>
</tbody>
</table>

### Mechanical Data

<table>
<thead>
<tr>
<th></th>
<th>Az-El Head</th>
<th>Dual Axis Motorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>F/D Ratio</td>
<td>0.413</td>
<td>0.413</td>
</tr>
<tr>
<td>Focal Distance</td>
<td>62.5 in.</td>
<td>62.5 in.</td>
</tr>
<tr>
<td>Azimuth Travel</td>
<td>360° Continuous</td>
<td>132° Arc</td>
</tr>
<tr>
<td>Elevation Travel</td>
<td>5° to 90°</td>
<td>5° to 90°</td>
</tr>
<tr>
<td>Polarization Travel</td>
<td>±90°</td>
<td>±90°</td>
</tr>
<tr>
<td>Total Weight</td>
<td>685 lbs</td>
<td>715 lbs</td>
</tr>
<tr>
<td>Crate Dimensions</td>
<td>88 x 36 x 30 in.</td>
<td>88 x 36 x 30 in.</td>
</tr>
<tr>
<td>Units/40 ft Container</td>
<td>39 units</td>
<td>36 units</td>
</tr>
</tbody>
</table>

### Environmental Data

<table>
<thead>
<tr>
<th></th>
<th>Operational</th>
<th>Survival</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wind Loading</td>
<td>60 mph (100 km/h)</td>
<td>125 mph (200 km/h)</td>
</tr>
<tr>
<td>Temperature</td>
<td>-40° to 140°F (-40° to 60° F)</td>
<td>-60° to 180° F (-51° to 82° C)</td>
</tr>
<tr>
<td>Rain</td>
<td>.5 in./hr (1.25 cm/hr)</td>
<td>3 in./hr (7.6 cm/hr)</td>
</tr>
<tr>
<td>Ice</td>
<td>1 in. (2.5 cm) radial</td>
<td>5 in. (1.25 cm) radial + 60 mph (100 km/h)</td>
</tr>
</tbody>
</table>

The 3.8m Prime Focus reflector consists of 16 draw die formed petals. Radial beams and outboard skirts are constructed of galvanneal steel. The contoured petals, radial beams, outboard skirts, and hub assembly are powder coated for superior protection against the elements. Stainless steel hardware is included.

---

Challenger Communications
704 North Clark Street
Albion, Michigan 49224 USA
Tel: +1 (517) 680 0125
Fax: +1 (517) 680 0133
info@challengercommunications.com
www.ChallengerCommunications.com
The DH 3.0m, 3.7m & 3.8m (4pc) Antenna Series

The same antenna you have used for years now available in 4 pieces.

Specifications

<table>
<thead>
<tr>
<th></th>
<th>3.0m</th>
<th>3.7m</th>
<th>3.8m</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Band Gain @ 4 Gig</td>
<td>40.0 db</td>
<td>42.7 db</td>
<td>42.5 db</td>
</tr>
<tr>
<td>Ku Band Gain @ 12 Gig</td>
<td>49.5 db</td>
<td>51.1 db</td>
<td>51.8 db</td>
</tr>
<tr>
<td>Thickness</td>
<td>.090</td>
<td>.090</td>
<td>.125</td>
</tr>
<tr>
<td>f/d Ratio</td>
<td>.3</td>
<td>.4</td>
<td>.378</td>
</tr>
<tr>
<td>Wind Force at 60ºF at 90 MPH</td>
<td>3,020 lbs</td>
<td>4,200 lbs</td>
<td>4,600 lbs</td>
</tr>
<tr>
<td>First Side Lobe (E-Plane)</td>
<td>1.5º</td>
<td>2.4º</td>
<td>2.3º</td>
</tr>
<tr>
<td>All Side Lobes</td>
<td>-26 db</td>
<td>-22 db</td>
<td>-22 db</td>
</tr>
<tr>
<td>3db Beam Width (E-Plane)</td>
<td>0.5º</td>
<td>1.4º</td>
<td>1.4º</td>
</tr>
<tr>
<td>F/L</td>
<td>36”</td>
<td>57.6”</td>
<td>57.6”</td>
</tr>
<tr>
<td>Antenna Weight</td>
<td>110 lbs</td>
<td>162 lbs</td>
<td>237 lbs</td>
</tr>
<tr>
<td>Crate Dims w/Antenna Approximate Weight</td>
<td>62&quot;x90&quot;x66&quot;</td>
<td>76&quot;x35&quot;x78&quot;</td>
<td>79&quot;x36&quot;x81&quot;</td>
</tr>
<tr>
<td>Mount Weight</td>
<td>224 lbs</td>
<td>224 lbs</td>
<td>224 lbs</td>
</tr>
<tr>
<td>Pallet Dims w/Mount Approximate Weight</td>
<td>50&quot;x50&quot;x19&quot;</td>
<td>50&quot;x50&quot;x19&quot;</td>
<td>50&quot;x50&quot;x19&quot;</td>
</tr>
</tbody>
</table>

*Antenna sizes are nominal
*Custom crating available
*Dimensions & weights are approximate

48” Polar Mount Features

- 48” Ring with 8 blocks
- Bronze Bushings at Pivot Points
- 110’ of Travel
- 5 1/2” od mast
- 8 Back Braces
- 4 Struts

Designed with 8 precision cut templates as ribs.

A computer controlled machine is used to manufacture the ribs allowing them to have the exact parabolic curve of the antenna. The 8 generated ribs, also referred to as templates, are secured to the antenna prior to cutting the antenna into 4 sections. The templates allow for the antenna to be re-assembled and perform as a 1pc. Extensive testing has been done on the system and our data shows no difference from a 1pc to the 4pc. Templates hold the antenna in shape so you are assured of a perfect antenna each time.

Crating available for domestic or ISPM 15 international

Purchased was a DH 3.7m 4 piece antenna and 48” mount. Installation was done on a roof at 25’. The panels are much easier to get to the roof for assembly. Once on the roof it assembled quickly.

We used four guys, total of 4 hrs. Antenna was snug and we used our spectrum analyzer for final confirmation. Installation was smooth! KCVU-TV, Ken Rice, Chico CA 95928 (07/18/2012)

03/31/2016
FOUNDATION INFORMATION
The recommended foundation for the antenna system is shown in figure 1. however, each installation must be tailored to the specific requirements of the site. It may be necessary to contact a local engineer or building department for foundation design or approval at any particular site.

SECTION A-A

<table>
<thead>
<tr>
<th></th>
<th>3.0M</th>
<th>3.8M</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>24.0</td>
<td>30.0</td>
</tr>
<tr>
<td>B</td>
<td>60.0</td>
<td>60.0</td>
</tr>
<tr>
<td>C</td>
<td>66.0</td>
<td>72.0</td>
</tr>
</tbody>
</table>

FIGURE 1.

NOTES:
1. 2 x 2 x 1/4 HRS Angle and schedule 40 pipe should conform with ASTM A36
2. All concrete should conform to building code standards and have a minimum compressive strength of 3000 PSI at 28 days.
3. Soil bearing capacity should be no less than 2000 PSF.
4. Concrete should be poured against undisturbed soil.
5. Allow concrete 24 hours set time before installation of antenna.
6. The antenna should be properly grounded to meet applicable local codes.
7. Minimum depth as shown or extend to local frost line.
WITI & ION TV – Satellite Dish proposal

- Proposed (2) 3.8 meter satellite dish installed on East side of WITI property close to existing Transmission Line bridge from tower to transmitter building.
- Foundation as per manufacturer specifications (attached)
- Conduit for Signal, Control & Electric run from dish to closest Transmission Line Bridge support pole and then run along with existing conduits & transmission lines approx 12 ft above ground into transmitter building.
Existing WITI Transmission Line Bridge & FM Radio Dish
Existing dish for FM Radio stations

Proposed WITI & ION - 3.8 Meter dishes - example
Staff Request
Staff is proposing to exempt at-grade paver patios from meeting zoning setbacks. If in your favorable opinion, your commission would make a recommendation to the Village Board for consideration.

Packet Materials
1. Zoning Map
2. Zoning District Description Summary Table
3. 535-6 Zoning Definitions- sample
4. 535-9 Site Restrictions, F. Decks, patios and driveways.
5. 535-19 Residence Districts, zoning setbacks
6. 535-32 Yard modifications

Introduction
Zoning codes specify setbacks, that is, the distance that any structures must be set back from a parcel boundary. Setbacks are specified for each side of the yard: front, rear, interior side, and street side.

A village policy, at least over the past 11 years, has staff review Shorewood’s zoning codes that are routinely challenged to Shorewood’s Board of Appeals. Property owners continue to appeal denials by the village inspectors for placing items in the zoning setbacks. The items most often appealed are:

- patios,
- air conditioning units, and
- garages.

The following table looks at the last two years of Board of Appeals meetings, identifying the number of agenda items and what portion are appeals related to structures in the zoning setbacks. In 2015 seven of 14 items were about zoning setbacks and nine of 19 in 2016.

<table>
<thead>
<tr>
<th>Board of Appeals</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Meetings Held</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Number of Total items on agenda</td>
<td>14</td>
<td>19</td>
</tr>
<tr>
<td>Appeals related to structures in zoning setbacks</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Appeals related to other zoning</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Appeals related to other local codes (fence, sign)</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Appeals related to Uniform Building Code</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>
Analysis

Defining Structure

Municipalities may adopt zoning setbacks to regulate light, air, and privacy, creating yard space for a better home environment and reducing fire hazards by providing distance between homes. They are also to ensure that a property owner has accessibility around the entire parcel perimeter.

The definition of structure varies within zoning regulations. Per §535-6 Shorewood’s Zoning Code, the definition of a STRUCTURE is:

“As specifically regulated by this chapter, anything which is constructed or erected and which is fastened, anchored or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fences, provided that for the purpose of determining lot coverage, the following, if uncovered, shall not be considered structures: decks, patios, driveways, parking slabs and the like.”

Below are a few examples pulled from other Wisconsin municipal zoning definitions:

Other Municipal Definitions of Structure

a. City of New Lisbon: Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, machinery and equipment.

b. Village of Saukville: A combination of materials other than natural terrain or plant growth erected or constructed to form, among other things, a building, shelter, sign, enclosure, retainer, container, support, base or decoration.

c. Village of Pleasant Prairie: Anything that is constructed, built or erected, using any material or combination of materials, which is supported by or attached to the ground, or which is supported by or attached to something that is supported by or attached to the ground, which is at least relatively stationary, and which is not entirely enclosed within a building (unless it is designed to be viewed from outside the building, e.g., an outward-facing lighted sign in a window). Without limitation, "structure" includes buildings, signs, fences, walls, driveways, decks, towers, swimming pools, tree houses, drawbridges, berms, patios, exterior stairs, parking lots, etc.

d. City of Lodi: Anything constructed, installed or portable, the use of which requires a location on a parcel of land or attachment to something having a permanent location on the ground. It includes a movable structure, fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and street graphics.

Staff Proposal

As Shorewood’s definition of structures states, it excludes the following items, thus exempting them from meeting zoning setbacks:

- Driveways
- Fences
- Concrete paths
- Eaves, up to 18 inches
Shorewood’s zoning chapter also allows patios in the front yard setback and street side yard setback. Per Zoning §535-9 Decks, Patios and Driveways states that patios may be located in the front yard or street side yard only when one side is along the house, no more than 30% of the yard is covered by a patio and it must be screened.

**Paver Patio**

Per the Merriam-Webster Dictionary, the definition of a PAVER  
“is a stone, brick or block used for paving a surface.”

Staff recommends exempting at-grade patios in the interior side yard and rear yard zoning setbacks in the R-5 Single Family and R-6 One- and Two-Family Residence Districts. Pavers are most often used for constructing a patio. Depending on the materials, they or often more affordable than concrete and easier for homeowners to install.

Pavers:
- do not restrict access around a property perimeter
- can be easily removed/relocated
- provides additional leisure space for residents given parcels are 40-foot wide in R-5 and R-6 districts
- do not obstruct views
- do not have negative impact to neighborhoods

Staff proposes exempting only in the R-5 and R-6 zoning districts because:
- These two districts are 95% of the residential districts in the village
- Districts R-1-4 are parcels along Lake Drive with wider lots and often unique dimensions
- Districts R-7 and higher are multifamily parcels along Wilson Drive only

Proposed Code Amendment, bolded and underlined:

§535-9 Site Restrictions. F. Decks, patios and driveways.

(1) No deck, patio, 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.

(2) Decks shall not be located in the front yard or the side or rear setback of a lot, and patios shall not be located in the side or rear setback of a lot except at-grade paver patios in residence districts R-5 Single-Family Residence District No. 1. & R-6 One- and Two-Family Residence District No. 1.

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

[Amended 2-16-2016 by Ord. No. 2059]

(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 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.
## Village of Shorewood, WI
### Zoning District Summary Table

<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>Principal Use</th>
<th>Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1 Lake Drive Residence</td>
<td>One-family dwellings</td>
<td>Max 30 ft</td>
</tr>
<tr>
<td></td>
<td>Setbacks: front-minimum 100 feet; side-minimum 10 feet; rear-see specific requirements for bluff areas Sect 535-19 A(7) Village Code.</td>
<td></td>
</tr>
<tr>
<td>R-2 Lake Drive Residence</td>
<td>One-family dwellings</td>
<td>Max 30 ft</td>
</tr>
</tbody>
</table>
|                        | Front setback: minimum 50 feet or the average of existing setbacks on the west side of North Lake Drive as established between the two closest intersecting streets, whichever is less.  
|                        | Side setback: Interior- minimum 5 feet; Street- 18% of the width of the lot but not less than 20 feet  
|                        | Rear setback: minimum 5 feet    |
| R-3 Lake Drive Residence | One-family dwellings            | Max 30 ft       |
|                        | Front setback: minimum 40 feet or the average of existing setbacks on the west side of North Lake Drive as established between the two closest intersecting streets, whichever is less.  
|                        | Side setback: Interior- minimum 5 feet; Street- 16% of the width of the lot but not less than 15 feet  
|                        | Rear setback: 5 feet            |
| R-4 Lake Drive Residence | One-family dwellings            | Max 30 ft       |
|                        | Front setback: minimum 25 feet or the average of existing setbacks on the east side of North Lake Drive as established between the two closest intersecting streets extended, whichever is greater.  
|                        | Side setback: minimum 5 feet    
|                        | Rear setback: see specific requirements for bluff area Section 535-19D(7) Village Code |
| R-5 Single-Family Residence | One-family dwellings            | Max 30 ft       |
|                        | Front setback: minimum 25 feet or the average of existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.  
|                        | Side setback: Interior- minimum 3 feet; Street side-25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall not be less than 20 feet.  
|                        | Rear setback: minimum 3 feet    |
| R-6 One-and-Two Family Residence | One-and-two family dwellings     | Max 30 ft       |
|                        | Front, Side and Rear Setbacks: see R-5 |
| R-8 Estabrook Homes Residential | Multiple-dwelling units         | Max 30 ft       |
|                        | Front setback: minimum 15 feet  
|                        | Side setback: there shall be a minimum distance between such multiple-dwelling buildings of not less than 30 feet; provided, however, that a minimum distance between a recreational clubhouse and all other buildings or structures shall be no less than 20 feet.  
|                        | Rear setback: minimum 30 feet between buildings |
| R-9 Apartment House     | Multi-family dwellings (3 dwelling units or more) | Max 40 ft       |
|                        | Front setback: minimum 15 feet  
|                        | Side setback: Interior side- 10% of width of lot but not less than 5 feet. For buildings more than 2.5 stories in height, each side yard shall be increased 1 additional foot in width for each story above the second floor; Street side- 12-foot setback shall be required on all corner lots.  
<p>|                        | Rear setback: 20% of depth of lot, but not less than 20 feet for interior lot or 15 feet for corner lot. |</p>
<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>Principal Use</th>
<th>Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1  Commercial</td>
<td>Commercial use ground floor; commercial or apartment use above ground floor</td>
<td>Min 2 stories; Max 4 to 5 stories</td>
</tr>
<tr>
<td>B-2  Mixed Use Residential</td>
<td>Multi-family residential use all floors; mixed use with commercial ground floor only</td>
<td>Min 2 stories; Max 4 to 5 stories</td>
</tr>
<tr>
<td>B-3  Mixed Use Commercial</td>
<td>Multi-family or commercial use all floors; mixed use with commercial ground floor only</td>
<td>Min 2 stories; Max 4 to 5 stories</td>
</tr>
<tr>
<td>B-4  River District</td>
<td>Multi-family or Planned Development District</td>
<td>Min 2 stories; Max 4 to 6 stories</td>
</tr>
<tr>
<td>B-5  Estabrook Homes Business</td>
<td>Commercial or apartment use all floors</td>
<td>Max 25 ft</td>
</tr>
<tr>
<td>P-1  School, Church and Public Buildings</td>
<td>School, church and public buildings</td>
<td>Max 50 ft</td>
</tr>
<tr>
<td>P-2  Hospital Zone</td>
<td>Hospitals, sanitariums, nursing homes, rest homes</td>
<td>Max 45 ft</td>
</tr>
<tr>
<td>P-3  Park Preservation</td>
<td>Preserve for scenic, historic, scientific and recreational uses</td>
<td>Max 30 ft</td>
</tr>
</tbody>
</table>

Front setback: build-to-line of 15 feet from the street curbline, unless the lot line is at a distance greater than 15 feet from the curb line, then the build-to line shall be the lot line.

Rear setback: minimum of 5 feet from the rear lot line or alley, except that where the rear lot line is adjacent to a residential district the setback if 10 feet.

Side Setback: [1] Zero, unless applicable building code requirements for dwelling units require a greater distance and except that it shall be 10 feet for a lot that borders a single- or two-family residential district. [2] Corner lots: a build-to line of 20 feet from the street curb line, except that the side yard setback on corner lots shall be reviewed by the Plan Commission to determine whether a twenty-foot build-to-line or another corner lot side yard build-to line is appropriate due to parking considerations and the layout of the intersection, provided further that the corner lot side yard build-to line at the intersection of Capitol Dr and Oakland Ave is 15 feet.

PDD Planned Development District

2016
SHOREWOOD
ZONING CODE SECTIONS

Article II: Definitions

DECK. A flat-floored or surfaced structure on a lot adjacent to a building usually supported above grade.

DRIVEWAY. Any drive surface used for vehicular travel or parking giving access from a public way to a building or buildings on abutting property.

FRONT SETBACK. The minimum horizontal distance between the property line adjacent to the street upon which the building or structure fronts and the nearest point of the principal building or side of the principal structure facing such street, provided that the roof overhang does not exceed 18 inches.

FRONT 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. On a corner street lot, the front yard shall be the side on which the lot's address is assigned.

PATIO. An outdoor living area, usually on grade, located on a lot that is adjacent to a building and which has a surface composed of flagstone, concrete, brick, pavers or similar material.

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

REAR YARD. The area extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure, excluding the roof overhang unless it exceeds 18 inches. This yard shall be opposite the street yard or one of the street yards on a corner lot.

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.[Added 2-16-2016 by Ord. No. 2059[1]]

STRUCTURE. As specifically regulated by this chapter, anything which is constructed or erected and which is fastened, anchored or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fences, provided that for the purpose of determining lot coverage, the following, if uncovered, shall not be considered structures: decks, patios, driveways, parking slabs and the like.

TEMPORARY STRUCTURE. A structure designed for temporary protection of goods, materials, chattels or other uses, not including human habitation, for a period not to exceed 30 days, unless otherwise provided in the Village Code.

YARD. An open space that lies between a building or structure and the nearest lot line.[Added 2-16-2016 by Ord. No. 2059]

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.[Added 2-16-2016 by Ord. No. 2059]

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.[Added 2-16-2016 by Ord. No. 2059]

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.[Added 2-16-2016 by Ord. No. 2059]
**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.[Added 2-16-2016 by Ord. No. 2059]

**Graph 6.1**

---

**Article III: General Provisions**

**535-9 Site Restrictions**

**F. Decks, patios and driveways.**

1. No deck, patio, 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.

2. Decks shall not be located in the front yard or the side or rear setback of a lot, and patios shall not be located in the side or rear setback of a lot.

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

   [Amended 2-16-2016 by Ord. No. 2059]

   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 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.
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:

(a) 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;
(b) The design and materials used are aesthetically compatible with the surrounding neighborhood;
(c) The width of the lot at the front property line is at least 60 feet to allow for an adequate turning radius;
(d) There is landscaping necessary to adequately screen it from street view that does not impair the vision triangle; and
(e) The plans, including the landscaping, have been reviewed and approved by the Design Review Board.

Newly constructed or reconstructed driveways shall have a minimum width of eight 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.

**Article IV: Zoning Districts**

**535-19 Residence Districts**

**E. R-5 Single-Family Residence District No. 1 & F. R-6 One- and Two-Family Residence District No. 1**

(1) Principal use: one-family dwellings.
(2) Conditional uses: see Article V.
(3) Lot:
   (a) Width, minimum: 50 feet.
   (b) Area, minimum: 6,000 square feet.

(4) Building:
   (a) Area, minimum: 1,200 square feet.
   (b) Height, maximum: 30 feet.

(5) Setback:
   (a) Front, minimum: 25 feet or the average of existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.
   (b) Rear, minimum: three feet.
   (c) Side:
      [2] Street side: 25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall not be less than 20 feet.

(6) Lot coverage, maximum: 30% of lot for principal structure on interior lot; 40% of lot for principal structure on corner lot; plus up to 10% for accessory structure.
Article VI: Modifications

535-32 Yards.

A. The Yard requirements stipulated elsewhere in this chapter may be modified as follows:
   (1) Uncovered stairs and landings may project into any yard not more than six feet and shall not be closer than three feet to any lot line.
   (2) Architectural projections, such as eaves and building ornamentation, may project into any required yard, but such projection shall not exceed 18 inches.
Example of paver patio up to side yard parcel boundary.
May 18, 2017

To: Plan Commission  
cc: Village Attorney Nathan Bayer  
From: Ericka Lang, Planning Director  
RE: **Proposed Zoning Amendment allowing porches in the front yard setback**

**Introduction**

Staff is asking your commission to discuss amending the zoning code to allow porches in the front yard zoning setback. The current language is vague lending to greater staff interpretation and potential inconsistent enforcement.

Many materials are in your packet, providing a comprehensive overview of this item; however, the focus of discussion will be on increasing the depth of a porch in the front yard. Staff does not wish for your commission to vote on this item at this time because further discussions are required by the Design Review Board to clarify final ordinance language, which will be brought back at a subsequent meeting.

**Meeting Materials EXHIBITS**

A. Illustration of porch/patios  
B. Marked Up zoning amendment proposal with related codes  
C. Draft section Residential Design Guidelines: Porches & Patios  
D. Photo collage of existing porches/patios  
E. Front setback evaluation of 3500-3600 Maryland blocks  
F. Examples of other municipal zoning code language on porches  
G. Plan Commission Minutes 9-22-2015  

**Background**

In September and October of 2015, the Plan Commission discussed staffs proposal to amend the zoning code to allow porches within eight feet of the front yard zoning setback. Commissioners agreed with staff recommendation to allow porches in the front yard setback and requested further staff review and Shorewood’s Design Review Board input to ensure all porches within the setback will look appropriate. They agreed that deeper porches would be compatible with neighborhood designs and context and would be beneficial to residents. Thereafter staffs work priorities shifted and this item was set aside.

Since 2015, staff formed an ad hoc committee to create residential design guidelines (**EXH C**) which includes language on porches. Shorewood’s existing design guidelines are only for commercial properties. Staff expects the residential design guidelines will be completed and approved by September this year. The Design Review Board is scheduled to review the first full draft May 25th. Public input will also be available.
Front Porches and Patios, Code Interpretation

A common residential exterior improvement is porch replacement, expansion or addition. Zoning codes dictate front yard setbacks which essentially prevents an addition or expansion of a porch.

Shorewood’s Zoning Code Related Sections:
- Section 535-32 states that uncovered stairs and landings may project into any yard not more than 6 feet and shall not be closer than 3 feet to any lot line.
- Section 535-9F allows patios in front yard setbacks, up to 30% of the front yard area.
- Section 535-19 Residence Districts states that front yard setbacks minimum is 25-feet or the average or existing setbacks on the side of the street where the property is located between the two closest intersections streets, whichever is greater.

**The existing front setback of a property is measured from the front parcel boundary to the principal structure; however, it varies based on the type of porch and entry design. If have a covered entry only, the setback is measured to the principal façade. If it’s an enclosed porch, it’s measured to the porch.**

Residents comment that limiting a deck to only the depth of the existing covered entry porch does not provide enough room to utilize the outdoor space to its fullest, allowing for small group conversations and a shared table. Many front small covered entries are 4 to 6 feet out from the house. Per blog Key Measurements to Help You Design the Perfect Front Porch (enclosed), “The porch allows a gracious and practical transition from public to private – a place where one can soak up the late-summer sun, visit with neighbors, watch a thunderstorm pass, greet arriving guests or just shake off the umbrella and remove dirty shoes.” Residential architecture in Shorewood is diverse. Bungalows and duplex flats have porches, often times up to 8 feet in depth. The attached blog also states that 8 feet is an ideal depth for porches.

**Porch vs Deck vs Patio vs Stoop (EXH A)**

The following explains the approval process and staff interpretation of the code. Refer to Exhibit AA for pictures of different front façade/porch designs in the village.

**Front Yard Patio Applications Staff Review.** Staff only considers patios if it’s constructed out of quality materials and non-decking materials. The definition of a patio is “an outdoor living area, usually on grade, located on a lot that is adjacent to a building and which has a surface composed of flagstone, concrete, brick, pavers or similar material.” All front yard patios go to the Design Review Board for consideration. All front yard patios to date have been at grade; however, Shorewood’s code does not require that.

**Porch Applications Staff Review.** The Design Review Board considers a porch ‘a porch’ only if it has a covering. It is defined as “a covered entrance to building.” The question is how much does it need to be covered to be considered a porch.
Porch renovations must keep the original footprint, exempting review of front yard zoning setbacks. When a house has a covered entrance along a portion of the front, staff interprets the code to allow an extension of a platform across the remaining front façade. Staff limits the depth of the expansion to the existing depth of the front entrance; unless it is a patio. Even though section 535-9F(1) states that decks cannot be located in the front yard, the Design Review Board has approved on occasion deck extensions along the front façade, made of decking materials.

**Deck Application Staff Review.** The code prohibits decks in the front yard. However, often homeowners want to extend their covered stoop/landing across the entire front of the house as noted above, but not add a covering, and they want to use deck materials. The Design Review Board does not like to see any composite materials or unfinished wood used for extended porches or replacement porches, but some have been approved.

**Stoop Application Staff Review.** A stoop is an above-grade small landing in front of an exterior entry door, required to be three feet by three feet. It cannot project into the front yard setback more than 6 feet.

**The Proposed Amendment (EXH B):**
- Redefines Porch and Deck
- Allows porches up to 8 feet within the front yard setback.
- Allows the Planning Director to determine where to start measurement
- Prohibits new porches within 10 feet of the front property line
- Limits replacement porches to no greater than 8 feet in depth if at all within the front setback
- Requires Design Review Board approval

**Front Setback Sample (EXH E)**
In your packet staff took a sample of three blocks and provided front setback distances. The 4000 block of Downer Avenue was chosen because the homes have typical front yard setback distances like most blocks in the village. The other two blocks is the 3500 and 3600 blocks of Maryland Avenue. Those two blocks were chosen as a sample because half the homes are closer to the street than what typically see in the village.

Along Downer, the average front setback on the west side of the street is 28.3 feet. The average on the east side is 22.7 feet. Along Maryland, most of the houses have porches. Some pictures of this block were provided, showing three houses without traditional porches. The side-by-side townhouse would not be appropriate for adding a porch.

<table>
<thead>
<tr>
<th>Street</th>
<th>West Side Setback Range</th>
<th>East Side Setback Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>4000 block Downer Ave</td>
<td>25.3’ – 55’ (1 house setback 55’)</td>
<td>19.9’ – 26.7’</td>
</tr>
<tr>
<td>3500 block Maryland Ave</td>
<td>16.5’ – 22’ (to porch)</td>
<td>NA</td>
</tr>
<tr>
<td>3600 block Maryland Ave</td>
<td>14’ – 18’</td>
<td>NA</td>
</tr>
</tbody>
</table>
EXHIBIT A

A

CONCRETE/STONE SLAB

PATIO AT-GRADE, COVERED STOOP

B

B-1
RAISED PATIO, COVERED STOOP

B-2
PARTIAL COVERED PORCH

CONCRETE AND/OR FINISHED WOOD

Current Code
Allows

C

COVERED PORCH

CONCRETE AND/OR FINISHED WOOD

Current Code
Prohibits partial porches

Current Code
Allows
535-14 DEFINITION, ZONING FLOODPLAIN REGULATIONS

DECK. An unenclosed exterior structure that has no roof or sides but has a permeable floor which allows the infiltration of precipitation.

535-6 DEFINITIONS, ZONING REGULATIONS

DECK A flat-floored or surfaced structure on a lot adjacent to a building usually supported above grade. An unenclosed exterior structure that has no roof or sides but has a permeable floor which allows the infiltration of precipitation.

PATIO An outdoor living area, usually on grade, located on a lot that is adjacent to a building and which has a surface composed of flagstone, concrete, brick, pavers or similar material.

PORCH A covered entrance to a building. An elevated structure attached to the entrance of a building without side walls, forming a covered approach or vestibule to a doorway.

FRONT SETBACK The minimum horizontal distance between the property line adjacent to the street upon which the building or structure fronts and the nearest point of the principal building or side of the principal structure facing such street, provided that the roof overhang does not exceed 18 inches.

FRONT 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. On a corner street lot, the front yard shall be the side on which the lot’s address is assigned.

STRUCTURE As specifically regulated by this chapter, anything which is constructed or erected and which is fastened, anchored or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fences, provided that for the purpose of determining lot coverage, the following, if uncovered, shall not be considered structures: decks, patios, driveways, parking slabs and the like.

535-9 SITE RESTRICTIONS

F. DECKS, PATIOS AND DRIVEWAYS

(1) No deck, patio, 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.

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

(3) Patios may be located in the front yard only when constructed within the following parameters:
   (a) No more than 30% of any front 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) A scale drawing of the proposed layout of a new front 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.

   (d) **Patio may not exceed six inches above grade in front yard setbacks.**

(4) 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:
   (a) 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;

   (b) The design and materials used are aesthetically compatible with the surrounding
       neighborhood;

   (c) The width of the lot at the front property line is at least 60 feet to allow for an adequate turning
       radius;

   (d) There is landscaping necessary to adequately screen it from street view that does not impair
       the vision triangle; and

   (e) The plans, including the landscaping, have been reviewed and approved by the Design
       Review Board.

(5) Newly constructed or reconstructed driveways shall have a minimum width of eight 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.

F(6) Porches. A porch may project into the required front yard setback, subject to compliance
with all of the following requirements:
   a. **Porches may project up to 8 feet into the required front yard setback, measured from the**
principal structure, with eaves allowed an additional 18-inch projections.

b. Porch heights shall be at the front entry height.

c. Porch steps may project an additional 4 feet into the front setback.

d. Porches may not be closer than 10 feet to the front property boundary; porches may be closer as determined by the zoning administrator based on the blocks average front setback of the principal structures.

e. A porch projecting into the required front yard shall be a maximum one-story, unless original design.

f. Existing, unenclosed porches may be reconstructed so as to extend into the required front yard provided the reconstructed porch does not have a depth greater than eight feet.

g. Green treated materials is prohibited for all finish materials.

h. Porches may not be enclosed more than 30% of the porch floor area; screened porches are allowed.

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

j. At least 50% of the exterior wall area shall be open. (This does not mean that a property owner can enclose 50% of the property porch; it means that 50% of the total wall area around a porch must be open).

k. A scaled drawings of the proposed design of a front yard porch 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.

G. At least 30% of each lot shall be planted with grass, shrubs, trees or other forms of vegetation.

Article VI. Modifications

535-32 Yards.

A. The yard requirements stipulated elsewhere in this chapter may be modified as follows:
   (1) Uncovered stairs and landings may project into any yard not more than 6 feet and shall not be closer than 3 feet to any lot line.
   (2) Architectural projections, such as eaves and building ornamentation, may project into any required yard, but such projection shall not exceed 18 inches.

535-19 RESIDENCE DISTRICTS
E. R-5 SINGLE-FAMILY RESIDENCE DISTRICT NO. 1
(5) **Setback:**

(a) Front, minimum: 25-feet or the average or existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.

(b) Rear, minimum: three feet

(c) Side:
   
   [1] Interior, minimum: three feet
   
   [2] Street side: 25% of the width of the lot but not less than 10 feet provided that the buildable width of the lot shall not be less than 20 feet.
Patio- an outdoor living area, usually on grade, made of quality materials composed of flagstone, concrete, brick, pavers or similar material

Porch- A covered entrance or semi-enclosed space projecting from the façade of a building. An elevated structure attached to the entrance of a building without side walls, forming a covered approach or vestibule to a doorway.

Porte-cochere- A covered entrance, or porch, projecting far enough across a driveway or entrance road so that automobiles may easily pass through.
Portico- A covered walk or porch supported by columns or pillars.

Porches
Porches, porticos and canopies shelter entries and create a social space between the public sidewalk and the private home. A porch is a design element that serves as a front entry to the building and contributes to the visual richness of the streetscape. A porch is not a covered stoop. It is an outdoor covered space that allows an area for residents to enjoy the outdoor climate.

Requires design approval if replacing any vertical features of a porch, such as railings, columns, and skirting or if changing the footprint.

Design Guidelines
- Porches may be one or two stories tall with either flat, shed, gabled or hipped roofs.
- A front porch shall be an integral element of the building and part of the primary entrance, connected to the front yard and in full view of the street or public right-of-way.
- Porches (railing spindles, finials, rails, etc.) shall complement the architectural design and character of the residence and be consistent with the scale and levels of the house.
- Replacement features, such as columns and railings, should duplicate original features.
- Materials shall be finished (stained) or painted.
- Steps shall have solid risers rather than an open rise.
- Pitch porch floors to provide drainage.
- The style of skirting shall match existing original skirting or be consistent with the commonly used at the time the original building was constructed.
- Porches shall have opaque roofs, not more than 10% fenestration.
- Porches may be a maximum depth of 8 feet.
RESIDENTIAL DESIGN GUIDELINES
DRAFT

- Traditionally, the face of the finished porch beam should align with the neck of the supporting column on both the interior and exterior. Porch eaves and rakes usually extend past the face of the porch beam a minimum of 8 inches.
- Existing porches shall be retained with remodels.
- Existing porches are considered retained even when they are replaced with a new porch of similar size, location, and orientation to the street or they are partially enclosed (no more than 30% of the porch floor area) and the remainder is fully functional and consistent with the architecture of the building.

Avoid
- Column capitals that are as wide as the beam. They should extend beyond the face of the beam.
- Constructing porches with columns that are wider than the beam, or are misaligned from the face of the beam.
- Details that eliminate the use of a beam altogether. Beams are meant to support the roof and should not be omitted from the assembly.
- Locating the column so that the base is flush with the decking.
- Use of stock, unframed, cross-hatched wooden skirting in a diamond design.
- Railing assemblies that lack a bottom rail and are composed of framing stock nailed directly to the rim joist.
- Bottom rails that are set on the porch deck.

Styles and Materials Not Allowed
- Porches that are designed like patios. DISCUSS AT-GRADE/RAISED/PARTIAL COVERED.
- Enclosed porches on the primary façade, though screening is appropriate if the structural framework for the screen is minimal.
- Green treated material for all finish material, limited to concealed structural components.
- Porches converted into a living space, three/four-season rooms, greenhouse, sunrooms, solariums (glass roof) or other like structures.

Patios and Covers
A patio is an outdoor living area, usually on grade, made of quality materials composed of flagstone, concrete, brick, pavers or similar material. Patios may be located anywhere on the property as long as one side is adjacent to the principal structure in the front yard and street side yard.
RESIDENTIAL DESIGN GUIDELINES
DRAFT

Design Guidelines
- Patios located in the front yard or street side yard limit encroachment within the zoning setback to no more than 30% of the front or side yard and shall be screened with natural plantings.
- **Patios are no more than 6 inches above grade when not meeting porch dimensional requirements.**

Styles and Materials Not Allowed:
- Patios exceeding a height of 24 inches in the front or street side yard zoning setbacks.
- Fences used for screening in the front and street side yard.
- Asphalt
- Natural wood or composite materials.
Scenario 1: house with raised covered entrance and no porch

- House w/ Covered entryway
- House w/ side open raised patio/deck
- Added deck. **NOT ALLOWED** Went beyond original front structure
- Code allows

- Discrepancy in code interpretation.
- Porches require cover.
- Decks not allowed in front setbacks.
- Technically in front setback, but staff made administrative ruling that meets intent of code.
- Design Review Board has approved.
- Extends further into front setback.
- Not allowed.

Scenario 2: house with concrete landing

- Original House Front
- Add patio. **ALLOWED**
  - 10’ X 30’
- Add porch. **NOT ALLOWED**
  - 10’ X 30’

Assume 40’ w x 25’ d front yard. 30% of front yard = 300 sqft

Requires overhang to be considered porch.
Photo Examples of Different Existing Porches/Patios

All examples showing inconsistency of how apply existing codes and amended codes.
Front Setback: 25-feet or the average or existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.

**A. Existing Code**

Able to rebuild as-is

**A. Amended Code**

Could rebuild up to 8-feet from front door. Bungalow porch depths usually between 6-9 feet deep. Decking material not allowed.

**B. Existing Code**

Add Patio at-grade ONLY. Assume house at front yard setback.

**B. Amended Code**

Could add Porch. Porch could be 8’ deep, covered or uncovered with steps. Decking material not allowed.

**C. Existing Code**

Add Patio at-grad ONLY. Assume house at front yard setback line.

**C. Amended Code**

Could add Porch. Porch could be 8’ deep, covered or uncovered with steps. Decking material not allowed.
Assumptions: all homes located at front yard zoning setback line.

**D. Existing Code**
Add patio at-grade. Can add porch across front no further out than existing entry; however, should not be decking materials and disagree if requires full coverage.

**D. Amended Code**
Extend open or covered porch at front door level across front facade. No decking materials.

**E. Existing Code**
Add patio at-grade ONLY.

**E. Amended Code**
Add open or covered porch 8-feet out (remove stoop). No decking materials.

**F. Existing Code**
Rebuild as-is. Can enclose rest of Porch. Can add patio at-grade only in front of enclosed section. No Porch addition

**F. Amended Code**
Extend open or covered porch 8-feet out from principal structure only. No enclosed porch.
G. Existing Code

No patio addition. Rebuild as-is (grandfathered) at current depth. Can NOT add porch cover because not original design.

G. Amended Code

No patio addition. Rebuild open/covered Porch 8-feet out. No decking materials.

H. Existing Code

No additional patio. Rebuild as-is (grandfathered) at current depth. Can Not add cover because not original design.

H. Amended Code

Rebuild open/covered Porch 8-feet out. Existing open porch may already be more than 8 feet from façade, so would require to stay within 8 feet.

I. Existing Code

No additional patio. Rebuild as-is (grandfathered) at current depth. Can NOT add porch cover because not original design.

I. Amended Code

Rebuild open/covered Porch 8-feet out. Existing open porch may already be more than 8 feet from façade, so would require to stay within 8 feet.
All these have existing covered entries that allows for a porch deck off to the side. The one picture with cement, actually protrudes farther out from the entrance because considered a patio. The other 3 would not be allowed to extend porch deck out farther.

**J. Existing Code**

No patio addition unless remove side porch. Rebuild as-is (grandfathered) at current depth. Considered open porch and constructed of porch materials (not deck) so staff would allow cover extended over entire front- needs design approval.

**J. Amended Code**

Rebuild open/covered Porch 8-feet out. No decking materials.

**K. Existing Code**

No patio addition unless remove raised landing. Rebuild as-is (grandfathered) at current depth. Considered more like a landing because of projection of entry. Could allow cover- needs design approval.

**K. Amended Code**

Rebuild open/covered Porch 8-feet out from main façade (at windows). No decking materials.

**L. Existing Code**

Rebuild at same depth BUT NO decking materials. Legal Nonconforming. Can enclose rest of Porch. Can add patio at-grade only in front of enclosed section. No Porch addition

**L. Amended Code**

Extend open or covered porch 8-feet out from principal structure only. No enclosed porch. No decking material
The below decks are considered nonconforming structures because made of decking material and no ‘cover’ to make it a porch.

**M. Existing Code**

Legal nonconforming because materials and no cover. 
Could NOT rebuild as-is. 
Could add stoop. 
Could add patio if remove deck.

**M. Amended Code**

Rebuild open/covered Porch 8-feet out. 
No decking materials.

**O. Existing Code**

Example of Enclosed Porch. 
Probably would allow patio. 
Can NOT add to porch.

**O. Amended Code**

Rebuild open/covered porch, 8 feet out. 
Would not allow fully enclosed.

**P. Existing Code**

Like above house but covered landing only. 
Would allow side raised porch extension. 
No decking materials, but have allowed in past. 
Patio allowed.

**P. Amended Code**

Rebuild open/covered Porch 8-feet out. 
No decking materials.
Q. Existing Code
Rebuild as-is. Looks original to house. Can add on grade patio.

Q. Amended Code
Front entry nearly at grade. Would have to stick to 8’ extension of trying to design porch. No decking materials.

R. Existing Code
Maybe rebuild as-is. Does not look original to house. Cannot add patio.

R. Amended Code
Could build open covered porch 8-feet out.

S. Existing Code
Porch not allowed. Patio allowed.

S. Amended Code
Allow 8-foot raised porch. See below

T. Existing Code
Porch not original to construction. Would not have allowed in Shorewood. Example of good design.

T. Amended Code
Allow 8-foot raised porch.
The partial house to the left could not add a porch under the existing code and probably not with the new code because it projects past the front facades of the two houses to the right. Staff would average the blocks front setback.

House on right has enclosed porch, assuming not original design.
Middle house screened porch, assuming not original design.
Screened porches would be allowed under amended code.
Both would need extension remodel to add an 8-foot deep porch. Neither could be enclosed.

All front facades aligned
Staff interprets front setback measured from principal façade that is setback from the 2 covered entries.
#1 and #2 have enclosed entries
#1 and #2 have uncovered landings
#3 has a covered landing
All use stained decking materials
None interpreted as porches
There’s nothing in our code that prohibits deck material landings.
If AMENDED code, could extend out 8 feet from primary façade, but could not use decking materials.
V. Existing Code

Allows at-grade patio
Porch not allowed.

V. Amended Code

Allow 8-foot raised porch.
Front yard existing setback distance

28.8’

To porch -28.8’

25.3’

25.5’

To nearest point- 20’

55’

Does not include porch -25.6’

To first point - 23’

23’

26.7’

25.8’

26.5’

EXHIBIT E

535-19: Front, minimum: 25-feet or the average or existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.

Front yard existing setback distance

19.9’

19.9’

19.9’

20.5’ to patio;
25.9 to house

25-foot front yard setback

East Side Sample Ave Depth

West Side Sample Ave Depth

22.7’
28.3’
16.5'
To porch – 22'
To house – 30.3'
To porch – 21.2'
To house – 29.3'

17'
17'
18'
15'
16'

Measured from GIS
All legal-nonconforming

Setbacks determined from surveys

Front yard setback distance

3600 block Maryland

3600 block Houses-
Eclectic architecture

3500 block Maryland -All homes on the west side have porches

Entryway to side. Could design porch

Possibly could design porch over garage

Would never have porch
Maryland Block Views, Southward

3500 block- lower
3500 block- mid
3500 block-at north corner
3600 block- at north corner
STATE OF WISCONSIN
OTHER MUNICIPAL ZONING CODE LANGUAGE
For FRONT YARD PORCHES

1. **Town of Lower Merion.**
Detached Single-family dwellings, Single-family semi-detached dwellings, Two-family detached and semi-detached dwellings, Townhouses and Apartment Houses in the R-4, R-5, R-6, R6A and R-7 zoning districts. An open, roofed porch may project into the required front yard setback, subject to compliance with all of the following requirements:

   (1) The porch is permitted to project up to (10’) ten feet into the required front yard setback.
   (2) The porch may not be enclosed nor living space or balconies erected above. Porch enclosures shall be limited to traditional porch elements, such as railings, required by the building code.
   (3) Steps up to 6 feet wide from the porch may project up to an additional four feet into the front yard setback.
   (4) Space beneath the porch may not be occupied.
   (5) The porch may occupy no less than 50% of the width of the street face of the building.
   (6) The additional impervious surface associated with the porch and steps need not be included in the calculations of the total allowable impervious surface provided one hundred percent of the direct volume of stormwater generated from the additional impervious surface will be recharged for a one-hundred-year storm event.
   (7) The minimum setback from the right of way for any porch and steps authorized under this section shall be (5’) five feet

2. **City of Watertown Zoning Ordinance**
(a) Permitted Intrusions Into Required Front or Street Yards:
Terraces, steps, uncovered porches, decks, stoops, or similar appurtenances to residential buildings which do not extend above the floor level of the adjacent building entrance; provided they do not locate closer than 20 feet from any street right-of-way

3. **Lynchburg, Supplementary Building Regs**

   (b) Porches. Uncovered porches, decks, or covered but not enclosed porches and decks, may project not more than ten (10) feet beyond the front or rear walls of a building into a required front or rear yard. An exception is on the street side of corner lots, in which case they may project not more than ten (10) feet beyond the side walls of a building into a required side yard, provided the side yard has a width equal to or exceeding the depth of the required front yards on the side street. Any two (2) story or enclosed porch, or one having a roof capable of being enclosed, shall be considered a part of the building in the determination of the size of yard or amount of lot coverage.
4. **Taylor, under accessory buildings and uses, subsect porches and decks. Front Yards:**

**Uncovered porches.** An open, unenclosed and uncovered porch or terrace may project into a required front yard setback for a distance not exceeding 10 feet, provided a minimum front yard setback of 20 feet is maintained.

**Covered porches.** Porches or terraces sheltered partially or wholly by a canopy, awning, metal, lattice, pergola or any other material shall be considered covered. Covered porches and decks may project into a required front yard setback for a distance not exceeding 8 feet.

5. **City of Coronado**

Covered, unenclosed porches, platforms, landing places, pergolas or open trellis structures which do not extend above the level of the first floor shall be allowed to project into a required front or rear yard not more than eight feet, with eaves allowed an additional 12-inch projection. Such projection shall never extend closer than three feet to the front or rear property line. (Ord. 2062 § 2 (Exh. A), 2016)

6. **City of Mesa**

a) Front porch projection into the required front yard.

(1) For residential development in the RS-50 Residential Single-Family and RM-Residential Multi-Family districts, a front porch may project into the required front yard no more than eight (8) feet provided the following conditions are met:

a. The porch is open on all sides except where it is attached to the principal structure. No permanent screening, lattice-work, banister, or other permanent, attached, visual obstruction shall be permitted except for decorative or safety purposes, not to exceed the minimum to meet building code safety code standards.

b. The zoning administrator shall encourage the construction and integration of residential front porches in the overlay districts; however, in no case shall the front porch project into a front setback block average porch as required by an established overlay district requirement or other block averaging technique.

c. A porch projecting into the required front yard shall be a maximum one-story porch. The maximum height of the eave above finish grade shall not exceed twelve (12) feet. If the finished floor of the residence is elevated for flood purposes, the porch may extend above the twelve (12) feet to remain on the same visual plane as the first floor of the residence, but must remain in proportion to said residence.

d. A porch shall be "additive" and not "incised" into the primary mass of the building. In other words, the porch needs to be a separate mass.

e. The proposed porch must be designed in keeping with the architectural style of the structure.

(2) For residential development in the RS-60 Residential Single-Family Zoning district, the zoning administrator may approve an alternative design exception to allow a front porch addition under the conditions stated in subsection (a)1. a.—f., per section 27-60 procedures for notice, provided the proposed porch is an addition to an existing building and the proposed addition of the porch is compatible with the buildings on adjacent properties in terms of size and mass.
(3) Within the RS-75, RS-100 and RS-150 Residential Single-Family Zoning districts, front porches are subject to comply with the required front building setback requirement of the underlying district.

7. **Plainfield**
   - For all residential structures, porches cannot be located in the required side yard setback area but may be located in the required front or rear yard setback, provided they do not extend more than eight (8) feet into the front yard setback area. Porches cannot be closer than seventeen (17) feet to the front property line and twenty-two (22) feet to the rear property line. Porches are considered a permanent encroachment into the front or rear yard setback of the principal building. The required setbacks shall continue to be measured from the foundation of the principal use. (This regulation allows/encourages homeowners to install a front porch into required front yards).
   - Enclosed porches shall not be heated or air conditioned and at least fifty (50) percent of the exterior wall area shall be open and non-glazed. (This does not mean that a property owner can enclose fifty (50) percent of the property porch; it means that fifty (50) percent of the total wall area around a porch must be open and non-glazed).
   - For townhouses, apartments and nonresidential uses, porches may not extend into any required yard setback area.
   - Upper story structures are not permitted over porches if those porches encroach into required yards.
   - No use is permitted above a porch
   - Porch flooring shall be tongue and groove material and not made of structural lumber/pressure treated decking. (By definition porches have roofs and floors; wood flooring-spruce, fir, mahogany, etc.-is to be utilized for all wood flooring. Decks do not have roofs; therefore, have no weather protection and pressure treated wood is appropriate. But not for porch floors.)
   - Steps for porches and decks shall not be located closer than six (6) feet from the property line.

8. **Village of Cambria.** No part of a yard or open space surrounding any building required for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another building. An open porch or terrace may occupy a front yard, provided that the unoccupied portion of the front yard furnishes a depth of not less than 15 feet.
9. **West Allis. Front Yard.**
Every lot will have a front yard not less than twenty (20) feet in depth; however, where any lots fronting on one side of a block are presently developed, or hereafter developed, and have front yards with depths of more than twenty (20) feet from the front lot line no main building hereafter erected or structurally altered shall project beyond the setback line so established. This Section will not be interpreted in any way so as to require a setback of more than forty (40) feet. Existing, unenclosed, covered porches may be reconstructed so as to extend into the required front yard, provided the reconstructed porch does not extend beyond the original porch limits; and, provided further, that no porch may be reconstructed within five (5) feet of the front lot line. Additionally, these existing open porches may be enclosed; provided, the enclosure of the porch above the guard rails and below the roof line are totally undertaken with windows or wire mesh screens and the porch may not be used for lodging purposes. Overhanging roof eaves projecting not more than three (3) feet will not be considered as obstructions.

10. **Tribal Government, Menominee.**
Measurements shall be taken from the nearest point of a building to the lot line in question, subject to the following:
C. A landing place or uncovered porch may extend into the required front yard a distance of eight feet, provided that the floor is not higher than three feet above grade. An open railing of no higher than four feet may be placed around the structure.

Decks; porches. For purposes of this chapter, decks and porches shall be considered a part of a building or structure. However, unenclosed porches not exceeding 50 square feet in area, whether covered or uncovered, may project up to six feet into a required front setback area.

12. **Village of Darien. Zoning Exceptions.**
Terraces, steps, uncovered porches, decks, stoops, or similar appurtenances to residential buildings which do not extend above the floor level of the adjacent building entrance; provided they do not intrude more than six feet into any required street yard;

13. **Lancaster. Yards.**
Uncovered decks, porches, or like structures may not project more than 10 feet into required street or rear yards nor be closer than 15 feet to a street right-of-way or rear lot line.

Covered porches are permitted in the front setback compliant with the conditional use permit requirements found in § 500-205.

15. **Fond du Lac. Zoning Gene Regs.**
Deck and porch, ground level (uncovered platform at or below the first floor elevation of a building): F, S and R. A projection of four feet from the building, excluding steps, shall be permitted where the deck or porch provides building egress. This provision shall apply only to the remodeling or rehabilitation of an existing building; the construction of a deck or porch as part of a new building shall conform to setback requirements applicable to the principal structure.

16. **Holland. Zoning Modifications.**
Uncovered stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard, but not to exceed six feet and not closer than 10 feet to any lot line.
17. **Osceola, ARC design standards.**
Porches, pent roofs, roof overhangs, hooded front doors, transom windows, or other similar architectural elements shall define the front entrance to all residences. **All porches must be at least four feet wide and may not be enclosed.**
1. **Call to order.**
The meeting was called to order at 6:30 p.m.

2. **Roll call.**
Village President Guy Johnson, Tr. Mike Maher, Tim Hansmann, Thomas Hagedorn, Nate Piotrowski and Barbara Kiely Miller. Also present Village Attorney Nathan Bayer and Planning Director Ericka Lang.

3. **Discuss and possible recommendation to revise allowable dimensions of front yard porches and stoops into the zoning setback.**
Ms. Lang introduced the item. She stated this item is a little more complicated due to how staff interprets the code today. Ms. Lang explained that the code allows front yard patios to be 30% of the area and that the front yard zoning setback is essentially up to the face of the house in a majority of one and two family districts. Decks are not allowed in front yards; any structure placed in the front yard setback besides a patio has to go to Board of Appeals for a variance.

Commissioners were given two pages of codes that relate to this item in their materials. Ms. Lang is asking the commission to consider if the village should allow porches in the front yard up to 8 feet out from the face of the front facade. Mr. Johnson asked what the difference was between a patio and a porch and Ms. Lang explained that a porch is raised off the ground and has a cover and/or made with decking materials.

Ms. Lang explained that if a house has a front covered entryway with a stoop it is allowed to build a platform/deck across the front of the house if it does not extend out any further than the existing stoop and because the existing stoop has a cover staff is not requiring covering over the new area. The Design Review Board disagrees with staff’s interpretation of porch/deck covering. Residents who are extending their platform are using decking materials because concrete and brick and mortar are too expensive. The Design Review Board has been approving these scenarios but reluctantly. If the platform/deck extended beyond the original front covered entrance it would not be allowed and would have to go to Board of Appeals for a variance for being within the zoning front yard setback. Patios are allowed to be installed in the front yard. Ms. Lang explained that a patio is defined as being raised or at grade.

Ms. Lang continued to explain that houses with small front landings are allowed to install a front patio in place of the landing but cannot install a porch without a variance.

For traditional bungalows and two flat duplexes, Ms. Lang explained that porches are typically 6-8 feet in depth and are original to the construction. If a property owner wanted to reconstruct it staff would ask that they retain that same footprint and go before the Design Review Board. For houses that never had porches/patios, a patio would be allowed to be installed but a porch would be denied.

Mr. Hansmann asked about whether Design Review Board considers continuity along the street front when considering these decks/porches. Ms. Lang stated that continuity is a concern but that
Design Review Board would not look at the houses next door when considering a deck/porch. They look at design only. They do say if it’s too big in context to the home and do inquire about neighboring properties.

Mr. Piotrowski suggested looking at the code and taking an average of the two adjacent properties if talking about fully built out blocks. If there is one house set back at 35 feet and another at 20 feet you would not want to allow an extension at another home to get more out of hand but find a middle ground.

Ms. Lang said that currently the village uses that process to determine front yard setbacks. If homes on a block are all within the same plane and no one had a porch Ms. Lang stated the code should allow a porch; patios are allowed. If the porch is done right and the Design Review Board approves it and the staff and Design Review Board are strict to the definition of a porch.

Mr. Hansmann stated that allowing porches to come into the front yard setback makes sense as it adds life to the street but if a property does not have a porch and is built out as far as it can be and then wanted a porch that could cause some issues. Ms. Kiely Miller commented on how on her street the houses line up but there are extensions to the front of some properties.

Mr. Johnson reviewed that staff is asking for a change to the zoning code that would allow porches in the front yard setback, up to 8 feet out from the house face. Ms. Lang stated that the zoning code right now does not expressly prohibit porches in the front yard but requires a variance.

Mr. Piotrowski asked if, with this code change, decks/porches would be allowed to extend further than the existing front stoop/entryway. Ms. Lang stated yes. Ms. Lang stated that this item would be presented to the Design Review Board at their next meeting and she could bring details back with refined definitions of deck and porch.

Mr. Piotrowski stated he was in favor of some added flexibility for homeowners to add value to their property and activating the street frontage and would trust the process of going before the Design Review Board to preserve a positive aesthetic. He felt the bigger question would be how to average dimensions between existing properties and what the dimension decided on (whether 6 or 8 feet) would broadly be a positive change.

Mr. Hansmann stated six feet would be a minimum usable size for a deck/porch.

Mr. Johnson asked if going before the Design Review Board would affect the draft ordinance or would their feedback be inputted into what is being drafted. Ms. Lang stated she would incorporate the Design Review Board feedback into the draft ordinance.

Mr. Maher asked where the definition of deck was located in the code. Ms. Lang stated it was in two locations. In the zoning code section §535-6 it is described as a flat board or surface structure on a lot adjacent to a building usually supported above grade. In the flood plain section §535-14 it is described as an unenclosed exterior structure that has no roof or sides but has a permeable floor which allows infiltration of precipitation. Ms. Lang preferred the description as described in the code section §535-14 and stated that should be in the regular zoning chapter.
1. **Call to order.**

   The meeting was called to order at 6:35 p.m.

2. **Roll call.**

   Chair Guy Johnson  present
   Tim Hansmann  present
   Susan Buchanan  present
   Thomas Hagedorn  present
   Leah Blankenship  present
   Nate Piotrowski  present
   Barbara Kiely Miller  present
   Michael Maher  present
   Chris Gallagher  absent

   Also present Village Attorney Nathan Bayer and Planning Director Ericka Lang.

3. **Further discussion and recommendation of staff request to revise allowable dimensions of front yard porches into the zoning setback.**

   Ms. Lang introduced the item. This item was first introduced at the September 22, 2015 Plan Commission meeting, to allow porches up to eight feet from the face of the house.

   At the previous meeting the commission questioned how to ensure all porches within the setback will look appropriate. The Design Review Board considers all new or replaced porches and could change dimensions if they feel an improvement is not to scale with the existing structure. The board factors in surroundings in their decisions where appropriate. Since replacement porches must remain within the same footprint, the board has never recommended that particular dimensional change.

   The proposed ordinance: redefines porch and deck; allows porches up to 8 feet within the front yard setback; allows the Planning Director to determine where to start measurement; prohibits new porches within 10 feet of the front property line; limits replacement porches to no greater than 8 feet in depth if at all within the front setback; and requires Design Review Board approval.

   The Design Review Board could change the depth of a proposed porch in the setback if they feel it’s not to scale for the house or surrounding homes.

   In the commissions packet staff took a sample of three blocks and provided front setback distances. The 4000 block of Downer Avenue was chosen because the homes have typical front yard setback distances like most blocks in the village. The other two blocks are the 3500 and 3600 blocks of Maryland Avenue. Those two blocks were chosen as a sample because half the homes are closer to the street than what typically seen in the village.
Along Downer, the average front setback on the west side of the street is 28.3 feet. The average on the east side is 22.7 feet. Along Maryland, most of the houses have porches. Some pictures of this block were provided, showing three houses without traditional porches. The side-by-side townhouse would not be appropriate for adding a porch.

Currently, only steps and stoops are allowed up to six feet in the front yard setback. Ms. Lang explained that if a property owner wants to build a porch now the porch cannot sit in the front yard setback. By example, on the 4000 block of Downer, the average front yard setback on the west side of the street is 28.3 feet. This means no structure can be built closer than 28.3 feet from the front property line. The new ordinance would allow a property owner to build a porch up to 8 feet in that front yard setback.

This request came to the Plan Commission from staff because of property owners wanting to have a little more outdoor space, but not a patio. One resident had a small entryway and she wanted an additional 2 feet of depth and that required Board of Appeals because the porch would go into the front yard setback.

Mr. Maher asked about design guidelines if opening the village up to more decks in the front yard. Ms. Lang stated there are not design guidelines for residential properties currently but that is something being worked on in the coming year. Having four architects on the Design Review Board helps to ensure homeowners are installing porches that are tasteful and that look original to the house.

Mr. Piotrowski generally felt the ordinance made sense and allowed homeowners more flexibility. He suggested adding the word “decks” to the language of the ordinance (Section 2 F(6)c) but Ms. Lang emphasized that decks are not allowed in front yards. Mr. Piotrowski stated that the word “existing” in that line of the ordinance would limit the reconstruction to existing porches and decks; not allowing property owners to install new decks. Ms. Lang explained that there has been conflict in how staff and Design Review Board have interpreted the definitions of decks and porches. It often comes down to design guidelines which are needed in determining the difference.

Mr. Hansmann asked about language in Section 2 F(6)b in regards to height and not having sidewalls. He asked if knee walls would be acceptable. Ms. Lang said yes.

Ms. Lang stated that the word “required” should be removed and the word “setback” should be added to Section 2 F(6)c of the proposed ordinance.

Mr. Johnson read Section 2 F(6)c of the proposed ordinance with suggested changes for clarity. It is to read as follows: “Existing porches and/or decks may be reconstructed so as to extend into the front yard setback, provided the reconstructed porch and/or deck does not have a depth greater than eight feet.”
Mr. Maher asked about the language regarding the height not exceeding the height of the first story. Ms. Lang stated this was a concern of the Design Review Board. They did not want a property owner to put a second story deck above a front porch. This language is intended to prevent that.

The item was deferred for further details from staff.