

ORDINANCE NO. 2080

An Ordinance to Amend Zoning Setbacks for On Grade Patios in the R-5 Single-Family Residence District No. 1 & R-6 One- and Two-Family Residence District No. 1

At a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin held on this 14th day of August, 2017, a quorum being present and a majority of the Board voting therefore, said Board finds:

WHEREAS, on the 23rd day of May, 2017 Shorewood's Plan Commission recommended a zoning amendment for residential setbacks in the R-5 Single-Family Residence District No. 1. & R-6 One- and Two-Family Residence District No. 1;

WHEREAS, 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; and to ensure accessibility around a parcel perimeter;

WHEREAS, the majority of Shorewood's residential homes are within the R-5 and R-6 residence districts with traditional forty-foot wide lots;

WHEREAS, on grade patios are paved areas outside homes used for passive recreation that contribute to the quality of life and would not adversely impact adjacent property owners or the neighborhood;

NOW THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, held on the 14th day of August, 2017, by a favorable vote of the members being present and therefore, said Board does ordain as follows:

SECTION 1

The following definitions in Section 6, Definitions and Word Usage, of Article II, Definitions, of Chapter 535 Zoning, are hereby repealed and replaced as follows:

DECK. 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 the lot that is adjacent to a building and which has a surface composed of flagstone, concrete, brick, pavers or similar material.

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

SECTION 2

In subsection F, Decks, Patios, and Driveways, of Section 9, Site Restrictions, of Article III, General Provisions, of Chapter 535, Zoning, is hereby amended as follows:

- (2) Decks shall not be located in the front yard and street side yard or the side or rear setback of a lot.
- (3) On grade patios may be located in the front yard or street side yard only when constructed within the following parameters:

SECTION 3

In part (3) of Subsection F, Decks, Patios, and Driveways, of Section 9, Site Restrictions, of Article III, General Provisions, of Chapter 535, Zoning, is hereby added as follows:

- (e) Patios may not exceed six inches above grade in front yard and street side yard setbacks.
- (f) Patios shall not be located in the side or rear setback of a lot with the exception of on grade patios in residence districts R-5 Single-Family Residence District No. 1 & R-6 One- and Two-Family Residence District No. 1 are allowed within the side yard and rear zoning setbacks.

SECTION 4

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

SECTION 5

That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 14th day of August, 2017.



Guy Johnson, Village President

Countersigned:



Tanya O'Malley, Village Clerk WCPC