

Ordinance No. O-2014-0036

By: Safety & Development Committee

Ordinance to amend subsections 12.10(2) Accessory Buildings and 12.10(10) Permitted Obstructions in Required Yards of the Revised Municipal Code; to amend subsections 12.30(2), 12.31(4), 12.32(4), 12.33(4), 12.34(3) and 12.35(4) of the Revised Municipal Code relative to Accessory Buildings; and, to repeal and recreate section 12.36 RB-2 Residence District of the Revised Municipal Code relative to district requirements.

The Common Council of the City of West Allis do ordain as follows:

PART I. Subsection 12.06 of the Revised Municipal Code of the City of West Allis is hereby amended to include the following terms:

Accessory Structure, Residential. An attached or detached “permanent” structure, (other than recreational equipment or swimming pools) such as a storage shed, a gazebo, or other residential structure that is subordinate and incidental to the one- or two-family dwelling main building and is located on the same lot as such main building.

Storage Shed. A building used for residential material storage but not used for vehicle parking or vehicle storage.

PART II. Subsection 12.10(2) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (f) A garage(s) shall not exceed one thousand (1,000) square feet in total area and a detached garage shall not exceed eighteen (18) feet in height.
- (g) A storage shed may not exceed one hundred and fifty (150) square feet in area or twelve (12) feet in height and may not have a door greater than five (5) feet in width.
- (h) A residential accessory building may not exceed one hundred and fifty (150) square feet in area and may not exceed twelve (12) feet in height.

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PART III. Subsection 12.10(10) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

Structure	Front Yards	Side Yards	Rear Yards
* * *			
Overhanging Roof Eaves (main building) not more than 3 ft.	X		
Overhanging Roof Eaves (main building) not more than 1 ft.	X	X	X
* * *			

PART IV. Subsection 12.30(2) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.
- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART V. Subsection 12.31(4) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.
- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART VI. Subsection 12.32(4) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.
- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART VII. Subsection 12.33(4) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.
- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART VIII. Subsection 12.34(3) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

* * *

- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.

- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART IX. Subsection 12.35(4) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

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- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted.
- (c) One (1) storage shed is permitted per lot.
- (d) One (1) residential accessory building other than a private garage or storage shed is permitted per lot.
- (e) There shall be a minimum of one (1) foot between detached accessory structures, and they shall not be physically connected.

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PART X. Subsection 12.36 of the Revised Municipal Code of the City of West Allis is hereby repealed and recreated to read:

12.36 RESIDENCE DISTRICT

The RB-2 Residence District is intended to provide areas in the City for single family, two (2) family and limited multi-family residential uses.

- (1) Permitted Uses.
 - (a) Those uses permitted in the RB-1 Residence District.
 - (b) Multiple-family dwellings, containing not more than four (4) dwelling units.
- (2) Transitional Uses. Any transitional use permitted within the RB-1 Residence District.
- (3) Special Uses.
 - (a) Those special uses permitted in the RB-1 Residence District.

- (b) Multi-family dwellings containing more than four (4) dwelling units.
- (4) Lot Area. The minimum lot area shall not be less than 3,600 sq. ft.
- (5) Lot Width. The minimum lot width shall not be less than thirty (30) feet.
- (6) Bulk Requirements.

(a) 2 to 4 Dwelling Units

Lot Type	Sq. Ft. per Dwelling Unit
Interior Lot	1,800
Corner Lot	1,500

(b) 5 or more Dwelling Units

Bedroom Type	Sq. Ft. per Dwelling Unit
0	1,000
1	1,500
2 or more	2,000

(7) Lot Coverage.

(a) Main Building, Private Garage(s) and Accessory Building(s)

Lot Type	Combined Coverage Area
Interior Lot	40%
Corner Lot	45%

1. This shall not be interpreted to disallow one- and two-family buildings from having a private garage of not more than four hundred eighty-four (484) sq. ft.

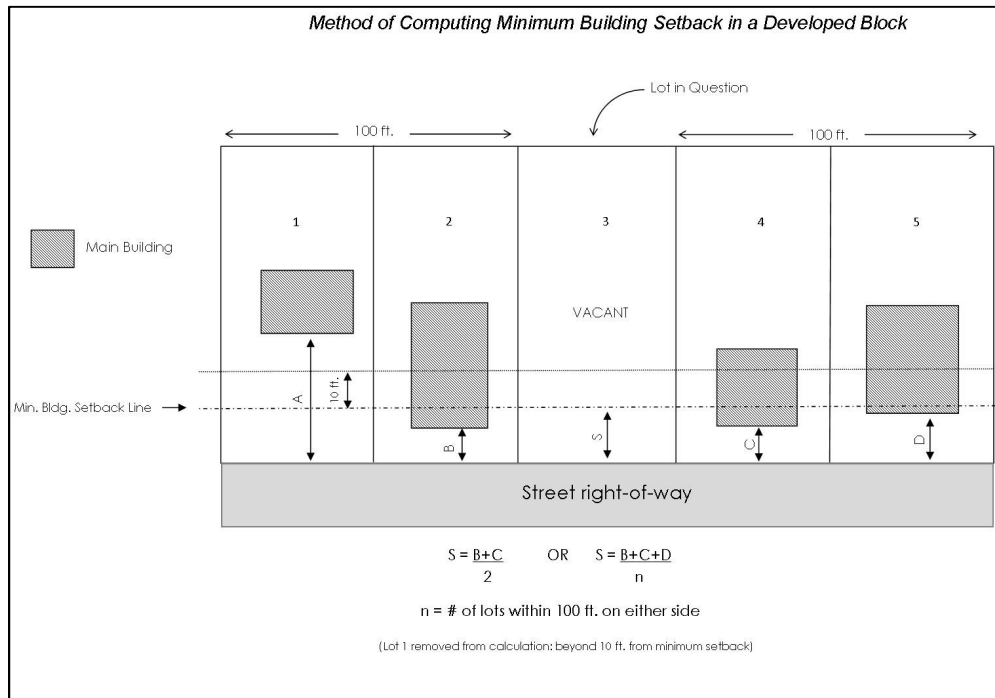
(8) Accessory Buildings.

- (a) One (1) attached private garage per dwelling unit or one (1) detached private garage per lot is permitted per lot.
- (b) One (1) storage shed is permitted per lot.
- (c) One (1) residential accessory structure is permitted per lot.
- (d) There shall be a minimum of one (1) foot between detached accessory structures and they shall not be physically connected.

(9) Front Yard. Every lot shall have a front yard not less than twenty (20) feet in depth; however,

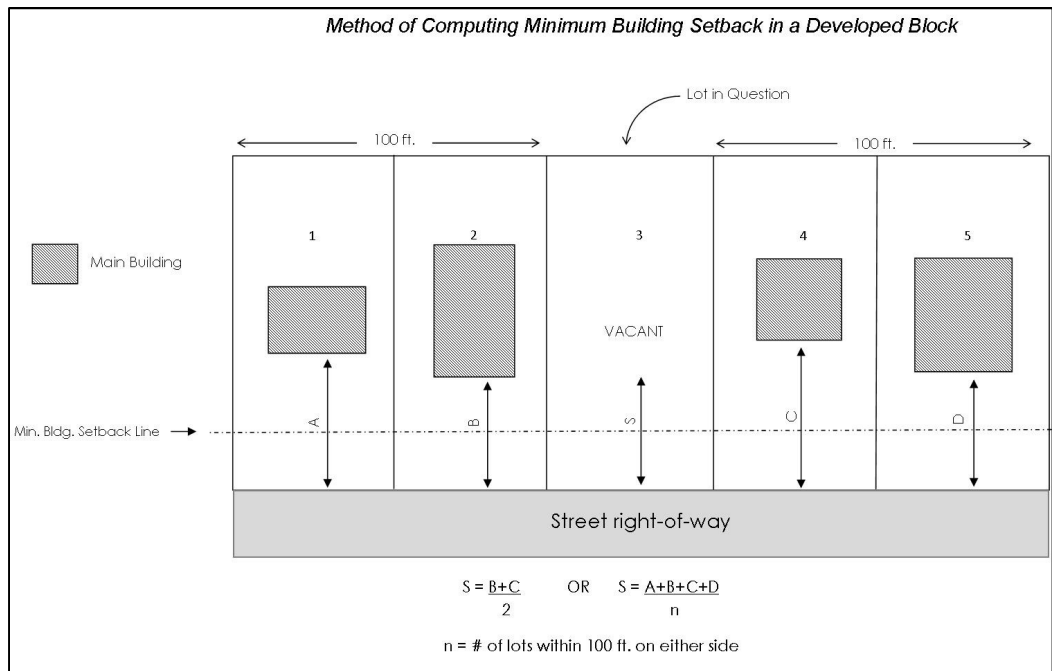
(a) If the average front yard setback of existing buildings is less than the required minimum, then the minimum front yard setback may be the average of the existing front yard setbacks within that distance; or,

1. Calculating the average. The average front yard setback shall be calculated based on existing buildings on either side of a lot or buildings on either side of a lot within a distance of 100 feet of the lot line of the proposed building; fronting on the same side of the same street in the same block; within the same zoning district; and, not more than 10 ft. beyond the required minimum setback.



(b) If the average front yard setback of existing buildings is more than the required minimum, then the average shall be the minimum front yard setback.

1. Calculating the average. The average front yard setback shall be calculated based on existing buildings on either side of a lot or buildings on either side of a lot within a distance of 100 feet of the lot line of the proposed building; fronting on the same side of the same street in the same block; within the same zoning district. This section shall not be interpreted in any way so as to require a setback of more than forty (40) feet.



(10) Side Yard.

(a) Every lot shall have two (2) side yards.

Side Yard	Required Setback
East or South	not less than 7 feet
North or West	not less than 3 feet

1. However, any lot having a width of forty (40) feet or less shall have no side yard less than three (3) feet in width.

(b) In the case of a lot where the side yard adjoins a street, that side yard shall be at least the minimum width established by the existing main buildings on that side of the street or that width required in 12.36(10)(a), whichever is greater.

(11) Rear Yard. Every lot shall have a rear yard with a depth not less than fifteen percent (15%) of the depth of the lot, but not less than ten (10) feet.

(12) Height. Main buildings on a lot shall not exceed thirty-five (35) feet in height.

PART XI. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART XII. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED _____

Monica Schultz, City Clerk

APPROVED _____

Dan Devine, Mayor

cc: Department of Development
Building Inspections and Neighborhood Services
City Attorney's Office

ZON-O-957-6-17-14