

Planning Department

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax (262) 691-1798

**PLAN COMMISSION
MEETING NOTICE AND AGENDA
Thursday, May 19, 2022
6:00 PM**

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Rd., Pewaukee, WI 53072

-
1. Call to Order and Pledge of Allegiance
 2. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for Momentum Early Learning for Property Located at W238 N1660 Busse Road for the Purpose of Expanding Their Current Childcare Center Into a Second Building (PWC 0954998020)
 3. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for Ryan Leibfried for Property Located at N29 W27529 Peninsula Drive for the Purpose of Constructing a New Boat House Structure (PWC 0933024)
 4. Discussion and Action and Public Hearing Regarding Proposed Text Amendments to Section 17.0435e.(7)(c) of the F-1 Floodplain Zoning District of the City of Pewaukee Zoning Ordinance
 5. Discussion Regarding a Review of Section 17.0209 of the City of Pewaukee Zoning Code Related to Accessory Structures and Temporary Use Standards and Related Definitions of Section 17.1400
 6. Adjournment

Ami Hurd
Deputy Clerk

5/12/2022

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the City Planner, Nick Fuchs, at (262) 691-6007 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 2.**

DATE: May 19, 2022

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for Momentum Early Learning for Property Located at W238 N1660 Busse Road for the Purpose of Expanding Their Current Childcare Center Into a Second Building (PWC 0954998020)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

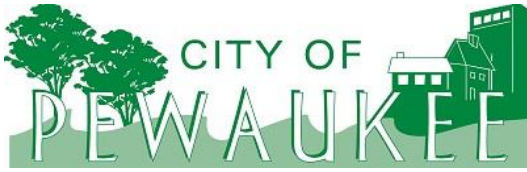
Description

Momentum Early Learning staff report 5.19.22

Momentum Early Learning narrative

Momentum Early Learning site plans

Momentum Early Learning draft conditional use permit



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of May 19, 2022

Date: May 11, 2022

Project Name: Momentum Early Learning Conditional Use and Site & Building Plan Review

Project Address/Tax Key No.: W238N1660 Busse Road/PWC 0954998020

Applicant: Brandon Miller, Momentum Early Learning

Property Owner: DCK Investments, LLC

Current Zoning: B-6 Mixed Use Business District

2050 Land Use Map Designation: Office Commercial

Use of Surrounding Properties: Office use to the north and south, industrial to the east, and Pilgrim's Rest Cemetery to the west

Project Description

The applicant has submitted a Conditional Use Permit to expand a childcare facility use within a second building on the property located at W238N1660 Busse Road.

The subject property contains two principal buildings and one accessory building. The applicant, Momentum Early Learning, received staff approval of a Business Plan of Operation to locate within the northernmost building, taking over the previous approvals granted to Young Scholars Learning Academy, Inc., which received a Conditional Use Permit in 2007.

Momentum Early Learning is now proposing to occupy the building to the south, currently leased by Kowal Investments. As the B-6 District does not specifically list childcare facilities as a Permitted Use, a Conditional Use Permit is required. The Plan Commission should consider the childcare use and its compatibility with the permitted office and service type uses allowed within the B-6 District.

Staff does not object to this use, finds it is compatible with the B-6 District and surrounding uses, and does not anticipate any adverse impacts to the area. The current use of the property by the applicant, as well as the plans provided, demonstrate that the site is appropriate for such a use.

The applicant has indicated that only interior renovations would be needed for the second building. There are no proposed exterior changes to the site or building.

It can also be noted that the applicant does not intend to move forward with the previously approved development at N19W24135 Riverwood Drive, which was approved by the Plan Commission at their March 15, 2022 meeting.

Recommendation

Staff recommends approval of the Conditional Use Permit for Momentum Early Learning located at W238N1660 Busse Road.

Narrative - Petition for Conditional Use

Momentum Early Learning Expansion at W238N1664 Busse Rd, Waukesha WI 53188

May 2, 2022

Momentum Early Learning childcare, currently leasing approx 12,000 sq ft building #1 at Busse Rd is looking to purchase the land and buildings at this site. Building #2, approx 6,000 square ft is located on the same parcel / tax key and is currently occupied / leased by Kowal Investment group.

The conditional use is requested to expand the childcare portion of the business into building #2 once the Kowal lease is completed. We would like to have conditional use approved / granted prior to acquisition.

We would build out the current Kowal Investment office space into additional childcare. The plan is to expand an additional 7 rooms for childcare into the space. Rough layout with drawings attached. Construction would begin upon the Kowal group exiting and take approx 6 months. There is sufficient parking to support the expansion. We do not plan to make any changes to landscaping, parking lot, signage, etc.

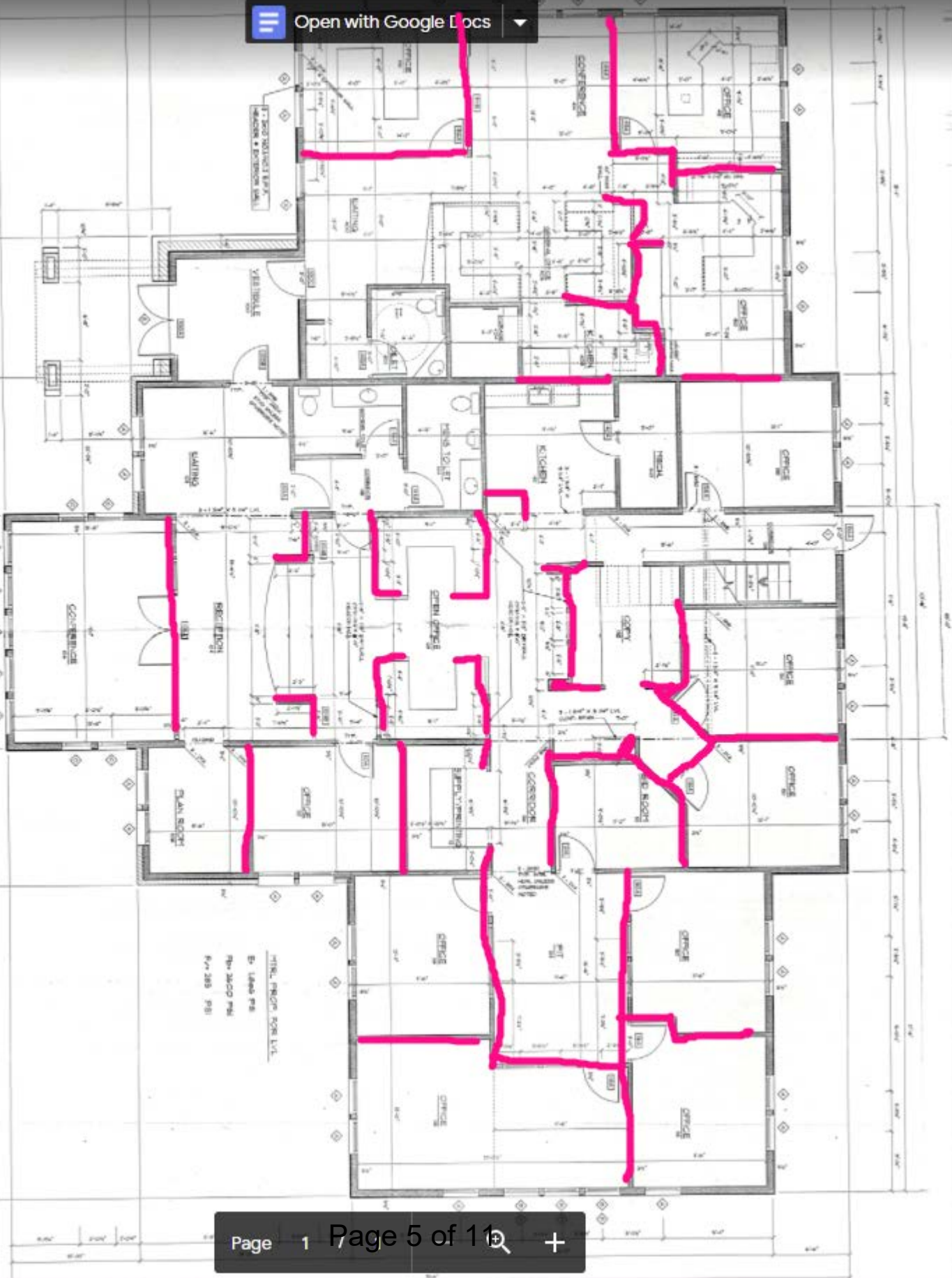
Sincerely,

Brandon Miller



Open with Google Docs

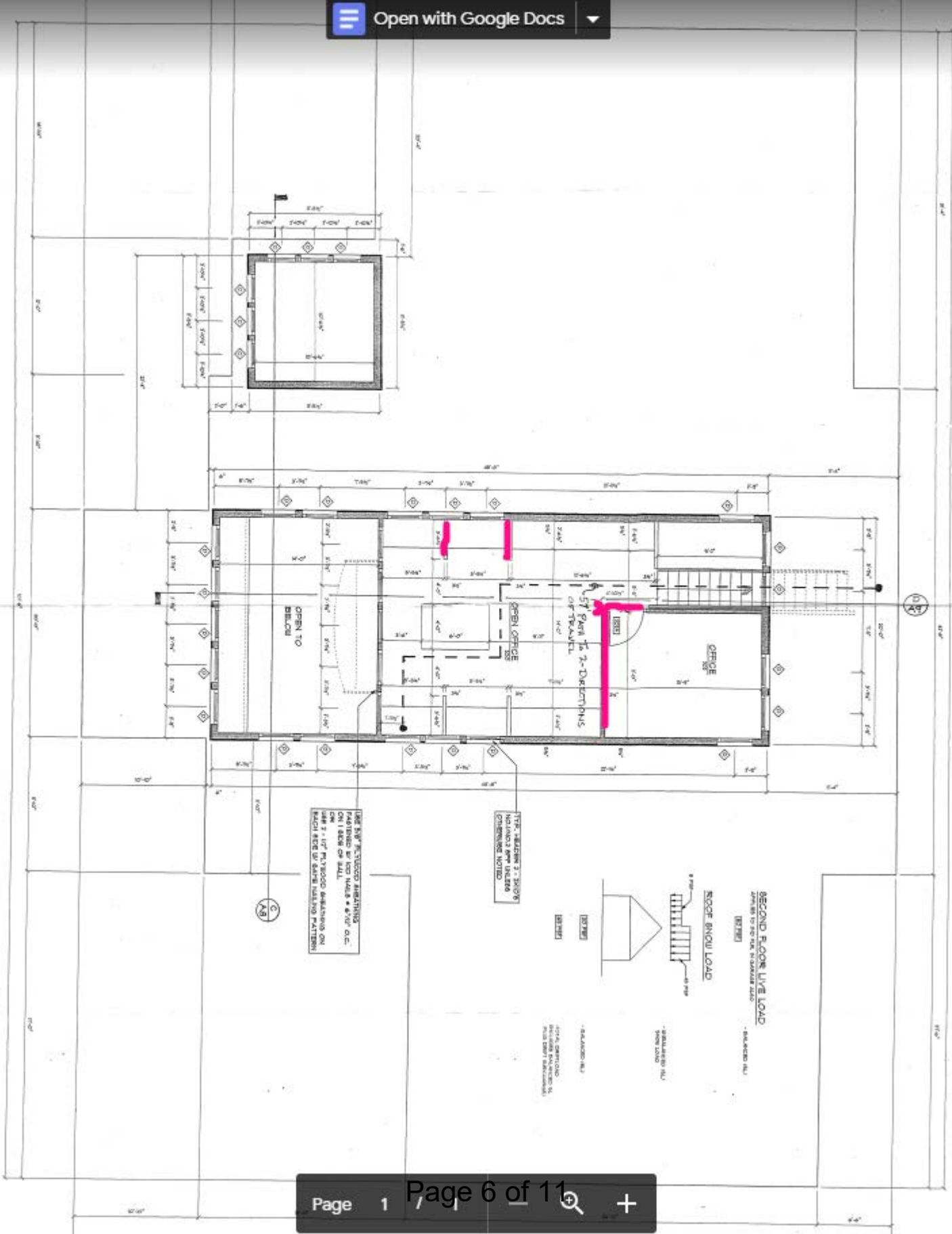
FIRST FLOOR PLAN





SECOND FLOOR PLAN

1/8" = 1'-0"



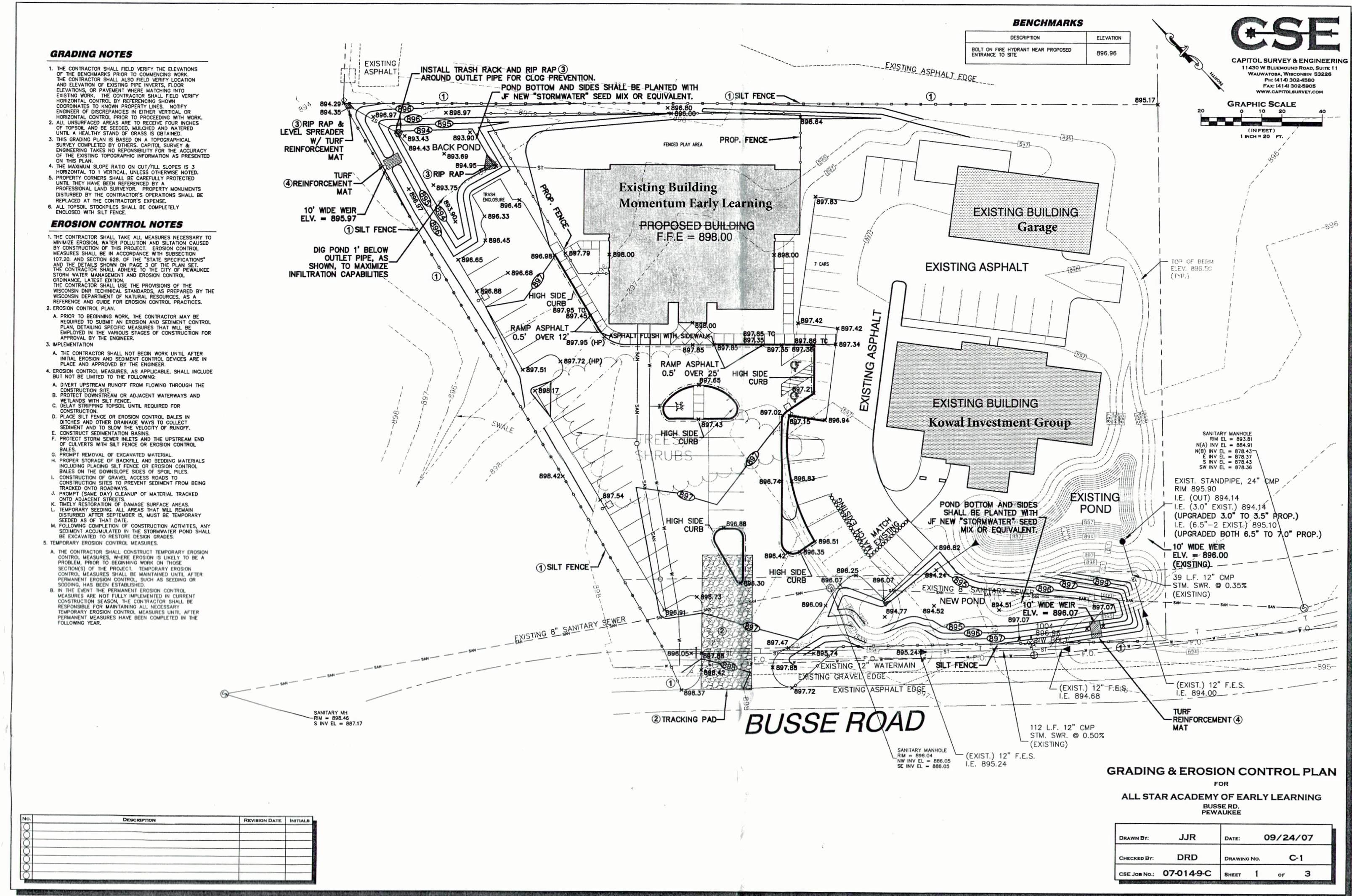
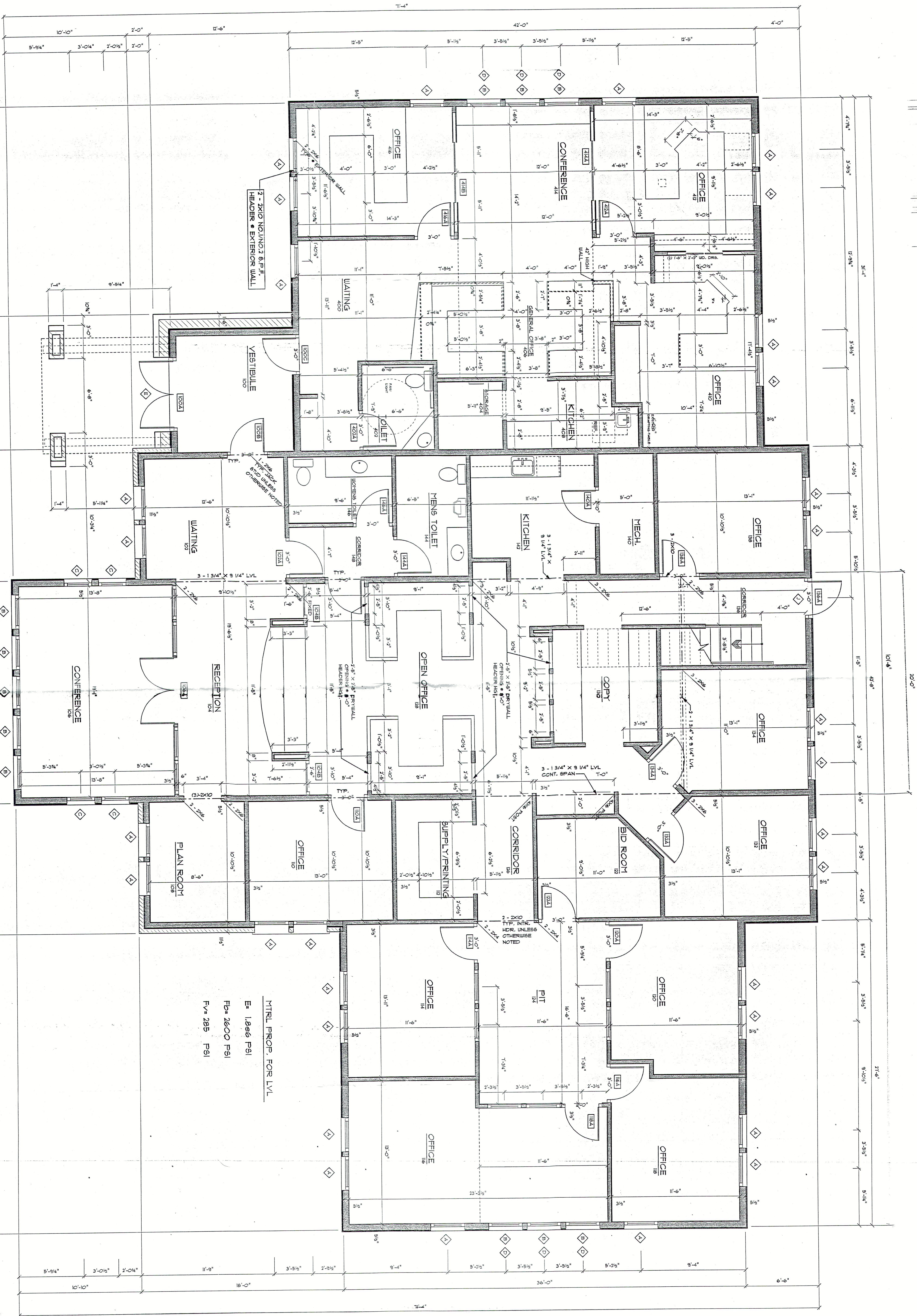


EXHIBIT A



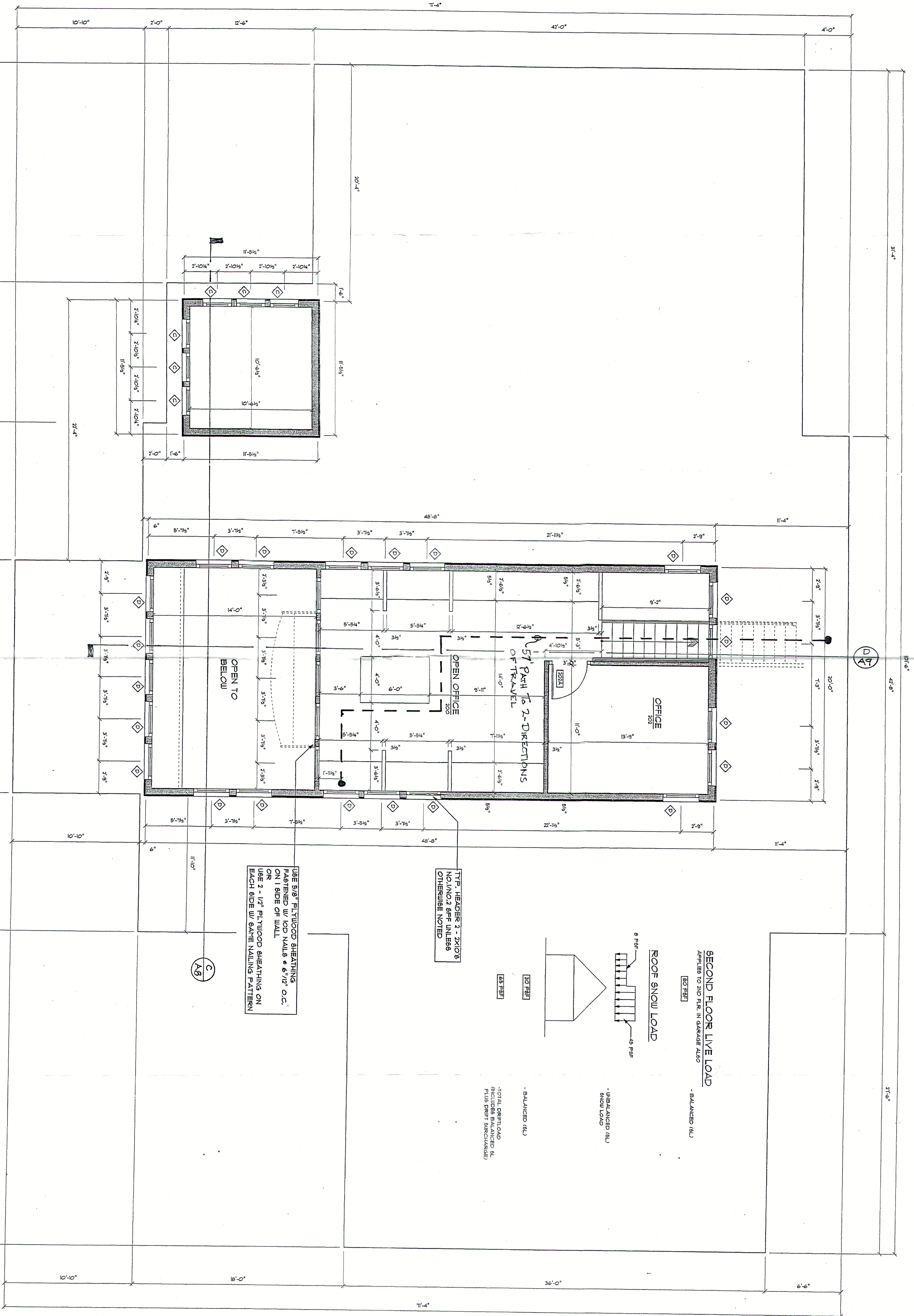
FIRST FLOOR PLAN

A-3
DATE: 20 APRIL 04
REV: 1 LINE 04

EXHIBIT B

THE ASI GENERAL OFFICE BUILDING
BUSSE ROAD, WAUKESHA

the Design Alliance Architects, Inc.



SECOND FLOOR PLAN

1/4" = 1'-0"

A-4

DATE: 20 APRIL 04
REV:

EXHIBIT B

THE ASI GENERAL OFFICE BUILDING
BUSSE ROAD, WAUKESHA

Design Alliance
Architects, Inc.

The parties hereto, namely the City of Pewaukee and the Equitable Owner of the property for which this conditional use has been sought, set their signatures or the signatures of their representatives below, thereby agreeing to the provisions and conditions set forth in this covenant.

Attest:

Signature of equitable owner

Date

Kelly Tarczewski
City Clerk

Steve Bierce
Mayor, City of Pewaukee

Date

State of Wisconsin
County of Waukesha

Signed or attested before me on _____, 2022 by Steve Bierce, Mayor and Kelly Tarczewski, Clerk.

(Seal)

Ami Hurd

My Commission expires _____

This instrument was drafted by Ami Hurd, Deputy Clerk

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 3.**

DATE: May 19, 2022

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for Ryan Leibfried for Property Located at N29 W27529 Peninsula Drive for the Purpose of Constructing a New Boat House Structure (PWC 0933024)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

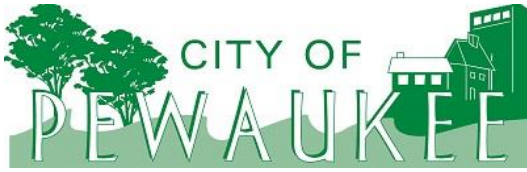
Ryan Leibfried staff report 5.19.22

Ryan Leibfried boat house narrative

Ryan Leibfried boat house plan set

Ryan Leibfried Plat of Survey

Ryan Leibfried draft conditional use permit



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of May 19, 2022

Date: May 11, 2022

Project Name: Leibfried Conditional Use

Project Address/Tax Key No.: N29W27529 Peninsula Drive/PWC 0933024

Applicant: Ryan Leibfried

Property Owner: Ryan Leibfried

Current Zoning: Rs-7 Single-Family Residential District & SO Shoreland Overlay District

2050 Land Use Map Designation: Medium Density Residential (6,500 SQ. FT. – ½ AC. / D.U.)

Use of Surrounding Properties: Single-family residential to the north, south and west and Pewaukee Lake to the south

Project Description

The applicant has filed a Conditional Use application and submitted plans for Plan Commission review for the construction of a new accessory boat house structure upon property located at N29W27529 Peninsula Drive.

The property is approximately 0.2267 acres and consists of a single-family dwelling, shed, and a long walking path that leads from the house to a concrete slab near the lake. The boat house is proposed to be located at the south end of the property and has an area of 360 square feet. Windows are included on the north, east and west elevations. The east elevation also includes a service door, and the north elevation has an overhead glass roll up door.

In review of the attached plans, staff finds that the proposed structure meets all development standards of the Rs-7 and Shoreland Overlay zoning districts.

Recommendation

A motion to approve the Conditional Use application and plans submitted by Ryan Leibfried for the construction of a new boat house upon property located at N29W27529 Peninsula Drive.

May 5th, 2022

City of Pewaukee Plan Commission
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Attn: Plan Commission Board



Project Description for Proposed Accessory Boathouse Structure:

Ryan Leibfried, the owner of the property located at N29 W27529 Peninsula Drive, is planning to build a new accessory boat house structure. This new boat house will be located at the south end of the property and 30 feet back from high water mark of Pewaukee Lake. The primary use of this structure will be for the storage of watercraft such as canoes, paddle boards, etc. The owner would like to place a countertop inside the boathouse for accessible counter space and additional storage under counters for parts, life jackets, and other boat accessories. We are seeking approval of this conditional use from the Plan Commission.

The total area of the Boat House is 360 S.F. The project will have 16 foot wide roll up glass garage door on the south side and a smaller 10 foot wide glass roll up door on the north side for cross ventilation. The east side of the structure will have windows and an access door while the west side will have a single window. The Boathouse is setback off the water so that it is in line or behind the adjacent boathouse structures and is setback 30' from the high water mark of Pewaukee Lake.

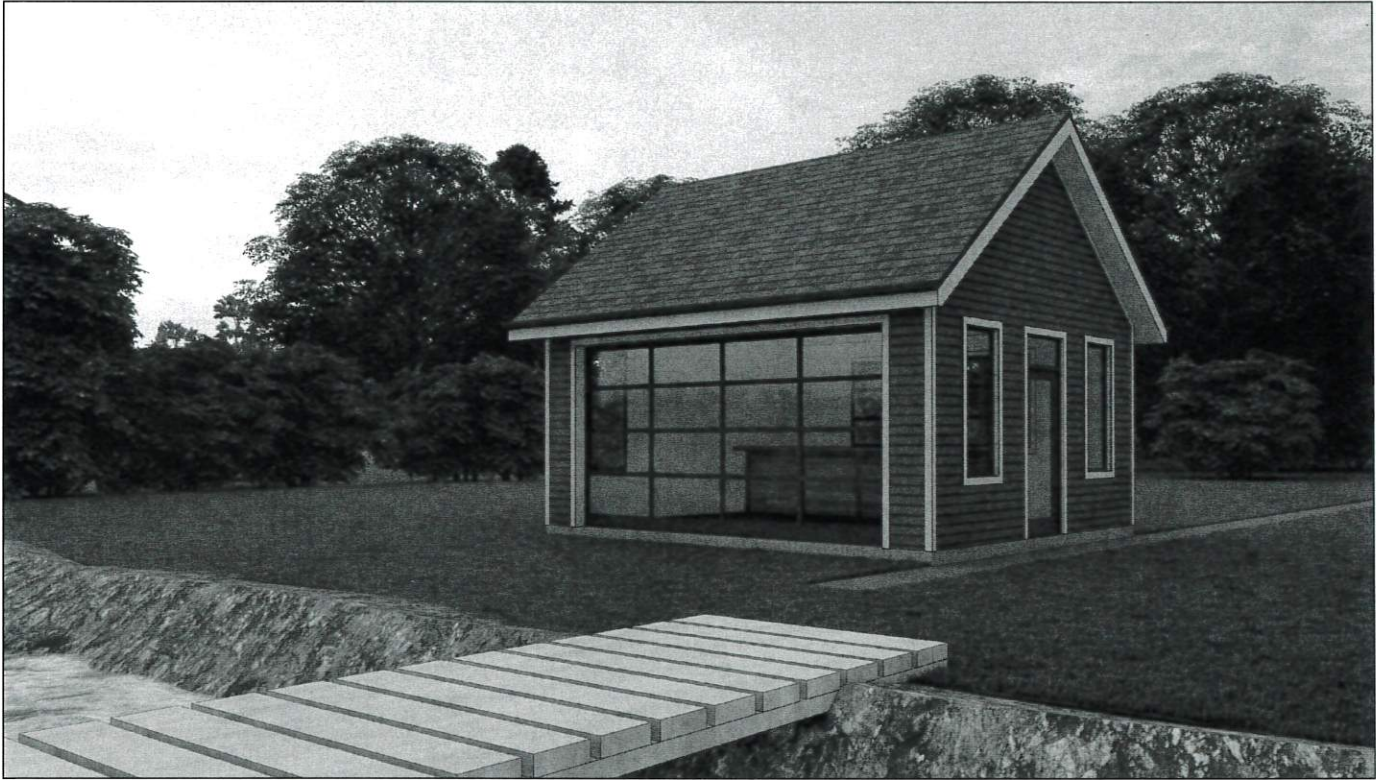
All remodel work is anticipated to start as soon as all necessary approvals and permits have been obtained. We estimate this to be around the beginning of June of 2022. The total Cost of the project is estimated to be \$75,000.

Should you have any other questions or concerns regarding the information above, please contact the Architect whose information is below, thank you.

Sincerely,

Shaun Sullivan
Architect/Owner – Envision Design Architects
Email: envision3design@gmail.com
Phone: 262-327-4338

PROJECT: LEIBFRIED BOAT HOUSE



SHEET INDEX:

TS:	TITLE PAGE
A1.0:	SITE PLAN
A2.1:	FLOOR PLAN, REFLECTED CEILING PLAN, ROOF PLAN, & EXTERIOR ELEVATIONS
A5.0:	SECTION, INTERIOR ELEVATIONS, & DETAILS

GENERAL NOTES:

- THE FOLLOWING NOTES APPLY TO ALL CONTRACTORS, SUBCONTRACTORS, MANUFACTURERS, AND SUPPLIERS ENGAGED IN THE BIDDING AND EXECUTION OF THE WORK SHOWN ON THESE PLANS.
- 1) THESE NOTES SUPPLEMENT AND ARE APART OF THE CONTRACT DOCUMENTS. ALL CONSTRUCTION SHALL BE EXECUTED IN CONFORMANCE WITH THE FOLLOWING:
 - PLANS AND NOTES
 - ALL LOCAL BUILDING AND SAFETY CODES
 - WISCONSIN UNIFORM DWELLING CODE
 - MANUFACTURER/PRODUCT INSTALLATION SPECIFICATIONS FOR ALL FIXTURES, EQUIPMENT, AND FINISHES
 - 2) DIMENSIONS MAY NOT BE EXACT. ALL CONTRACTORS TO FIELD VERIFY ANY AND ALL MEASUREMENTS/ DIMENSIONS PRIOR TO CONSTRUCTION AND/OR FABRICATION. CONTRACTOR TO NOTIFY ENVISION DESIGN IMMEDIATELY OF ANY DISCREPANCIES BETWEEN PLAN DIMENSIONS AND FIELD MEASUREMENTS
 - 3) ALL CONTRACTORS AND SUBCONTRACTORS RESPONSIBLE FOR CONFIRMING ALL NEW AND EXISTING WALLS, HVAC SYSTEMS, PLUMBING, ELECTRICAL, AND STRUCTURAL ELEMENTS
 - 4) CONTRACTORS, SUBCONTRACTORS, AND SUPPLIERS SHALL CROSS REFERENCE ALL SHEETS IN THIS DRAWING SET AND NOTIFY ENVISION DESIGN OF ANY DISCREPANCIES IMMEDIATELY
 - 5) ALL CONSTRUCTION AND ERECTION SHALL CONFORM TO OSHA REQUIREMENTS. PROVIDE TEMPORARY BRACING AS REQUIRED
 - 6) IN NO CASE SHALL STRUCTURAL ALTERATIONS OR WORK AFFECTING STRUCTURAL MEMBERS BE MADE WITHOUT PROPER WRITTEN APPROVAL OF THE ARCHITECT
 - 7) THE USE OF A SCALE TO OBTAIN DIMENSIONS NOT SHOWN ON THE PLANS IS PERMITTED.
 - 8) ALL SHOP DRAWINGS AND COLOR/MATERIAL SAMPLES MUST BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION
 - 9) EACH CONTRACTOR AND SUBCONTRACTOR IS RESPONSIBLE FOR CLEAN UP AND REMOVAL OF DEBRIS CAUSED BY THEIR PORTION OF WORK
 - 9) THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR ALL DESIGNS, CALCULATIONS, AND PERMITS AS REQUIRED BY THE ELECTRICAL SCOPE OF WORK. ALL WORK MUST CONFORM TO APPROPRIATE STATE, LOCAL, AND NATIONAL ELECTRICAL CODES. ANY ELECTRICAL DRAWINGS AND/OR NOTES IN THIS DRAWINGS SET ARE FOR LAYOUT AND INFORMATIONAL PURPOSES ONLY.
 - 9) THE HVAC CONTRACTOR IS RESPONSIBLE FOR ALL DESIGNS, CALCULATIONS, AND PERMITS AS REQUIRED BY THE HVAC SCOPE OF WORK. ALL WORK MUST CONFORM TO APPROPRIATE STATE, LOCAL, AND NATIONAL HVAC CODES. ANY HVAC DRAWINGS AND/OR NOTES IN THIS DRAWINGS SET ARE FOR LAYOUT AND INFORMATIONAL PURPOSES ONLY.
 - 9) THE PLUMBING CONTRACTOR IS RESPONSIBLE FOR ALL DESIGNS, CALCULATIONS, AND PERMITS AS REQUIRED BY THE PLUMBING SCOPE OF WORK. ALL WORK MUST CONFORM TO APPROPRIATE STATE, LOCAL, AND NATIONAL PLUMBING CODES. ANY PLUMBING DRAWINGS AND/OR NOTES IN THIS DRAWINGS SET ARE FOR LAYOUT AND INFORMATIONAL PURPOSES ONLY.

LEIBFRIED BOAT HOUSE
N29 W27529 PENINSULA DRIVE
PEWAUKEE, WI 53072

SHEET TITLE

TITLE PAGE

REVISIONS

XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX

PROJECT NUMBER

22-00001

SET USE

BIDDING

DATE

05.03.2022

SHEET

TS



SITE DATA:	
SITE AREA:	9,875 S.F.
FOOTPRINT OF EXISTING BUILDING	0.2267 ACRES
AREA OF ACCESSORY STRUCTURE	1,800 S.F.
TOTAL BUILDING FOOTPRINT:	360 S.F.
TOTAL EXISTING IMPERVIOUS:	1,960 S.F. (19.8% OF SITE)
TOTAL NEW IMPERVIOUS:	1,794 S.F. (18.1% OF SITE)
	0 S.F.

2 SITE PLAN
SCALE: 1" = 10'-0"



envision design
ARCHITECTURE

LEIBFRIED BOAT HOUSE
N29 W27529 PENINSULA DRIVE
PEWAUKEE, WI 53072

SHEET TITLE

SITE PLAN

REVISIONS

XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
XX.XX.XXXX	XX.XX.XXXX
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PROJECT NUMBER

22-00001

SET USE

BIDDING

DATE

05.03.2022

SHEET

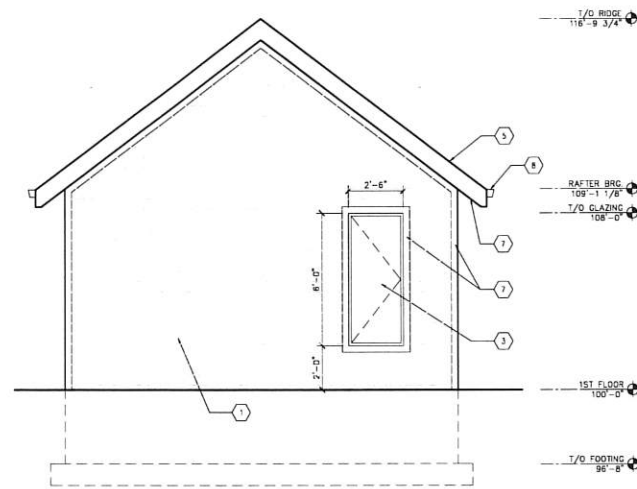
A1.0

- 1 6" EXPOSURE LP SMART SIDING
- 2 PREFINISHED GLASS PANEL GARAGE DOOR - BLACK
- 3 ANDERSEN OR EQUAL CASEMENT WINDOW w/ FIXED TRANSOM WINDOW ABOVE - BLACK EXTERIOR w/ WOOD INTERIOR FINISH
- 4 ANDERSEN OR EQUAL STRAIGHT-LINE GLASS PANEL DOOR #02 - BLACK EXTERIOR w/ WOOD INTERIOR FINISH. PROVIDE FIXED TRANSOM ABOVE.
- 5 30 YEAR DIMENSIONAL ASPHALT SHINGLE ROOF
- 6 PREFINISHED ALUMINUM SOFFIT PANEL - WHITE
- 7 4" LP SMART SIDE TRIM - WHITE
- 8 PREFINISHED METAL GUTTER AND DOWNSPOUTS

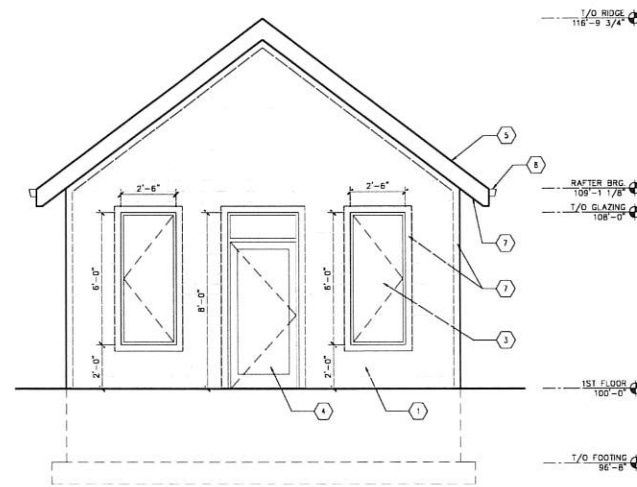
GENERAL

ALL GYPSUM WALLBOARD IS TO BE 1/2" THICK (UNLESS NOTED OTHERWISE), IN LONGEST LENGTHS AVAILABLE, SCREW ATTACHED TO STUDS OR FURRING. PROVIDE METAL CORNER BEADS AND USG NO. 200B METAL TRIMS AT ALL EXPOSED WALLBOARD EDGES. TAPE AND FINISH ALL JOINTS, EVEN IF NOT EXPOSED TO VIEW. PROVIDE MOISTURE-RESISTANT GYPSUM WALLBOARD AT ALL WET AREAS.

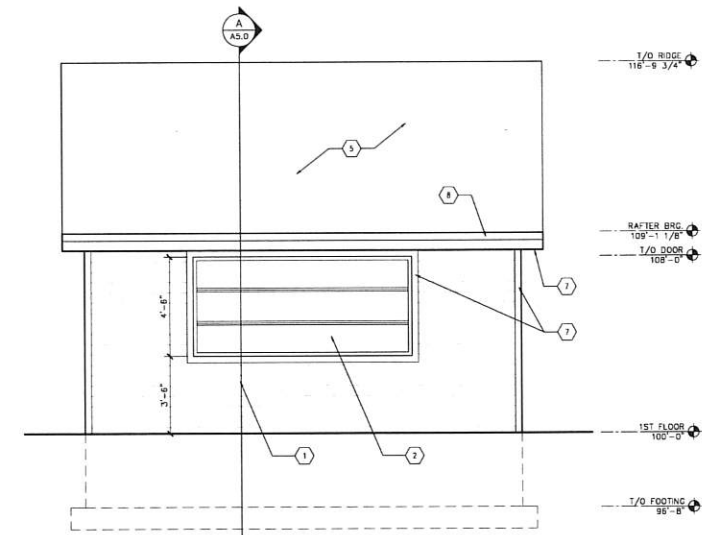
	DUPLEX OUTLET
	DUPLEX OUTLET, WEATHERPROOF
	GROUND FAULT INTERRUPTER DUPLEX OUTLET
	DUPLEX OUTLET MOUNTED ABOVE COUNTER
	T.V. OUTLET AT 72" A.F.F. UNLESS OTHERWISE NOTED



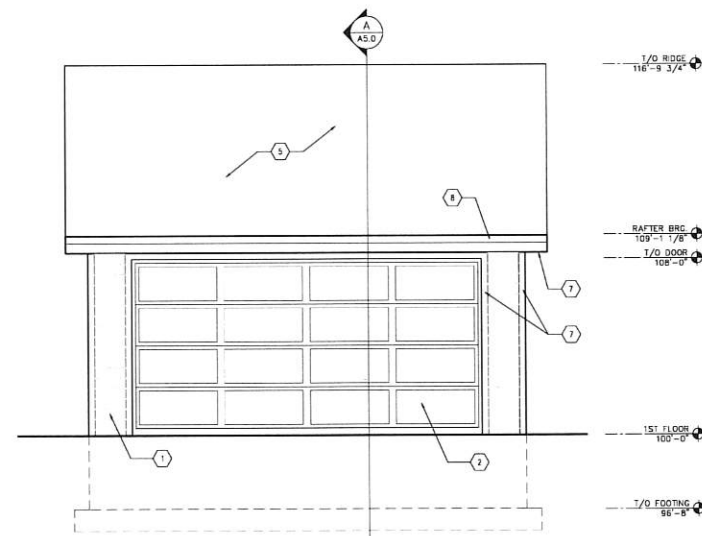
7 WEST ELEVATION
SCALE: 1/4" = 1'-0"



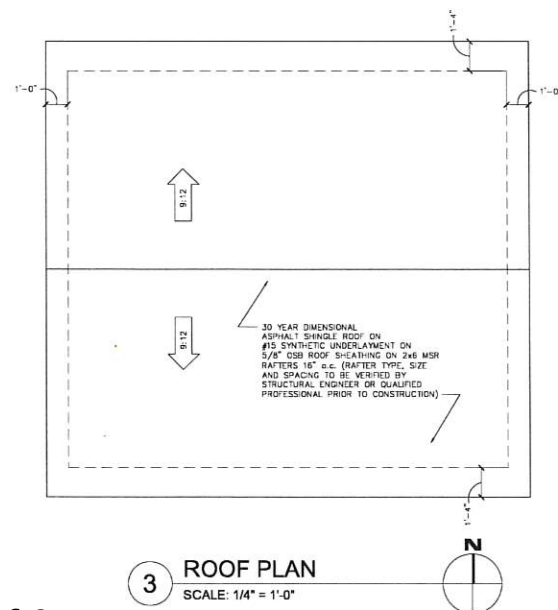
5 EAST ELEVATION
SCALE: 1/4" = 1'-0"



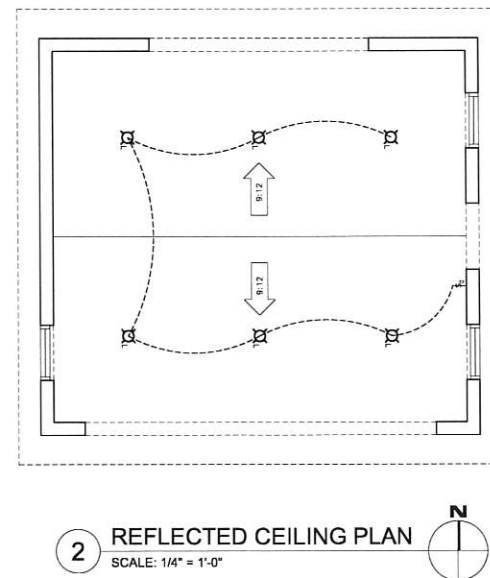
6 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



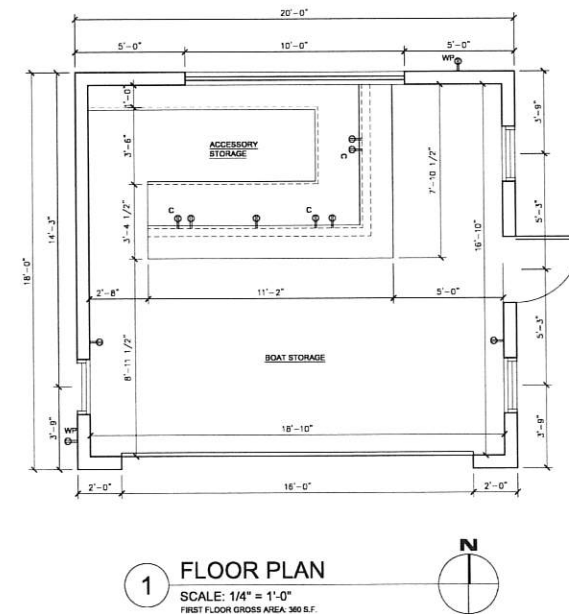
4 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



3 ROOF PLAN
SCALE: 1/4" = 1'-0"



2 REFLECTED CEILING PLAN
SCALE: 1/4" = 1'-0"



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"
FIRST FLOOR GROSS AREA: 360 S.F.

envision design
ARCHITECTURE

LEIBFRIED BOAT HOUSE
N29 W27529 PENINSULA DRIVE
PEWAUKEE, WI 53072

FLOOR PLAN & SITE PLAN

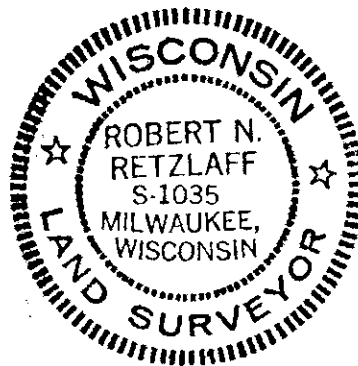
REVISIONS	
XX.XX.XXXX	XX.XX.XXXX
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XX.XX.XXXX	XX.XX.XXXX

PROJECT NUMBER	22-00001
SET USE	BIDDING
DATE	05.03.2022
SHEET	

A2.1

PLAT OF SURVEY

Floodplain elev. = 854.6'

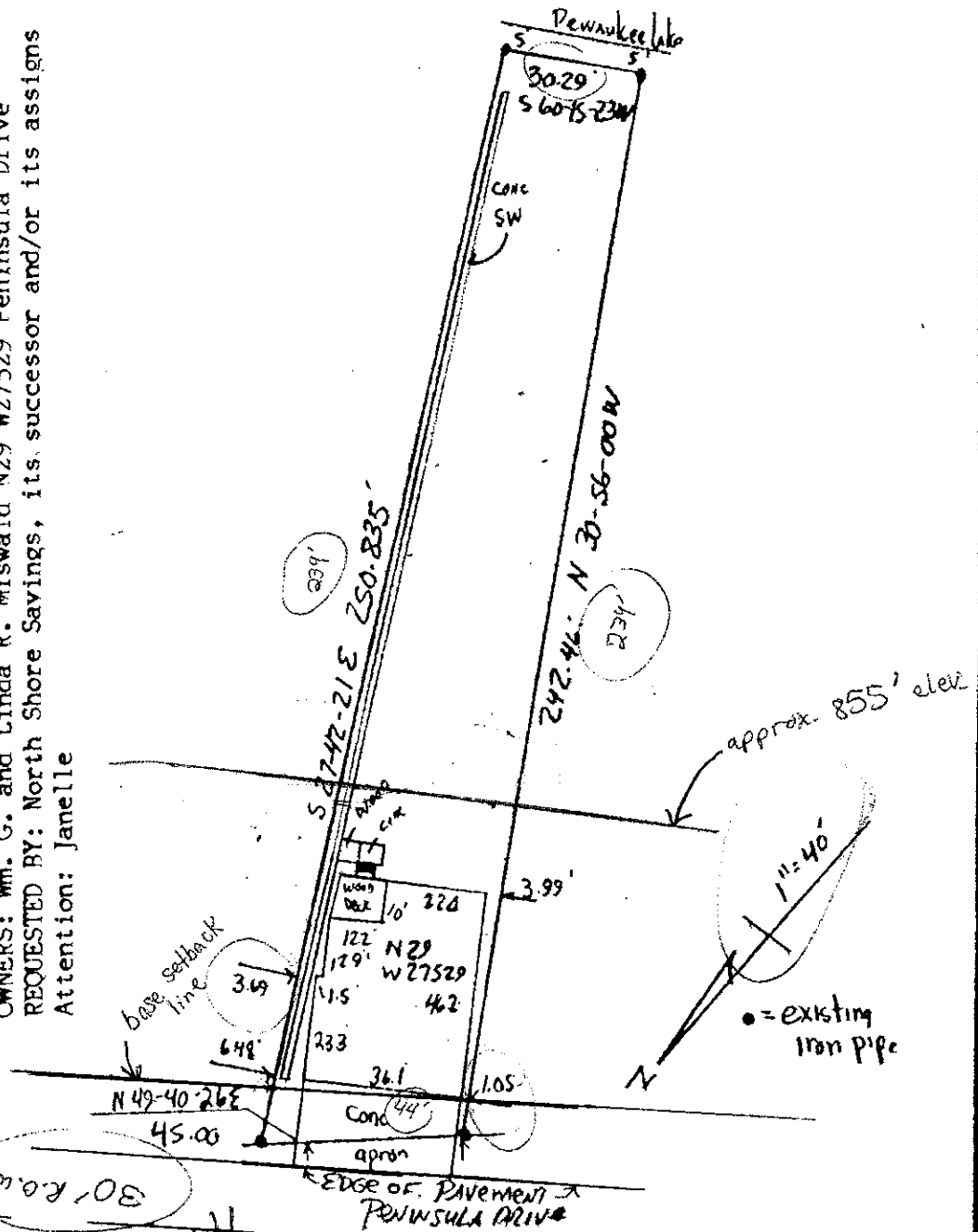


DESCRIPTION: All that part of Lot 7 in Starck Peninsula Subdivision, being a part of the NW 1/4 and NE 1/4 of Section 18, Township 7 North, Range 19 East in the Town of Pewaukee, Waukesha County, Wisconsin starting at a point on the northerly line of the said Lot 7, and being the southerly line of Elm Court, said point being 42 feet distant from the northeasterly corner of Lot 7 and 45 feet distant from the northwesterly corner of the said Lot 7; thence S 49° 44' W, along the northerly line of said Lot 45 feet to the northwesterly Corner of said lot; thence S 30° 56' E, along the westerly line of said lot, 250 feet to a point on the shore of Pewaukee Lake; thence N 61° 41' East, along the shore of said lake, 30.00 feet; thence N 27° 27' W, 251.1 feet to the place of beginning. Also all of the land lying between the southerly line of the above described property and Pewaukee Lake included between the easterly and westerly lines of the above described tract extended to the lake shore.

OWNERS: Wm. G. and Linda R. Miswald N29 W27529 Peninsula Drive

REQUESTED BY: North Shore Savings, its successor and/or its assigns

Attention: Janelle



STATE OF WISCONSIN
COUNTY OF MILWAUKEE

I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL-VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF; AND AS TO THEM I CERTIFY THE ACCURACY OF SAID SURVEY AND MAP.

NOTE: AN AGREEMENT EXISTS BETWEEN REGIONAL CONSULTING ENGINEERS, INC. AND THE LENDING INSTITUTION TO OMIT THE RESETTING OF ANY MISSING LOT CORNER PIPES ON THIS SURVEY UNLESS SPECIFICALLY REQUESTED AT THE TIME OF SURVEY ORDER PLACEMENT.

DATED THIS 21st DAY OF April 19 89

Robert N. Retzlaff
SURVEYOR

JOB NO 89098

**A COVENANT
REGARDING THE ISSUANCE OF A
CONDITIONAL USE PERMIT
BY THE
CITY OF PEWAUKEE**

**TAX KEY NUMBER(S)
OR PARCEL(S) INVOLVED:** **CONDITIONAL USE
PERMIT:
NO. CUP-22-5-2**

PWC 0933024

LEGAL DESCRIPTION:

PT LOT 7 MAP OF STARKE PENINSULA SUBDIVISION PT
NW1/4 & NE1/4 SEC 18 T7N R19E; COM NLY LINE OF LOT 7
BEING SLY LINE OF ELM CT BEING 42 FT FROM NELY CRNR
OF LOT 7 & 45 FT FROM NWLY CRNR OF LOT 7; S49°44'W
ALNG NLY LINE 45 FT TO NWLY CRNR OF LOT; S30°56'E
ALNG WLY LINE 250 FT TO SHRLNE OF PEWAUKEE LAKE;
N61°41'E ALNG SHORE 30 FT; N27°37'W 251.1 FT TO BGN

**PERSON(S), AGENT(S) OR CORPORATION(S) PETITIONING
FOR PERMIT:**

Ryan Leibfried

Recording area

Name & Return Address

City of Pewaukee
W240N3065 Pewaukee Rd
Pewaukee, WI 53072

WHEREAS, It is understood by all parties to this covenant that Section 62.23 of WIS. Statutes prescribes the legal basis for the granting of a conditional use permit by a City and Chapter 17 of the City Codes and Ordinances provides for the issuance of such permits as well as the standards by which all such uses will be measured; and,

WHEREAS, The City Plan Commission has held a meeting on May 19, 2022; has reviewed the various elements of the petitioner's proposal; and has recommended that a Conditional Use Permit be granted to the above-named petitioner for the property/parcel identified above; and,

WHEREAS, The City Common Council held a public hearing meeting on June 6, 2022.

NOW, THEREFORE, let it be known that the City Common Council, by its action on June 6, 2022 has, hereby, granted a Conditional Use Permit for the following use(s):

Constructing a new boat house structure.

FURTHER, such approved use of the above designated parcel(s) are hereby allowed based on the following conditions being continually met:

No conditions.

The parties hereto, namely the City of Pewaukee and the Equitable Owner of the property for which this conditional use has been sought, set their signatures or the signatures of their representatives below, thereby agreeing to the provisions and conditions set forth in this covenant.

Attest:

Signature of equitable owner

Date

Kelly Tarczewski
City Clerk

Steve Bierce
Mayor, City of Pewaukee

Date

State of Wisconsin
County of Waukesha

Signed or attested before me on _____, 2022 by Steve Bierce, Mayor and Kelly Tarczewski, Clerk.

(Seal)

Ami Hurd
My Commission expires _____

This instrument was drafted by Ami Hurd, Deputy Clerk

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 4.**

DATE: May 19, 2022

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Action and Public Hearing Regarding Proposed Text Amendments to Section 17.0435e.(7)(c) of the F-1 Floodplain Zoning District of the City of Pewaukee Zoning Ordinance

BACKGROUND:

FINANCIAL IMPACT:

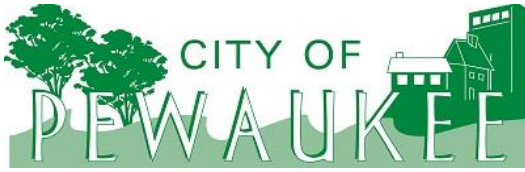
RECOMMENDED MOTION:

ATTACHMENTS:

Description

Floodplain Ordinance staff report 5.19.22

Floodplain Ordinance amendment



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REPORT TO THE PLAN COMMISSION

Meeting of May 19, 2022

Date: May 10, 2022

Project Name: Section 17.0435e.(7)(c), Removal of Lands from Floodplain Amendment

Project Address/Tax Key No.: City-wide

Applicant: City of Pewaukee

Project Description

Staff is requesting an amendment to Section 17.0435e.(7)(c), Removal of Lands from Floodplain. The subject amendment is attached and described further below.

This change is being brought forward in part to accommodate a proposed development located on the corner of Redford Boulevard and Lindsay Road. A Conceptual Review Application was reviewed at the April 21, 2022 Plan Commission meeting for this development.

Additionally, staff finds the current mitigation standard onerous and overly restrictive. As such, staff is bringing the change forward as a needed revision and would have done so in the future as part of the zoning code rewrite project, regardless of the above-mentioned development.

The tracked change version includes the following:

- reducing the proposed filled land from four times to one time the areal extent and volume of the proposed filled area that is added to the F-1 Floodplain District; and
- removing the language that mitigation must occur on the same property.

Staff would further note that the City will continue to monitor the removal of lands from the F-1 Floodplain District, so staff does not find that reducing the mitigation standard to a one for one or equal in/equal out requirement will have any negative impacts. This modification will add flexibility for the City to allow properties to be developed to a better extent.

Furthermore, staff does not find this modification as a detriment to the environment or floodplain as mitigation is still required, thus not raising flood levels nor increasing the dangers or hazards of flooding.

Recommendation

Staff recommends approval of the proposed text amendment to Section 17.0435e.(7)(c).

(7) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to section 't' *Amendments* of this sub-section.

In addition, no floodplain may be filled and no walled structure built within the SFHA or FSDs with the exception of the construction of public utility and transportation facilities required by a unit/agency of government, or an approved structure requiring water frontage which would require adherence to regulations as set forth in section 'l' of this subsection and by FEMA and NR116. Compliance with the provisions of this ordinance shall not be grounds for removing land from the F-1, Floodplain District unless:

- (a) Said land has been previously filled prior to the effective date of the adoption on this amendment so that the elevation of the lowest floor (including basement) of any existing or proposed walled structure or building is at least two feet above the base flood elevation;
- (b) The proposed filled land does not form an island and can be accessed from other surrounding lands without entering the F-1, Floodplain District;
- (c) There is an area of land outside the F-1, Floodplain District but adjacent to ~~and on the same property as~~ the proposed filled land equal to at least one (1) time ~~four (4) times~~ the areal extent and volume of the proposed filled area that is added to the F-1, Floodplain District based on plans approved by the City Plan Commission;
- (d) The height of the downstream base flood is not increased by proposed fill;
- (e) The floodplain boundaries shown on all official maps are amended pursuant to section 'n' of this sub-section; and
- (f) A study is prepared and certified by a state registered professional engineer, establishing that:
 - i. The fill, lowest floor and floodproofing elevation shall have no effect upon the base flood elevation either upstream or downstream and are in compliance with this ordinance; or
 - ii. The fill, lowest floor and floodproofing elevations may have the effect of raising the base flood elevation either upstream or downstream if otherwise in compliance with this ordinance, in which case the property owner must also contact FEMA to request and receive an approved Conditional Letter of Map Revision (CLOMR) prior to issuance of any local permit(s); or
 - iii. The fill, lowest floor and floodproofing elevations may have the effect of lowering the base flood elevation either upstream or downstream and are otherwise in compliance with this ordinance, in which case the property owner must also contact FEMA to request and receive an approved Letter of Map Change (LOMC) prior to issuance of any local permit(s). Please also see sub- section 17.1108b and Appendix 5.

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 5.**

DATE: May 19, 2022

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion Regarding a Review of Section 17.0209 of the City of Pewaukee Zoning Code Related to Accessory Structures and Temporary Use Standards and Related Definitions of Section 17.1400

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Accessory Uses and Structures staff report 5.19.22

Accessory Uses and Structures summary

Accessory Uses and Structures - clean version

Accessory Uses and Structures - tracked changes

Accessory Uses and Structures definitions - final draft



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REPORT TO THE PLAN COMMISSION

Meeting of May 19, 2022

Date: May 11, 2022

Project Name: Zoning Code Re-Write Project: Section 17.0209, Accessory Uses and Temporary Uses or Structures

Project Address/Tax Key No.: City-wide

Applicant: City of Pewaukee

Project Description

The Accessory Uses and Structures Section amendments attached and described below are being brought forward as part of the Zoning Code Re-Write Project that the Planning & Community Development Department has undertaken.

The attached include the following:

- A summary of major and minor changes made to the Accessory Uses and Temporary Uses or Structures sections within Section 17.0209 of the Zoning Code;
- A list of all definitions related to accessory and temporary uses and structures that were within Section 17.1400, some of which have been revised;
- A tracked changes draft of the proposed amendments; and
- A clean draft of the proposed amendments.

Through this re-write, staff aimed to generally keep the same standards as the existing code, with a few exceptions, while better identifying and detailing standards for specific uses and structures. The intent is not to create nonconforming structures or situations, but to better clarify standards and uses and correct any discrepancies that currently exist within these sections.

In addition to changes specifically identified in the attached summary, below are items that the Plan Commission may want to weigh-in on as they may be different standards than what exists today.

- The number of accessory structures allowed on a lot is included in the attached summary. Note that currently lots of 2.5-acres or more, are allowed up to two 1,200 square foot detached buildings. The proposed amendment allows two structures up to that maximum size or one structure no more than 2,400 square feet.
- Re: Section b.(2)(a), (e) and (f)

The existing code requires pools to be 15-feet from the rear property line. The proposed change continues to require a 15-foot setback from the edge of the pool, but also includes



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the side yard and adds that any concrete or deck surrounding needs to be a minimum of 10-feet from the side and rear property lines.

Considering the above allowance for decks and concrete to be setback 10-feet from the side and rear property lines when adjacent to a pool, the proposed ordinance also allows the same for any deck or patio. Currently the zoning code requires a 15-foot setback for decks and patios.

If a 15-foot setback is preferred as exists today, staff would revise the pool language to state that the 15-foot setback is measured from the deck or concrete area surrounding the pool, opposed to the edge of the pool.

- The current code does not specify a maximum size for boathouses. Boathouses are either held at a certain size based upon lot coverage and setback requirements or limited to 1,200 square feet as a “detached garage.”

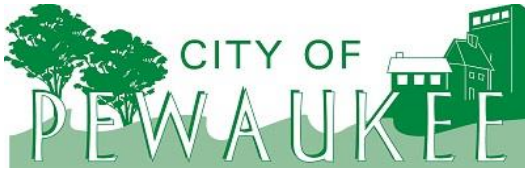
The proposed amendment limits boathouses to a maximum size of 800 square feet. Staff reviewed existing boathouses and found that only five are greater than 800 square feet in size. Below is a table listing the general area of existing boathouses.

Number of Boathouses	Size Range (square feet)
3	100-199
19	200-299
35	300-399
14	400-499
9	500-599
7	600-699
2	700-799
2	800-899
1	900-999
2	1,000-1,9999
Total Boathouses: 94	

As another comparison, boathouses on North Lake are limited to 450 square feet.

- Parking of trailers and recreational vehicles

Currently the zoning code only allows temporary parking of trailers and recreational vehicles for a maximum of 45 days on a property. The proposed amendment continues to allow temporary parking of trailers and RVs; however, it also provides parameters to allow for parking or storing them on a property permanently.



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The proposed code allows parking/storage of a maximum of one trailer or RV 30-feet in length or less if in the side or rear yard, parked on a paved or graveled surface, and screened from public view by fencing or landscaping.

Anecdotally, staff finds that there are instances where recreational vehicles and trailers are stored on residential properties within the City, which is the reason for this suggested change.

Recommendation

No action required.

Staff is seeking guidance related to these changes and will incorporate Plan Commission recommendations within the final draft ordinance.

New Accessory Uses & Structures Ordinance Summary

Major Changes

Quantity. Each residential lot shall be allowed no more than:

- One accessory structure 200 square feet or less in area
- One accessory structure up to a maximum of 1, 200 square feet on a lot less than 2.5 acres. A residential lot 2.5 acres or greater shall be allowed two accessory structures up to 1,200 square feet or one accessory structure no more than 2,400 square feet
- The total area of all permitted accessory structures as listed within the ordinance shall not occupy more than 40% of the rear yard
- In ground swimming pools, boat houses, and children play structures and tree houses will not count toward the maximum quantity of structures allowed

Detail standards exist for: swimming pools, pool houses and cabanas, fences, home use residential gardens, decks, patios and other paved or graveled areas, porches, boathouses, recreational vehicles, children play structures and tree houses, solar panels, and home occupation

Minor Changes

Call out that accessory structures attached to a principal structure by breezeway or other like structures are not considered attached

Lean-tos and other roofed projections, exceeding 3ft shall be included in area calculations

Setbacks.

- Accessory structures 120 square feet or less shall be located a minimum of five (5) feet from the side and rear property lines.
- Accessory structures between 121 and 200 square feet shall be located a minimum of ten (10) feet from the side and rear property lines.
- Accessory structures exceeding 200 square feet shall meet the same minimum setbacks as principal buildings of the zoning district.
- In no case shall an accessory structure be required to meet a greater setback than required for the principal structure

Design. Accessory structures shall be constructed of the same or complementary exterior materials as the principal structure on the parcel. In no case shall metal be utilized as a primary building material.

Detailed Standards.

- Decks, patios, and concrete around pools are now setback 10 ft from side and rear property line instead of 15 ft
- Fences shall be setback a minimum of 2 ft from property line to allow for maintenance of the fence
- Roof mounted solar panels shall not extend more than 3ft greater than the maximum height allowed for the structure in accordance with the zoning district

No Changes

Lot Coverage. All principal accessory structures shall not occupy more than the maximum permitted lot coverage allowed within the applicable zoning district.

Location.

- No detached accessory structure shall be located within the street yard, front yard, or a corner side yard
- Accessory structures are allowed within the arterial street side of double frontage lots
- Lots abutting Pewaukee Lake or its tributaries shall be considered double frontage lots and accessory structures shall be allowed on the street and water side of said lots
- Accessory structures shall be oriented so as not to block all view of water bodies and/or other common private or public open space from existing principal residences located on adjacent parcels.

Setbacks.

- Accessory structures, regardless of size, shall be located a minimum of:
 - Five (5) feet from any public easement
 - Ten (10) feet from any other structures (principal or accessory)
 - Twenty-five (25) feet from a wetland
 - Seventy-five (75) feet from a 100-year floodplain boundary or Ordinary High Water Mark of a navigable waterway, unless otherwise allowed in this ordinance.

Height. An accessory structure shall have a maximum height of 18 ft

Use. Residential accessory uses shall be subordinate to the residential use and shall not include a separate residential dwelling unit or involve the conduct of any business, trade, or industry except approved home occupations and home offices as defined in this ordinance.

Accessory structures 35 sq. ft. or less and mechanical equipment are allowed without issuance of a permit

- b. Accessory Uses and Structures are permitted in any district, but not until their principal use and/or structure is present or under construction and a building or zoning permit is obtained. No accessory structures shall contain or constitute a separate dwelling or residential unit. Accessory structures attached to a principal structure by a breezeway or other like structure are not considered attached for the purpose of this section. Lean-tos and other roofed projections, exceeding (3) feet shall be included in area calculations.

Accessory uses and structures include, but are not limited to: storage structures, parking structures and areas, gardening use and structures, private swimming pools, pool houses, cabanas, private emergency shelters, children play structures, greenhouses, sheds, decks, patios, gazebos, porches, boathouses, solar panels, fences, compost bins, sport courts, and animal shelters.

(1) All accessory structures in Single-Family and Two-Family Residential Districts shall comply with the following standards, unless otherwise specified under Section 17.0209(2) detailed standards for specific uses and structures.

- (a) Quantity. Each residential lot shall be allowed no more than:
- i. One accessory structure 200 square feet or less in area
 - ii. One accessory structure up to a maximum of 1,200 square feet on a lot less than 2.5 acres. A residential lot 2.5 acres or greater shall be allowed two accessory structures up to 1,200 square feet or one accessory structure no more than 2,400 square feet
 - iii. The total area of all permitted accessory structures as listed within this ordinance shall not occupy more than 40% of the rear yard.
- (b) Lot Coverage. All principal and accessory structures shall not occupy more than the maximum permitted lot coverage allowed within the applicable zoning district.
- (c) Location. No detached accessory structure shall be located within the street yard, front yard or a corner side yard. Accessory structures are allowed within the arterial street side of double frontage lots. Lots abutting Pewaukee Lake or its tributaries shall be considered double frontage lots and accessory structures shall be allowed on the street and water side of said lots. Accessory structures shall be oriented so as not to block all view of water bodies and/or other common private or public open space from existing principal residences located on adjacent parcels.
- (d) Setbacks.
- i. Accessory structures 120 square feet or less shall be located a minimum of five (5) feet from the side and rear property lines.

- ii. Accessory structures between 121 and 200 square feet shall be located a minimum of ten (10) feet from the side and rear property lines.
- iii. Accessory structures exceeding 200 square feet shall meet the same minimum setbacks as principal buildings of the zoning district.
- iv. Accessory structures, regardless of size, shall be located a minimum of:
 - 1. Five (5) feet from any public easement
 - 2. Ten (10) feet from any other structures (principal or accessory)
 - 3. Twenty-five (25) feet from a wetland
 - 4. Seventy-five (75) feet from a 100-year floodplain boundary or Ordinary High Water Mark of a navigable waterway, unless otherwise allowed in this ordinance.
- v. In no case shall an accessory structure be required to meet a greater setback than required for the principal structure.
- (e) Height. An accessory structure shall have a maximum height of eighteen (18) feet.
- (f) Use. Residential accessory uses shall be subordinate to the residential use and shall not include a separate residential dwelling unit or involve the conduct of any business, trade, or industry except approved home occupations and home offices as defined in this ordinance.
- (g) Design. Accessory structures shall be constructed of the same or complementary exterior materials as the principal structure on the parcel. In no case shall metal be utilized as a primary building material.

(2) Detailed Standards for certain residential accessory structures and uses.

- (a) Swimming Pools (Also see Section 14.30 of the City's Municipal Code)
 - i. All swimming pools (in-ground or above ground) shall be a minimum of fifteen (15) feet from the rear and side property lines and five (5) feet from any public easement, as measured from the edge of the pool.
 - ii. Concrete, decking and any other impervious surface surrounding the pool shall be a minimum of ten (10) feet from the side and rear property lines.
 - iii. In-ground swimming pools shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a).
- (b) Pool houses and cabanas
 - i. Shall be setback a minimum of fifteen (15) feet from

- the side and rear property lines.
 - ii. Shall count towards the maximum quantity of structures allowed under 17.0209(1)(a).
 - iii. Shall not be used, rented, or leased as a dwelling or residential unit or for overnight habitation.
- (c) Fences
 - i. Shall not exceed a height of six (6) feet as measured from grade
 - ii. Shall be ornamental and not exceed a height of three (3) feet when placed on the street side of a residence within the front yard.
 - iii. Shall not be located within a vision clearance triangle or within five (5) feet from a street property line when abutting a street.
 - iv. Shall be setback a minimum of five (5) feet from the right-of-way line on a corner lot or two (2) feet on a double frontage lot.
 - v. Shall be setback a minimum of two (2) feet from the property line to allow for maintenance of the fence.
 - vi. No barbed wire, chicken wire, or electrically charged fences shall be allowed as permanent fencing in residential zoning districts.
- (d) Home Use Residential Gardens
 - i. Temporary style fencing, four (4) feet or less in height, immediately surrounding a home use residential garden shall be allowed.
- (e) Decks
 - i. Attached and detached decks shall be setback a minimum of ten (10) feet from the side and rear property lines.
- (f) Patios and other paved or graveled areas (See Section 17.0604 for driveway, access and parking standards)
 - i. Shall be setback a minimum of ten (10) feet from the side and rear property lines.
- (g) Porches
 - i. Shall be attached and considered part of the principal structure. As such, all porches shall comply with the minimum setbacks of the applicable zoning district.
- (h) Boathouses (See Section 17.0436)
 - i. Shall be setback a minimum of five (5) feet from the ordinary high water mark of a lake or stream.
 - ii. Shall be setback a minimum of five (5) feet from the side property lines.
 - iii. Shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a)
 - iv. Shall not exceed eight hundred (800) square feet in area.

- (i) Recreational Vehicles
 - i. Shall not be permanently parked on a driveway within the street or front yard of a residence.
 - ii. Shall be parked and kept on a paved or gravel surface.
 - iii. Shall be screened from public view by fencing or a Planting Screen as approved by the Zoning Administrator.
 - iv. Shall be limited to one such vehicle owned by the owner of the premises and less than 30 feet in length, including draw bar or 'tounge'.
 - v. See Section 17.0209f. for temporary parking allowances for recreational vehicles.
- (j) Children play structures and tree houses
 - i. Must be located a minimum of five (5) feet from the side and rear property lines.
 - ii. Shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a).
- (k) Solar panels (Also see Section 17.0909a.2.)
 - i. Roof Mounted Systems
 - 1. Shall be permissible on principal and accessory structures
 - 2. Shall be flush mounted whenever possible
 - 3. Shall not extend above the highest peak of a pitched roof
 - 4. Shall not extend more than three (3) feet greater than the maximum height allowed for the structure in accordance with the zoning district
 - ii. Ground Mounted Systems
 - 1. Shall be considered impervious and adhere to the general accessory structure requirements of Section 17.0209b.(1) above.
 - 2. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be twelve (12) inches
 - 3. All parts of the free-standing system shall be located a minimum of fifteen (15) feet from the side and rear property lines.
- (l) Home Occupation
 - i. Home occupations may be conducted within single-family and multi-family dwellings.
 - ii. The home occupation shall be conducted entirely within the dwelling and the total floor space required or used for such home occupation shall not be greater than twenty (20) percent of the total

- floor area of any floor within the residence and shall not be conducted within any accessory building
- iii. The home occupation shall not create noise, odor or electrical disturbance which can be detected outside the residence.
 - iv. There can be no more than one (1) employee that does not live in the home.
 - v. There shall be no customer traffic, no parking or servicing of vehicles not licensed to the homeowner, no parking outside a garage of more than one vehicle used in the business and no non-residential solid waste shall be stored outside.
 - vi. There shall be no visible evidence from outside the residence that the residence is being used for home occupation purposes, and there shall be no signage displayed.

(3) The following accessory structures are allowed without the issuance of a building or zoning permit, subject to compliance with all standards of Section 17.0209b.(1).

- (a) Any accessory structure thirty-five (35) square feet or less.
- (b) Mechanical equipment
 - i. Mechanical equipment, such as air conditioning units, shall be setback a minimum of five (5) feet from the side and rear property lines.
 - ii. Mechanical equipment located within the street, front or corner side yard shall be setback a minimum of five (5) feet from the right-of-way line and fully screened from public by a Planting Screen.

(4) Accessory structures and uses in Agricultural Districts are allowed as stated under Sections 17.0403 and 17.0404. All accessory structures shall be subject to Plan Commission approval of a Site and Building Plan Review Application, except for the following structures, which may be approved by the Zoning Administrator under review of applicable building permits.

- (a) Fences, not exceeding eight (8) feet in height shall be allowed with approval of a Building Permit. Fences greater than eight (8) feet shall be subject to Plan Commission review of a Site and Building Plan Review Application.
- (b) Roadside stands for the sale of agricultural products shall be allowed with Zoning Administrator approval of a Business Plan of Operation Application in addition to applicable building permits. Roadside stands shall have sufficient off-street parking and loading areas to accommodate the use.
- (c) Animal shelters and up to two (2) storage buildings not exceeding 2,400 square feet.

(5) All accessory structures and uses in Multi-Family Residential and

Nonresidential Districts are permitted as may be allowed within each individual zoning district and with Plan Commission approval of a Site and Building Plan Review Application for any building or site improvements. Also see Section 17.0210.

- c. Temporary Uses or Structures are allowed within any zoning district as required below. Temporary uses not listed shall require Plan Commission approval of a Temporary Use Permit.
 - a. All Temporary Uses shall comply with the following standards, unless otherwise approved by the Plan Commission:
 - i. Location. No temporary structure shall encroach upon City property, City rights-of-way, neighboring property, sidewalks, or be placed in the street.
 - ii. Setbacks. Temporary structures, regardless of size, shall be located a minimum of:
 - 1. Five (5) feet from any public easement
 - 2. Ten (10) feet from any other structures (principal or accessory)
 - 3. Twenty-five (25) feet from a wetland
 - 4. Seventy-five (75) feet from a 100-year floodplain boundary or Ordinary High Water Mark of a navigable waterway.
 - iii. Height. A temporary structure shall have a maximum height of eighteen (18) feet.
 - iv. Use. Temporary Uses are not accessory uses and may not be used as permanent or temporary storage units or as signs or sign supporting structures.
 - v. Expiration. All Temporary Uses are limited to 30 days per calendar year unless otherwise specified below or as may be approved by the Plan Commission.
 - b. Temporary Uses allowed without the issuance of a Temporary Use Permit.
 - i. Construction related shelters for materials and equipment, construction office trailers and other construction related uses.
 - 1. Any structure or outdoor storage area designed for the onsite storage of construction equipment and/or materials of active construction projects
 - 2. Construction related temporary structures shall be removed upon

- completion of the active construction phase of the project.
 - ii. Dumpsters required for construction sites
 - 1. Shall be placed on a paved or graveled surface
 - 2. Shall be removed following completion of work or as required by the Building Inspector or Zoning Administrator.
 - iii. Pre-construction sales offices
 - 1. Shall be allowed in single-family, two-family and multi-family residential zoning districts only
 - 2. The structure shall be removed upon the completion of the permanent dwelling structure(s) located onsite.
 - iv. Recreational Vehicles and Mobile Homes
 - 1. Shall be limited to one such vehicle owned by the owner of the premises and less than 30 feet in length, including draw bar or 'tounge'.
 - 2. Shall not be located within the front yard of a lot.
 - v. Garage and Yard Sales
 - 1. Shall be allowed in single-family, two-family and multi-family residential zoning districts only.
 - 2. Shall be limited to three (3) such sales within a calendar year, each for a duration not to exceed three (3) consecutive days.
 - vi. Public Interest and Special Events
 - 1. Such events shall be allowed in all zoning districts.
 - 2. Such events shall include but not limited to outdoor food sales, outdoor car wash, or other gatherings for the benefit of the community, a particular service or a non-profit organization.
 - 3. Limited to no more than 6 times per year.
 - 4. Each event shall be no longer than 14 days.
- c. Temporary Uses allowed with Zoning Administrator review and approval of a Temporary Use Permit.
 - i. Movable or portable storage units
 - 1. No such storage units shall be greater than twenty (20) feet in length, ten (10) feet in width, and ten (10) feet in height.

2. Storage units shall be placed on a paved or graveled surface.
- ii. Carport or similar temporary structure
 1. Shall be placed on a paved or graveled surface.
 2. Shall not be located within the front yard of a lot.
- iii. Outdoor seasonal sales and farmers markets
 1. Allowed in agricultural and nonresidential districts only.
 2. Limited to 90 days per calendar year.

~~b. Accessory Uses and structures are permitted in any district but not until their principal use and/or structure is present or under construction and a building or zoning permit is obtained. Residential accessory uses shall not involve the conduct of any business, trade, or industry except approved home occupations and home offices as defined in this ordinance, and accessory buildings shall not be used for residential purposes, except as noted below. Accessory uses also include incidental repairs to the principal structure; storage structures; parking structures and areas; home use gardening; private swimming pools; and private emergency shelters. Mobile homes and recreation vehicles designed or configured to be driven or towed are not principal or accessory structures and may not be used for habitation or storage except in approved mobile home parks and RV campgrounds or in the case of officially recognized emergencies. One such vehicle owned by the owner of the premises and less than 30 feet in length, including draw bar or 'tongue', may be temporarily stored outside within the buildable area of a residential property for no more than 45 days in a calendar year if property deed restrictions/covenants allow, but may not be used as a living unit or extra bedroom. Storage units such as dumpsters and portable on-demand (pod) storage units are not accessory structures. Watchmen quarters in industrial or commercial districts and quarters of itinerant agricultural laborers in an agricultural district may be accessory structures upon granting of a conditional use permit for such specific use by the Plan Commission. Small accessory structures or 'garden' buildings intended for the storage of yard maintenance equipment having not more than 120 square feet in floor space may be located within rear or side yard areas but not closer than ten (10) feet to a property line or other building and not within designated easements. All accessory structures larger than 120 square feet shall be constructed using the same type and color of exterior materials, including roofing, as the principal structure on the property.~~

- b. Accessory Uses and Structures are permitted in any district, but not until their principal use and/or structure is present or under construction and a building or zoning permit is obtained. No accessory structures shall contain or constitute a separate dwelling or residential unit. Accessory structures attached to a principal structure by a breezeway or other like structure are not considered attached for the purpose of this section. Lean-tos and other roofed projections, exceeding (3) feet shall be included in area calculations.

Accessory uses and structures include, but are not limited to: storage structures, parking structures and areas, gardening use and structures, private swimming pools, pool houses, cabanas, private emergency shelters, children play structures, greenhouses, sheds, decks, patios, gazebos, porches, boathouses, solar panels, fences, compost bins, sport courts, and animal shelters.

(1) All accessory structures in Single-Family and Two-Family Residential Districts shall comply with the following standards, unless otherwise specified under Section 17.0209(2) detailed standards for specific uses and structures.

- (a) Quantity. Each residential lot shall be allowed no more than:
- i. One accessory structure 200 square feet or less in area

- ii. One accessory structure up to a maximum of 1,200 square feet on a lot less than 2.5 acres. A residential lot 2.5 acres or greater shall be allowed two accessory structures up to 1,200 square feet or one accessory structure no more than 2,400 square feet
 - iii. The total area of all permitted accessory structures as listed within this ordinance shall not occupy more than 40% of the rear yard.
- (b) Lot Coverage. All principal and accessory structures shall not occupy more than the maximum permitted lot coverage allowed within the applicable zoning district.
- (c) Location. No detached accessory structure shall be located within the street yard, front yard or a corner side yard. Accessory structures are allowed within the arterial street side of double frontage lots. Lots abutting Pewaukee Lake or its tributaries shall be considered double frontage lots and accessory structures shall be allowed on the street and water side of said lots. Accessory structures shall be oriented so as not to block all view of water bodies and/or other common private or public open space from existing principal residences located on adjacent parcels.
- (d) Setbacks.
 - i. Accessory structures 120 square feet or less shall be located a minimum of five (5) feet from the side and rear property lines.
 - ii. Accessory structures between 121 and 200 square feet shall be located a minimum of ten (10) feet from the side and rear property lines.
 - iii. Accessory structures exceeding 200 square feet shall meet the same minimum setbacks as principal buildings of the zoning district.
 - iv. Accessory structures, regardless of size, shall be located a minimum of:
 - 1. Five (5) feet from any public easement
 - 2. Ten (10) feet from any other structures (principal or accessory)
 - 3. Twenty-five (25) feet from a wetland
 - 4. Seventy-five (75) feet from a 100-year floodplain boundary or Ordinary High Water Mark of a navigable waterway, unless otherwise allowed in this ordinance.
 - v. In no case shall an accessory structure be required to meet a greater setback than required for the principal structure.
- (e) Height. An accessory structure shall have a maximum height of eighteen (18) feet.
- (f) Use. Residential accessory uses shall be subordinate to the residential use and shall not include a separate residential

dwelling unit or involve the conduct of any business, trade, or industry except approved home occupations and home offices as defined in this ordinance.

- (g) Design. Accessory structures shall be constructed of the same or complementary exterior materials as the principal structure on the parcel. In no case shall metal be utilized as a primary building material.

(2) Detailed Standards for certain residential accessory structures and uses.

(a) Swimming Pools (Also see Section 14.30 of the City's Municipal Code)

- i. All swimming pools (in-ground or above ground) shall be a minimum of fifteen (15) feet from the rear and side property lines and five (5) feet from any public easement, as measured from the edge of the pool.
- ii. Concrete, decking and any other impervious surface surrounding the pool shall be a minimum of ten (10) feet from the side and rear property lines.
- iii. In-ground swimming pools shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a).

(b) Pool houses and cabanas

- i. Shall be setback a minimum of fifteen (15) feet from the side and rear property lines.
- ii. Shall count towards the maximum quantity of structures allowed under 17.0209(1)(a).
- iii. Shall not be used, rented, or leased as a dwelling or residential unit or for overnight habitation.

(c) Fences

- i. Shall not exceed a height of six (6) feet as measured from grade
- ii. Shall be ornamental and not exceed a height of three (3) feet when placed on the street side of a residence within the front yard.
- iii. Shall not be located within a vision clearance triangle or within five (5) feet from a street property line when abutting a street.
- iv. Shall be setback a minimum of five (5) feet from the right-of-way line on a corner lot or two (2) feet on a double frontage lot.
- v. Shall be setback a minimum of two (2) feet from the property line to allow for maintenance of the fence.
- vi. No barbed wire, chicken wire, or electrically charged fences shall be allowed as permanent fencing in residential zoning districts.

(d) Home Use Residential Gardens

- i. Temporary style fencing, four (4) feet or less in height, immediately surrounding a home use residential garden shall be allowed.
- (e) Decks
 - i. Attached and detached decks shall be setback a minimum of ten (10) feet from the side and rear property lines.
- (f) Patios and other paved or graveled areas (See Section 17.0604 for driveway, access and parking standards)
 - i. Shall be setback a minimum of ten (10) feet from the side and rear property lines.
- (g) Porches
 - i. Shall be attached and considered part of the principal structure. As such, all porches shall comply with the minimum setbacks of the applicable zoning district.
- (h) Boathouses (See Section 17.0436)
 - i. Shall be setback a minimum of five (5) feet from the ordinary high water mark of a lake or stream.
 - ii. Shall be setback a minimum of five (5) feet from the side property lines.
 - iii. Shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a)
 - iv. Shall not exceed eight hundred (800) square feet in area.
- (i) Recreational Vehicles
 - i. Shall not be permanently parked on a driveway within the street or front yard of a residence.
 - ii. Shall be parked and kept on a paved or gravel surface.
 - iii. Shall be screened from public view by fencing or a Planting Screen as approved by the Zoning Administrator.
 - iv. Shall be limited to one such vehicle owned by the owner of the premises and less than 30 feet in length, including draw bar or 'tounge'.
 - v. See Section 17.0209f. for temporary parking allowances for recreational vehicles.
- (j) Children play structures and tree houses
 - i. Must be located a minimum of five (5) feet from the side and rear property lines.
 - ii. Shall not count toward the maximum quantity of structures allowed under 17.0209(1)(a).
- (k) Solar panels (Also see Section 17.0909a.2.)
 - i. Roof Mounted Systems
 - 1. Shall be permissible on principal and accessory structures
 - 2. Shall be flush mounted whenever possible

3. Shall not extend above the highest peak of a pitched roof

4. Shall not extend more than three (3) feet greater than the maximum height allowed for the structure in accordance with the zoning district

ii. Ground Mounted Systems

1. Shall be considered impervious and adhere to the general accessory structure requirements of Section 17.0209b.(1) above.

2. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be twelve (12) inches

3. All parts of the free-standing system shall be located a minimum of fifteen (15) feet from the side and rear property lines.

(l) Home Occupation

i. Home occupations may be conducted within single-family and multi-family dwellings.

ii. The home occupation shall be conducted entirely within the dwelling and the total floor space required or used for such home occupation shall not be greater than twenty (20) percent of the total floor area of any floor within the residence and shall not be conducted within any accessory building

iii. The home occupation shall not create noise, odor or electrical disturbance which can be detected outside the residence.

iv. There can be no more than one (1) employee that does not live in the home.

v. There shall be no customer traffic, no parking or servicing of vehicles not licensed to the homeowner, no parking outside a garage of more than one vehicle used in the business and no non-residential solid waste shall be stored outside.

vi. There shall be no visible evidence from outside the residence that the residence is being used for home occupation purposes, and there shall be no signage displayed.

(3) The following accessory structures are allowed without the issuance of a building or zoning permit, subject to compliance with all standards of Section 17.0209b.(1).

(a) Any accessory structure thirty-five (35) square feet or less.

(b) Mechanical equipment

i. Mechanical equipment, such as air conditioning units,

shall be setback a minimum of five (5) feet from the side and rear property lines.

- ii. Mechanical equipment located within the street, front or corner side yard shall be setback a minimum of five (5) feet from the right-of-way line and fully screened from public by a Planting Screen.

(4) Accessory structures and uses in Agricultural Districts are allowed as stated under Sections 17.0403 and 17.0404. All accessory structures shall be subject to Plan Commission approval of a Site and Building Plan Review Application, except for the following structures, which may be approved by the Zoning Administrator under review of applicable building permits.

- (a) Fences, not exceeding eight (8) feet in height shall be allowed with approval of a Building Permit. Fences greater than eight (8) feet shall be subject to Plan Commission review of a Site and Building Plan Review Application.
- (b) Roadside stands for the sale of agricultural products shall be allowed with Zoning Administrator approval of a Business Plan of Operation Application in addition to applicable building permits. Roadside stands shall have sufficient off-street parking and loading areas to accommodate the use.
- (c) Animal shelters and up to two (2) storage buildings not exceeding 2,400 square feet.

(5) All accessory structures and uses in Multi-Family Residential and Nonresidential Districts are permitted as may be allowed within each individual zoning district and with Plan Commission approval of a Site and Building Plan Review Application for any building or site improvements. Also see Section 17.0210.

~~f. Temporary Uses or Structures, such as shelters for materials and equipment or construction office trailers being used in the construction of a permanent structure, may be permitted for a period not to exceed 12 months while construction is in progress and such uses or structures must be screened from public view when physically possible to do so. Movable or portable on-demand storage (pods) units and 'dumpsters' may not be used as permanent outdoor storage facilities unless enclosed from view within a City Plan Commission approved permanent enclosure and may only be used as temporary storage in the event of an emergency or as a material and equipment shelter during moving of personal home or business items or construction of a building. All temporary structures/units shall be removed when directed by the Building Inspector or Zoning Administrator. Commercial or business trucks, truck trailers, vans, trailers, recreation vehicles or mobile homes are not accessory uses and may not be used as permanent or temporary storage units or as signs or sign supporting structures and shall not be~~

~~parked in the open in residential districts. (Also see 'b', above and subsection 17.0601 and Chapter 5.00).~~

c. Temporary Uses or Structures are allowed within any zoning district as required below. Temporary uses not listed shall require Plan Commission approval of a Temporary Use Permit.

(1) All Temporary Uses shall comply with the following standards, unless otherwise approved by the Plan Commission:

- (a) Location. No temporary structure shall encroach upon City property, City rights-of-way, neighboring property, sidewalks, or be placed in the street.
- (b) Setbacks. Temporary structures, regardless of size, shall be located a minimum of:
 - i. Five (5) feet from any public easement
 - ii. Ten (10) feet from any other structures (principal or accessory)
 - iii. Twenty-five (25) feet from a wetland
 - iv. Seventy-five (75) feet from a 100-year floodplain boundary or Ordinary High Water Mark of a navigable waterway.
- (c) Height. A temporary structure shall have a maximum height of eighteen (18) feet.
- (d) Use. Temporary Uses are not accessory uses and may not be used as permanent or temporary storage units or as signs or sign supporting structures.
- (e) Expiration. All Temporary Uses are limited to 30 days per calendar year unless otherwise specified below or as may be approved by the Plan Commission.

(2) Temporary Uses allowed without the issuance of a Temporary Use Permit.

- (a) Construction related shelters for materials and equipment, construction office trailers and other construction related uses.
 - i. Any structure or outdoor storage area designed for the onsite storage of construction equipment and/or materials of active construction projects

- ii. Construction related temporary structures shall be removed upon completion of the active construction phase of the project.

(b) Dumpsters required for construction sites

- i. Shall be placed on a paved or graveled surface
- ii. Shall be removed following completion of work or as required by the Building Inspector or Zoning Administrator.

(c) Pre-construction sales offices

- i. Shall be allowed in single-family, two-family and multi-family residential zoning districts only
- ii. The structure shall be removed upon the completion of the permanent dwelling structure(s) located onsite.

(d) Recreational Vehicles and Mobile Homes

- i. Shall be limited to one such vehicle owned by the owner of the premises and less than 30 feet in length, including draw bar or 'tounge'.
- ii. Shall not be located within the front yard of a lot.
- iii. Shall be allowed in single-family, two-family and multi-family residential zoning districts only.
- iv. Shall be limited to three (3) such sales within a calendar year, each for a duration not to exceed three (3) consecutive days.

(e) Public Interest and Special Events

- i. Such events shall be allowed in all zoning districts.
- ~~i.~~ii. Such events shall include but not limited to outdoor food sales, outdoor car wash, or other gatherings for the benefit of the community, a particular service or a non-profit organization.
- ~~ii.~~iii. Limited to no more than 6 times per year.
- ~~iii.~~iv. Each event shall be no longer than 14 days.

(3) Temporary Uses allowed with Zoning Administrator review and approval of a Temporary Use Permit.

(a) Movable or portable storage units

- i. No such storage units shall be greater than twenty (20) feet in length, ten (10) feet in width, and ten (10) feet in height.
 - ii. Storage units shall be placed on a paved or graveled surface.
- (b) Carport or similar temporary structure
 - i. Shall be placed on a paved or graveled surface.
 - ii. Shall not be located within the front yard of a lot.
- (c) Outdoor seasonal sales and farmers markets
 - i. Allowed in agricultural and nonresidential districts only.
 - ii. Limited to 90 days per calendar year.

Accessory Uses & Structures Definitions

5 - Accessory Use or Structure

A ~~Use or detached S~~structure that is secondary and incidental to, subordinate in area, extent or purpose to the principal building or use served or required for the principal building or use of the premises of a structure, land, or water and is located on the same zoning lot as the principal building or principal use. or parcel serving a purpose customarily incidental to the permitted principal use or the structure in which the principal use is housed. Such uses/structures include but are not limited to: a detached garage or carport; maintenance equipment or material storage shed; gazebo; cabana; child's play house or tree house; and similar walled structures not meant to be used as a living unit. (See sub-section 17.0209b).

33 - Boathouse

A permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts. designed to protect or store boats, which may be built no closer than five (5) feet from the ordinary high water mark of a lake or stream.

61 - Deck

A structure, other than a stoop or walkway, characterized by a flat open horizontal surface or platform, at least six inches above the grade of the land it covers and which may or may not be supported by posts, beams, cantilevers or by any other methods, including a roof structure, usually attached to the rear or sides of a dwelling unit and intended to be used for leisure or recreational purposes. Such structures attached to the street side of a dwelling are usually called porches and are intended to shelter the front entry of the dwelling and for leisure activity.

77 - Easement

A right given by an owner of land to another party for a specific limited use of that land or portion thereof.

89 - Farm Roadside Stand

A farm building or structure used or intended to be used for the sale of unprocessed farm products raised on said farm solely by the owner or tenant of the farm on which such building is located.

92 - Fence

Any wooden, masonry, concrete, plastic structure or a densely planted hedge or other living plant material intended to enclose an open space for purposes of security or confinement, or intended as a visual or audible screening device, or intended for aesthetic ornamentation which is at least six (6) feet in length, no more than two (2) feet in height measured at grade, the nearest street curb, and no more than six (6) feet in height in residential and agricultural districts; nor more than ten (10) feet in height in other districts unless required by the Plan Commission as a condition of approval. Retaining walls for the purpose and as part of a grading plan shall no be considered a fence.

93 - Fence, Ornamental

A fence structure, not a common or privacy fence, constructed and placed so as not to obstruct vision and intended for aesthetic purposes only. Ornamental fences ~~may not be more than five (5) feet in height and may not be placed within a vision clearance triangle or within five (5) feet from a street property line.~~ shall have a minimum opacity of fifty percent (50%) and fifty percent 50% visual obstruction provided by the fence.

110 - Front Yard (see Street Yard)

~~A yard extending along the full width of the front lot line between side lot lines and extending from the abutting front street right-of-way line to a depth required in the yard regulations for the zoning district in which such lot is located.~~

111 - Garage

Garages are enclosed accessory structures designed for the heated or cold storage of vehicles, equipment, and personal belongings. Such structures shall meet the building setback, lot coverage and design restrictions of the applicable zoning district of the City and, if residential, may not be constructed on a lot or parcel that does not already contain a permitted principal use structure. In addition, no residential garage shall be used for the conduct of a business, storage of commercial and industrial use trucks/vehicles of over 1- 1/2 ton rated load capacity, or for habitation. ~~No more than one (1) detached garage may be constructed on a single-family zoned residential parcel of less than two and one-half (2.5) acres in size, and no more than two (2) detached garages may be constructed on a single-family residential zoned parcel of two and one-half (2.5) acres or more in size. Detached garages may only be constructed on agriculture or single-family zoned parcels unless otherwise approved by the Plan Commission.~~

121 - Hobby Kennel (Rep. & Recr. 13-09)

Any premises with four (4) or more dogs five (5) or more months of age, 6 or more other animals, or a combination of 6 or more dogs and animals, as household pets or for non-commercial purposes such as raising, breeding, boarding, training, grooming, foster care and the occasional raising and selling of not more than two (2) litters of animals per year.

122 - Home Occupations

Any occupation conducted for monetary or "in-kind" gain within a ~~single or two family residence or residential unit~~ by an occupant thereof. ~~The home occupation must be conducted entirely within the dwelling and the total floor space required or used for such home occupation shall not be greater than twenty (20) percent of the total floor area of any floor within the residence and shall not be conducted within any accessory building. The home occupation shall not create noise, odor or electrical disturbance which can be detected outside the residence. There can be no more than one (1) employee that does not live in the home. There shall be no customer traffic, no parking or servicing of vehicles not licensed to the home owner, no parking outside a garage of more than one vehicle used in the business and no non-residential solid waste shall be stored outside. There shall be no visible evidence from outside the residence that the residence is being used for home occupation purposes, and there shall be no signage displayed. Home occupations may not be conducted in a multi-family residence. See Section 17.0209(I).~~

125 - Impervious Surface

Any surface on which at least 50 percent of precipitation falling thereon is not absorbed but is released from the surface to flow elsewhere as stormwater runoff, such as roofs, concrete or asphalt driveways and patios, decks, and paved or graveled parking lots and outside storage areas and stored materials and equipment.

131 - Kennel

An outdoor or indoor enclosure for the keeping of household pets as a commercial or hobby venture. (See sub-section 11.05 of City ordinances regarding dog kennels)

136 - Lot (or parcel)

For the purpose of this Ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory building are placed, together with the required open spaces; ~~provided that no such parcel be bisected by a public street or other public or private right-of-way~~ and shall not include any portion of a public right-of-way. No lands dedicated to the public or reserved for roadway purposes shall be included in the computation of lot size for the purposes of this Ordinance.

138 - Lot, Corner

~~A lot abutting two (2) or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side. A lot situated at the junction of and abutting on two (2) or more intersection streets, or a lot at the point of deflection in alignment of a continuous street.~~

139 - Lot, Double Frontage

A parcel of land, other than a corner lot, with frontage on more than one (1) street or with frontage on a street and a navigable body of water. Double frontage lots, for the purpose of this Ordinance, shall be deemed to have two (2) front yards and no rear yard, even though access is permitted on only one street.

146 – Mobile Recreational Vehicle or RV

A single chassis vehicle designed to be self-propelled, or carried or towed by a licensed light-duty vehicle; is licensed for highway use if required by local or state law; is designed for temporary or seasonal recreation use and not for permanent habitation; and, is normally less than 300 square feet but can be no more than 400 square feet in wall-to-wall area.

168 - Porch

~~A structure attached to the street side of a dwelling intended to shelter the front entry of the dwelling and for leisure activity.~~

171 - Principal Building or Structure

A building or structure used or intended to be used for the principal use as permitted on such lot by the regulations of the zoning district in which it is located.

172 - Principal Use

~~The main or primary use of land, premises, buildings or structures as permitted by the regulations of the zoning district in which such use is located. Any and all of the primary uses of a property, treated as a use permitted by right or as a conditional use (rather than as an accessory use or a temporary use).~~

187 - Rear Lot Line

The lot line opposite to and most distant from the front or street lot line.

189 - Recreational Vehicle or Equipment

A vehicle or piece of equipment which can be towed, hauled, carried or driven and designed as a temporary living accommodation for recreational camping and/or travel use and including but

not limited to travel trailers, truck campers, tent trailers, camping trailers, self propelled motor homes, and boats.

205 - Setback

The narrowest distance permitted from a street, side, or rear property line to the required setback of the zoning district.

208 - Side Setback

The area prescribed to as the minimum side yard setback distance between the principal or access our structure and the side property boundary as set forth in the distant regulations.

209 - Side Yard

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure. ~~Also, the area prescribed as the minimum side yard setback distance between the principal or accessory structure and the side property boundary as set forth in the district regulations.~~

213-- Solar Detriment Areas, Horizontal

~~The area adjacent to a structure upon which has been constructed or placed an operational active solar system and which is described by drawing a line 200 feet long from the easternmost corner (or side) of the structure at an angle of 15 degrees east of south measured at the point of beginning; then drawing a second line from the northernmost corner (or side) of the structure 200 feet due west, thence 200 feet due south, and thence east to an intersection with the end of the first line drawn. Such described area shall include that part or portion of the roof surface(s) that slope to the southeast, south, southwest or west. Structures built above a certain height within this area may block sunlight, during critical times of the day, from radiating on the solar energy collectors. (See Solar Detriment Area, Vertical)~~

214-- Solar Detriment Areas, Vertical

~~The area above a plane which extends outward from a structure over the entire horizontal area of solar detriment of such structure from a horizontal line on the structure measured ten (10) feet from the ground level at the southernmost corner (or side) of the structure and extended outward to the limits of the horizontal area of solar detriment and at an angle of twenty (20°) degrees above the horizontal measured from a point on or at the structure. Structures or plantings protruding above this plane may detrimentally block sunlight from the solar energy collectors or an operational active solar system.~~

222 - Street Yard or Front Yard

The area between the principal structure and the abutting street extending the full width of the lot. ~~Also, the distance between the abutting street right-of-way and the street or front building setback line as set forth in district regulations.~~

230 - Swimming Pool

Any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent which is either above or below the ground in which water of more than twenty-four (24") inches in depth is contained and which is used primarily for the purpose of bathing and swimming. This definition includes self-contained spa, spas or hot tubs. (Also see Chapter 14.30 of City codes).

246 - Wetland

An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils and/or plant material indicative of a wet condition.

Temporary Uses & Structures Definitions

169 - Portable storage container (enclosed)

A portable metal, wood or plastic storage unit or container or box of various sizes that is transported to a site similar to a solid waste dumpster and used to store goods and material. Such containers are sometimes called 'pods'.

234 - Temporary Use

A use of a building permitted by the Plan Commission to exist during periods of construction of the main building or use, or for special events.